The European Union and the Arab Spring: Business as Usual in Unusual Times?

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The European Union (EU) acted unevenly towards the Arab revolutions of 2011: coherent and intense diplomatic activity, mismatched by divided and inconclusive military and humanitarian actions. The first response to the crisis was definite in terms of principles (democracy and human rights) but vague on the ground. This was, then, framed into a larger plan for economic and political reforms, the revised Neighbourhood Policy (ENP). In this article we will not assess the post-Arab Spring policy of the Union, its potential efficacy or weaknesses, or, indeed, the rationale of its change. Rather, we will look at the way the Union used its different foreign policy instruments in the upheavals in order to shed some light on the nature of the EU as a foreign policy actor. The article runs through the measures the Union took in two of its core spheres of external action, diplomacy, and direct military and humanitarian intervention. A second section compares the EU's accomplishments in both domains. Finally, this article will argue that the divided reaction of the Union is a consequence of the configuration of its powers rather than a deliberate choice to act or abstain from acting, a configuration that leaves it in the role of domestic and external mediator.

Military and Humanitarian Response

The military response of the Union to the events of 2011 was ineffective and shambolic. The Lisbon Treaty had endowed the Union's Common Security and Defence Policy (CSDP) with an embryo military capability and the EU could count on two battle groups ready to intervene. However, the decision, according to the Treaty, still depended on a unanimous agreement of the member states – something that was sorely lacking.

The EU tentatively tried but failed to act together on humanitarian grounds. An inconclusive attempt was made with EUROFOR Libya, a CSDP mission meant to support UN-led relief efforts. The mission, initiated by a Council decision boldly adopted on 1 April[1], was never launched because it was made subject to a request from the UN Office for the Co-ordination of Humanitarian Affairs (OCHA). This request was never made, though. UN officials might have been concerned that an EU humanitarian presence, concomitant with the air strikes carried out by EU-NATO members, would have compromised the neutrality of OCHA intervention.[2] However, the EU did not need UN consent in order to take action, as the UN Security Council (UNSC) had already authorized the use of "all necessary measures to protect civilians and civilian-populated areas".[3] In other words, a core EU executive decision was subordinated to the pronouncement of a third authority that had good reasons to reject it.

The EU was swiftly sidelined, in military terms, by its member states. Most member states acted unilaterally according to their national interests, or worked under the NATO flag. France, quickly followed by Britain, launched air strikes on Libya on 19 March 2011, before a decision was taken in the emergency summit, then underway, in Paris between the coalition forces and the EU. A few days later, France and Britain, together with another 8 EU Member States, joined the UN-mandated NATO operation 'Unified Protector'.[4]

Resolute French military action has been explained both on domestic grounds, as a "compensatory for the earlier lack of clarity on French policy toward change in the Middle East" and, on foreign policy grounds, as an attempt to enhance French EU leadership against rising German political and economic power.[5] However, the lack of a common understanding within the EU on how to handle the emergency, and diverging national interests, where not

limited to France but concerned a number of member states. Denmark joined the NATO operation although, in line with its opt-out from CSDP, abstained from the all-European humanitarian mission.[6] Sweden resolved to participate in both actions but, traditionally careful of blurring the lines between military and humanitarian intervention, blocked the adoption of the Concept of Operation EUROFOR.[7] Most notably, Germany, in the midst of an electoral campaign, broke ranks with its EU partners on the Security Council and abstained on the vote for UNSC resolution 1973,[8] which authorized the use of force against Colonel Gadhafi. It, afterwards, refused to participate in the NATO operation, while indicating that it might take part in EUROFOR Libya.[9]

Not surprisingly, the only emergency instrument the European Commission was able to handle effectively was the Civil Protection Mechanism (CPM). This instrument, coordinated directly by the Commission's Monitoring and Information Centre (MIC), but activated by a request of the member states,[10] aimed at facilitating member state consular operations. The CPM was activated, 23 February, and helped identifying and pooling transport means for the evacuation of EU citizens.

Except for the CPM, which implied a low intensity risk and which did not touch on any of the member states' vital interests, a direct EU emergency intervention was ruled out by the same construction of the Treaties that posit CSDP in the intergovernmental domain. It was only natural that a lack of consensus on the use of force in the region would have paralyzed a common action: and diverging economic interests assured that lack of consensus. Even the humanitarian gesture of EUROFOR Libya was questioned. On another level, however, it is possible to identify, in the role the EU representatives played, an intermediary function between the domestic and the external interests of the member states. Why was a humanitarian mission, which was clearly doomed to failure, ever even proposed? The easiest explanation was that there was a need to let off steam. There had been a rift between the interventionist and the non-interventionist states. Germany, for example, had a hard time mediating between its non-interventionist public opinion and international unease over German reluctance to get involved. However, it could, of course, offer to step up for the humanitarian mission.

Diplomatic Response

Faced with the upheavals of early 2011, the Union did not have a good diplomatic start and lagged behind its – divided – member states. However, after initial hesitation, it quickly geared up and, from February 2011, the EU was at the forefront of international diplomacy. Moreover, in this sector, Europe's response to the Arab revolutions was conspicuously EU-led. Thanks to its experience of the region, built up since the early 1970s[11], and its longstanding policies of economic support, the EU knew whom to talk to and was well accepted. Also, given the colonial history of its member states, the EU was perceived as more neutral and less intrusive: it was, after all, the Arab Mediterranean that was reviewing, in turbulent circumstances, its political settings and its relations with the West.

The external representatives of the EU possess standard diplomatic instruments like declarations, conflict mediation, participation in international conferences and meetings. These measures can all be exercised by the High Representative for Common Foreign and Security Policy (HR) and the Presidents of the European Council and Commission with varying degrees of autonomy.

Already in February 2011, the month after the departure of President Ben Ali and immediately after the fall of the Mubarak regime, the HR Catherine Ashton visited Tunisia and Egypt. She asked, in Tunisia, for a quick transition and free election and, in Egypt, a lifting of the state of emergency and a clear timetable for constitutional reforms in exchange for enhanced economic support.[12] On her visit to Egypt, the HR also met the Arab league Secretary General and was able to link her offers to EU mediation with other donors. Similarly in the case of Libya, Catherine Ashton issued, 20 February, a declaration on behalf of the EU stating that the Union was "extremely concerned by the events unfolding" and deplored the Libyan Authorities' use of violence.[13] Interestingly, a group of non-EU countries, with EU Candidate status, or linked in other ways to the European economic sphere, backed the HR's position and EU declarations on the situation in the region.[14] Subsequent statements of the European Council pointed to Gaddafi's loss of legitimacy as an interlocutor and urged him to step down,[15] at the same time opening up the field for more cooperation with the whole region in exchange for political and economic reforms.[16] Fortunately enough, the Commission had been working, since 2010, on a revision of the European Neighbourhood

Policy (ENP). Early in March, the Commission and the High Representative were, consequently, able to present a Joint Communication for a new policy framework with the region, one that embodied the declarations of the first months of 2011.[17]

Throughout the text of the Communication, the EU set out an approach that would renew the EU's relations with its neighbourhood. The new Partnership for Democracy and Shared Prosperity with the Southern Mediterranean was to offer "increased EU support to its neighbours", that was to be "conditional […] on progress in building and consolidating democracy and respect for the rule of law"[18]. The EU's much bandied principle of conditionality[19] was thus to be reinforced, and the EU was not to shy away from negative measures, as epitomized in the motto "more for more, less for less". Content-wise, the EU was pronouncing a mild *mea culpa* for the implicit support supplied to the previous authoritarian regimes. The EU also announced that democracy and institution building would be at the core of any partnership. The so-called "3Ms", Money, Mobility and Markets were to become the ENP's priorities and the substance and the focus of the partnership.

The primary response of the Union followed the well-beaten path of economic support in exchange for political and economic reforms. But the diplomatic activism of EU did not stop there. Indeed, the EU's role could be best described as that of an international mediator. We have already seen two examples above, with the group of like-minded states that joined the EU declarations on Libya, and the foreshadowing of a mediation role in the EU's dealings in Egypt.[20] Yet, the activity of the HR, between February and September 2011, reached a peak of frenzy, with Catherine Ashton ranging from New York to Geneva and back again to various Mediterranean capitals. Most notably, in February 2011 Ashton visited Geneva and met the U.S. Secretary of State Clinton, Russian Foreign Minister, Lavrov and Turkish Foreign Minister, Davutoglu to discuss the events in Libya and the wider North African and Middle Eastern region[21] On 6 May Catherine Ashton took part in the EU-NATO ambassadorial meeting on Libya that sought to coordinate NATO military intervention and EUROFOR Libya.[22]

The renewed ENP has been amply analyzed and critically assessed.[23] However, what is noteworthy here is first, that the HR was able to enjoy a high degree of autonomy and international visibility; second, that the Union reacted to the emergency by proposing a policy that followed the typical, gradual EU approach in its neighborhood – economic leverage fostering domestic political and economic transformation and third, that the representatives of the EU took on the role of mediators for a number of key international partners.

Conclusion

The preceding analysis of the EU's uneven response to the Arab Spring might suggest that EU foreign and security policy has been collateral damage from the Arab revolutions. However, by taking a closer look at the each individual domain of action, we can argue that a more incisive response would have been surprising. The Union was, quite simply, paralyzed in the sectors (CSDP) where the Treaties had preserved the national sovereignty of its member states and where the interests of member states diverged. Instead, the EU was able to operate with tools that were familiar and closer to its institutional configuration: mediation buttressed by a policy of economic support in exchange for political adjustment.

One interesting aspect of the EU's uneven reaction is that the same states that unanimously agreed, on the European Council, that Gadhafi should step down, had different views on to how this should happen. France and the UK supported the UNSC Resolution that allowed for the use of force and both countries took part in the subsequent NATO actions. Germany abstained in that vote and abstained on the ground. All of them together approved the Communication of the HR and the Commission that inaugurated the renewed ENP. The Union does not possess full sovereignty and full sovereignty is a precondition for autonomous and coherent international actorness. In fact, the transfer of power to the EU has been sectorial and has varied across different spheres of policy action. In the military sphere (CSDP), where unanimity is the decision-making rule, the crisis exposed unresolved national specificities and corrosive divergences on how to act. The Union does not possesses power in this domain, and, indeed, in others. But it also lacks an identifiable single mission in the CSDP domain; a common EU position has to be negotiated each time by heads of state and government in Brussels.[24] The EU, then, reacted by taking on the, to it familiar, role of third actor and mediator for internal conflicts. The behaviour of the Union within the CSDP domain can, thus, be

better explained as an attempt to diffuse internal conflicts caused by external shocks, rather than by the need to respond to the external shock itself.

In the sphere where the Union had developed sufficient power and administrative experience – e.g. international diplomacy and the complex machinery of the Neighbourhood Policy – it was able to act directly and coherently. By adapting the EU's consolidated policy of political leverage to a new situation, the Union consistently employed the two instruments of external policy it possesses: mediation and economic influence. Within this domain, the Union responded to an external shock with an autonomous proposition, based on a gradual process that aims to export rules beyond its borders.

To conclude, in absence of a proper military capability, the Union has exercised the limited international actorness allowed by its Treaties. Moreover, it has acted abroad as it has learned to act internally: using the instrument of mediation between its member states and between these and other international actors, the EU has attempted to shape, albeit in the long run, its near environment as it has shaped its home sphere.

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[1] Council Decision of 1 April 2011 on a European Union military operation in support of humanitarian assistance operations in response to the crisis situation in Libya (EUFOR Libya), 2011/210/CFSP, 5 April 2011.

[2] 'Europe Planning For Libya Force Despite UN Concern'', Agence France-Presse, 22 April 2011. See also, Richard Gowan, "The EU and Libya: Missing in Action in Misrata," *The European Council on Foreign Relations*, May 31, 2011.

[3] Point 4, UN Security Council resolution 1973 (2011) on Libya, 17 March 2011.

[4] Belgium, Bulgaria, Denmark, Greece, Italy, the Netherlands, Romania and Spain. See NATO factsheet.

[5] "The Politics Behind France's Support for Airstrikes on Libya," *EurActiv.com*, accessed June 8, 2013.

[6] In accordance with art. 5, Protocol no. 22 on the Position of Denmark annexed to the EU Treaties and point 11, Council Decision of 1 April 2011 on a European Union military operation in support of humanitarian assistance operations in response to the crisis situation in Libya (EUFOR Libya), 2011/210/CFSP, 5 April 2011.

[7] The Concept of Operations (CONOPS) is a statement of the Operation Commander on how he or she

intends to fulfil a mission. CONOPS is the first stage in the planning of a CSDP operation, it has to be approved by the EU Military Committee, the Political and Security Committee and, finally, the Council. See also Sebastian Bloching, "CSDP and EU Mission Update – April 2011," *European Security Review, ISIS Europe*, April 3, 2011, 1.

[8] UNSC Resolutions 1973 adopted on 17 March 2011.

[9] "Germany's Libya Contribution: Merkel Cabinet Approves AWACS for Afghanistan – SPIEGEL ONLINE," *SPIEGEL ONLINE*, accessed June 8, 2013.

[10] Art. 196(a) Treaty on the Functioning of the European Union (TFEU), the "Union Action shall aim to support and complement Member States' action".

[11] See for instance, Roberto Aliboni, "The Geopolitical Implications of the European Neighbourhood Policy", European Foreign Affairs Review, Vol: 10, 2005, p. 1, and Richard G. *Whitman* and Stefan *Wolff* (eds), "The European Neighbourhood Policy in Perspective: Context, Implementation and Impact". Basingstoke: Palgrave Macmillan, 2010.

[12] Remarks by HR/VP Catherine Ashton at the end of her visit to Egypt Cairo, 22 February 2011, SPEECH/11/117.

[13] Declaration by the High Representative, Catherine Ashton, on behalf of the European Union on events in Libya, Brussels, 20 February 2011, 6795/1/11.

[14] The Candidate Countries Turkey, Croatia, the former Yugoslav Republic of Macedonia, Montenegro and Iceland, the Countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, Serbia, and the EFTA countries Liechtenstein and Norway, members of the European Economic Area, as well as the Republic of Moldova.

[15] Council of the European Union, Declaration of the Extraordinary European Council, 11 March 2011 (EUCO 7/1/11 REV 1), Brussels, 20 April 2011.

[16] See above Council of the European Union, Declaration of the Extraordinary European Council, 11 March 2011. The Document offered, among other things, an advanced status for Tunisia and more economic support following the approval of the democratic constitution. It also declared that the European Union was ready to mobilise its full support to accompany the democratic transition in Egypt.

[17] European Commission and High Representative of the European Union for Foreign Affairs and Security Policy (2011), Joint Communication to the European Council, the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: A partnership for democracy and shared prosperity with the southern Mediterranean. Brussels, 8.3.2011, COM(2011) 200 final. The document was followed and detailed in a second Communication: Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 25 May 2011 – A new response to a changing Neighbourhood COM(2011) 303 final.

[18] Communication of 25 May 2011, "A new response to a changing Neighbourhood", cit, p.3.

[19] See for instance, Frank Schimmelfennig and Hanno Scholtz, "EU Democracy Promotion in the European Neighbourhood Political Conditionality, Economic Development and Transnational Exchange," *European Union Politics* 9, no. 2 (June 1, 2008): 187–215; and for a sceptical view on the use of the instrument in the new partnership for Democracy, Tobias Schumacher, "The EU and the Arab Spring: Between Spectatorship and Actorness,"*Insight Turkey* 13, no. 3 (June 22, 2011): 109.

[20] See also the Communication "A new response to a changing Neighborhood", cit, 'The ENP should serve as a catalyst for the wider international community to support democratic change and economic and social development in the region.' P.2.

[21] Europa, Press release, Brussels, 27 February 2011.

[22] The meeting also aimed at temporarily overcoming the deadlock caused by the Turkish presence in NATO and Greek Cypriots in CSDP. It, admittedly, had very little success. Nicole Koenig, "The EU and the Libyan Crisis – In Quest of Coherence?," *The International Spectator* 46, no. 4 (2011): 23.

[23] For its impracticability, as it offers enhanced mobility partnerships that require the very reluctant member states' cooperation for their implementation; for its rhetoric, in the novel interest in supporting democratic transitions (Ana Echagüe, Hélène Michou, and Barah Mikail, "Europe and the Arab Uprisings: EU Vision Versus Member State Action," *Mediterranean Politics* 16, no. 2 (July 2011): 330; Timo Behr, "The European Union's Mediterranean

Policies after the Arab Spring: Can the Leopard Change Its Spots?," *Amsterdam Law Forum*, June 2012); for its unrealistic approach, considered a general rebranding of existing initiatives (Nick Witney and Anthony Dworkin, "A Power Audit of EU – North Africa Relations," 2012, The European Council on Foreign Relations; Schumacher, "The EU and the Arab Spring : Between Spectatorship and Actorness**",** *Insight Turkey*, Vol. 13, No. 3 (2011)); for its unsustainability, it being based on enhanced economic support in a period of economic crisis (Sally Khalifa Isaac, "Europe and the Arab Revolutions," *KFG Working Paper* 39 (2011): 303.

[24] On the EU's international actorness see Jan Zielonka, "Europe as a Global Actor: Empire by Example?," *International Affairs* 84, no. 3 (2008): 471–484.

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