THE NETHERLANDS AND THE ARAB REGION

A PRINCIPLED AND PRAGMATIC APPROACH

No. 91, November 2014

Members of the Advisory Council on International Affairs

Members of the Joint Committee on the Arab Region

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Foreword

On 16 June 2014, the Advisory Council on International Affairs (AIV) received the government's request for a third advisory report on the Arab region. This request was based on the motion by MPs Wassila Hachchi and Frans Timmermans on 30 June 2011, in which the government was requested by parliament to regularly ask the AIV for an update on the situation in North Africa and the Middle East.[1] The full text of the request for advice appears in the Annexe.

Given the gravity of the current situation in the Arab region, the AIV decided to respond to this request as swiftly as possible.

The report was prepared by a joint committee chaired by Professor Joris Voorhoeve (AIV, Peace and Security Committee). The other members were Dr Bernard Berendsen (Development Cooperation Committee), Professor Maurits Berger (Human Rights Committee), Dr Nikolaos van Dam (Peace and Security Committee), Professor Jaap de Hoop Scheffer (AIV), Professor Alfred van Staden (AIV, European Integration Committee) and Heikelina Verrijn Stuart (AIV, Human Rights Committee). Ernesto Braam acted as civil service liaison officer for the Ministry of Foreign Affairs. The joint committee was assisted by Paula Sastrowijoto (executive secretary) and Lisan Warnier (trainee).

The AIV adopted this advisory report at its meeting on 7 November 2014.

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1   House of Representatives, 32 623, no. 29.

Introduction

The 'Arab spring' gave rise to widespread euphoria in 2011 and 2012. Many observers saw opportunities for a transition to pluralist democracy in large parts of the region. The AIV also identified these opportunities, but simultaneously warned of vulnerabilities in the transition towards democracy and the rule of law in its advisory report 'The Arab Region: An Uncertain Future' of May 2012.

The picture in 2014 is very different. With the exception of one country, the situation in almost the entire region has deteriorated rather than improved. Libya and Syria are embroiled in civil wars, Iraq and Yemen are contending with outbreaks of sectarian violence and in Bahrain the Shiite majority is being kept in subjection. Only in Tunisia, where for a long time it was uncertain whether the Salafists would gain the upper hand, do the Islamist Ennahda party and the other – mainly secular – parties appear to have reached a compromise. In Egypt, the reform process ultimately failed to materialise, while polarisation within society has led to clashes between supporters of the Muslim Brotherhood on the one hand, and the army and security services on the other. In mid-August 2014, Human Rights Watch (HRW) published a report accusing the Egyptian government of serious human rights violations and possible crimes against humanity.[2] Based on its own research, HRW states that the Egyptian security services killed at least 1,150 people who were protesting the removal by the army in July 2013 of the country's democratically elected president, Mohammed Morsi. The fear that radical Islamist groups will dominate the political arena has taken hold in Egypt. Moreover, following the initial euphoria surrounding the 'Arab spring', the position of women and religious minorities has deteriorated in many parts of the Arab region.

In its request for advice of 16 June 2014, the government asked the AIV to focus primarily in its third advisory report on the Arab region on the conditionality of support for Arab countries.[3] The government's questions focus on when and how the Netherlands and the EU should modify their support for Arab countries if democratic reforms fail to take place or the situation regresses. The AIV recognises that the unexpected and in many ways undesirable course of the transition in the region raises dilemmas that force the Dutch government and the European institutions to make tough choices.

In this report, the AIV will present several thoughts on the nature of these choices. Incidentally, the scope of the report extends beyond the modalities of supporting the transition process. This is due to the urgency of the question of how to deal with extremely violent Islamism and, in particular, how the Netherlands should respond to this phenomenon and contribute to combating it. In this context, the AIV draws specific attention to the fifth question in the government's request for advice:

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2   Human Rights Watch, *All According to Plan: The Rab'a Massacre and Mass Killings of Protesters in Egypt*, 12 August 2014.

3   Previous reports: AIV, 'Reforms in the Arab Region: Prospects for Democracy and the Rule of Law?', advisory report no. 75, The Hague, May 2011, and AIV, 'The Arab Region: An Uncertain Future', advisory report no. 79, The Hague, May 2012.

Could the AIV further refine the approach it set out in its earlier advisory reports on dealing (criteria, methods, etc.) with Islamist movements and parties, including Salafists?

For the reasons stated above, the AIV will answer this question in the context of its examination of the actions of extremely violent Islamist groups in the Arab region. The present report therefore does not address the development of jihadism in the Netherlands.

In the first two chapters of this report, the AIV briefly discusses the current situation in the Arab region, as well as developments pertaining to democratisation and Islamic identity. These two trends were among the themes examined in the AIV's previous advisory report in 2012 on the Arab region,[4] which noted that the issue of Islamic identity did not feature prominently in the political revolutions of 2011. This is because the object of those uprisings was to get rid of dictatorial regimes, not to establish a government or state along Islamic lines. At the same time, however, the AIV expressed the hope that the important role of Islamic identity would be reflected in democratic processes. The way in which this happened, the interaction of the various forces and the overall impact on the region are discussed in the third chapter of this report, which focuses on political Islam. In this chapter, the AIV examines the entire spectrum of political Islam, from moderate Islamic or Islamist groups and political parties to its most extreme expression in the form of the terrorist organisation known as the Islamic State in Iraq and Syria (ISIS). Chapter IV discusses the dilemmas facing the West, and chapter V addresses the government's specific questions. The report ends with the AIV's conclusions and recommendations.

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4   AIV, 'The Arab Region: An Uncertain Future', advisory report no. 79, The Hague, May 2012.

I Current situation

The situation in the Arab world, which encompasses the Middle East and North Africa, is a matter of grave concern.

A series of bloody uprisings in the Arab region, initially and hopefully described as the 'Arab spring', has produced actual democratic reform only in Tunisia. Similar reforms have largely failed to materialise in other Arab countries. In fact, there has been a serious regression, which has greatly destabilised several countries. In Egypt, fear of totalitarian Islamism has led to the restoration of autocratic military rule and the banning of the Muslim Brotherhood.

The rise of Islamist extremist movements is very worrying. Organisations with links to al Qa'ida were already established in Somalia, Yemen, North and West Africa, Syria and Iraq, but the crumbling of state authority has led to an increase in their size and reach in Mali, Tunisia, Libya, Egypt (especially the Sinai Peninsula), Iraq and Syria. Groups that until recently were obscure, such as Boko Haram and ISIS, now have territorial aspirations that are being duplicated elsewhere, witness the establishment of an 'Islamic emirate' in Benghazi by the Libyan Ansar al Sharia movement and the Islamic State in parts of Syria and Iraq. The attraction exerted by ISIS, in particular, on young Muslim extremists in many parts of the world is remarkable.[5]

The rise of ISIS has unleashed massive refugee flows and constitutes a dangerous source of further instability. Before it even entered the picture, the war in Syria between the regime and various opposition groups had already created millions of refugees and claimed over 200,000 lives. Atrocities and serious crimes against humanity committed in Syria and Iraq by people who would qualify for prosecution by the International Criminal Court are creating a deep sense of unrest both within and outside the region. The flow of refugees, especially from Syria but also from Libya and Iraq, is placing enormous pressure on neighbouring countries and threatens to destabilise them as well.

As announced by President Obama on 10 September 2014, the US has taken the lead in the fight against ISIS, in the knowledge that a military intervention will take time. Much will depend on the support that it receives from countries in the region. At an emergency meeting in Cairo on 7 September 2014, the Arab League spoke out in favour of taking 'all necessary measures' against ISIS and cooperating with international, regional and national efforts to combat the organisation. Involving regional partners, especially Iran and Saudi Arabia, is crucial not only to drive back ISIS but also to provide an ideological counterweight.[6] It remains to be seen whether Turkey will actually play a role in the armed struggle against ISIS in the near future, now that the country's parliament has cleared the way for this possibility.

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5   'The Isis can muster up to three times the number of fighters than previously thought, [*sic*] estimates the US Central Intelligence Agency. An analysis by the agency suggests the group may have anywhere between 20,000 and 31,000 jihadists.' Vasudevan Sridharan, 'Iraq Crisis: CIA's New Estimate Triples Number of Isis Fighters', *International Business Times*, 12 September 2014.

6   Reuters, 'Arabs Vow All Necessary Measures to Combat Islamic State', 7 September 2014.

The civil war in Syria, which started after the uprising in the spring of 2011, is now in its fourth year. The lack of state authority and order in large parts of the country had provided ISIS with an opportunity to expand its power. The radicalisation of the opposition has resulted in some of them defecting to ISIS. A similar situation is unfolding in Iraq, where sectarian polarisation and the refusal of Prime Minister Nouri al-Maliki, who has since stood down, to form an inclusive government created a political vacuum that has been exploited by ISIS.

In Syria, Iraq and Yemen, conflicts are raging between groups that are supported from a distance by various regional powers. The main players fighting to increase their sphere of influence are Saudi Arabia and Iran, but the emirate of Qatar is also involved. For example, Qatar funds and is allied with Hamas, the Muslim Brotherhood in Egypt and Islamist rebel groups in Libya and Syria. Its support of Islamist rebel groups has led to tensions with Saudi Arabia.[7] Some observers argue that Saudi Arabia and Iran are waging a Cold War in the Middle East that is more about the regional balance of power than the struggle between Shiites and Sunnis. Regional aspirations, transnational sympathies and domestic conflicts are further inflaming the region's power struggles. Weak Arab states like Syria form a convenient stage for this battle between external forces.[8]

One factor aggravating the situation in the Middle East is the Israeli-Palestinian conflict. To the extent that the peace process had not already stalled following US Secretary of State John Kerry's failed mediation efforts, Israel's offensive against the missile attacks from Gaza during the summer of 2014 has pushed a two-state solution far beyond the horizon. Further radicalisation of the parties' positions lies in store. This stagnation contributes to the unrest in the Arab region. As regards strengthening democracy in the Palestinian Territories, the AIV remains of the opinion that this is not truly possible as long as the Israeli occupation continues, since true democracy cannot flourish under occupation.[9]

7   Chista Bryant, 'Behind Qatar's Bet on the Muslim Brotherhood', *Christian Science Monitor*, 18 April 2014.

8   F. Gregory Gause III, 'Beyond Sectarianism: The New Middle East Cold War', Brookings Doha Center Analysis Paper, no. 11, July 2014, pp. 7-8.

9   See also AIV, 'Between Words and Deeds: Prospects for a Sustainable Peace in the Middle East', advisory report no. 83, The Hague, March 2013.

II Developments since the previous advisory report[10]

It is beyond the scope of this advisory report to provide an exhaustive analysis of developments in the different countries of the Arab region. Instead, the following chapter describes several trends that have emerged since the revolutions of 2011.

Democratisation and Islamic identity[11]

The desire for democratisation remains undiminished among broad swathes of the population in the Arab region, although many currently prioritise the restoration of peace so that they can resume 'normal' life. It is difficult to predict what shape this desire for democratisation will take in countries where Islamist parties, which continue to enjoy substantial support among the population, have been pushed out of the political arena or forced to reach a compromise with secular parties.

The call to grant Islam a role in the political order has not disappeared simply because democratisation efforts have failed to transfer power to the population. The trend towards the Islamisation of private life and the public domain, as described in the AIV's 2012 advisory report, remains strong. The political manifestation of this trend was blocked in Egypt and contained in Tunisia and Morocco. This does not change the fact that the underlying sentiments continue to exist and possibly gain strength, even in Egypt.

On the one hand, there is a risk that a broad popular movement that has been prohibited and branded as a terrorist organisation, like the Muslim Brotherhood in Egypt, will become increasingly radical. On the other hand, it could be argued that this risk is not so great, given that a strong desire for stability and economic progress exists among the population alongside the desire for Islamisation. The government of President al Sisi will be keen to make swift progress on stabilisation and economic recovery in order to combat alienation and radicalisation.

The need for a religious authority comes from the call for Islamisation. Although this is not a new trend, it has become more manifest due to the unrest in the region. Nevertheless, believers still look for spirituality close to home in less hierarchical set-ups. The search for charismatic leaders within Islam is a trend that Salafists have seized upon and goes some way towards explaining the appeal of ISIS. After all, the idea of an ideal Islamic state led by a charismatic caliph is easy to convey.

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10 A number of informative background articles on recent developments in the Arab world appeared in the October 2014 issue of the *Internationale Spectator*. See, e.g., Ernesto Braam, 'Een kantelend schaakbord. Geopolitiek en binnenlandse dynamiek in het Midden-Oosten en Noord-Afrika' ('A Tilting Chessboard: Geopolitics and Domestic Dynamics in the Middle East and North Africa'), pp. 4-8.

11 These trends were previously analysed in AIV, 'The Arab Region: An Uncertain Future', advisory report no. 79, The Hague, May 2012.

The struggle among Islamists

The struggle between parties like the Muslim Brotherhood, which seek to shape a role for Islam within the political order, and the ultra-orthodox Salafists, who see little to no merit in democratic systems in which coalitions are formed and compromises are reached, has become more intense since the uprisings of 2011. In fact, the political struggle between the Egyptian Brotherhood and Salafists even prompted the Salafists to support the military and security establishment's removal of President Morsi in 2013.

The deeper dynamic of Salafism has changed since the revolution of 2011. The activist current is growing and appears to have gained the upper hand. Salafism, a fundamentalist religious movement within Sunni Islam that originated in Saudi Arabia, is characterised by a strict adherence to the Koran as it existed in the early days of Islam – the 'pure' Islam. The movement refuses to be governed by 'worldly' rules, and its most ascetic supporters reject any involvement in politics or government. This current is thus strongly isolationist in character. Since the 1980s, the movement has nevertheless developed in a political direction, sometimes in the face of repression. This political Salafism forms the second current within Salafism. The third current consists of the jihadi Salafists, who sympathise with and even participate in the struggle against many regimes in the Middle East. These three currents have different views on how the ultimate goal – an ideal Islamic state – should be achieved, but the lines that separate them are not always clear. This is apparent, for example, in their positions on the use of force.

Radicalisation within Salafism is taking place in the Arab region as well as in the West. Following the revolution of 2011, politically-motivated Salafists were able to win over a large part (25%) of the Egyptian electorate and became increasingly outspoken in their demands.[12] Even the so-called 'quietist' Salafists, who focus primarily on personal devoutness, have become more vocal. Democratisation has accelerated the Salafists' emancipation. The rise of political Islam may have been blocked in Egypt, but the ideology has not disappeared; it continues to thrive at local level in the preaching of what Salafists regard as 'pure' Islam.

Secular versus Islamist

The gulf between secular and Islamist parties has also expanded since the uprisings of 2011. This was evident in Tunisia, where the Islamist Ennahda party was forced to yield to the powerful secular opposition parties. Likewise, the restoration of autocratic military rule in Egypt is very apparent in the amended constitution of 2014, which prohibits political parties based on religion and restricts the role of Islamic law in legislation. President al-Sisi publicly expressed his fierce opposition to religious political groups, saying, 'They consider themselves a different category of people. This is why we are unable to live together. There is a new constitution, which they (al Nour) were involved in drafting. The new constitution mandates that there should not be any religious parties.'[13] Such a sharp rift within a society that is becoming increasingly Islamic is a dangerous development.

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12   Michael W. Hanna, 'Mapping Egypt's Electorate', *Foreign Policy*, 15 May 2012.

13   Alaa Bayoumi, 'Egypt's Salafi Party Faces Growing Isolation', Al Jazeera, 18 May 2014.

Special attention should be devoted to the role of women and girls in this increasingly Islamic society. The AIV's previous advisory report on the Arab region examined the position of women at length. The AIV wishes to reiterate that women played a key role in the uprisings of 2011 as change agents and that they have an important role to play in peacebuilding.[14] The AIV's previous report highlighted the disturbing possibility that only women who promote Islamic ideas would be allowed to contribute in this area. There are concerns about the scope available to all women to participate. It therefore remains vital to support and strengthen civil society, including organisations that champion women's rights and their participation in democratisation.

Exploitation of the Sunni-Shia divide

Another new trend in the Arab region is the exploitation of the Sunni-Shia divide. Religious leaders with Salafist views are stirring up anti-Shiite and anti-Alawite sentiment in Syria and frame the country's civil war as an existential battle between Sunnis, on one side, and Shiites and Alawites, on the other.[15] Members of the Alawite community have dominated Syria's Ba'athist regime for over half a century. Although the community's most prominent religious leaders officially define themselves as Shiite Twelvers, many Sunnis regard them primarily as heretics who should be fiercely combated on religious grounds and against whom the use of violence is legitimate. In the 1970s and 1980s, this was reflected in frequent assassination attempts carried out by the Syrian Muslim Brotherhood against Alawites. In the current civil war, the sectarian dimension of the conflict has clearly intensified due to the clearly visible Alawite presence in the Syrian regime's repressive apparatus, despite the fact that the regime itself is secular.

Sectarian violence – indirectly provoked by the US during the early years of the occupation – has also intensified in Iraq. Sunnis became increasingly radical, Kurds became increasingly nationalistic and Prime Minister al-Maliki supported the Shiites in their oppression of the Sunnis. The revolutions of 2011 in the region led in Iraq to a government-backed campaign of violence and oppression against the Sunnis.[16] The new government of Prime Minister al Abadi, which took office in September 2014, is more inclusive in nature, but the key issue is whether reforms will be implemented swiftly and whether the structural problems of corruption and sectarianism will be tackled effectively. These steps are vital to ensuring cooperation between all the country's religious communities in the fight against ISIS.

Jihad: the magnetic pull of the Syrian civil war

The civil war in Syria has attracted jihadi fighters from inside the region and beyond. Prompted by the grave injustices inflicted on the civilian population for many years, many have made their way to the war zone. Individual socioeconomic and possibly psychopathological factors also contribute to the conflict's power of attraction. Most of

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14 National Democratic Institute, *Democracy and the Challenge of Change: A Guide to Increasing Women's Political Participation*, 2010.

15 AIVD, 'The Transformation of Jihadism in the Netherlands: Swarm Dynamics and New Strength', June 2014, pp. 43-44.

16 'Zelfs als alle IS-strijders dood zijn, blijft het oorlog in Irak' ('Even When All the IS Fighters Are Dead, the War in Iraq Will Go On'), interview with Colonel Joel Rayburn, *NRC*, 29 September 2014.

the purveyors of jihadis to Syria are located in the Arab region itself.[17]

While there are plenty of individual stories of radicalisation, consistent explanations for this phenomenon are hard to find in the literature. The AIV believes that rapid population growth, high youth unemployment, lack of services due to the absence of basic social rights, and political marginalisation are doubtless push factors in the Arab region.[18] Moreover, as in the West, online and offline recruitment through mosques and social media is helping to swell the ranks of jihadists in the Arab region.[19] This trend also affects women, who in some cases actively support jihad.[20]

Incidentally, it is important to distinguish between the attraction of a civil war, like the one in Syria, and that of a specific group such as ISIS, which boasts a caliphate and a capital and is able to offer employment and status. These factors also exert an attraction on young jihadists.

Conclusion

The entire Arab region is undergoing fundamental changes, the contours of which are only now becoming visible in all their intensity. The Arab revolutions of 2011 gave oxygen to processes that had already been operating beneath the surface for some time. The uprisings have increased the divide between secular groups and Islamists, as well as among the Islamists themselves, and have indirectly contributed to sectarian violence in Syria and Iraq. The competing political ambitions of Iran and Saudi Arabia in the region are also fanning the flames of conflict.

17   Jonathan Githens-Mazer, Rafael Serrano and Trahaearn Dalrymple, 'The Curious Case of the Tunisian 3,000', *openDemocracy*, 19 July 2014.

18   See also: AIV, 'Counterterrorism from an International and European Perspective', chapter II, advisory report no. 49, The Hague, September 2006.

19   Mohanad Hashim, 'Iraq and Syria: Who Are the Foreign Fighters?', BBC, 3 September 2014.

20   See, e.g., Syed Manzur Abbas Zaidi, 'Of Mullahs, Radio and Religion: The Taliban and Tribal Swat's Women in Pakistan', in Mirjam van Reisen (ed.), *Women's Leadership in Peace Building: Conflict, Community and Care*, Trenton: Africa World Press, 2014.

III Political Islam

'We don't have to like Islamist movements, but we do have to understand them, and the only way to understand them I think is to do something very simple: to sit down with them, talk to them, get to know them as real people.

'There is this illusion you can eradicate Islamists but you can't, it is one thing to kill an organization but it's an altogether different matter to kill an idea, killing ideas is difficult.'[21]

– Shadi Hamid

Introduction

In its 2012 advisory report, the AIV briefly addressed the issue of political Islam, the ideology that emerged strongly during the uprisings that called for democratic reform. To better understand current developments, it makes sense to take a closer look in this report at the evolution of political Islam in the region. Once again, however, this will only be a brief overview given the history and scope of the topic.

After decades of repression and opposition, the political parties that follow a strict interpretation of Islam and oppose the separation of religion and state were finally in a position to mobilise the electorate following the revolutions of 2011.

In Tunisia, the Islamist Ennahda party opted for a moderate course following its election victory in 2011. Ennahda made a conscious decisionto make this concession to the secular opposition even though it could have caused confusion and dissatisfaction among its followers. Despite being in a minority, the country's secular elite is still very powerful. It is fearful of the type of situation that emerged in neighbouring Algeria as a result of violent confrontations between the armed forces and the Islamic Salvation Front (FIS). Secular Tunisians point to double-speak and disagreements within Ennahda concerning the possibility of adopting a stricter line in the future.[22] The elections at the end of October 2014 reduced Ennahda to the country's second largest party. It is now calling for the formation of a national unity government. At present, there are grounds for cautious optimism regarding democratisation in Tunisia and the contribution of Islamist parties in this regard.

In Egypt, democratisation led to the short-lived rule of the Islamist Muslim Brotherhood, which ended with a military intervention in July 2013. The Brotherhood's failure can be explained by Morsi's lack of experience in national government, the absence of a clear political agenda and the almost complete exclusion of secular alternative forces. In addition, Morsi placed himself above the law and handed almost all key positions to his friends in the Brotherhood (in a winner-takes-all approach). Shadi Hamid of the Brookings Institution argues that the Brotherhood faced a dilemma. On the one hand, it wanted

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21 See Shadi Hamid, *Temptations of Power: Islamists and Illiberal Democracy in a New Middle East*, Oxford: Oxford University Press, 2014.

22   Alyshy Bedig, 'Ennahda's Split Personality: Identity Crises in Tunisian Politics', Fletcher Forum of World Affairs, 8 April 2012.

to take a moderate line to avoid alienating the secular parties. On the other hand, it wanted to win over Salafist voters, which could only be achieved by adopting even stricter positions on certain political and social issues. As Hamid states, the Muslim Brotherhood in Egypt shifted to the right due to the success of the Salafist parties on that side of the spectrum. In the 2012 parliamentary elections, the Muslim Brotherhood and a coalition of Salafist parties won 70% of the seats in parliament between them (47% and 23% respectively).[23] The Brotherhood was caught between a rock and a hard place. To the secular parties, it was untrustworthy and too Islamist, because it stood for the establishment of a theocratic state. To the Salafists, however, it was too lenient and pragmatic and did not do enough to implement the Islamist agenda.[24]

The origins of political Islam

The Muslim Brotherhood, established in 1928 as a religious response to the Western orientation of the Egyptian government, is the spiritual ancestor of various Islamist movements in the Arab region. Almost all Islamist organisations are descended from it in one way or another. The Brotherhood stood for the doctrine of pure Islam and a society centrally based on sharia. It also believed in the bottom-up Islamisation of society. The theory was that, if enough ordinary people believed in the message, the government would eventually follow suit. The movement's leaders did not set their sights on exercising political power.[25]

Islamic identity has always been strong in the Arab region. Although the autocratic regimes of Gamal Abdel Nasser and Hosni Mubarak always opposed Islamism, they nevertheless appealed to the population's ideological identity. Despite being banned in the 1950s, the Brotherhood managed to survive the repressive rule of both presidents by adopting a moderate line and remaining outside politics.

The expansion of the Brotherhood's ideology to Syria, Jordan, Iraq and the Palestinian Territories took place mainly after the movement was banned by Nasser's regime and forced into exile. It became increasingly radical after many of its members were imprisoned following a failed assassination attempt on the Egyptian president in 1954. Extremists split from the movement in the 1960s and 1970s. The Brotherhood itself renounced violence in the 1970s and developed political aspirations by participating in the parliamentary process, which it did with a view to achieving Islamist goals. This approach is at odds with the position of extremist groups such as al Nusra in Syria, which believe that Allah is the only legislator.

The Brotherhood managed to survive as a movement, even in times of severe repression, and appeared to have reconciled itself to the fact that the parliamentary option was at times entirely unavailable. It took advantage of the opportunity presented by the uprisings of 2011, but this ultimately ended in failure, as described above. It is still unclear what the Brotherhood intends to do in the future. Its leaders and supporters have been arrested and imprisoned en masse. The movement was banned in the autumn of 2013, and all its assets were confiscated. In a ruling issued in September 2014, an

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23 Nancy Messieh, 'Preparing for Egypt's Parliamentary Elections: A Guide', Atlantic Council, 21 February 2013.

24 Hamid, *Temptations of Power*, chapter 7.

25 Ibid.

Egyptian court also formally banned the movement's political wing, the Freedom and Justice Party. The military command and civilian government want a democracy that does not include the Muslim Brotherhood. The draft bill for the parliamentary elections in the autumn of 2014 reflects a desire to keep the number of seats going to Islamist parties to a minimum.

Appeal of political Islam

The Muslim Brotherhood and like-minded movements such as Hamas in the Gaza Strip have established various civil society organisations at local level to support their members and ensure their loyalty. They are more adept at reaching the population than the secular leaders of the post-colonial era. Members are organised into families or cells. The membership and funding of these movements have always remained secret due to government repression. The organisation has an impact on people's day-to-day life in several areas, including credit, justice, employment, religion and education, because they have the resources and the authority to provide these services. The movements provide a social safety net for many people where the official authorities have largely failed to do so.

In its 2012 advisory report, the AIV examined in depth the growing emphasis on Islamic identity among people in the Arab region, which manifests itself in personal devoutness as well as in public discourse, public life and even public morality. Since the revolutions of 2011, it has also found expression in politics, in both moderate and extreme form. The orthodox Salafists, whose outlook has been exported from Saudi Arabia, are unwilling to make any concessions in the pursuit of their religious ideal state. Although it has sent mixed messages, the Muslim Brotherhood is more flexible in this regard, at least as regards the path to achieving this ideal. According to Hamid, it is a legitimate question whether it is even possible to reach a compromise on religious matters, as opposed to administrative or economic issues. In practice, it is very difficult to find any common ground with people defending an absolute value system. A key problem in our interactions with both radical and moderate Islamic groups is that they not only condemn Western countries for their actions (or inaction) but also, especially, for what they *are*. In other words, radical Islamic groups challenge the very foundations of Western civilisation and institutions. This makes it difficult to conduct a dialogue.

Political Islam has great appeal. This is connected to the strong Islamic identity of a substantial proportion of the population, the search for leadership and meaning, and the anti-rationalist character of political Islam, which finds fertile ground among the largely illiterate and poorly educated masses in the Arab region. The message is clear: religion and state are one, and political compromise is immoral. Polls conducted by the Pew Research Center indicate that a majority of Egypt's population has a very conservative worldview. For example, 74% of the population is in favour of introducing a legal system based on sharia.[26] Excluding Islamist parties from the political process – as President al Sisi's government currently intends to do – may eventually lead to radicalisation and insurgency, especially if it is accompanied by human rights violations and a lack of economic growth.

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26   'The World's Muslims: Religions, Politics and Society', Pew Research Center, 30 April 2013.

IV Dilemmas facing the West

'For 60 years, my country, the United States pursued stability at the expense of democracy in this region here in the Middle East – and we achieved neither.'[27]

– Condoleezza Rice

IV.1   Dilemmas

Western countries – specifically the Netherlands and the EU – face several issues in their relations with Islamist groups pursuing political power in the Arab world:

1. The first dilemma arises in relation to groups that, having come to power through free elections with the support of a majority of the population, subsequently violate core democratic values, such as tolerance of dissent and respect for minority rights, and raise doubts as to their willingness to relinquish power after future elections. On the one hand, one should accept the results of a democratic election if they can be regarded as an authentic expression of the will of a majority of the population. On the other hand, it is legitimate to demand that a group thus elected does not treat the mandate it has received from the voters as a licence to impose its will on the entire population, especially if fundamental rights are at stake. In what situations does such a demand carry more weight than the obligation to respect the outcome of an election? This dilemma may become even more acute if an Islamist majority rejects the separation of religion and state and imposes sharia, partially or otherwise. In such cases, is it advisable to conduct a constructive dialogue with the group concerned, such as the Muslim Brotherhood in Egypt, in the hope and expectation that this could contribute to an evolution towards democratic pluralism? Can the Ennahda party in Tunisia serve as an example in this regard? If one concludes that this is indeed the case, the next question is whether Islamist movements should qualify for material aid, assuming that there is a reasonable prospect that they will succeed – as part of the government or outside it – in reducing hardship within the population.

2. The second dilemma arises when the exercise of government power by Islamist groups or others leads to a military coup, as happened in Egypt in July 2013. In general, a military intervention in a political process resulting from a democratic election should be condemned. However, it is also important to consider whether the government in question exceeded the limits of its electoral mandate (see above). Is the existence or threat of an Islamist majority dictatorship and social chaos a legitimate reason to set aside the results of an election? If so, does President al Sisi's government, for example, deserve the benefit of the doubt? Would something along the lines of an impeachment procedure, which exists in the US and other countries, have been a better solution? What is the minimum standard for normal interaction and regular or limited forms of cooperation with such a government? In this context, it is important to distinguish between normal diplomatic relations and active support of a regime in the form of economic, financial and possibly military aid. Anticipating the conclusions presented at the end of this report, the following

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27   US Secretary of State Condoleezza Rice, Remarks at the American University in Cairo, Cairo, Egypt, 20 June 2005.

criteria or benchmarks may be of use in resolving the two dilemmas discussed so far: respect for the most fundamental human rights (no political or religious persecution, no summary executions, no torture and the right to a fair trial in the event of prosecution), policies vigorously pursuing economic growth and shared prosperity, anti-corruption measures (including transparency in government spending) and the prospect of a gradual reduction in the political role of the armed forces. Stability is a prerequisite for statebuilding and strengthening the rule of law, but it cannot last in the long term if it needs to be enforced through political oppression.

3. The third dilemma concerns Western governments' proper response to the threat posed by ISIS, a non-state actor that is violently undermining state authority. At first sight there is no dilemma, since the governments concerned have no choice but to bring about the total destruction of ISIS given its violent and absolutist nature. On closer examination, however, several complex questions arise. To start with, how can the West confront ISIS politically and militarily without radicalising Islamic groups elsewhere that are not unsympathetic to its goals? In view of this risk, the Western contribution to the campaign against ISIS should ideally be low-profile. At the same time, however, a tangible Western contribution is probably vital to the campaign's success. Other questions that are difficult to answer in advance include: If ISIS is defeated, how can it be prevented from becoming a problem again in the future, in its current guise or otherwise? Are Western governments willing to commit themselves to a prolonged military operation? Finally, there is the awkward question of how to eradicate ISIS's strongholds in Syria – the third phase of the US strategy – without any help from Bashar al Assad. Is the Syrian president the lesser evil in this scenario? Or does he remain the enemy, even if he is also an enemy of ISIS? It is clear now that the US wants (today if not earlier) to deploy the 'moderate' Syrian opposition forces against ISIS, but how moderate – and how reliable – can they be after more than three years of battle? After all, many of them have defected to ISIS. In other words, is it not an illusion to believe that the Western-backed Syrian National Coalition and its armed wing, the Free Syrian Army, have the military capability to stand up to Assad's forces, on the one hand, and the radical Syrian armed groups, on the other? The West does not yet appear to have a clear long-term strategy for dealing with Assad's regime. Such a strategy is necessary to convince the moderate Syrian opposition to join the fight against ISIS, because it places a higher priority on bringing down Assad than defeating ISIS. The opponents of the incumbent president will not allow the West to send them into battle against ISIS before it has been firmly established that the first objective after overcoming ISIS is the overthrow of the current Syrian regime. Another problem concerns the provision of material assistance to ISIS. Coalition partners have enabled ISIS to keep its war machine running, for example by illegally purchasing oil products or turning a blind eye to their export. In addition, they have permitted the flow of fighters from other parts of the region to continue in violation of Security Council resolution 2178 (24 September 2014), which expressly prohibits this.

4. There is a growing belief in Arab public opinion that the West applies double standards, resulting in decisions that impact negatively on the Arab world and even more so on Islam.

In the eyes of the Arab world, the West saw no reason to intervene in the Syrian civil war, which involved violent atrocities, claimed more than 200,000 lives and created more than 2 million refugees, but intervened almost immediately after ISIS declared a caliphate. The West springs into action when the victims are a few thousand Christians, but not when hundreds of thousands of Muslims are threatened with

annihilation. The conclusion in Arab public opinion is that the West does not act on the basis of universal principles but on the basis of specific preferences with a strong anti-Arab or anti-Muslim bias. The question is not whether or not this is true, but how the West should respond to this sentiment, which is very prevalent in the Arab world and determines its response to every subsequent action undertaken by the West.

The AIV advocates greater awareness in the Netherlands and the EU of this Arab perspective and the sentiments circulating in the wider Muslim world. In response, the West should focus more sharply on organisations such as the Gulf Cooperation Council (GCC), the Arab League and the Organisation of Islamic Cooperation than it has done in the past and remind them of their responsibility to promote peace and security in their own region.

IV.2   Support for democratisation

Dutch support

The Netherlands is actively engaged in the Arab region through bilateral and multilateral channels. Its bilateral aid instruments include several funds, such as the Human Rights Fund, the Matra South programme, development cooperation programmes (including humanitarian aid) and resources under the Dutch National Action Plan on Resolution 1325. The Netherlands' most wide-ranging bilateral instrument in support of the transition process in the Arab region is the Matra South programme, which operates mainly in Egypt, Jordan, Libya, Morocco and Tunisia. Dutch development cooperation partners, including Yemen and the Palestinian Territories, are not part of the programme.[28] The Matra South programme focuses on three aims: achieving economic growth, promoting democratisation (including free elections) and strengthening the rule of law while protecting human rights. The economic support programme within Matra South accounts for roughly 50% of its budget. A small part of the budget is earmarked for democratisation, and the rest is spent on strengthening the rule of law. The economic programme can potentially reduce grievances among the population by creating employment. The other programmes focus on investing in local civil society initiatives, building the capacity of political organisations, training civil servants and young diplomats, and giving government-to-government support aimed at strengthening governance structures.[29] The AIV recognises the importance of providing both economic support and support aimed at strengthening the rule of law, as neither can be truly successful without the other. The foreign affairs budget classifies the Matra South programmes under several different policy objectives, which can lead to confusion regarding the objectives of those programmes and the resources available to them.

The AIV is aware that this type of support places a relatively large burden on the limited capacity of embassies and implementing organisations. Nevertheless, it recommends

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28   The total budget for Matra South has increased over the years. In 2015, it amounts to the relatively modest sum of €15 million.

29   The Matra South programme is part of a wider evaluation of Dutch policy on democratic transition in the Arab region conducted by the Policy and Operations Evaluation Department (IOB). The results of the evaluation will be published in the first quarter of 2015. See: <http://www.government.nl/government/documents-and-publications/reports/2014/04/16/iob-terms-of-reference-evaluation-of-dutch-policy-on-democratic-transition-in-arab-region-2009-2013.html>.

increasing the programme's budget – and thereby its impact – by shifting funds between the ODA and non-ODA parts of the foreign affairs budget. The AIV would add that, in line with its first advisory report on the Arab region, the programme should be aligned and harmonised as much as possible with similar efforts by other European countries. Furthermore, given the complexity of the conflicts in the region and the fragmentation of the budget, it would be advisable to establish a joint budget for the region, consolidating the coordination of Dutch policy in the Arab region in a single entity and giving this policy a single face in the form of an ambassador or special envoy for the entire Arab region.

EU support

The objective of the European Neighbourhood Policy (ENP) is to support the development of a democratic, stable and prosperous region in the EU's vicinity. The instruments of this policy are based on the three Ms (money, markets and mobility) and on the principle of 'more for more' (or indeed 'less for less'), which in practice could end up as 'nothing for less' or 'nothing for nothing'. The basic idea was that, as the Arab countries made progress on the path to democracy, the EU would provide increasing financial support and increasingly open its market to imports from the region. In addition, mobility partnerships would be established to benefit Arab business people, workers and students. Finally, the relationship between the EU and the Arab countries would be sealed by establishing a new Partnership for Democracy and Shared Prosperity.

Although the EU's ambitions in the region are great and the associated budget is substantial (approximately €1 billion a year in total),[30] results have so far been mixed. For example, the negotiations on the deep and comprehensive free trade agreements started off too slowly. The negotiations with Morocco have been under way since 2011, while those with Tunisia and Egypt are still in the preparatory stage. On the other hand, the EU has concluded mobility partnerships with Jordan, Lebanon, Morocco and Tunisia. What has caused these disappointing results? First, the dynamics and unrest in the individual countries and the region as a whole gave rise to delays. Second, it turns out that the process of supporting reforms in the Arab world was primarily a technocratic process controlled by the European Commission. The support package was offered in its entirety, regardless of whether the key issue was free trade, migration or sectoral aid. This did not facilitate a swift implementation. Each country received the same treatment, on the grounds that they all wanted the same thing – a classic example of the 'one size fits all' approach. The EU did not formulate a coherent political and strategic vision for individual countries (or the region as a whole). The new European Commission and the European External Action Service (EEAS) should make an effort to change this. In any case, the AIV advocates a more robust, integrated European policy that no longer treats technical assistance and foreign policy as independent variables. The EU's High Representative for Foreign Affairs and Security Policy should be granted the resources and the political authority to talk to the countries in the region, including the Gulf states. The merger of the Directorates-General responsible for implementing the ENP and Enlargement and the section of the Directorate-General for International Cooperation that deals with the ENP is a step in the right direction. In another positive development, the

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30 The ENP budget for 2007-2013 was €12.8 billion. The budget for 2014-2020 is €13.7 billion (at 2011 prices, now €15.4 billion) (source: Ministry of Foreign Affairs). Actual ENP expenditure for 2007-2013 amounted to approximately €9.8 billion, of which €6.9 billion went to the MENA region. See: <http://issuu.com/actionglobalcommunicationsltd/docs/enpi_report_2007-2013-edit_eng/77?e=6346130/9914797>.

new High Representative pledged in her hearings in the European Parliament to tighten up the coordination of all EU external actions. This means that the path to better political management of EU foreign policy is in sight.

Politically speaking, the EU kept fairly quiet during the crisis in Egypt. The High Representative did not speak out clearly enough when President Morsi granted himself unchecked power, nor was she visible at the time of the massacre in Rabaa al Adawiyah. Some reflection is in order about the fact that the Arab region does not regard the EU as an important political entity that needs to be taken seriously. The parties in the region are more sensitive to the comments of government leaders from the United Kingdom, France and Germany, for example, than to the comments of an EU envoy. This needs to change if the Union is not to lose its credibility. It cannot be denied that the large EU member states chart their own course when it comes to foreign policy, but there is still a need for tighter coordination, so that the member states and the High Representative reinforce rather than hamper each other. Two examples of successful coordination are the P5 consultations in Geneva regarding Iran and the joint efforts of Germany and the High Representative during the crisis in Ukraine. The European Council should grant the High Representative a more powerful role and emphasise to the outside world that she works in tandem with the large member states. The European Council and the High Representative must realise that the EU's inability to formulate an unambiguous policy undermines its reliability and status in the region. The AIV believes that the new European Commission and the European Council should prioritise action in this area.

In the early stages of the Arab uprisings of 2011, it was impossible to predict with any certainty which way things would go. In the West, there was hope that far-reaching democratisation and reform processes would be initiated soon (based on the belief that this would also be the best option for the Arab region). However, it is now clear that most of the Arab countries in the region are at the very least going through an 'intermediate phase' that might lead to further dictatorship and instability. It is hard to imagine that a positive trend towards democratisation will emanate quickly from the current situation of unrest, insecurity and economic setbacks. It is therefore important to prepare for long-term instability and regression in the Arab region, the more so because new (and occasionally more serious) conflicts and flash points keep emerging.

None of this may be seen as grounds for the Netherlands or the EU to shun or abandon the Arab region now that developments there are not to our liking. On the contrary, undiminished attention, support and direct contacts are called for, not least to protect our own strategic and security interests. The pressure on Europe's external borders from the growing number of refugees alone is sufficient reason to pursue a dialogue.

Democratisation in the Arab region will obviously not follow the same path as it did in the West. The cultural, historical, economic and political differences between these two parts of the world are simply too great for that.

Various Arab countries have experienced – or continue to experience – 'illiberal' forms of democracy,[31] which are characterised by major weaknesses in the rule of law and a complete absence of safeguards for individual basic rights. In principle, movements for

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31 Illiberal democracies hold elections but do not safeguard fundamental rights. They are essentially sham electoral democracies. See also Fareed Zakaria, *The Future of Freedom: Illiberal Democracy at Home and Abroad*, New York: W.W. Norton & Company, revised edition, 2007.

liberal democracy deserve all feasible support, which should focus on improving the living conditions of the population groups concerned. At the very least, policy needs to focus on results rather than ideology alone, since what matters is what can be achieved and not only what is regarded as desirable.

In the AIV's opinion, it is necessary in every case to consider to what extent policies can be based on either ethical and principled or strategic and pragmatic concerns, and to what extent such concerns can be combined if they conflict with each other. If choices need to be made, the emphasis should be on achieving results. Decisions should therefore be evaluated on the basis of the consequences of our actions and not just on the moral value of our intentions. Diplomacy should be used to its full advantage to understand and monitor possible changes to the context of conflicts and the underlying motives of the various parties. This can give rise to new perspectives on possible courses of action. The AIV is therefore in favour of active diplomacy and a more pragmatic approach towards the relevant parties in the Arab region that includes, for example, entering into talks or forming coalitions or partnerships with Arab regimes that might initially have been avoided on ethical grounds. An example of this is the West's cooperation with a range of Arab governments and the Kurds in the fight against ISIS.

IV.3   Conditionality

In its letter to parliament of 22 March 2013, the government described Dutch support as 'dependent on the reform efforts of the countries in question', while being aware that 'democratisation is a lengthy process with ups and downs'.[32] Thus far, with just a few exceptions, there have been more 'downs' than 'ups'. As long as this situation continues – and for the time being it appears that it will – it will be difficult for the Netherlands to pursue a policy based on the principle of 'more for more', in line with European policy in this area.

In its request for advice, the government poses several penetrating questions on the issue of conditionality. The AIV would ask how conditionality should be defined in relation to the objectives being pursued in the country or region in question. It would oppose interpreting conditionality, which often only relates to material matters such as money or aid relations, as a strict doctrine. In line with the ideas expressed at the end of the previous section, this means that conditionality should be applied strategically and pragmatically on a country-by-country basis, rather than on the basis of a principled, ethical approach. After all, when providing aid or entering into a dialogue, it makes no sense to impose a series of prior conditions if it can reasonably be assumed that the government concerned will be unable – at least in the short term – to comply with them in full or even in part. This will only lead to frustration and mutual alienation. At the same time, Western governments would be well-advised to take advantage of positive developments and reinforce them through targeted aid programmes. Conversely, they will be obliged to reconsider their support if a recipient country experiences a structural deterioration in its political and economic situation as a result of flawed policies. For example, the Netherlands and the EU, acting separately but also in concert, could downgrade their support to Arab countries (individually but also collectively) where there is regression and a lack of democratic reforms. However, it would be naive to think that such action would automatically have a positive impact on developments in those countries.

32   Request for advice, 'Developments in the Arab region', 16 June 2014.

The AIV concludes that conditionality is an attractive principle in theory, but as long as it has little or no impact in practice it makes sense to explore other options. This is especially true in cases where Arab leaders regard the idea of conditionality as an affront rather than an incentive. It is also worth noting that the amount of financial support that a country like Egypt currently receives from the US, Saudi Arabia, Qatar and other Gulf states is many times larger than the amount of aid that the EU has given in recent years. Furthermore, Arab donors attach fewer conditions to their support.

The AIV also believes that it is vital to conduct (or enter into) as constructive a dialogue as possible with the countries, regimes and movements concerned in order to encourage them to make more reforms. Imposing sanctions or other punitive measures in the absence of an accompanying dialogue has thus far failed to produce any positive results. If anything, it has instead reduced the influence of the Netherlands and the EU in the region. It is also important to note that the interests of Europe and the Arab world are not symmetrical. The Arab countries that can be regarded as Europe's neighbours are just as – or even more – interested in the non-European countries in their own region. An overly Eurocentric approach should therefore be avoided, although this does not alter the fact – as the AIV would reiterate – that Europe continues to have major strategic interests in the region and that its involvement in regional developments is of great importance.

It would thus be unwise to expect too much from conditionality, especially since there are other donors in the region that do not impose it at all. The impact of conditionality depends on a country's political will and ability to meet the specified conditions. Much will also depend on the way conditions are formulated. Positive conditions that treat support as an incentive work better than negative conditions that threaten the suspension of aid. Conditionality is a political instrument that needs to be applied on a case-by-case basis. It is impossible to draw up a set of general rules concerning its use.

The AIV believes that the Netherlands and the EU should keep up their efforts to help the countries in the Arab region strengthen the rule of law, citizenship[33] and democracy. This has to be a long-term undertaking that makes allowances for temporary and not so temporary setbacks.

As already noted, the region's stability, security and prosperity are a key European interest. Against this background, the AIV recommends expanding the range of issues being discussed with Arab countries. Rather than limiting themselves to matters relating directly to democracy and the rule of law, the European countries should adopt a wider approach, in the interests of effectiveness.

In mutual consultation, European and Arab countries could launch projects on such topics as strengthening the rule of law and citizenship, good governance, accountability and the fight against corruption, social justice, economic growth, education and health. Global issues of common interest, such as water, energy and climate change, are also suitable topics for further discussion. In parallel, and depending on the outcome of their talks on more technical matters, there could also be discussions on current political and security issues.

Material support could continue to local NGOs, human rights organisations and trade unions, as well as to small and medium-sized enterprises (SMEs), with a view

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33 Opening up full citizenship to the entire population and strengthening citizenship.

to stimulating employment. Special prominence should be given to providing legal assistance to democratic opposition movements. It is important always to consider the potential results and consequences of such assistance, as various Arab regimes have turned against NGOs that received assistance from the EU. However, this should not be seen as a reason for withdrawing such assistance.

IV.4   Constructive dialogue

Democratic developments in the Arab region should be encouraged. The Netherlands and the EU should do more to this end than issue public statements. Although such statements are undoubtedly well intentioned, account must be taken of their actual impact on the local situation and the responses of local rulers. The main objective should be the realistic pursuit of a likely outcome. The intention should not simply be to encourage potential demonstrators and opposition movements to protest against the regimes in question; local rulers should also be encouraged through direct contacts to enter into talks with opposition movements with a view to implementing positive reforms. In the past, opposition movements that received purely moral support but no credible and substantial follow-up support were effectively abandoned to the mercy of the dictatorial rulers they were opposing. A telling example is the way the US, despite having encouraged the 1991 Shiite uprising against Saddam Hussein in southern Iraq, subsequently did nothing to intervene when it was bloodily suppressed. A more recent example concerns the uprising against the regime of Bashar al Assad in Syria, which started in March 2011. Although the West provided moral support to the initially moderate but later exceptionally violent rebels, it did not go on to provide the kind of support that would have enabled them to replace the dictatorship with a more democratic regime.

Sending a strong message regarding a specific government's undemocratic policies does not prevent the Netherlands and the EU from simultaneously conducting as constructive a dialogue as possible with that government. As a matter of fact, criticising an undemocratic government in the absence of such a dialogue is usually not very effective. The problem is that European expressions of concern or criticism – even if rooted in a fundamentally positive attitude or a spirit of partnership – are quickly dismissed as paternalistic by the Arab parties concerned. Not infrequently, the recipient feels that it is inappropriate for a so-called friend to voice criticism during a supposed emergency in which the regime fears for its existence.

Criticism should be voiced primarily through direct contacts and behind closed doors, rather than as a form of declaratory politics that seems to be aimed at the outside world. While it understands the call in Western democracies to have the substance of international consultations in principle be made public, the AIV concludes that this can undermine or even nullify the desired effectiveness of such criticism. Provided that it uses the right arguments, the government can seek parliament's understanding and support for a more restrained approach to announcements about talks on sensitive issues.

The exclusion of key parties from talks aimed at resolving conflicts has often contributed to delays or interruptions in the search for a solution, in some cases accompanied by further bloodshed. What ultimately matters is the outcome of such talks and not political self-expression.

The AIV believes that, in the field of conflict resolution, the EU and the Netherlands can play an active role in 'Track II' diplomacy, which focuses on building mutual trust through non-binding talks between various parties. The aim of such talks, which are private in nature, is not to achieve immediate tangible results; however, they can lead to formal talks between the parties at some point in the future.

Dialogue with Islamist groups

In line with the above, the AIV advises the government to maintain contacts with Islamic and Islamist movements, including Salafists, that may be able to help resolve conflicts in the region (in so far as they are willing to talk to the Netherlands). Such contacts can take place at a ministerial, senior civil service, ambassadorial or (much) lower level or through non-governmental channels. The purpose of these contacts is not just to keep talking to the movements, parties and regimes in question but also to improve our knowledge and understanding of them in order to gain a better overview of the current situation and adopt informed positions. In this connection, it is interesting to note that Iraq and Iran maintained diplomatic relations, including embassies in each other's capitals, for the first seven years of their eight-year war (1980-1988). Without 'eyes and ears' on the ground, it is much harder – if not impossible – to properly analyse the available options.

In all this, it is important not to forget that Salafists also have a great deal of influence in countries with which the Netherlands is on friendly terms, such as the Gulf Arab states of Saudi Arabia, Qatar and the United Arab Emirates. It is occasionally overlooked that, when searching for solutions, it can be useful to put as much pressure on one's allies and political friends as on one's opponents.

V Specific responses to the government's questions

The government has presented the AIV with a series of profound questions concerning the kind of policies it should be pursuing in support of reform processes in the Arab region. Due to factors including the recent increase in violence in the region, it is clear that these questions cannot be answered on the basis of simple formulas. The AIV bases its response on the following premises: the importance for Europe and the Netherlands of stability and positive economic and social developments in the region; the desire within the Arab region itself for greater democracy; the fact that poverty and inequality continue to be an important breeding ground for unrest; and, finally, the fact that there are no 'one size fits all' solutions. However, the West's ability to influence events in the region is more limited than often thought. The AIV believes that developments can at the very most be slowed or accelerated, but can definitely not be imposed or created.

1. When and how should the Netherlands and the EU (independently, but also in concert) modify their support for Arab countries if democratic reforms fail to take place or the situation even regresses?

    The AIV believes that the Netherlands and the EU should continue to support democratic reform processes, even in countries whose regimes fail to fully or adequately safeguard – and in some cases even violate – their people's basic rights (see the first and second dilemmas in chapter IV). In the case of serious lapses in the reform process or a worsening of diplomatic relations, such support can be provided through non-governmental channels. Establishing a formal democracy is less important than building a trustworthy state governed by the rule of law, strengthening citizenship and promoting good public governance that is in some way answerable to the population. Programmes aimed at strengthening the rule of law, such as training programmes for judicial and police officers, can contribute here. Economic decline, scarcity of resources and high population growth cause serious problems that can also undermine a country's stability. The AIV believes that the Arab region is of such great geostrategic and security importance to Europe that European countries must continue to provide economic support through the EU, even in the face of setbacks in the reform process. This does not mean, incidentally, that such support should not be accompanied by a critical dialogue. In addition, Europe should call on its partners in the Gulf region to take responsibility for the stability and economic development of the Arab world as a whole. Given their immense revenues from oil and gas exports, the Gulf states should be expected to make a lasting and substantial financial contribution to the development of less wealthy Arab countries.

2. In the process, how can policy be prevented on the one hand from becoming erratic – due to instant responses to developments that are not yet entirely intelligible – or, on the other, from responding too slowly to such developments?

    It is difficult to provide a general answer to this question. The specific context in which problems arise will determine what choices need to be made, but decisions must be based on the potential consequences of those choices. The AIV further believes that a 'stop and go' approach is undesirable, and that there need to be serious reasons for terminating current aid programmes. Where necessary, diplomacy is the best tool for conveying concerns about undesirable political developments to foreign rulers. In this connection, it is worth reiterating that, although they are not major players in the

Arab region's power politics, the EU and the Netherlands are key partners in the fields of trade and technical assistance. The AIV highlights the importance of maintaining a constructive and critical dialogue. The EU and the Netherlands should therefore endeavour to maintain such a dialogue at all times.

3. How can reform-minded actors in a country be supported if the government of that country opposes or reverses reforms?

To the extent that reform-minded actors enjoy freedom of movement within their own countries, this freedom should be used – with the help of financial and technical assistance – to rally as much popular support as possible and put pressure on repressive governments. Strengthening civil society and the social dimension of the legal order is the best strategy for promoting long-term democratisation. The Netherlands has a long tradition of supporting reform-minded actors in various countries. Such support can be provided through political or religious channels or through NGOs and links between educational institutions, trade unions, municipalities, political parties and women's movements.

4. In the AIV's view, should undemocratic policy by a specific government meet with a strong signal in response, or is it more important not to derail the dialogue with such governments? How can a situation be avoided in which the Netherlands and EU, through conditionality, greatly reduce their constructive influence with such countries, which can, after all, turn to other donors who do not impose conditionality?

As already noted, the AIV advocates conducting a critical policy dialogue with countries that are undergoing a difficult transition process. Applying conditionality, in the sense of imposing explicit prior conditions, has not been productive thus far. The AIV therefore sees little benefit in continuing this approach. As an alternative, it advocates forms of assistance that focus on rewarding positive developments and encouraging reforms through long-term incentive programmes.

5. Could the AIV further refine the approach it set out in its earlier advisory reports on dealing (criteria, methods, etc.) with Islamist movements and parties, including Salafists?

The AIV believes that building up knowledge of the social background and motives of religious movements in societies undergoing rapid Islamisation is vital to gaining a better understanding of those societies. Talking to such groups is one way of increasing this knowledge and should not be ruled out, as previously noted by the Scientific Council on Government Policy in its 2006 advisory report Dynamism in Islamic Activism. More attention could also be devoted to positive developments and statements emanating from the Muslim world, such as the fatwa issued by over 100 Islamic scholars in September 2014 explaining why they categorically reject the principles and practices of ISIS.[34] Advantage should be taken of opportunities to promote human rights and democratisation, provided that interlocutors are also open to the idea. In Afghanistan, for example, local interlocutors made discussions on sharia, women's rights and human rights agreements possible. It would be a good idea to conduct a similar exchange of ideas in the Arab region through Dutch embassies and interlocutors with substantial social, cultural and religious expertise.

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34   'Open Letter to Al-Baghdadi', September 2014. See: <http://www.lettertobaghdadi.com/index.php>.

The embassies should be equipped with the necessary capacity and project resources for this purpose.

The introduction to this report discusses the urgent question of how to deal with extremely violent Islamism and, in particular, how the Netherlands should respond to this phenomenon and contribute to combating it. Almost all Western governments see the need to put an end to the extreme violence of both Islamist and secular forces. This is an entirely legitimate objective. However, Western interventions often only create a temporary lull in the spiral of violence rather than breaking it, as illustrated by the current civil war in Libya. The AIV therefore recommends that, following military intervention in armed conflicts, attention be devoted not only to reconstruction but also to reconciliation, transitional justice and repairing damaged relations. Eliminating, imprisoning or convicting those who are guilty of violent acts is not enough in itself to prevent such acts from recurring, especially in the specific context of the Arab region. Forms of reconciliation and recognition like those practised in South Africa, Rwanda, Chile and Northern Ireland can serve as an example in this regard. It is worth noting that such transitional justice programmes have had little impact in Lebanon or Iraq. However, they clearly seem necessary in Egypt, Bahrain and Libya, and may even be necessary in the case of ISIS once it has been defeated. The Netherlands has too little leverage to bring about such comprehensive reconciliation processes on its own; they can only be realised through regional bodies like the Gulf Cooperation Council, the Arab League, the Organisation of Islamic Cooperation or the EU, or through the UN. However, the Netherlands could serve as an advocate for such programmes within these organisations. In addition, it could focus on Track II diplomacy in addressing one facet of the conflicts in the region.

6. These questions and the Western discourse on transition in the Arab region imply an assumption that consensus exists on the form democratisation should take. What is the AIV's view on this issue, and to what extent is it worthwhile supporting different forms of democratisation (liberal, illiberal, etc.)?

In the same way that the revolutions of 2011 urgently drew attention to democracy and elections, recent developments in the region seem to show that the time has come to pause for a while and tone down expectations regarding the pace of reform. There is no uniform model or ideal form of democracy. Every country and every region has to develop its own design. Given the sectarian divisions affecting most Arab countries, and to prevent the permanent exclusion (and consequent political radicalisation) of large minority groups, the preferred option is to include the widest possible range of population groups in future governments (power-sharing). Special attention should be devoted to women's participation in the political process. In addition, one must accept that the separation of powers in Arab countries will be less strictly applied than in the West. In the interest of order and stability, it will often be necessary for the executive to be granted strong powers. However, the West should not accept such a situation indefinitely, thereby lending legitimacy to the primacy of security over democratisation. It is equally clear that governments in the Arab region need to work towards reforms that strengthen the rule of law and offer the ultimate prospect of democratisation. In the AIV's view, these considerations should be part of the West's critical dialogue with these countries.

VI Conclusions and recommendations

Recent developments in the Arab region have shown that there is a large gap between wishful thinking and reality. Elections and democratisation in the region gave rise to overblown expectations in 2011 and failed in almost all the countries concerned to produce Western-style reforms. The process of reforming a political system can take several generations and depends on the quality of political leadership and on whether political parties are able to gain a permanent support base within the population. Western governments and parliaments need to bear this in mind when formulating their foreign policy objectives. The holding of elections should not be the only criterion on which these developments are judged, and Western countries should not fall into the trap of fixating on them. Instead, they should devote just as much attention to the kind of developments that precede an orderly election process, such as developing the rule of law and strengthening citizenship, democratisation and respect for minorities. Here, too, there are no short-term solutions.

Now that the region is caught in a cycle of polarisation, conflict and cross-border civil wars, the AIV believes that support for the local population should not be withdrawn. In countries where the state apparatus has ceased to function, this may take the form of humanitarian and/or military intervention and, in due course, support for reconstruction and reconciliation. In countries where the legal order has not broken down entirely, the West must continue to do what it can to support the rule of law, basic social rights and effective government, even if the democratisation process has suffered a setback or if a form of Islamisation has taken hold that the West finds equally worrying.

As regards the appropriate level and nature of the Netherlands' relations with governments that cannot claim democratic legitimacy, the AIV concludes that in cases where they are guilty of serious human rights violations, such as torture and summary executions, it would not be fitting to engage in close cooperation with such governments in addition to maintaining diplomatic relations with them. Such cooperation is only appropriate in cases where governments that lack democratic legitimacy have committed themselves to a path that offers realistic prospects of respect for constitutional principles, action aimed at combating corruption, policies targeting economic growth and a fair distribution of wealth, and a reduction in the political role of the armed forces. This is without prejudice to the AIV's observations on the issue of conditionality earlier in this report. The AIV advocates adopting a principled approach with regard to the nature of the objectives that should be pursued and a pragmatic approach with regard to the paths that should be followed in order to ultimately achieve them.

Given the pressure of population growth and the lack of economic prospects in the region, it is important to include economic measures in the range of support options. Failure to do so could result in social unrest and discontent, which in turn might serve as a breeding ground for radicalisation and jihadism.

In view of its limited influence in the Arab region, the Netherlands will have to implement its policies primarily through the EU. The AIV has accordingly focused most of its recommendations on the EU framework.

The AIV's recommendations regarding democratisation and employment are as follows:

1. The Netherlands and the EU should continue offering programmes (training and exchanges) aimed at promoting the rule of law and democratisation. The 'more for more' principle should be abandoned. Examples of such programmes, which in some cases may already be in place, include:
   - advice on constitutional and legal reform, support and training for the criminal justice system and the public prosecution service, legal aid for the less well-off, prison reform;
   - training for members of the police, the prison system and the criminal justice system in the practical protection of human rights and democratic control over the defence establishment;
   - human rights education, with a special focus on children's and women's rights;
   - training for elections and electoral law reform.

2. The AIV recommends increasing the budget – and thereby the impact – of the Matra South programme, if necessary by shifting funds between the ODA and non-ODA parts of the foreign affairs budget. In line with its first advisory report on the Arab region, the AIV would add that this programme should be tailored as much as possible to similar efforts by other European countries.

3. Furthermore, given the complexity of the conflicts in the region and the fragmentation of the budget, the AIV recommends establishing a single, all-encompassing budget item for the region, consolidating the coordination of Dutch policy in the Arab region in a single entity and giving this policy a single face in the form of an ambassador or special envoy for the entire Arab region.

4. The Netherlands and the EU should expand their efforts in support of employment. This would involve:
   - entering into serious negotiations on EU trade agreements;
   - increasing investment by the European Investment Bank (EIB) and the Dutch private sector where possible;
   - stimulating local small and medium-sized enterprises (SMEs), for example by advising banks on the provision of micro- and meso-credit;
   - assisting free trade unions and cooperatives, as recommended in previous advisory reports.

5. The Netherlands and the EU should also call upon the region's wealthier countries, such as Saudi Arabia, the UAE, Qatar and Iran, to extend their narrow focus on security to economic development. A recalibration of their financial support programmes in this direction would be highly desirable.

The situation in Syria and Iraq has given rise to a broad international coalition in the fight against ISIS. In order to keep this intervention on the right track, there needs to be unity of purpose and strategy. This requires expert knowledge of the warring parties, the local conflicts and the will of the population. It is also important to secure the commitment of the main regional powers, in particular Iran and Saudi Arabia, as they hold the keys and the resources to finding solutions to these conflicts.

The AIV's recommendations regarding the extreme violence in the region are as follows:

6. The international community should take urgent action to cut off funding to ISIS, al Nusra and other jihadist groups.

7. Measures should be taken against countries and individuals that buy oil and gas from these extremist movements.

8. The AIV recommends that, following military intervention in armed conflicts, attention be devoted not only to reconstruction but also to transitional justice, reconciliation and repairing damaged relations. Eliminating, imprisoning or convicting those who are guilty of violent acts is not enough in itself to prevent such acts from recurring.

The AIV is aware of the dilemmas that arise in this context. Should we support a government that has come to power by democratic means if it also tramples on minority rights? Or maintain relations with a repressive regime that calls a halt to democratisation? Or conduct a dialogue with a vicious despot in order to combat even greater dangers?

The AIV highlights the pitfalls of adopting an outwardly moral position ('doing nothing because …') and favours a more pragmatic approach to the countries and conflicts in the Arab region. What ultimately matters is how the government can best fulfil its constitutional obligation to promote the development of the international legal order. This obviously involves making difficult choices. The important thing is to have a clear strategy for attaining that objective that takes account of the available resources. That strategy may differ significantly from country to country.

Entering into a dialogue is a key aspect of such a strategy. The Netherlands and the EU must keep talking to countries in the Arab region, if necessary through back channels, in order to generate mutual understanding. This also applies to countries with a less than pristine record, even if it means speaking to members of the Assad regime. The AIV believes that, in the case of Syria, the criterion should be whether or not a certain individual appears on the UN sanctions list.

The AIV's recommendations regarding the diplomatic channel are as follows:

9. The AIV advocates a more robust, integrated European policy that no longer treats technical assistance and foreign policy as independent variables. The EU's High Representative for Foreign Affairs and Security Policy should therefore be granted both the resources and the political mandate of the European Council to talk to the countries in the region, including the Gulf states.

10. The AIV advocates a pragmatic approach to Dutch policy in the Arab region, on the grounds that a stop-and-go policy based on considerations of principle mostly harms aid recipients. At the same time, the AIV is in favour of conducting a critical dialogue with the countries in the region and advises the government to focus not only on transition countries but also on the countries in the Gulf. It is important to analyse and address a wide range of issues, including technical issues such as water, energy and climate change, which may have positive spin-offs in the political sphere. The AIV further believes that it is vital to enter into a dialogue with religious groups. If the government gets all its information from the elites, it will be unable to clearly and effectively identify the mainsprings of social developments. Finally, the AIV believes that the Netherlands and the EU should be willing to listen to warring parties that have found a way to start talking, if necessary through informal 'Track II' diplomacy. The AIV is aware that the idea of establishing contacts with groups that do not eschew violence (but unlike ISIS, for example, are not intent on wiping out all dissenters) may initially meet with resistance. However, from a historical perspective, this will be a price worth paying if it improves the odds of finding an acceptable political solution.

Annexe

Request for advice

Professor Jaap de Hoop Scheffer

Chairman of the Advisory Council

on International Affairs

P.O. Box 20061

2500 EB The Hague

Date: 16 June 2014

Re: Request for advice on developments in the Arab region

Dear Professor De Hoop Scheffer,

The government would appreciate the AIV's advice on the following matter.

In a motion proposed by Wassila Hachchi and myself on 30 June 2011 on the current situation in North Africa and the Middle East, the government was requested by parliament to regularly ask the AIV to update its advisory report no. 75 'Reforms in the Arab Region: Prospects for Democracy and the Rule of Law?' of May 2011. The first such update resulted in AIV advisory report no. 79 'The Arab Region, an Uncertain Future' of June 2012.

By way of this letter, the government is once again carrying out the above motion, which incidentally does not prescribe any set timescale for these updates. However, the current situation in the region gives grounds for requesting a follow-up advisory report from the AIV. It will be the third such report on the Arab region.

Questions

The government requests an update of the AIV's advisory report no. 79, focusing primarily on the conditionality of support for Arab countries. In its letter to parliament of 22 March 2013, the government saw Dutch support as 'dependent on the reform efforts of the countries in question', while being aware that 'democratisation is a lengthy process with ups and downs'. Dutch policy on this matter ties in with the European Union policy principle of 'more for more'. The government requests the AIV to advise on the following questions:

1. When and how should the Netherlands and the EU (independently, but also in concert) modify their support for Arab countries if democratic reforms fail to take place or the situation even regresses?

2. In the process, how can policy be prevented on the one hand from becoming erratic – due to instant responses to developments that are not yet entirely intelligible – or, on the other, from responding too slowly to such developments?

3. How can reform-minded actors in a country be supported if the government of that country opposes or reverses reforms?

4. In the AIV's view, should undemocratic policy by a specific government meet with a strong signal in response, or is it more important not to derail the dialogue with such governments? How can a situation be avoided in which the Netherlands and EU, through conditionality, greatly reduce their constructive influence with such countries, which can, after all, turn to other donors who do not impose conditionality?

5. Could the AIV further refine the approach it set out in its earlier advisory reports on dealing (criteria, methods, etc) with Islamist movements and parties, including Salafists?

6. These questions and the Western discourse on transition in the Arab region imply an assumption that consensus exists on the form democratisation should take. What is the AIV's view on this issue, and to what extent is it worthwhile supporting different forms of democratisation (liberal, illiberal, etc)?

The government greatly looks forward to receiving your recommendations.

Yours sincerely,

Frans Timmermans

Minister of Foreign Affairs

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**   Joint report by the Advisory Council on International Affairs (AIV) and the General Energy Council.

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