THE NORMATIVE FRAMEWORK OF REGIONAL ORGANIZATIONS AND ASYMMETRIC EVENTS IN THE TIME OF GLOBALIZED THREATS

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Abstract

The redefinition of world architecture by global phenomenon rather than doctrines creates a sophisticated environment for the development of risks, vulnerabilities, and threats. In this new reality, the chaotic state of the world and the inequalities created by globalization are the main factors that offer an asymmetrical evolution to the sensitive events generated through tensions and crises. Against this backdrop, the article analyses how the European Union responds to asymmetrical events that have multiple sources and can develop vulnerabilities or risks to organizational security. In particular, the article demonstrates how the normative framework of the European Union answers to these challenges through the resilience and flexibility of norms, in a context of rapid change. Secondly, we question how the member states and their partners' reaction influence the correct application of the normative framework against potential threats.

Keywords: asymmetric events, normative framework, refugees, European Union, cooperation

Introduction

The world is facing an unprecedented growing number of systemic challenges, including fractures and dephasing in the face of the new trends (Ripsman and Paul, 2005; World Economic Forum, 2018). This is caused by the transformation of the world architecture from a systemic construction to a network one, by the availability of the new technologies, financial resources, and by the emergence of trends that accelerate the interconnectedness. Nevertheless, the security themes of the global agenda continue to be dominated by the military and economic subjects to which are added the new perspectives about cybersecurity and environment. Yet the social forces and the continuing change of world configuration determined that transnational activity and trans-governmental networks to induce a sophisticate plurality of dynamics and trends from global to the regional level. Consequently, the current perception of worldview and global order generates for the international actors, but also for societies, a fuzzy image about threats which is often accompanied by a very complex lexicon that

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incorporates the capability or resilience of actors to react in an unpredictable environment.

In this context of complex transformation on a global level and unpredictable state behaviour, which governs the dynamo, regional organizations are in the position of attractors for challenges due to the fact that their dimension and international behaviour frequently outline a collection of opportunities in a world which becomes more and more competitive. In the last decade, for the European Union, the real challenges were in most cases of organizational nature – BREXIT, Greece sensitivity, Ukrainian crises or the rise of populism. Yet, an exception from that model was the refugee crisis, which started to amplify from 2011 onwards. Nevertheless, in all cases, three aspects are essential to understanding what determined the appearance of these issues and their further evolution. The first argument refers to the construction of the European Union, the logic of which has its roots in a period of ideological and doctrinal competition between superpowers. This context and the systemic paradigm of IR (international relations) confers a degree of resilience on a regional level by permitting the integration of regional systems into the global system which allows the member states to benefit from unity and an environment which protects and sustains their interests. The change of the world paradigm in the post-Cold War era, however, caught the European construction in a period where member states shared common historical and cultural sources, factors which pushed the European Union to preserve the system organization despite world transformation. Secondly, the source of events and their drives have become so complex in implications and supra-dimensioned that today is very hard to follow or to predict a logical pattern of what will be happening. The information available can have a multitude of meanings for actors and offers a huge set of perspectives to the same situation, especially, in a world which tends to develop a hyper-connected configuration, Thirdly, threats and risks often develop distinctly and at a distance from organizational dynamics. This situation became possible due to complex interdependence, where sensitivity became the major vector of propagation and dissemination.

Due to these three aspects, the nature of actual risks in an international environment has known a reformulation from the classical paradigm, in the sense of approaching the problem from the perspective of the information that describes the baseline of event sources. In addition, the multiple factors of propagation, which often are atypical or nonconventional, induce to the tensioned events a random variation which can definitively change their implications and through that, the understanding of risks. All that makes the present world structuration to display a high degree of sensitivity to potential *butterfly effects.*

Under this backdrop, the paper analyses how the European Union generally perceives risks, in a world which suffers an accelerated transformation. In particular, we are interested in how can the European Union, as an organization, conceptualize a normative framework of legal norms that prescribe the basis on which to act and to offer a solution to the threat weaves stemming from the

international environment. The paper is configured as follows: in the first section, we approach international instability during actual transformation. We are interested in the factors and vectors that set-up the global dynamics and implicitly develop the source for risks or threats. In the second part, we analyse the refugee crises as a long-time event that generates huge sensitivity at the level of the European Union. The third part consists of a technical discussion from the perspective of European regulations and norms, which should ensure a degree of resilience in the face of this type of situations. The last part comprises of conclusions and discussions about the future of the European Union's capabilities to formulate a coherent answer to nonconventional risks.

1. The dynamo of security under global transformation

Traditionally, the security dimension from international relations has a military connotation (Mearsheimer, 2003; Kolodziej, 2005; Williams, 2006). Due to that, the main themes from the international agenda invoke directly or indirectly the use of force, threats prevention, and the security dilemma with the purpose of maintaining relative stability and state of peace in an interactive environment. Thus, the security domain is linked to policies by the capabilities of an actor that can satisfy the legitimate interests without amplifying the dynamics of risks or threats (Buzan, 1984). Yet, in the last decade, the security concept has known few changes, besides the incorporation of new elements, which are specific to the historical period. This changes the ontology of security and how the actors refer to it (Buzan *et al*. 1998; Fierke, 2015).

Two vectors sustain this doctrine in an international environment – geopolitical and geostrategic. During the Cold War, both have a relatively simple logic that examines the ideological confrontation and maintenance of the balance of power (Mearsheimer, 1990). However, today the volatility of the international environment and global phenomena, such as globalization or the Fourth Industrial Revolution, change not just the world logic, but even the nature of the threats' sources (Steward, 2011; Department of Defense, 2014; Schwab, 2017).

The shift of international perception from the West-East axis to a North-South axis and from the force of power to international influence, emphasize a redefinition of global trends through development processes and hyper-connectivity. All these transformations make the world a more sophisticated and unpredictable place where social transactions and their preferred outcomes represent new types of vectors for security themes. Therefore, the pressure, which results from this, is focused more on regions than on countries (Finbarr, 2017). Still, we need to recognize that political instability, conflicts, societal insecurity, and poverty remain the main sources for global tensions and the development of threats. However, the new world configuration and state behaviour are factors that amplify the development of asymmetry (World Economic Forum, 2017; Bello-Schünemann and Moyer, 2018).

Today the diversity of dimensions that characterize international interactions, and exchanges create a complex puzzle of issues and challenges relating to security and whose nature is often a combination of meanings, elements, perceptions and perspectives as projections of the future states. For example, the digitalization and advance of information technology combined with easy and cheap access to technologies into a hyper-connected space create a series of real issues in the cyberspace. Moreover, development acceleration of human society in the last century produced a series of climate issues, which cannot be controlled. Moreover, if we combine these with the inequality that has accentuated through globalization in the last three decades, we obtain through national development degree a partial source for huge demographic movements. From this perspective, the world became a multi-dimensional puzzle with a very sophisticated relationship between causality and effects.

This change of perspective from country to region brings into the discussion of security the development degree from the outlook of opportunities and prospection of realistic expectations. Thus, because the dominant dimensions, which determined the transformation trends put the accent on technology development and markets, regional organizations such as ASEAN (Association of Southeast Asian Nations) or the European Union, and countries such as China or the United States become very quickly, in a globalized world, the sources that dictate the trends (Blanton and Kegley, 2017). This label, however, came for each of them with huge benefits but also with serious threats for security, stability, and evolution. For the United States, it was a way to maintain its international supremacy and to be able to continue and propagate its innovation and creative process. Yet traditional societies perceive this continuity as threatening to the old conduit and to self-identify, a situation that generates a chain of firebox, conflicts, and tensions in different parts of the world. In addition, the maintaining of the image of the land of opportunities and due to incoherence in evolution in Latin America, this image generates a mirage that engages immigrant flows (Ikenberry, 2017; Steward, 2017; Wyne, 2018). For ASEAN and China, the acceleration of globalization was a point that started a series of structural reforms to ensure their resilience to the new world logic. They were able to develop a multilateral perspective and infrastructure, focused on the actual tendencies. Because of that achievement, the South-East region obtained a dynamical environment for manufacturing economic markets, and R&D of emergent technology (Rice, 2017; ASEAN, 2018). However, the price that needs to be paid is the appearance of volatility and versatility in an environment of evolution and stability. The series of crises that characterize the zone is a fine example. Moreover, despite the fact that China succeeded to impose itself as a great power in the world, to construct a complex network of foreign investments, and to compete as an equal with the United States for the domination of new markets especially on technology development or service, it was not exempt from economic sensitive situations and social movements which contest the party order.

For the European Union, the perspective of common markets and stability, allowed it to continue its economic development and to maintain its label as the largest market. In addition, the social stability in the member states, as well as the regional level, leads to the improvement of living conditions and the beginning of advancement for smart resources (Malgorzata, 2012). Nevertheless, apart from all main actors – countries or regional organizations – the European Union experienced in the last decade, the most sensitive situation. In part, due to its organization which is rooted in a historical paradigm, which no longer coincides with the new logic of global transformation. This is augmented by the weakness of leadership, both on nationals and supranational level, which complicates, even more, the situation of the European Union to predict future paths. The growth of populism, BREXIT, the tendency for an individualist approach of the international context rather than collective actions, are examples of systemic stagnation in the face of the new global forces (Mathers, 2016; Ammaturo, 2018).

In part, the geostrategic position of the European Union, high social expectation, and traditional relations with NATO and United States create a dual image of the "dreamland" and of "target", in a context when neighbours experience long-term and hard transitions, conflicts, tensions, and ambitions for global affirmation. After the Arabian spring and the starting of the conflict in Syria, the European Union was confronted with a massive demographic movement and by an incoherent-discontinue answer, together with its neighbours to solve the situation. This was a complex situation that raised the pressure and controversy on the capacity of European institutions to create a responsive backdrop to events, which exhibit a randomness evolution with multiple implications (Pace, 2014; Del Sarto, 2016).

A network between the most important actors, to manage the world security and to determine a world order is not something new. However, the implications and limits of this type of configuration in the international environment become very fuzzy. The tendency of societies to strive for opportunities from the perspective of development, accessibility to new kind of resources, and stability, more than liberty or openness – as it was during of Cold War – generate, besides classical sources for risks, new dynamics that gear a huge spatiality of the world. In this security framework, the European Union was caught into an internal dispute of consolidation, to continue the convergence and integration process of member states after the financial crisis from 2009 (Fabbrini, 2016; Juncos, 2016). Unfortunately, this orientation for an organizational paradigm covers in many ways the world transformation which boosted the sensitivity degree, world logic, and sources for new dynamics or risks by growing the distance between developed regions and the rest of world. Second, the existence of the European Union as a system into a global network without the need to admit the necessity of diffusion as ASEAN put the European construction into a difficult position. This is bound to combine internal functionality with the management of a global position, through resilience to tensions of global transformation, including new security themes.

2. Migration as a threat to the security of the European Union

The ceaseless change of world configuration and the refocus of pressure on the regional level, have made the EU's own security dependant on what happens in its near abroad, its borderlands. As such, it is in the EU's best strategic interest to establish and maintain a stable MENA (Middle East and North Africa) region. Starting from 2004, the EU formalized and standardized its own policy towards its neighbours, through the European Neighbourhood Policy (ENP)[1] and the Union for the Mediterranean (UfM)[2]. These represented the main instruments through which the EU transferred its own rules, standards and best practices, the acquis communautaire, to the countries of the Middle East and North Africa (Del Sarto, 2016).

Initially, the instruments focused primarily on political stability, economic prosperity and social cooperation, results that would be achieved through economic liberalization. In 2005, in order to calm the anxiety of Member States, concerning the threat that immigration stemming from the MENA region could pose to the security the EU, a fourth dimension was added (Abbott, 2018). From that point onward, the normative power of the EU was expressly used to ensure the prevention of irregular migration flows and the management of borders. The emphasis in this area is on prescribing the conditions for legal migration between the EU and MENA countries and establishing procedures for the return of illegal immigrants to their state of origin.

The notion of the EU as a normative power is conceptualized as the promotion by the EU of a set of principles, including peace, liberty, democracy, the rule of law and human rights (Manners, 2002). The EU is deemed to be a model to be pursued by choice and not by coercion. Nevertheless, the promotion of democracy and human rights in MENA states does not represent a priority for the EU, when security concerns are at stake, especially as the EU could accomplish its security objectives and risk mitigation by cooperating with the local leaders while ignoring their clear autocratic tendencies (Woollard, 2018). As such, throughout the years, the EU cooperated with Ben Ali of Tunisia, Qaddafi of Lybia and Mubarak of Eqypt, among others, in an effort to prevent unwanted migration to Europe. With the aim of bolstering security, part of this cooperation included, from 2007 onward the participation of MENA countries in the workings of a series of EU agencies, such as FRONTEX and EUROPOL.

[1] The countries included in the European Neighbourhood Policy (ENP) are divided, based on their geographical location into the Eastern Partnership and the South Partnership. This article will only refer to the Middle East and North Africa (MENA) countries when mentioning the ENP.

[2] The Union for the Mediterranean (UfM) is the successor to the Euro-Mediterranean Partnership (EMP), adopted in 1995 through the Barcelona Declaration. The acceptance of the EMP was limited, and the results of the partnership were disappointing. As a result, in 2008 the EMP was restructured and transformed into the UfM.

The Arab Spring, the uprisings and revolutions of 2010-2012, that contested the existing political and economic order of the MENA states, disrupted the delicate balance set up in the region, balanced achieved only with the aid of the existing authoritarian regimes. The shock prompted the EU to respond by way of its normative power, by reviewing its ENP and launching the "Partnership for Democracy and shared prosperity with the Southern Mediterranean". Its aim is the "strengthening of capacity building in the Mediterranean countries on borders/migration/asylum and more effective law enforcement cooperation to improve security throughout the Mediterranean" (EC, 2011). It also specified that the post-revolutionary governments will have to continue the previous collaboration with the EU border agency. While the aim of the protests was to bring regime changes to the region, for most of the countries involved they let to increased instability leading to civil wars (Syria, Lybia), new authoritarian regimes (Egypt), widespread oppression and severely limited access to food and basic healthcare (History, 2018).

The conflict in Syria, coupled with the instability of other MENA countries, led to a large increase in refugees arriving in Europe in the 2015-2016 period. The acute period of instability, the massive population displacement, represented a direct consequence of the crisis in the Arab Spring countries, a continuation of a previous shock (Salameh, 2018). The EU was confronted, right after recovering from the financial crisis, with a massive demographic movement. Only in 2015, 1 million people entered into the EU, mostly from Turkey, through Greece and then on land towards the Western Member States. This complicated situation put enormous pressure both on the EU institution, managing the crisis internally and on the ENP. The crisis led to a new review of the ENP in 2015, with the EU aspiring to "better support the different aspirations, values, and interests of our partners" (EC, 2015).

The bilateral agreement entitled EU-Turkey Statement of March 2016[3], managed to limit the number of people arriving into the EU. Among others, the agreement states that all new irregular migrants crossing from Turkey to the Greek islands will be returned to Turkey, that for every Syrian being returned to Turkey from the Greek islands, another Syrian will be resettled to the EU and that Turkey will take any necessary measures to prevent new sea or land routes for irregular migration opening from Turkey to the EU. Considered at first an exceptional measure, its success prompted debates on its introduction into the ENP. The objective of the EU became the prevention of arrivals to the EU, by the externalization of refugee protection to countries that are not member states. The Member States, especially the most affected by the crisis, concluded separate bilateral agreements, independent of the EU. One such example is the deals concluded between Italy and France and the government of Libya, or different

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[3] Retrieved from https://europa.eu/rapid/press-release_MEMO-16-963_en.htm

militias, regarded as instruments that do not respect basic human rights standards but with the endorsment of the EU.

3. Resilience in the face of risk through a normative framework

The Merriam-Webster Dictionary, defines resilience as the ability to recover from or adjust easily to misfortune or change[4]. Resilience has thus become a central evaluative concept, traditionally used to explain social and ecological systems that are dynamic, complex, and subject to swift and unpredictable change. Resilience theory, states that the presence of certain protective factors reduces the exposure to adversity. As such, the more protective the assets are, the higher the level of resilience. The theory has also been transported to the law domain, assessing both the quality of laws, quality of legal systems and the quality of the aim one wishes to achieve through the law (Ruhl, 2011). For the purpose of this article, we will look at resilience, not as a quality of a single specific legal instrument or of the whole of the EU as a legal system, but as a quality of legal agreements applicable for the MENA region. Thus, the article will address the adaptability and resilience of the principles applied by the EU during the Arab Spring and refugee crisis to stem the irregular immigration and minimize threats to its security.

From a structural standpoint, the ENP is composed of bilateral legal agreements, in the form of Partnership and Cooperation Agreements (PCA) or Association Agreements (AA)[5]. These contractual relationships, concluded between the European Union (EU) and a non-EU country, promote among other aspects, close relations on security matters. The legal basis for their conclusion is found in the EU primary law, both in the TFUE and in the TUE[6]. The agreements also offer the possibility of applying for "advanced status", which aims for regulatory convergence between the parties. Even more profound cooperation can be achieved through the Deep and Comprehensive Free Trade Area (DCFTA), a free trade agreement which given MENA states access to the internal market. In reality, the agreements refer to an accelerated absorption of EU norms by the neighbouring states, a regulatory approximation (EC 2011). As such, while MENA states have the right to decide on the intensity of their collaboration with the EU, the contract is one of adhesion.

The ENP, viewed as a series on parallel relations between the EU and MENA states, had to be augmented by regional multilateral organizations that

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[4] Resilience is also defined as the capability of a strained body to recover its size and shape after deformation caused especially by compressive stress.

[5] Ancillary to these agreements are the ENP Action Plans, which define an agenda of political and economic reforms by means of short and medium-term (3-5 years) priorities, including in the area of justice and home affairs.

[6] Article 217 of the Treaty on the Functioning of the European Union (TFUE) and Article 8(2) of the Treaty on European Union (TEU).

would provide a forum for information exchange, cooperation and hopefully coordination. The EMP and then the UfM managed to fulfil this role, with debatable levels of success (Stivachtis, 2018). Over the years, the EU has adopted and periodically reviewed its legislation dealing with MENA countries. Nevertheless, there are a series of principles that emerge from the normative framework, and outlines the philosophy of the EU, namely the principles of "differentiation", "conditionality" and "mutual accountability".

The differentiation principle states that the more and faster a country adopts EU norms and rules, the more support and financial aid it will receive from the EU. As such, each MENA country will develop a unique relationship with the EU, will be assessed individually and will have the liberty to choose the right level of involvement. The application of the principle is based on the more general-purpose principle of "more for more". Faster reform, as in more integration, is thus rewarded with aid, support, and trade, more carrots. As such, the approximation of laws and the implementation of the *acquis communautaire* in the MENA area is and will be in the foreseeable future, a patchwork, advancing at multiple speeds. The EU does not seek to impose a model or a ready-made recipe for political reform. The level of implementation by MENA countries of EU rules and norms is periodically assessed by the EU Commission and the European External Action Service (EEAS). The principle of conditionality overlaps substantially with the more for more principle, and tie the advantages conferred by the EU to the improvement made by the MENA states.

The meaning of the principle entitled mutual accountability is harder to define because it has not been properly spelled out in the relevant legal instruments. Is it just a synonym for solidarity and good faith between the parties to a contractual agreement? As previously mentioned, the EU has the power to assess the MENA countries and, based on the results, decide to award certain advantages. There is no reciprocal right for the MENA countries to evaluate the EU or even participate in their own evaluation. There is also no right for the MENA countries to participate in the legislative decision-making process at EU level, not even in the procedures containing legislation they will eventually also apply.

Despite the flexibility of these principles, their actual application by the EU proves a little more problematic. This is because, according to primary law, the EU has no exclusive competences in the area of asylum, irregular migration or security, acting mostly as a supranational coordinator. In order to ensure a smooth interaction between the EU institutions and Member States, the principle of solidarity was instituted, which states that immigration policies are to be governed by the principle of solidarity and fair sharing of responsibility, including its financial implications (art. 80 TFEU). Nevertheless, the proper management of migration flows was and is hindered, by the lack of a synchronization between Member States.

During the 2015-2016 refugee crisis, differences such as the geographical position or the level of economic development of Member States, made them

experience risk differently and as a consequence led to different appetites to address the crisis and shoulder responsibility. This lack of solidarity, in contradiction to the Treaty provisions, deepened existing fault lines and transformed the refugee crisis into a regional political crisis. It thus generated huge sensitivity at the EU level, and exposed shortcomings of the existing normative framework that prescribes the internal working of the EU. Considering the Member States treated the refugee crisis, as a high level risk that affected their national interest, the response was construed as national ignoring the regional dimension. The responses also disregarded at first the normative framework instituted by the EU in regards to the MENA countries.

In this dynamic and ever-changing context, increasing the resilience of the legal system, especially with regards to migration represents an objective of the EU. A resilient system would enable the EU, to flip back to a "new equilibrium state" (Ruhl, 2011) after withstanding shocks. However, while resilience is a desired quality for any legal system, and a main variable for evaluation, it does not represent an absolute standard. This is because a legal system can be at the same time both resilient and infamous or immoral. For example, in the area of immigration, not adhering to human rights legislation, as the EU has been accused of doing in numerous cases, might actually make the system more resilient and better equipped to deal with the security threats posed by immigration from MENA countries. The new President of the EU, Ursula von der Leyen recently addressed this criticism, by proposing to introduce new legislation on migration and asylum that would be both "effective and human" (AFP, 2019). However, this future review of the legislative framework concerning migration will address the legal instruments that govern the relationships between EU member states, more precisely the Dublin Treaty and the intra-EU relocation agreements and not the direct relationships between the EU and MENA countries.

Moreover, when analyzing resilience, one has to distinguish between the resilience of the legal system and the resilience of the system that is regulated by the legislative framework (Ruhl, 2011). As such, the resilience of the legal system is not valuable in itself, but as means through which the EU can achieve a resilient immigration and security system. This quality is especially important in the current international context characterized by increasing threats to security and raised sensitivity in front of events.

The literature on resilience (Ruhl, 2011; Arnold, 2013) identifies three features that any system which can withstand changes should have. There are scalability, modularity and evolvability. Scalability represents the property of a system to grow and manage an increased demand, both a temporal and spatial point. Modularity represent the separation of the functionality of a program into independent and interchangeable modules that adjust to changing conditions. Lastly, evolvability allows a system to be both scalable and modular over a certain period of time, to reach a certain level of stability.

Another concept, usually analysed in connection to the resilience of a legal framework, is the adaptability of a law framework. While some articles treat adaptability and resilience as distinct but complementary concepts (Ruhl, 2011), with adaptive capacity as a term that describes the best combination of the resilience features, other consider them to be interchangeable (Arnold, 2013).

The legal framework applicable in the relations between the EU and MENA countries, which was presented beforehand, is characterized by a series of parallel relationships that establishe a set of rules and principles, specifically the principles of "differentiation", "conditionality" and "mutual accountability". This system was and is scaled up spatially, to integrate different countries with different legal and cultural traditions. Moreover, the system is modular enough to allow for different levels of integration, through the application of the principles of differentiation and conditionality. The normative framework contains as such a formal follow-up mechanism that allows to integrate new information into an ongoing decision making process. This is especially important considering that in the area of immigration, not all effects can be predicted and evaluated at the moment a certain decision is made. Finally, the system was founded in 1995 and from that point onward has endured a number of crises such as the Arab Spring and the 2015-2016 immigration crisis – the feature of evolvability. As such, we can conclude that the MENA legal framework, meets all the criteria used to evaluate the resilience of a system.

Conclusions

The globalization, as a global phenomenon, brings forward, from the perspective of security, the huge implications of the asymmetries in the development of risks and vulnerabilities. In addition, besides the hyper-connectivity process that raises the sensitivity in front of the events, the global phenomenon replaces the political-military complexity of the interstate interaction with a more sophisticated character that implies society and culture. In front of this backdrop, the states find their resilience into regional constructions or agreements. However, under the impact of the financial crisis from 2007, and the growth of global inequality the sensitive events have seriously tested these formal and institutional constructions.

In a similar situation, due to his stability, life condition, and growth, the European Union became an attractive target for emigrants first due to social-cultural implications, and second because of economic-security stability. In the face of this challenge, as a regional organization, the European Union was in the situation to respond to events whose sources were farther from his capacity to act. Thus, the European Union find that is more opportune to respond through neighbour policy as an instrument that can secure the region using regional partnerships. However, the article emphasizes that, in this situation, the difference from how the actions there need to be correlated and what to contain, make that common actions of the European Union with his regional partners to be minimal.

Second, the way in how the actors report to their internal norms and international laws to create an action framework produce a breach in implementation and continuity. And last, the internal state of each actor involved in solving the situation is, in reality, a political factor that determined that the refugee situation to be understood as a pressure point in interstate policy interaction.

For member states, the refugee situation is an event that challenges not just the relations among the member states, but even the normative capacity of the organization to respond. In fact, these two parts are strongly linked and reveal clearly the incongruities which exit on the European Union about how the organization needs to report from the perspective of interest to the new type of events. Moreover, the power of normative framework to construct sustainable solutions in the long term is mainly banned by the lack of capacities to impose on the international environment. In addition, the individualism of actors, and their political interest to follow more a personal agenda in the geopolitical stage, rather than consolidate and to sustain the organizational interest, represents a high vulnerability.

The present article has applied the theory of resilience to a limited and clearly defined part of the legal framework of the EU, respectively the normative framework established by the EU for its relations with the MENA region. This theory can nevertheless be applied to other areas of the legal system, in order to evaluate their resilience. In particular, a future research could use the same theory to evaluate the EU legislation that regulates immigration, at the intra-EU level, more precisely the Dublin Treaty and the relocation agreements. This will further on permit a comparison between the resilience levels of the normative framework on immigration regarding the MENA region as opposed to the intra-EU level.

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