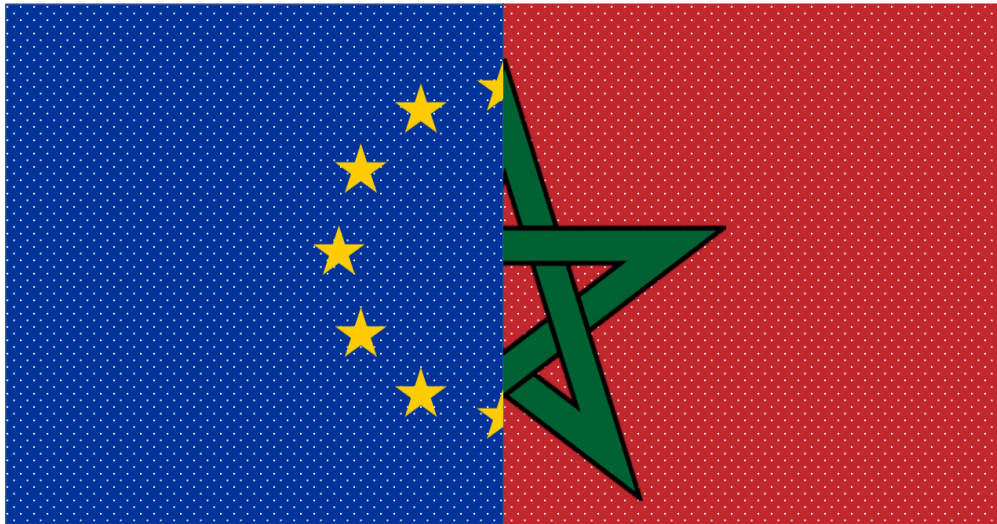




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Non-trade issues in trade deals

The EU-Morocco case



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Abstract

The European Union (EU) is an incomparable actor in international relations. Due to its unique nature, many academics have attempted to define and establish a typology to describe how the EU acts at the world stage. One of the EU's stronger tools to influence its surrounding countries is its market. Through the carrot of market access and stick of market exclusion, the EU is able to pursue a foreign affairs agenda. This study focusses on the discourse between the EU and its southern neighbour, Morocco, regarding the inclusion of non-trade issues (NTI) in trade agreements. The analysis traces the development of NTIs, by exploring and comparing their role in the two trade deals that have been concluded in the broader context of EU-Morocco relations. The discourse between EU officials and the Moroccan Kingdom is analysed to identify the frame that was employed vis-à-vis NTIs. The analysis demonstrates that both the EU and Morocco employ NTIs. However, the instrumentalisation of NTIs has also proven to be flexible, as they are employed to achieve divergent objectives. On the one hand, the EU portrays itself as a benign organisation that is willing to assist Morocco in its development. On the other hand, Morocco has demonstrated that it drives a hard bargain, as it employs a more business-like discourse in its relationship with the EU than the EU.

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1. Introduction

The European Union (EU) has been able to position itself as a serious global player in terms of economy and trade. Through its exclusive competence regarding trade negotiations and the magnitude of the European single market, it has become the principal mouthpiece of its member states at the WTO negotiation table. However, the nature of the EU as an actor in international relations remains ambiguous. While it is true that the EU has some competences in foreign relations, its decisions remain subject to the unanimity requirements and procedural restrictions. At the same time, it is equally true that its role in foreign policy has grown since the last treaty reform, which was the Lisbon treaty (Howorth, 2010).

The new treaty ignited the creation of a myriad of programmes that positioned the EU in the international sphere. Notably, it led to the renewed role of the High Representative and the creation of the European External Action Service, which are perceived as the EU's *de facto* diplomatic representation (Bátora, 2013). In this thesis, the most relevant venue for external relations is the European neighbourhood policy (ENP), which seeks to establish and maintain the relationship between the EU and its neighbouring countries, so as to create a circle of friends that surrounds the EU. One of the ENP's goals is to achieve regionalisation around the EU to promote multilateralism (Vasilyan, 2009).

Because of these developments, many academics have taken up the challenge to define the ambiguous nature, positions and procedures that remain at the heart of the EU's activity in international relations (Manners, 2002; Damro, 2012). However, while the different contributions arguably provide convincing definitions, none of the explanations have been consolidated into a conventional theory. One school of thought has focussed on the duality of trade in the field of foreign policy. Trade seems to be an independent activity vis-à-vis political and diplomatic relationships. However, it is important to acknowledge the role of trade within a broader context. The EU's market is an indispensable instrument for the EU to shape the behaviour of those interested in accessing its market, and it accordingly uses the market as a bargaining chip against non-member countries. This tactic is described as trade conditionality, where the EU establishes conditions and criteria that need to be fulfilled before a non-member country is allowed to sell and buy on the its single market. These conditions exist in different forms. For example, the EU might set product-related standards such as technical and health requirements.

Another way that the EU influences the actions of a third country through trade is with issue-linkage, where the EU introduces non-trade issues (NTIs) in trade deals. These NTIs might refer to, *inter alia*, domestic social affairs, human rights, and the obligation to readmit citizens who have entered the EU illegally. Research on such NTIs has tried to understand whether issue-linkage through NTIs is a strategic response to existing problems, or a consequence of the EU's principles and growing competences. Nonetheless, the research of NTIs is relatively scarce, and the existing studies have provided evidence for both theories. Within the field of NTIs, it is important to recognise the article by Flavia Jurje and Sandra Lavenex titled '*Trade Agreements as venues for "Market Power Europe"? The Case of Immigration Policy.*' (2014). Their study has been the most comprehensive approach to research on NTIs and issue-linkage in trade deals. They tried to find systematic and strategic application of immigration-related NTIs in 66 different trade-related agreements. Their study was supported by 14 interviews with EU officials who had been active between 2009 and 2013. They concluded that strategy is not a factor in the inclusion of NTIs; instead, NTIs are a consequence of the EU's growing role and mandate.

Therefore, on the one hand, existing literature has identified NTIs as a tool of economic diplomacy. On the other hand, the scarce literature on how they have been applied has merely focussed on the question of whether their application is principled or pragmatic. These studies are naturally relevant, as they investigate how the EU fulfils its ambiguous role on the global stage. Furthermore, as a consequence of methodological choices and research design the use of NTIs remains unclear. This study seeks to further develop the knowledge of how the EU engages in international relations by applying issue-linkage through NTIs in trade deals, through a different approach. It does so by contextualising the use of NTIs in trade deals within the broader EU-Morocco relationship. This approach uncovers two interesting issues: first, how NTIs fit within the EU-Morocco relationship; and second, how NTIs fit the ENP programme and Barcelona declaration. Thus, instead of comparing single trade agreements it looks at the evolution of the relationship with a single country, namely Morocco. This shows how NTIs are used, how they are safeguarded in the discourse and how the partner country perceives them.

This thesis answers the following question: '*How do the EU and Morocco present issue-linkage through NTIs in their relationship?*' Developing an answer for this question will contribute to the knowledge of how the EU manoeuvres in international relationships in three ways. First, it will

explain how the EU attempts to influence third countries. Second, it will shed a light on whether the EU's trade negotiations are purely focussed on trade, or if they also pursue political objectives. Finally, it also will provide insights into how a third country, namely Morocco, perceives the EU's attempts to influence its behaviour. Therefore, while the scope of this research is narrower in terms of actors than previous studies, it also considers the wider relationship between those actors. Additionally, instead of trying to understand whether the implementation of issue-linkage is strategic or principled, it seeks to understand the dynamics that surround issue-linkage through NTIs.

Studying the EU-Morocco relationship through this angle reveals that the EU is more willing than Morocco to link NTIs with trade, and has been more active in doing so. EU officials have used market access as a proverbial stick (sanction) or carrot (reward), to improve the influence of the EU and its member states vis-à-vis other countries. However, the analysis demonstrates that such an approach has mainly remained a discourse instead of a strategy. Furthermore, the EU's discourse has been proven to be flexible; the EU has used NTIs to move trade negotiations and also used trade to push NTIs. At the same time, Morocco has proven that it is aware of the negative effects an EU trade agreement can have on its own economy, and has approached trade independently from NTIs. Markedly, the King of Morocco has explicitly called on the EU to refrain from applying conditionality in its relationship with Morocco.

Document and discourse analysis were applied to answer to the research question. Through analysing the trade deals, the Barcelona declaration, and the ENP action plan, it is possible to understand the typology of the NTIs that were used in the documents which embody the EU-Morocco partnership. The discourse analysis engages with a myriad of press-releases, speeches, and interviews of EU officials from the beginning of EU-Morocco trade relations, until 2011¹. This time frame provides an overview of the EU-Morocco relationship and the use of NTIs in the discourse, between the start of the first trade deal and the beginning of the un-concluded negotiations of the Deep and Comprehensive Free Trade Area.

This paper is divided into six sections. The first section provides an overview of the existing literature on trade conditionality and the use of NTIs and the ENP. It positions the practice under economic diplomacy, which is a concept that falls within international political economy (IPE).

¹ The literature review, document and discourse analysis are based on documents in French, English and Spanish.

The second section presents the research design, methodology, sources, and data selection, that have all facilitated the analysis. The third section presents the analysis of the relevant documents: the two concluded trade deals between Morocco and the EU, the Barcelona Declaration, and the action plan that was signed to fulfil the ENP programme. The fifth section analyses the EU's discourse regarding NTIs and Morocco, and also the discourse of Morocco regarding NTIs and the EU. The final section summarizes the thesis's findings and presents the conclusions.

2. Literature review

This section presents an overview of the existing literature, to frame the context and academic debates that surround the research question. The first sub-section defines economic diplomacy as a concept and positions it within IPE. The second sub-section covers how the EU is defined as a global actor. The third sub-section discusses the debates around trade conditionality. The fourth sub-section looks at the existing studies on NTIs and presents a summary of Sandra and Lavenex's paper, as an example of one of the most comprehensive studies on the subject. Finally, the last section is dedicated to the ENP and provides a clear overview of the programme, as it is the main venue of dialogue between the EU and Morocco.

2.1 Economic Diplomacy

Before exploring economic diplomacy or its subcategories, it is important to establish the field in which economic diplomacy occurs. To describe this sphere of international relations, the term IPE was coined. International political economy is understood to be the politico-economic dimension of world affairs, which is complemented by the politico-strategic and the politico-civic dimensions (Pettman, 2012).

This study will be based on the concise, yet effective, definition of diplomacy provided by R.P Barston:

'diplomacy is concerned with the management of relations between states and between states and other actors'.

(Barston, 2013).

In other words, diplomacy itself can be described as the practice of international relations. Considering this definition, it is impossible to ignore the role of non-state actors in diplomacy, such as non-governmental organisations, international organisations, private entities, and most relevantly, the EU.

In the literature on economic diplomacy, the main debate revolves around the concept's definition. One camp understands economic diplomacy to mean the use of the traditional diplomatic apparatus to promote economic reciprocity between different countries (Yakop & van Bergeijk, 2011). Another camp describes economic diplomacy as a strategy and foreign policy activity that is based on more than just economic interests, and includes political objectives as part of the equation (Okano-Heijmans, 2011). This debate is also applicable to the thesis at hand, as the question remains as to whether the EU's trade deals are only based on the promotion of trade through commercial agreements, or are further motivated by political impetus that instrumentalises non-trade clauses in trade deals. This thesis argues that even though the EU focusses substantively on trade relations, it has also proven its willingness to act to promote security and human rights (Koops & Macaj, 2015).

2.2 The EU as a power

The EU's position in international (economic) politics is a widely researched and debated theme in academic literature. However, the *sui generis* nature of the European Union presents a challenge to categorising it as an international (relations) actor. For instance, the EU lacks many of the traditional power tools that (independent) states have, such as a clear and present military power (Forsberg, 2013). Furthermore, its processes in the field of foreign relations require unanimity among its members. The combination of this unanimity principle, and the at times dissimilar views of member states on international affairs, especially involving high levels of military action, can cause a loss of speed and vigour in decision making (Göler, Jopp, & Cornet, 2011). It is thus crucial to comprehend the existing concepts, as they form a foundation for understanding how the EU relates to third countries.

As previously mentioned, economic diplomacy is a debated tool in the literature on diplomacy. Considering the debated nature of economic diplomacy, this section explores the most relevant concepts used to categorise the EU as an actor in international relations. It explains how different theories touch on the dilemma of whether economic diplomacy, as conducted by the EU, is a purely trade-based practice or an instrument of wider diplomacy efforts.

For instance, normative power Europe (NPE) is probably one of the most famous theories, and it describes the EU's power as a result of its principles and norms (Manners, 2002). According to Manners, the EU's values lie at the core of its relations with other international political actors. An

interesting addition by Manners is the thought that a European power based on norms does not exclude a more classical idea of military power. More relevantly, Manners finds evidence that suggests that the EU has used both political and economic tools to advocate for the abolition of the death penalty (2002). This evidence supports the political use of trade negotiations as a way to influence third countries. Finally, Manners' article set out an interesting view on the nature of EU's interaction with third countries. He uses the metaphor of economic *carrots or sticks* to portray how the EU exports its norms to third countries. In other words, according to Manners, the EU is able to export its norms by honouring desired behaviour in the form of economic advantages, and correcting undesired behaviour with economic sanctions.

As previously mentioned, the EU is defined in many ways. However, there is one specific characteristic of the EU that most if not all scholars will agree on: the EU's relevance as a market. This agreement led to the conceptualisation of EU's international activity with the theory known as 'Europe as a market power'. Because its internal market provides the EU with a substantial leverage in the liberal trade reality, the EU is able to influence third countries (Damro, 2012). It is able to shape policies through regulations, specifically, product and service regulations. Furthermore, access to the European market is such a strong incentive for companies and other states, that they are likely to adapt in fields other than trade so as to gain entry to its 500 million potential clients (Bradford, 2015). Additionally, it must be acknowledged that if the EU's power solely and/or largely is based on its market, this could result in the EU having a relatively fragile power position, especially in circumstances of poor economic performance or economic crisis (Castillo Castañeda, 2013).

In summary, the EU as an actor is a widely discussed subject. However, the popularity of the subject has not led to a conventional description of the EU as an actor in international relations. Instead, a variety of descriptions have been employed. Nevertheless, the EU as a market is an aspect that is widely supported by the different explanations of the EU's power. In other words, the EU's market, and more concretely access to it, is one of the main bargaining chips the EU has in the context of international relations vis-à-vis third countries. Therefore, the EU is an actor that has significant potential to employ economic diplomacy to reach foreign policy objectives, both political and economic. As a result of the EU's market power, two different interpretations arise. On one hand, those who think that the inclusion of NTIs in trade agreements is a consequence of European principles. On the other hand, those who think that including NTIs is a strategic tool in the pursuit of foreign policy objectives.

2.3 Trade conditionality

Manner's aforementioned carrots and sticks metaphor touches on both questions. The metaphor is also central to economic diplomacy and well explained through trade conditionality. Here, the EU exchanges trade benefits with third countries when they are willing to adapt their behaviour, both in trade affairs as well as for non-trade issues. Nevertheless, the EU's autonomy in the context of trade conditionality in foreign policy remains controversial. For instance, on the one hand Article 3 of the Treaty on the Functioning of the EU acknowledges the Union's exclusive competence regarding its common commercial policy. On the other hand, article 21 of the Treaty on EU emphasizes the intergovernmental aspect of external relations.

In face of this controversy, scholars have focused on the legal aspects and the economic impact of trade agreements. They have attempted to find answers to three main questions: first, who decides the objectives? In literature this is understood to be a consequence of the lack of political leadership that the EU experiences in relation to its external actions (Costa, 2018) Second, what are the objectives? finally, who should achieve these objectives? These questions are explored further by the thesis that foreign policy leadership is deep-seated under the state level (Aggestam & Johansson, 2017), and also explored by the existence of informal task divisions in foreign policy making (Delreux & Keukeleire, 2017). These questions are especially relevant for this thesis, because trade conditionality is a tool of economic diplomacy. As previously mentioned, trade is an EU competence, while foreign policy is an intergovernmental area of work.

Economic diplomacy is a field where both international commercial policy and external relations merge. The main debate in literature concerns the EU's motivation behind applying trade conditionality in its trade deals. The debate has created two principal camps, much like the debate over the EU's nature as a normative civilian or pragmatic power (Manners, 2002). In one camp, there are scholars who argue that EU's trade conditionality is derived from its normative power and principles (Vachudova, 2014; Kaussler, 2008; Pérez de Las Heras, 2016). In the other camp, there are scholars who argue that trade conditionality derives from its utility as a strategic tool (Hafner-Burton, 2009; Cengiz & Hoffmann, 2013; Koch, 2015).

The EU's actions provide evidence for both sides of the argument. As evidence for the first argument, the EU has been willing to reach deals even though they have negative effects on the competitiveness of some of its member states, to guarantee individual rights under international

law (Riddervold, 2010). A second example can be found in the development of EU-Israel relations, as the EU has increasingly imposed conditions on trade agreements between the region and Israel, as a way to push Israel towards solving the Palestinian conflict (Votoloni B. , 2015). Both cases evidence a principled EU. In support of the second argument, divergence in human rights policies between the EU and Singapore were overcome, because the EU prioritized the trade deal above the human rights conditions (McKenzie & Meissner, 2017). Therefore, in contrast to its principled actions, the EU has at times also demonstrated pragmatism for the sake of commercial advantages.

The volatility in the weight given by the EU to non-economic conditions raises questions as to why the EU demands them in the first place. The role of the European Parliament (EP) provides an interesting perspective, as it made a particularly strong demand for a human rights clause in the trade agreement with Canada, when presented with the ongoing negotiations (Meissner & McKenzie, 2018). This particular case raises the question of why the EP placed so much emphasis on human rights during the trade negotiations with Canada. According to Meissner and McKenzie, this was a strategic step by the EP to position itself as the sole agency that legitimately advocated for the general public interest (2018).

While the Canadian case was remarkable, it was not the only instance where the EP advocated for non-trade clauses. For example, during the trade negotiations with India, the EP became the principal actor to advocate for a number of clauses that would assure that developing countries retained access to medication, even though these clauses undermined the Council's trade objectives (Frennhoff Larsén, 2017). A third example is the Cotonou agreement, where the EU signed a partnership with 79 states from Africa, the Pacific, and the Caribbean. The agreement provided the relevant third countries with extensive exemptions from tariffs without a demand of reciprocity, but included clauses on human rights and political dialogue on other social issues (Haguenau-Moizard & Montalieu, 2004). Thus, the Cotonou agreement provided the signing countries with access to the single market, but did not demand that these countries provided the EU with access to their markets. However, it included clauses on non-trade issues. Thus, the Canadian, Indian, and Cotonou example portray the EU's willingness to offer strategic trade concessions to accomplish normative NTI objectives. In other words, trade conditionality as a tool of economic diplomacy was applied in different types of agreements. At the same time, the

examples of the EP demonstrate how trade conditionality can be instrumentalised to achieve behaviour adjustment of third countries through NTIs.

2.4 Issue-Linking

The previous section illustrates the existing puzzle regarding trade conditionality and its strategic use by the European Union. Even though it is clear that trade conditionality has been employed, the manner in which it was instrumentalised remains unclear. On the one hand, the evidence demonstrates that trade conditionality has been effectively used to influence the behaviour of third countries in areas other than trade. On the other hand, it is also clear that the same trade conditionality through NTIs has not always been applied in the same manner. Furthermore, it remains unclear whether trade conditionality is applied as a strategic negotiation tool, is a consequence of the EU's principles and norms, or is a consequence of internal bargaining among the EU's own institutions.

The existing literature on the strategic application of NTIs in trade deals, and the strategic use of trade deals for non-trade objectives is scarce. However, to answer the research question, it is necessary to assimilate the lessons learnt from systematic research on issue-linkage within the EU framework.

For instance, Meunier and Nicolaïdis elaborate on the hypothesis that the EU is a trade power that is becoming a power through trade (Meunier & Nicolaïdis, 2006). In other words, the EU is an entity that uses trade to gain legitimacy and influence in international relations. The article goes further to baptise the EU as a conflicted power when it comes to the linkage of trade negotiations and non-trade clauses. The tension is connected to the reticence of member states regarding the supranational nature of trade (Meunier & Nicolaïdis, 2006). Member states fear that the EU's exclusive competence in trade affairs and the use of non-trade clauses can conflict with their political strategies for their external affairs. Consequently, the EU's mandate to negotiate on behalf of the member states is often concrete and provides little space for manoeuvring. Although the EU's internal conflict has hindered its power to influence third countries, it has been positive for its negotiating position on trade issues (Meunier & Nicolaïdis, 2006). Thus, the EU is strategic when it applies non-trade clauses. However, internal tensions occasionally hinder its mandate to engage in non-trade external affairs.

Nonetheless, even under the assumption that the EU sees itself as a normative power that uses trade negotiations as a tool to influence third countries' domestic affairs, it is still necessary to understand how third countries perceive this power. This is because no strategic use can be established if the non-trade clauses have no effect on the envisaged targets. A fitting example can be found in the EU's trade negotiations with the countries from the Association of Southeast Asian Nations (ASEAN), where the EU included asymmetric non-trade clauses that targeted different ASEAN Member States. As a result, the trade negotiations were prolonged, due to the reluctance of the ASEAN negotiators to accept non-trade provisions on the grounds that they interfered with sovereign matters (Haiha, 2017). Thus, the reluctance of negotiating partners to accept the non-trade clauses demonstrates that the targeted countries perceived the provision's potential effect on domestic social affairs as an undesired intervention. Interestingly, trade conditionality through issue-linkage is not a strategy that is exclusively applied by the EU negotiators. Third countries have also used issue-linkage and conditionality to bargain. For example, Morocco has strategically designed its migration policy to persuade the EU to provide financial and technical support for its national migration and asylum plans (Tittel-Mosser, 2018). Therefore, while in some cases conditionality has been perceived as an unwelcome intervention, in other cases some countries have regarded it as a bargaining tool.

The case of migration

As previously mentioned, this thesis was inspired by the article titled '*Trade Agreements as Venues for 'Market Power Europe?' The case of Immigration Policy*', by Sandra Lavenex and Flavia Jurje. Even though, unlike this thesis, the article focusses solely on migration, it is necessary to mention that it is the most complete analysis of issue-linkage at the EU level. Migration is related to a policy area where the EU has a clear-cut strategic objective and a specific mandate to regulate the inflow of migrants. However, it faces neighbours that are unlikely to share the EU's objectives. Therefore, the article addresses a concrete issue and it studies the EU's behaviour in trade relations with regard to migration. This thesis borrows the article's framework, as it develops on the assumption that different EU institutions and member states (should) employ a coordinated plan of action towards migration issues.

Lavenex and Jurje concluded that the EU does not engage in strategic issue-linkage. The absence of strategy was linked to three different problems. First, there was a combination of unclear leadership, lack of coherence, and fragmentation, which demonstrates the difficult conditions

under which EU foreign policy is conducted. Second, the sending and transiting countries lacked incentives to cooperate on the readmission of migrants. Third, the divergent approaches to international migration between member states also hindered the EU's mandate. However, their conclusion contrasted with the empirical evidence they provided. For instance, the number of non-trade clauses increased through time. However, the institutional constraints and lack of incentives diminished the effect of the clauses. In other words, the EU implemented more non-trade issue linkage, but did so without any clear strategy. These conclusions open up a debate, as the reasons for the EU to include non-trade clauses in trade deals remain unclear.

The authors move on to explain the lack of incentives as a consequence of the EU's nature as a receiving region, which puts it in a weak negotiating position. Additionally, the existence of divergent approaches to international migration between member states also hindered the EU's mandate. The different approaches forced the EU to adopt a soft stance regarding migration and other non-trade objectives. It is thus clear that a lack of coherence and consistency within the EU gives the EU little room for foreign policy initiatives and the inclusion of non-trade clauses in trade agreements.

The reasons presented by scholars to explain why the EU has not always succeeded in acting as one single voice are often repeated. The absence of foreign policy coherence among EU institutions vis-à-vis its member states' actions are accredited to the lack of EU competences in the field of external policy, as well as to the complex relationships between EU institutions, and between the same institutions and EU member states (Mayer, 2013; Gebhard, 2017). One theory is that EU foreign policy leadership is the result of in-house bargaining, and could change depending on the issue at hand (Aggestam & Johansson, 2017). In other words, for the EU to design, negotiate, and implement foreign policy, it has to first establish internal authority and legitimacy. This makes the EU a slower actor and pushes member states to take individual action. The Iraq war case is a clear example of the EU lacking consistency and speed to position itself in international affairs (Everts & Keohane, 2003).

Lavenex and Jurje also explore the possible causes for the increase in non-trade issue linkage, other than strategic instrumentalisation. They hypothesised that third countries that cooperate the most with the EU reach more comprehensive agreements in terms of non-trade provisions. The results for this hypothesis were more positive than the hypotheses previously discussed. Institutional developments at the EU level demonstrated that there was an increase in NTIs.

However, the type of agreement was correlated with the partner's proximity. In other words, closer countries often enjoyed a deeper agreement that included more clauses addressing migration. Therefore, non-trade clauses were included because of geographical and trade proximity. This hypothesis was consistent with Manner's NPE theory, as the increase in NTIs was attributed to the EU's own institutional development, rather than to strategic instrumentalisation.

Lastly, in order to understand the relationship between Morocco and the EU, it is crucial to consider the ENP. The EU established the ENP to develop external relationships with neighbouring countries that were not eligible for accession to the EU (Whitman & Wolff, 2010). Consequently, the EU has used it to approach neighbouring countries. However, the ENP has also been used to send a clear message that these countries have no chance of becoming a member of the EU.

At the outset, the ENP was meant to maintain and promote the stability of the EU's surrounding countries. In the case of North Africa, its objectives were tested during the Arab spring, when grassroots revolutions and popular uprisings emerged throughout the North African region and parts of the Middle East. The Arab Spring occurred in a particularly difficult context, where many if not all EU states were facing the consequences of the financial crisis and the subsequent Euro Crisis. As the cooperation platform named Union for the Mediterranean was weakened, the EU had no choice other than to use the ENP to influence or stabilise the region (Gillespie, 2013). Of particular relevance for this study are the EU's different actions through the ENP to assist North African countries, shortly after the Tunisian uprisings. For example, the ENP released €4.8 million to fund the building of political institutions in Tunisia and Morocco; kicked off of deep and comprehensive trade agreement negotiations with Morocco, Jordan, Egypt and Tunisia; and opened dialogue on mobility, migration, security, and trade liberalisation in agricultural products with Morocco (Gillespie, 2013).

In summary, there is a broad consensus in the literature that trade conditionality is a tool of economic diplomacy that can be employed to influence the behaviour of other states. At the same time, the inclusion of NTIs by the EU are not necessarily perceived as a strategic tool. Instead they are explained as consequences of internal developments and a portrayal of the EU's norms and principles. However, there have also been situations in EU's trade deal negotiations where trade relations were prioritized above the inclusion of NTIs. The literature thus provides some insights on the nature of the EU as an actor in international politics, and why it included NTIs in trade

deals. However, the literature has not explored the purpose that NTIs fulfil within the broader context of EU-Morocco relations. This thesis explores the discourse of the two actors, in the context of the ENP and the Barcelona Declaration, which set the framework for political EU-Morocco dialogue. Instead of focussing on a single issue like migration, it focusses on the discourse to explore how the EU and Morocco envisaged the role of NTIs in their relationship.

3. Methodology

The previous section provided an overview of the literature that is central to this thesis. It demonstrated how Jurje and Lavenex approached a study on NTIs in trade deals. This section presents the research design, the data selection, and the sources that were consulted to answer the central question: “*How do the EU and Morocco present issue-linkage through NTIs in their relationship?*” At the same time, it explains how this case study overcomes the methodological limitations of Jurje and Lavenex’s article.

3.1 Design

This thesis employed a small-n sample by studying a single case: the relationship between Morocco and the EU. It was expected that a single case study could find nuances and developments that might be otherwise overlooked in a sample where data from different cases must be considered. As previously mentioned, Jurje and Lavenex partially inspired this thesis. However, unlike this thesis, their article focussed on a single issue, namely migration, and they analysed issue-linkage in a large number of trade deals. They also supported their analysis with findings from qualitative interviews with EU officials.

This thesis focusses on the broader relationship between the EU and the Moroccan Kingdom, instead of focusing on one issue. The case study includes an analysis of two concluded trade deals, the Barcelona Declaration, and the ENP working plan agreed to by the EU and Morocco. This thesis thus provides two different insights. First, it provides a new perspective on the instrumentalisation of issue-linkage in the discourse of both parties. Second, the research design illuminates whether issue-linkage serves the political agenda of the ENP.

The Moroccan case was chosen for four reasons. First, as pointed out in the literature review, the proximity and the existence of specific issues was correlated with the inclusion of NTIs in trade

agreements. Considering the historical context, Morocco's advanced status, and its geographic proximity to the EU, Morocco is an especially suitable case as it clearly meets the proximity criteria. Second, while other countries have been engaged with the ENP programme and also fulfil the proximity criterion, such as Tunisia and Egypt, these countries experienced popular revolts and regime crises during the Arab spring. In contrast, even though Morocco experienced popular protests during the same period, the consequences were not so severe. The King of Morocco announced and implemented democratisation measures, and the country's government and institutions remained stable. Thus, the relationship between the EU and Morocco has been continuous and provides a good case to see the development of NTIs in trade deals. Third, in the case of Morocco, EU membership is not a feasible option. The country had applied and was denied access in the past, as it does not fulfil the Copenhagen geographical criterion (Schimmelfennig, 2011). In other words, the EU cannot use potential membership to influence Morocco's behaviour and thus must refer to other tools such as NTIs in trade deals to achieve envisaged changes. The last reason is the EU's Market power as portrayed by Damro (2012), and Morocco's willingness to remain close to the EU's market and maintain political dialogue (Martín, 2009). Thus, Morocco is an interested party in the relationship and could be expected to adopt EU demands in order to achieve its goals.

Method & Sources

In order to systematically process the data, the analysis was conducted through document and discourse analysis (Lynggaard, 2015; Voltolini B. , 2016). Critical discourse analysis is an established research method to analyse communications, and it was thoroughly explained by linguistics professor Norman Fairclough in *Political Discourse Analysis* (2012). In this analysis, discourse is submitted to a critical analysis with the sole objective of the detection of framing. In other words, this study is limited to identifying the existing and instrumentalised frames by both actors in EU-Morocco relations. Even though the scope is limited, it is sufficient for the exploration of the relevant documents, interviews, and other types of communications, and to delineate the context in which the relationship takes place, especially with reference to issue-linkage.

The first step of the research was to trace the development of issue-linkage through trade and other agreements between the EU and Morocco, by analysing the texts through document analysis. There were two objectives of this step. The first objective was to demonstrate that the trade agreements have incorporated more non-trade clauses over time. The second objective was to

understand whether the EU has used trade deals to convince Morocco to engage in other types of collaboration or whether it has used other types of collaboration to convince Morocco to join trade deals.

The second set of primary sources, namely the official press releases, official statements, press conferences, and public interviews by EU representatives and the King of Morocco, were subjected to critical discourse analysis. This method was used to set the stage and understand the nature of the relationship between the two entities. This method had a qualitative instead of a quantitative focus, which allowed for the identification of the necessary framing.

This study focused on three types of official communications that portray the relationship between Morocco and the European Union. The first source was the trade deals and agreements reached between Morocco and the EU. These trade deals were analysed to identify whether there were any significant changes between the earlier accords and the later pacts.

The discourse analysis of the EU explored the press releases, speeches and press conferences made by the European Commission (EC) officials about its relationship with Morocco. In the case of Morocco, the speeches of the current King were analysed to understand how Morocco stands in its relations with the EU. This step allowed for the contextualisation of the way that both the EU and Morocco have treated each other, and the environment that surrounded the conclusion of the trade and other agreements. There were two reasons for analysing the King's speeches and public interviews. First, the output from the Moroccan government and relevant ministries, such as the Ministry of Foreign Affairs and the Ministry of Economy, is limited and often outdated. Consequently, it does not provide the necessary data for the analysis and identification of frames in the discourse. Second, the King of Morocco is the main political power in Morocco, and his diplomatic actions are at least as relevant as the actions of the Ministry of Foreign Affairs. Thus, the lack of transparency was overcome by analysing the monarch's discourse.

Finally, all the documents were compiled from the EC's online press release database and the Moroccan monarchy's websites. In both cases, it was necessary to select the most relevant sources. Although the Moroccan King has delivered approximately 1500 speeches since his coronation, this study only considered the speeches that took place in a context relevant to the EU, such as those given at Euro-Mediterranean summits and Euro-Arab summits. The EC press releases and speeches were selected in a similar manner. Only the output that referred to Morocco

and trade was considered, so as to guarantee their relevance to this thesis. This resulted in a list of 55 texts including press releases, interviews and speeches and the official trade deals.

It is nevertheless necessary to acknowledge the limitations of analysing diplomatic declarations. On the one hand, it is clear that diplomatic discourses follow specific protocol, and it is not reasonable to expect full transparency in such statements. On the other hand, the diplomatic discourse is likely to be strategic, and they frame the message in a way that suits the sender. Nevertheless, this study does not seek to discover the true intentions of institutions, nor does it discuss whether any of the institutions involved are principled. Rather, it seeks to analyse how Morocco and the EU frame NTIs in their discourse, as doing so will illuminate issue-linkage's position in the EU-Morocco relationship.

4. Document Analysis: Morocco and the European Union

The previous chapters provided the research question, theoretical framework, and the debates that interact with this thesis. Additionally, a comprehensive justification and methodology of the case study was outlined. This chapter analyses the relationship between the EU and the Moroccan Kingdom. To this end, the chapter is divided into 4 sub-chapters. The first sub-chapter analyses the first commercial deal between the EU and Morocco, and its subsequent update. The next sub-section explores the Barcelona Declaration. The third sub-section analyses the association agreement, to understand the developments in EU-Morocco relations after the Barcelona process. The last section studies the last deal between both actors, to establish the current situation.

4.1 The first trade deal and Morocco's advanced status under the ENP

The First deal

Trade relations between the European Economic Community (EEC) and Morocco officially started in 1969, with the signing of an association agreement. According to a report by the Directorate General for Information, the main challenge for the negotiations was reconciling the agricultural interests of Moroccan producers with the Community's agricultural policy (Directorate General for Information, 1982). The deal allowed France to apply its old preferential treatments for its agricultural products, which had not been included in with the EEC-Morocco deal (Directorate General for Information, 1982).

Like most trade agreements, the document lists the products that may or may not be imported, which in this case addressed products from Morocco (Council of the European Economic Communities, 1978). In the spirit of Article 28 of the Treaty on the Functioning of the European Union, it also codifies the rule that quantitative restrictions, customs duties, or any measures that would have an equivalent effect must be prohibited vis-à-vis the relevant products. An additional provision was included in the subsequent paragraph of Article 28 that prevented new member states from treating the Moroccan Kingdom more favourably than any of the EEC member states in terms of trade (Council of the European Economic Communities, 1978). This can be interpreted as an assurance for the existing member states' trade relations with future member states and the neighbours of Morocco, which are Portugal, Greece, and Spain.

The agreement was renewed in 1976 and included further agricultural concessions, which remained limited. Nevertheless, it is necessary to acknowledge Morocco's ability to negotiate larger concessions than those negotiated by Algeria and Tunisia. The Directorate General for Information attributes the better treatment of Morocco to one reason, which is that Morocco had traditionally been a larger exporter of agricultural products to the member states (Directorate General for Information, 1982). However, there were no concessions regarding the treatment of workers, as all the related clauses were based on the principle of reciprocity. While the trade deal itself does not provide any evidence of NTIs, an attached letter from the European head of the delegation, Jean Durieux, provided the first signs of NTIs in trade deals with Morocco. The letter was signed by the Moroccan head of delegation, Ahmed Benkirane, who requested access to results of the Community's scientific, technological, and environment protection programmes (European Communities, 1978a). After consulting with the member states, Durieux that requests for access to the results would be studied on a case-by-case basis.

Therefore, the first document that established the EEC's commercial relationship with Morocco was limited to trade and did not include any NTIs, except the provisions relating to social security and the non-discriminatory treatment of active workers from Morocco. Additionally, the only tentative request for the inclusion of an NTI came from the Moroccan delegation.

4.2 Barcelona process

While the trade deal continued to be in force, the EU started a new type of relationship with its southern neighbours. Under the leadership of Javier Solana, the then-President of the Council of the EU, the EU signed the Barcelona declaration in 1995. The declaration, also known as the

Barcelona process, set up a three-pillar framework for the cooperation between the EU and Mediterranean.

The first pillar addressed the political and security partnership, which was dedicated to guaranteeing cooperation between all the signing Mediterranean states (Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Syria, Tunisia, and the Palestinian Authority), and the EU. The second pillar addressed the economic and financial partnership between the EU and its Mediterranean neighbours. While this pillar was focussed on trade and the establishment of a Mediterranean free-trade area, it also demonstrated the participants' commitment to investing in the social-economic problems that the non-EU members were facing. The last pillar focused on social, cultural, and human affairs.

The declaration also referred to the United Nations Charter and the Universal Declaration of Human Rights as principles to be respected in the pursuit of its aims (Euro-Mediterranean Conference, 1995). Under the economic and financial chapter of the Barcelona declaration, the text included references to interdependence on environmental issues, the role of women in development, and the countries vowed to promote and improve their active participation in economic and social activities, as well as create employment.

Finally, the social, cultural, and human affairs pillar declared the signatories' wish to establish a partnership to improve the perception that the Mediterranean people had of each other. This last pillar included provisions that demonstrated a clear example of issue-linkage, whereby social development was paired with economic development and the importance of fundamental social rights was emphasized.

'They recognize the importance of social development which, in their view, must go hand in hand with any economic development. They attach particular importance to respect for fundamental social rights, including the right to development'
(Euro-Mediterranean Conference, 1995)

A second example comes in the form of a provision on migration. In this case, migration was explained as an important factor in how the relationships between the participating countries would develop. The provision also presented the creation of jobs and vocational programs as a solution.

‘They acknowledge the importance of the role played by migration in their relationships. They agree to strengthen their cooperation to reduce migratory pressures, among other things through vocational training programmes and programmes of assistance for job creation. They undertake to guarantee protection of all the rights recognized under existing legislation of migrants legally resident in their respective territories’
(Euro-Mediterranean Conference, 1995)

Finally, the declaration also provided a statement on cooperation regarding illegal immigration, the responsibility to readmit nationals, and other security-related issues such as terrorism, racism, intolerance, and xenophobia (Euro-Mediterranean Conference, 1995).

Thus, through the Barcelona declaration, the EU member states and the participating Mediterranean countries established a new venue for dialogue, which linked trade and non-trade subjects. It is important to understand that the pillar structure of the declaration did not force any issue-linkage through NTIs in trade deals. It arguably provided a framework where trade and NTIs could remain separated. Nevertheless, the provisions on social development and migration evidenced the presence of issue-linkage.

4.3 The second deal

Swiftly after the Barcelona declaration, Morocco and the EU agreed to revise their trade relations. Just like Sandra Lavenex and Flavia Jurje concluded, the number of non-trade related clauses increased over time. The Moroccan case supports this conclusion, as the new trade deal, in contrast to its predecessor, included NTIs. For instance, Article 2 of the agreement indicated that the Universal Declaration of Human Rights should inspire the national and external policies of both the EU and the Moroccan Kingdom (European Communities, 2000). Furthermore, Article 3 emphasized the collaboration between the signatories in the field of security and stability, with a special mention of the Maghreb region (European Communities, 2000). The inclusion of the Maghreb as a region in the deal with Morocco fits the discourse surrounding the Barcelona declaration, where the EU clearly demonstrated its intentions to treat its southern neighbours in a multilateral manner.

The new deal also included provisions to combat security issues such as drug use, trafficking, and money laundering (European Communities, 2000). Analysing the trade agreement, it is clear that Title VI of the agreement embodied the third pillar of the Barcelona declaration, and focused on the social and cultural aspects of cooperation (European Communities, 2000). For example, just like the 1976 agreement, it established a non-discrimination clause on the treatment of Moroccan workers in the EU and EU workers in Morocco. This clause addressed remittances and the portability of social benefits to the country of origin. Finally, the dialogue in social matters was included in the second chapter of this fifth title. These clauses included dialogue on migration, illegal migration, and further cooperation in reducing migratory pressure and resettling readmitted citizens who were expelled because of their illegal status. Nevertheless, it is crucial to conclude that the dialogue itself did not make readmission an enforceable clause; it instead demonstrated the willingness of both parties to engage in the necessary discussions.

Thus, on the one hand, the effect of the Barcelona Process is clear, as the trade deal included a myriad of provisions that touched on NTIs. On the other hand, it is equally true that the NTIs had soft enforceability, as they merely provided for dialogue to take place, and did not provide any concrete measures. Considering the Euro-Mediterranean agreement with Morocco remains impossible to establish whether the trade deal was an instrument, in the form of a stick or carrot, for the achievement of non-trade objectives. The only plausible conclusion is that the trade deal was employed to codify the possibility of achieving non-trade objectives, and put dialogue on migration, social development, and drug trafficking on the agenda.

4.4 ENP Action Plan and Morocco's advanced status

This argument is further supported by the ENP EU-Morocco action plan, which was established in 2006. The plan was co-authored by the Moroccan authorities and EU representatives, and it established a road map and objectives for Morocco and the EU to further develop their relationship. The plan contained nine priority actions. Out of the nine priority actions only two referred to trade, while two referred to infrastructure and transportation, and the remaining six focused on education, human rights, security and terrorism, social policy, and the management of migration flows (European Commission, 2006). In contrast to the trade agreements, the plan did not restrict itself to outlining the agreed objectives; it also enlisted the perspectives and possible benefits that could be obtained once the plan was fulfilled. Some of these benefits were deeper trade and economic relations, convergence of economic legislation, and the possibility for

Morocco to participate in key aspects of EU policies and programmes (European Commission, 2006). This structure was repeated in the updated version of the plan, under the advanced status that Morocco acquired in 2008 (Conseil de L'Union Européenne, 2013).

In other words, both action plans, which were formulated under the ENP programme, clearly demonstrate how issue-linkage can be utilized in the form of carrots to achieve NTIs. Thus, based on the analysis of the trade deals, the Barcelona process, and the ENP action plan, it is possible to conclude that the inclusion of NTIs in trade deals was a tool to put non-trade objectives on the agenda vis-à-vis Morocco. The trade deals were not employed to impose rewards, sanctions, or conditions on Morocco's cooperation or engagement in commercial deals. Such rewards are only visible when analysing the action plans of the ENP, and they are visible in both the first plan and the second action plan that was established under Morocco's advanced status.

In summary, the document analysis establishes a pattern in the role of trade deals regarding EU-Morocco relations. The first deal was completely focussed on establishing the EEC's commercial partnership with Morocco. Subsequently, the Barcelona Process and the related declaration established a framework for future relations. While the declaration did not codify any rule that forced the parties to include NTIs in trade deals, it had that effect. As a result, the trade deal that was signed in 2000 included a myriad of NTIs on social rights, migration, and political dialogue, which fit the three-pillar structure of the Barcelona declaration. Nevertheless, the provisions in the second trade deal can be described as soft law, as they were not legally enforceable. In other words, the trade deals did not demonstrate any sign of strategic issue-linkage. Rather, they indicated that the trade deal was instrumentalised to establish the agenda for future political dialogue.

5. Framing analysis: European Commission

Interactions between Morocco and the EU have been a constant factor in the EU's foreign affairs activities, to such an extent that the King of Morocco completed an internship under the supervision of Jacques Delors when he was young (Oufkir, 2011). Morocco has been identified as a historic, strategic, and privileged neighbour of the EU (Ferrero-Waldner, 2007a), with special

attention paid to the Kingdom's relationship with specific member states such as France² and Spain³ (Papoutsis, 1995; Santer, 1996).

When analysing the interaction, that is to say, the communication between the EU and Morocco, it is possible to identify three pillars; political, cultural, and economic development. On the one hand, the frame and tone of voice is constant, as the EU is always presented as a helping hand in Morocco's struggle to modernize. On the other hand, the discourse by Morocco, and especially the King, on EU and Morocco often frames the relationship as a relationship between equals.

5.1 The early days

The EC's first press release about Morocco dates back to 1985, when it announced the conclusion of the negotiations on Moroccan textile exports (EEC, 1985a). Even though the press release's content was forthright, it is an excellent illustration of how the relationship between the EEC and Morocco was going to be mainly an economic relationship. This can be simply explained by the limited competencies of the EEC to conduct negotiations on trade (Commission, 1986a; EEC, 1986b; EEC, 1987a; EEC, 1987b). In other words, in first few years after the EEC's first and brief press release, the commission framed the relationship between Morocco and the EEC in substantive terms, and there were no discursive indications of issue-linkage.

Nevertheless, non-economic developments, such as the locust invasion that Morocco suffered in 1987, evidenced that the relationship, which until had been mainly based on trade, could be opened up to other fields. This conclusion was derived from the EC's announcements on the provision of financial aid to combat the plague of locusts (EEC, 1987c; EEC, 1987d). There were tough negotiations when the Moroccan Minister of Agriculture and Fisheries banned all community fishermen from Moroccan waters (El País, 1988). Even though the EEC came to Morocco's aid regarding the insect plague, it did not have any direct influence on the fisheries negotiations. Consequently, the EEC was put in a position where it had to pay Spanish and Portuguese fishermen a waiting allowance, as they were suspended from fishing and saw

²Morocco gained independence from Spain & France in 1956, for more information on the history of the country readers can refer to: Miller, Susan Gilson. "Filling a Historical Parenthesis: An Introduction to 'Morocco from World War II to Independence' (Article)." The Journal of North African Studies (2014): The Journal of North African Studies, P. 461-474, vol. 19, No. 4, 2014. Web

³ The disputed territory of Western-Sahara was (re)conquisted in 1975. The Mass March has been baptized as "The Green March, readers can find more information on the subject in: "OUR MASTER'S CALL": MASS MEDIA AND THE PEOPLE IN MOROCCO'S 1975 GREEN MARCH." Anthropology of the Middle East and North Africa: Into the New Millennium. Bloomington; Indianapolis: Indiana UP, 2013. 261. Web.

themselves *de facto* without income (EEC, 1988a). The suspension was reportedly caused by EEC's inability to provide Morocco with the necessary concessions (El País, 1988). In other words, there appeared to be no direct relationship between aid and the fishery agreements, as even after the emergency aid was received, it was not possible for the EEC and Morocco to overcome the obstacles. However, fisheries agreement was successfully concluded later that year, and the joint committee provided by the agreement was also celebrated (EEC, 1988b; EEC, 1988c). According to a report published by the Spanish government centre for political and constitutional studies, the urgency and internal discussions that the Moroccan suspension caused forced the EEC to give further concessions and conclude the deal (Juste Ruiz, 1988).

A noteworthy development is the regionalisation process of the Arab countries that took place in the late 1980s. For instance, the EEC released a reaction to the establishment of the Arab Maghreb Union, where it communicated its willingness to share best practices and lessons obtained since the founding of the European Coal and Steel Community (EEC, 1989a). The EEC again positioned itself as an experienced actor that willing to assist its neighbours. The same announcement provides a quote that demonstrates how the EEC positioned itself in terms of international relations:

"The Community sought neither hegemony nor to impose its own model for regional integration, but simply offered the extensive experience it had accumulated since 1950."
(EEC, 1989a)

The EEC was thus very explicit in assuring its southern neighbours that its motivations were not based on gaining influence over the domestic developments of the Maghreb countries.

However, it is necessary to understand the context of the time, as different European countries had recently decolonised the countries in the Arab Maghreb Union. Therefore, the European countries would expectedly be reluctant to get too involved in the domestic affairs of the Maghreb countries. Linking back to Manner's metaphor, the EEC and EC could not realistically be expected to apply the stick method. Within the context of newly acquired independence, any form of coerciveness would most likely be interpreted as an attack on the country's sovereignty. In other words, issue-linkage in the form of forceful trade conditions was unlikely to take place. Therefore, just like the European integration process, the EC's priority was on economic integration and trade access instead of more salient political, cultural and social issues.

In conclusion, during the early days of the relationship between Morocco and EEC, the discourse focused on economic and trade issues. The only divergence from the subject occurred in the wake of a plague that devastated Morocco's agricultural sector. As a result of the plague, the EU displayed its solidarity with Morocco. Furthermore, the European frame was consistent in portraying Morocco as a country that needed and received European assistance to develop its economy and social policy. Finally, the European collaboration also framed itself in a manner that it did not present a threat to the sovereignty of Morocco or any of the other Maghreb countries.

5.2 The 90s: a turning point

A shift in the discourse started in 1993, with then-President Delors's official visit to the Moroccan Kingdom. Even though it remained business-focussed, the discourse started to include social aspects, and more concretely the EC's support in the social field through economic development. The discourse also demonstrates how the King of Morocco asked the EC for assistance (EC, 1993a). Therefore, just like in the previous decade, the relationship was framed in a context whereby the EU assisted Morocco with its problems.

During the 90s, the aid from the EC to Morocco and other countries continued to dominate the discourse. This aid was always project based, and without exception it targeted economic activities such as agricultural activities and the monitoring of marine resources (EC, 1994a). In 1994, the Moroccan government and the EC entered into their second round of negotiations, to discuss what would become an updated version of the first trade deal between the EU and Morocco (European Union, 1994a). The frame of the press releases during the time differed only slightly from the previous announcements. During the negotiation of the first trade deal, the EU started to emphasize the necessity of certain clauses like financial cooperation, right of establishment, and the provision of services, capital movement, and economic cooperation (European Union, 1994a).

Thus, issue-linkage started to take place in the EU's discourse, but it was limited to the expansion of the trade deal's economic scope. During the negotiations of the agreement, the EU slowly allowed Morocco to enjoy new privileges, such as participation in the MedInvest programme that facilitated the contact between small and medium-sized enterprises (European Union, 1995a; Papoutsis, 1995). However, the EU had to wait once again as Morocco decided to postpone the negotiations on the trade deal until August 1995, when the final negotiation rounds could start.

However, reopening negotiations proved to be a real struggle, as Morocco wanted to reach a satisfactory deal on agricultural products before it accepted the negotiated terms on fisheries (European Union, 1995b; European Union, 1995c; European Union, 1995d; European Union, 1995e). During the struggles the EU remained diplomatic in its discourse, but it also made firm pronouncements and urged Morocco to be reasonable and deliver the same flexibility as it was demanding from the Union. Consequently, once the negotiations on the fishing agreement were concluded, the discourse became friendlier (European Union, 1995f).

The most remarkable element about the 1995 agreement is that it included political dialogue and cooperation on cultural matters as a venue for joint action (European Union, 1995f). In other words, the agreement not only concluded non-trade clauses, it also became a recurring pattern in the EU's communications with, and about, Morocco. An illustration can be found in two speeches given by former Commission president Jacques Santer. The first speech was given to the French Institute of International Relations, where he made the following statement:

'Europe's power rests largely on the room for manoeuvre in trade matters which it has been able to acquire. Is it really sensible, at a time when international competition more than ever requires us to be united, to refuse to entrust to the Community responsibility for what now comes under the heading of international trade?'
(Santer, 1996)

Two years later, Jacques Santer addressed the audience at the Bologna Centre of the Johns Hopkins University. During his speech Santer expressed himself as follows:

'Most of the instruments which matter in foreign policy have become European instruments. In particular in the field of trade relations; financial relations; cooperation agreements with third countries in many areas.'
(European Union, 1998a)

Furthermore, in the remainder of his speech Santer explained that foreign policy referred to the Union's goals in the field of human rights, link between trade, the promotion of human rights, and prevention of conflicts. While it is arguable that the speech was directed to EU member states rather than third countries, it is clearly visible that Santer was connecting trade negotiations and cooperation agreements with the EU's influence in world affairs. In other words, this speech was a clear example of the call to use issue-linkage as a strategy.

A year later, Chris Patten, the Commissioner of External Relations, addressed the participants of a debate on EU-Morocco relations. In the course of the speech, he pointed out the necessity for the EU to further develop the mostly excellent partnership with Morocco in both economic and political terms, and announced that the Barcelona Conference process provided an adequate stage (European Union, 1999a). The frame was reproduced in the year after, during his speech on the Barcelona process conference in Egypt (Patten, 2000a), and at a debate on the Common Foreign and Security Policy and European Security and Defence Policy (Patten, 2000b). Thus, the then-commissioner envisaged the Barcelona process as the right venue for the EU to develop its relationship with Morocco, and he urged both countries to contemplate political and economic cooperation.

In summary, the EU consistently framed Morocco as a country in need of assistance. However, the Moroccan side established itself as a tough negotiating partner, which contrasted with the European frame. During this decade, Jacques Delors introduced a link between political, social development, and economic development in his discourse about Morocco. Subsequently, Santer took issue-linkage and called on the member states to acknowledge the need to link economic and commercial relations with the broader spectrum of foreign policy. Finally, Chris Patten identified the Barcelona process and declaration as the most adequate venue to further develop the relationship between Morocco and the EU, in both economic and political terms.

5.3 The 2000s

When comparing the discourse in the late 90s and the early 2000s with the discourse of the 80s, it becomes clear that the highest EU officials, in particular, employed a discourse whereby political issues, human rights, and trade relations were linked. Therefore, the EC's framing provides an insight that answers the research question. While it is true that the commission appeared to prioritize trade, it was still willing to connect non-trade issues to trade deal negotiation processes. However, it also becomes clear that instead of having comprehensive debates on trade and non-trade issues, the EC took pains to have these conversations at different venues.

However, the order of events is crucial. While it is true that trade negotiations and non-trade issues were linked, it seems that their linkage was not necessarily used to promote European norms and values. Instead the discourse frame demonstrates the opposite, that norms and values were instrumentalised to achieve progress in trade negotiations. For example, the visit by Romani Prodi, the then-Commission President, to the Maghreb countries in 2001 was framed as a visit to discuss

political and social matters so as to push forward the Barcelona Process. It also referred to the blocked negotiations with Morocco at that time (European Commission, 2001). At the same time, the press release regarding the third EU-Morocco Association council also framed trade deals, such as the association agreement with Morocco, as the foundation for further cooperation in fields like justice and security (European Commission, 2003). Thus, in the Commission's discourse, trade was a flexible instrument. On the one hand, when negotiations were stuck, non-trade issues were employed to achieve progress. On the other hand, when trade agreements were successful, they were employed to develop the EU's external relations.

A new era of issue-linkage in the EU's discourse began in the wake of the wave of terrorist attacks in the 2000s. On the one hand, the September 11 attacks did not provoke a noteworthy change in the discourse. On the other hand, the terrorist attacks in Casablanca, Istanbul, and Madrid moved the EU to emphasise the link between security issues and the liberalisation of economy and trade (European Commission, 2004).

Once again, trade was instrumentalised as a tool to tackle what was a recent and salient issue at that time. The strategy of coupling trade and economic development to salient issues was also visible in relation to immigration. This connection was exemplified during a speech by Benita Ferro-Waldner in 2006, where she made the following statement:

'We have put migration on the agenda of political, economic and social dialogues with many non-member states. In Asia, Africa, Latin America and beyond we discuss with our partners our common issues, and implement projects designed to address our concerns.'

(Ferrero-Waldner, 2006a)

The EU's discourse thus identified the utilisation of economic and trade dialogues as a venue to discuss NTIs. In other words, the EU was strategically employing its venues to tackle non-trade concerns. However, the discourse and the framing of NTIs within trade venues still does not provide evidence to establish whether the EU applied the stick or carrot method. In other words, even though it is possible to say that the EU instrumentalised trade as a venue to put NTIs on the agenda, it remains impossible to definitively state that trade was utilised as a reward, or that trade restrictions were used as a sanction. This is further supported by Ferrero-Waldner's call for the EU to develop a coherent approach as to how it uses its sticks and carrots in all its policy instruments ranging from trade, development, democratisation, migration management, human rights, and

security matters (Ferrero-Waldner, 2006b). Interestingly, the mentions of Morocco in the EC's press releases about foreign affairs declined.

However, when the conflicts that followed the Arab spring became visible, the EC started mentioning Morocco again, especially Catherine Ashton, the then-High Representative for Foreign Affairs. Ashton and José Manuel Barroso were positive of Morocco and the King, praising him for the democratic reforms that had gained impetus in Morocco (Ashton, 2011a; Durão Barroso, 2011a).

In a second speech, Catherine Ashton introduced a new concept: the 3Ms. The first M referred to money, which was understood as a tool to finance the promotion of democracy building, human rights and other fundamental rights (Ashton, 2011b). The second M was mobility, which addressed the movement from third countries to the EU. Finally, the last M was market access, which was described as a method to support reforms through trade. This demonstrates that like Benita Ferrero-Waldner, Catherine Ashton linked NTIs with trade.

In summary, the EU continued to utilise a frame where it portrayed itself as a helping hand of Morocco. Furthermore, it became clear in the discourse that trade was instrumentalised to tackle non-trade developments, especially if there were salient issues. Benita Ferrero-Waldner further developed the frame that former Commissioner Santer initiated, with his call for the EU to employ issue-linkage. He specifically called on EU's member states to develop more coherency in their foreign policy and to identify the sticks and carrots they could use when interacting with third countries.

6. Framing analysis: Kingdom of Morocco

6.1 The EU as a tool to unite Africa

In the current King's coronation speech, Europe was immediately present, as he mentioned the necessity of maintaining an open attitude towards his European friends (King Mohammed VI, 1999a). Nevertheless, no links were made to concrete measures, as can be expected from a coronation speech. In his first year of reign, the King only referred to the EU when considering the necessity of preparing Moroccan companies to face European competition (King Mohammed VI,

1999b). In other words, in his first months as the King of Morocco, Mohammed VI did not mention the EU at all. The main focus of the discourse was on individual European countries, and the European continent as a whole. Furthermore, no mention of trade or any other type of deal was to be found, as the speeches remained rather limited in terms of concrete actions vis-à-vis European states.

During the King's first EU-Africa summit, Mohammed VI employed an interesting frame. On the one hand, the King called on European states to take a serious stance towards African development, through projects and financing tools without any type of conditionality. On the other hand, he positioned the EU outside of the equation, by stating that African states were primarily responsible for their future, beyond the importance of the EU's role (King Mohammed VI, 2000a). The main frame can be best described as a frame that positioned Morocco, and sometimes Africa, as a partner of the EU and European member states. This was in contrast to the EU's frame, that constantly presented itself as a saviour of Morocco.

For example, when the Moroccan king was interviewed by Time magazine he made the following statement:

We do not want Europe to assist us. We do not want that Europe gives us handouts. All we ask is that Europe deals with us as partners.⁴

(King Mohammed VI, 2000c)

A remarkable pattern is the fact that the Moroccan discourse has mostly referred to international relations at large and focussed on the presence of Moroccans in Europe (King Mohammed VI, 2000c). Additionally, the Moroccan King has employed the EU, and especially its markets, as a tool in his discourse towards African leaders. For instance, in a speech during a royal dinner with the Senegalese President, the King argued that African industrial and economic development would be complementary to European economies, and that it was necessary to readjust the partnerships of African countries with European counterparts (King Mohammed VI, 2000d). Thus, the frame during Mohammed VI's first year was coherent. The frame constantly positioned European countries as partners, but called on African states to step up to readjust the balance in the relationship (King Mohammed VI, 2000e).

⁴ Besides the citation to the Royal website readers can also consult the full interview on: <http://content.time.com/time/world/article/0,8599,2056187,00.html>

At the same time, it must be noted that the frame also emphasized the importance of a Morocco-EU partnership, with the objective of further developing the Moroccan economy. In contrast to the EC's discourse, the Moroccan frame also included religious aspects (King Mohammed VI, 2000f). Therefore, the Moroccan discourse differed from the European approach. The Moroccan king discussed Morocco's relations with the EU in a wider manner, without focussing on specific deals or negotiations (King Mohammed VI, 2010), while in contrast the EC's discourse rarely moved from the trade frame. However, the King's discourse at EU-related events employed a fairly different frame. In contrast to the EC's discourse, the King of Morocco emphasised the Barcelona Process instead of the country's commercial relations with the Union (King Mohammed VI, 2000g) (VI, 2005a) (King Mohammed VI, 2003a) (King Mohammed VI, 2008a).

Finally, in more recent years, the discourse from the Moroccan King has changed to a frame where Africans speak as one voice vis-à-vis the EU (King Mohammed VI, 2014a). Likewise, the Moroccan King employed a frame during the Arab-European summit that presented himself as a speaker of the Arab bloc, instead of limiting his discourse to Morocco (King Mohammed VI, 2019a).

In summary, the discourse of the Moroccan King vis-à-vis the EU employed different frames. When interacting with African and other Arab countries, the King employed the EU to call for unity and cooperation between African and Arab countries, so they could compete with the Europeans. The king also framed himself as representative of the collective and dismissed any type of conditionality. The Moroccan monarch also demanded that the EU and its member states treat Morocco as an equal in the partnership, which is in contrast with the EU's frame where Morocco was portrayed as a country in need. Finally, a contrast between the Morocco's discourse and the EU's discourse is apparent. Morocco has proven that it is aware of the potential economic risks of an EU-Morocco trade deal. The discourse regarding trade has remained constantly business-minded, and excluded NTIs. However, the EU discourse differs, as it has constantly coupled trade-related announcements with NTIs.

7. Conclusion

This thesis aimed to answer the question of “*How do the EU and Morocco present issue-linkage through NTIs in their relationship?*” The answer was sought through a single case study on the relationship between the EU and Morocco. This thesis was inspired by Lavenex and Jurje’s comparative study of a large amount of trade deals. It has analysed the key documents that establish the relationship between the EU and Morocco: the trade deals that set out the commercial relationship, and the Barcelona declaration that underpins the three pillars of the EU-Mediterranean foreign policy.

In Chapter 2, the thesis presented an overview of the existing literature and the pertinent academic debates that surround issue-linkage at EU level. The literature review has framed issue-linkage as a tool of economic diplomacy that is often applied through trade conditionality. Manner’s contribution also allowed for the contextualisation of sticks and carrots as a strategic instrument in terms of economic diplomacy.

In Chapter 4, the analysis exposed that the EU’s deals did not include any NTIs, until the signing of the Barcelona declaration. Once the declaration was signed, NTIs started to increase in the EU’s trade accords with Morocco. The analysis has also demonstrated that the inclusion of NTIs did not equal hard law provisions. On the contrary, the inclusion of NTIs in the trade deals served a different goal. While the Barcelona declaration set up a three-pillar framework to fit the EU’s foreign policy vis-à-vis its Mediterranean partners, the trade deals’ function was to set the agenda of political dialogue and social cooperation. In other words, trade deals have become a *de facto* elongation of the Barcelona process.

In chapter 5, the analysis explored the EU’s discourse frames with regard to its relations with Morocco. This analysis revealed that the early interaction of the EU with Morocco was entirely based on the trade relations, and contained no evidence of issue-linkage. The only diversions from trade were identified in the wake of natural disasters. At the same time, the EU has always portrayed Morocco as a country in need of EU’s help, although it has attempted to provide assurance that it should never be perceived as a threat to the country’s sovereignty. In contrast to the earlier frame, Jacques Delors, Chris Patten, and Benita Ferrero-Waldner not only publicly framed trade together with NTIs, but also took a step further by calling on the member states to

enlarge the EU's competencies so that it could instrumentalise its sticks and carrots more efficiently. Their approach is consistent with Manner's explanation of rewards and sanctions in trade as a tool of foreign relations.

Chapter 6 examined the discourse frame of Morocco vis-à-vis the EU, which provided to insights. First, it revealed the stance of Morocco regarding issue-linkage. Second, it revealed whether the EU's issue-linkage had a clear impact on the relationship. The analysis of the King's speeches has demonstrated that Morocco is not aligned with the idea that the EU is a saviour. Instead, the King has called on the EU to perceive Morocco as an equal. Furthermore, he has also repeatedly positioned himself as the spokesperson of the African continent, and subsequently of the Arab countries. In both cases the frame remained the same, namely, that conditionality was not appreciated and that negotiations should take place on an equal platform. In terms of issue-linkage, the Moroccan king has explicitly requested the EU to refrain from the enforcement of conditionality. This is in contrast with Tittel-Mosser's findings that Morocco itself engaged in bargaining through NTIs.

The single case structure and the trace processing has brought to light the dynamics in which the EU operates within the ENP framework. Furthermore, the sources have provided the necessary information to conclude that trade deals are in effect a tool of economic diplomacy. It has become clear that instead of using trade conditionality through enforceable provisions in trade deals, the EU instrumentalises the deals to put NTIs on the agenda. At the same time, the document analysis has discovered a divergence between how the EU portrays its relationship with Morocco, and how Morocco experiences it. While the EU sees itself as a helping hand, Morocco has repeatedly proven that it is a tough negotiator in trade negotiations.

This thesis has contributed to a research gap in the study of EU's issue-linkage in trade deals as a tool of economic diplomacy. However, it is not possible to export the findings to all the foreign relations that the EU maintains with third countries. Further research is necessary to understand whether the use of trade deals as an agenda-setting tool is broadly utilised. This could be achieved by replicating this case study with different neighbouring countries such as Algeria, Tunisia, or Egypt.

However, like any other study, this thesis has encountered a number of limitations. The single case nature of this research makes it impossible make generalisations, as the findings are only applicable to the EU-Morocco relationship. Furthermore, as mentioned in the methodology section, the discourse analysis is based on diplomatic communications, which is expected to be pre-filtered and can be expected to hide any undesired declarations.

These limitations however provide a guide for future research. Future studies could replicate the analysis for different ENP countries, to analyse whether there is a recognisable pattern. On the one hand, the EU might have a global approach for its neighbours. On the other hand, if the approach differs from country to country, it will be possible to claim that the EU is a pragmatic actor, as it adapts its strategy to the different partner countries. Another possibility of future research is to continue this study by analysing the Deep and Comprehensive Free Trade Agreement between the EU and Morocco, once it has been concluded and ratified.

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