
Opportunities lost, opportunities seized: the Libya crisis as Europe's perfect storm

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BACKGROUND

The Libyan crisis has turned into Europe's 'perfect storm', revealing all of the EU's inherent weaknesses while simultaneously offering an opportunity to put into use its full spectrum of instruments. While it is clear that the enormous expectations of a more coherent and effective EU foreign policy wrought by the Lisbon Treaty and the creation of the European External Action Service (EEAS) were premature, the real question now is whether the current 'baptism by fire' that the EU is experiencing in Libya and across the Middle East can lead to the EU getting its act together on foreign policy.

So far the EU's handling of the Libyan crisis has attracted criticism for its passivity and indecision in the face of the most serious crisis in the neighbourhood since the Balkan wars of the 1990s. Much of this criticism is fair. It took almost a month following the initial outbreak of the crisis to pull together an emergency meeting in Brussels to discuss the course of action. And even after that meeting, EU leaders remain at odds with each other on how to best address the situation. Although unity was eventually found around the need for Muammar Gaddafi to step down, the 'Big 3', France, Britain and Germany, soon found themselves divided in the UN Security Council, evoking painful memories of the Iraq debacle almost a decade ago.

While several EU Member States have resorted to military means to offset Gaddafi, no serious proposal about launching a military Common Security and Defence Policy (CSDP) mission under the Petersberg tasks to enforce the Libyan no-fly-zone was ever put on the table. But with the humanitarian situation on the ground worsening on a daily basis, discussions eventually grew about a possible EU military operation, prematurely

dubbed 'EUFOR Libya', to help alleviate the humanitarian situation in Misrata by conducting safe movement and evacuation of civilians by assisting humanitarian assistance efforts on the ground. However, it is now clear that no such mission will be requested by UN-OCHA for fears that it could jeopardize humanitarian efforts.

But while vocal disagreement has prevailed on the high political level, the EU as such has not stood idly by as Gaddafi's forces have continued targeting civilians – it immediately suspended negotiations with Libya on a framework agreement and ongoing cooperation contracts and imposed a visa ban and an assets freeze on the regime. Recently, further sanctions targeting Libyan ports were introduced. What's more, the EU effectively activated its humanitarian machinery in a timely fashion, providing humanitarian assistance to Libyan refugees and civil protection for European citizens.

To date, the EU and its Member States have provided over €125 million in financial and in-kind aid (the Commission's share is around €75 million), channelled mainly through partner organisations such as IOM, IFRC, and UN-OCHA. Two ECHO teams have been sent to the Tunisian and Egyptian borders and several EU officials (including the High Representative) have visited the area. EEAS has also set up its own liaison office in the conflict-ridden town of Benghazi. Through activation of the Monitoring and Information Centre (MIC), which is the operational heart of the Community Mechanism for Civil Protection, EU has supported Member States' civil protection efforts by facilitating pooling of transport and assisting in the evacuation of about 5,800 EU citizens. Some 31,000 third country nationals have also been repatriated in an effort coordinated by the MIC.

The EU's mixed track record in Libya – lacking leadership and Member States' disagreement on the one hand and swift humanitarian response operation on the other – raises a number of pertinent questions regarding the EU's global posture, post-Lisbon. First, what does the handling of the Libyan crisis

say about the EU's ongoing efforts to forge a common foreign policy? Second, what are the implications for the kind of actor the EU should strive to be on the international stage? And finally, what does the Libyan experience say about EU relations with NATO in a wider transatlantic context?

STATE OF PLAY

Still under construction – The External Action Service and the quest for a common foreign policy position

A prerequisite for an effective EU foreign policy is the ability to speak with one credible voice. A year and a half since the entering into force of the Lisbon Treaty, and six months after the EEAS became fully operational, the EEAS appears to be failing to get on its feet while the new High Representative is struggling to find a clear role and a voice.

The Libyan crisis, certainly the most complex foreign policy challenge to face the EU since Lisbon, provided an excellent opportunity for the EEAS to demonstrate leadership and show added value by helping Member States finding a common voice and explaining the EU's position to the rest of the world. So far it has been a huge disappointment; the EU appears little more coherent and unified than it was prior to the new treaty. This suggests that the creation of a 'double hatted' head for the EEAS, while certainly an innovative and well-intentioned solution, may already be in danger of becoming 'mission impossible'.

This sad state of affairs, however, cannot be blamed entirely on the High Representative (HR). The EEAS is still a nascent addition to the EU's complex institutional architecture – and the hasty build-up of the new body naturally meant that many problems would linger unresolved. Furthermore, the Lisbon Treaty has brought some unintended consequences, which in some ways make EU foreign policy more complex.

Far from solving the EU's leadership problem, the creation of the HR has crowded a space occupied by the President of the Commission and the new President of the European Council. During the Libyan crisis, Van Rompuy, Barroso and Ashton all released separate (and seemingly uncoordinated) communiqués.

Another unintended consequence of Lisbon is that the perennial problem of ambitious Heads of State refusing to cede ground during crises has been reinforced with the creation of Ashton's post. During the Libyan crisis, national leaders, seemingly more preoccupied with playing domestic politics than addressing the situation, have openly quarrelled over the right course of EU (in)action, undermining

Ashton's ability to execute leadership over EU foreign policy. In certain respects, the divisiveness over Libya even surpasses that of Iraq, since expectations of a coherent EU line are much higher today than they were a decade ago.

Besides clearer competence allocation between the EEAS and the other EU institutions on the one hand, and Brussels and the national capitals on the other, there is also a clear need for more common strategic direction. This includes stronger linkages between the neighbourhood policy and the overall foreign policy objectives, to help the EU better prepare for the next crisis in the neighbourhood and beyond.

It remains to be seen whether the current crisis in Libya, once settled, can give rise to new initiatives aimed at boosting EU foreign and security policy – just like the Iraq crisis in 2003 led to the European Security Strategy, creating for the first time ever a common threat assessment and shared foreign policy objectives.

Europe's Global Posture Post-Libya: A Return to Civilian Europe?

Simply having a common position does not make an influential international actor. Aware of this, the EU has for over a decade attempted to create the military and civilian means needed to buttress its Common Foreign and Security Policy (CSFP). But these crisis management capacities, especially the military ones, have been slow to develop and irregularly called upon (the vast majority of CSDP missions have in fact been low profile civilian missions). As a result, the grand ambitions of the EU becoming a military power have gradually faded as it has increasingly turned away from military methods of crisis management and complemented its focus on conflict with attention to managing humanitarian crises and natural disasters.

In Libya too, the EU's response has mainly been on the civilian side, focusing on civil protection and humanitarian assistance. It is striking that the CSDP instrument was not even called upon when it came to evacuating EU citizens. These efforts were instead carried out by Member States on their own, though coordinated by the Commission through DG ECHO – an arrangement that does seem to have worked quite well.

Even the discussion about possible EU military operation to support humanitarian assistance in the region does not significantly alter the overall civilian orientation of the EU's response to Libya. Regardless of whether such a mission would eventually be called into use by New York (something that looks unlikely at the moment), its proposed budget (€7.9 million) and the scope of the mission ("contribute to the safe movement and evacuation of displaced persons") would still be limited.

From Libya we can infer two things about the EU's global security identity, post-Lisbon. First, it vindicates the view that Ashton's vision for Europe's role in the world is primarily civilian. On several occasions in the past, she has repeatedly insisted that the EU should confine itself to humanitarian issues – a view in part shaped by her own experiences during recent international disasters such as the Haiti earthquake and the Pakistani floods of 2010.

Second, it confirms that ambitions for the EU as a fully-fledged power with military capabilities have experienced another setback. While military capabilities are not likely to be scrapped altogether from the EU toolbox, their role in CSDP missions will increasingly come to be defined in terms of humanitarian tasks as opposed to crisis management. During a speech in February, Ashton declared that the EU "is not a traditional military power...it cannot deploy gunboats or bombers". Military capacities, in the mind of the HR, may thus still be used to prop up humanitarian efforts, but not in order to fight an enemy or upholding a no-fly zone. At the same time – as seen during the Haiti earthquake – even humanitarian missions (not to mention crisis management) may occasionally require military assets as well.

Finally, while the EU has developed an impressive array of civilian crisis management tools, the full scope of its efforts can only be seen in the long run when it comes to the reconstruction and development of fragile states. The fact that many of these long-term tools and instruments remain outside of the EEAS organigramme raises the issue of how well the EEAS and the Commission coordinate their activities.

From Brussels to Bengazi and back: Whither EU-NATO relations after Libya?

In the absence of any serious proposal to launch a military CSDP mission to enforce the no-fly-zone over Libya, and with the humanitarian situation on the ground worsening on a daily basis, it was only natural that command and control of the military response to the Libyan crisis was eventually handed over from the US-led 'coalition of the willing' to NATO – and not to the EU, which lacks ability to orchestrate such a complex operation.

But despite the fact that US forces have dominated the operation from day one, and still play a leading role, the handover to NATO nevertheless signalled an opportunity for Europe to rise to the occasion by sharing with Washington part of the military burden. So far Europe has struggled to stand the test. Only Britain and France have made any significant military contribution while several Member States have made mostly symbolic gestures, with some (notably Germany) opposing the campaign altogether.

The Libyan situation demonstrates Europe's uneasiness about assuming responsibility for its neighbourhood. At the same time, Washington is increasingly bent on stepping back from its Cold War commitment to European security. In a recent address in Brussels, US Secretary of Defence, Robert Gates lamented the European allies' poor defence spending and military capabilities, cautioning against a "dim, if not dismal future for the transatlantic alliance".

Simply relying on NATO for the provision of external security is no longer a viable option for Europe. In cases where the US (and hence NATO) will not intervene during a major crisis in the neighbourhood, Europe must stand ready to do so on its own, including retaining the ability to conduct military operations when necessary. This may occur if Washington has other priorities, is already engaged elsewhere, or if for political reasons NATO is not welcome in a certain region.

In cases where NATO cannot act, and where even larger Member States struggle to act alone, the EU is an obvious alternative. At the same time, the EU's ability to act is limited. CSDP missions still require unanimous accord by the Member States (Lisbon did not change this). Because of the ominous nature of trying to agree on an intervention in a particular geographical area and on the need for military means amongst 27 Member States, the possibility of forceful EU action is consequently dim. Moreover, the fact that not even France and the UK have been able to sustain the Libya operation without US support will likely shape the reluctance of some Member States to go that way in the future.

Still, the EU cannot afford to remain passive in the face of major crises, particularly when they occur in the neighbourhood. If Member States cannot agree on military crisis management, they should prioritise civilian CSDP operations and humanitarian assistance – efforts that all Member States can support at least in principle. This way, the EU could bypass some of the roadblocks experienced in Libya, hence allowing it to remain a proactive player in future crises. Individual Member States willing to commit military means can still do so either through *ad hoc* coalitions or other international organisations such as the UN or OSCE.

With a clear comparative advantage *vis-à-vis* the US (or NATO) when it comes to civilian crisis management, the obvious role for the EU within the transatlantic partnership remains primarily a 'soft security' one. While the EU is indeed well positioned to provide valuable civilian support, including civil protection and humanitarian assistance to NATO operations, Libya nevertheless suggests that the EU should at least strive to be a soft power with a hard edge.

Finally, the Libya operation reminds us that EU-NATO cooperation, both in Brussels and in the field, is still lagging behind, despite recurrent talks about stronger inter-organisational linkages – as most recently emphasised in the new NATO Strategic Concept. At the end of the day, however, neither the EU nor NATO will ever be effective at crisis management without a strengthening of Europe's strategic culture taking place.

PROSPECTS

The current crisis in Libya is Europe's 'perfect storm' in that it brings to light the Union's inherent weaknesses whilst also providing an opportunity to put into use the different tools. So far, the EU handling of the Libyan crisis has been uneven. Three things about its performance stand out in particular.

First, the EU's response to the Libya crisis reveals that the leadership issue is still in a flux with the EEAS failing to take action and the HR being pulled in different directions by national figures. It will take time for the EEAS to get its house in order. For the time being, domestic politics and national interests seem likely to prevail in the midst of crises. Clever institutional structures alone cannot significantly alter this state of affairs; a process aimed at fostering more strategic thinking in Europe is also necessary. But what should such a process look like? Should the Arab Spring, for instance, prompt the writing of a new European Security Strategy?

Second, Libya confirms that the EU has indeed lowered its global ambitions, shunning away from military missions in favour of civilian and humanitarian ones. But, as Libya shows, even opting for a civilian approach can be difficult in situations where Member States are divided over the response, or where pressure for military action is strong. High-risk military crisis management operations under the CSDP instrument will not be a feasible option until some fundamental issues about Europe's strategic identity are resolved by the Member States. Not using Libya for a proper debate on the EU's strategic options is a missed opportunity. Until then, the best the EU can aim for is to be a soft power actor, acting occasionally with a hard edge. However, European leaders must carefully

weigh the effects on the EU's future potential to serve as a security actor were they to effectively abandon the military CSDP option.

Finally, NATO remains the preferred choice for military action in the neighbourhood. Still, waning US willingness to patrol the region means that Europe has to step up its ability to act alone. While the EU's role in the transatlantic partnership will remain primarily a civilian one for the foreseeable future, EU-NATO must get better at dividing up their competences. Even so, Libya suggests that a strict functional division of labour is no longer a realistic part of the solution. It is simply not enough for Europe to bring to the table civilian tools – Washington will increasingly demand that Europe also share a bigger piece of the military burden.

In the face of major crises in its neighbourhood, such as the current one in Libya, the EU cannot afford to remain passive. For inspiration, it would do well to turn to its own Implementation Report of the European Security Strategy from 2008, which boldly asserts that in order "to build a secure Europe in a better world, we must do more to shape events. And we must do it now." As Libya vividly demonstrates, being able to do so requires not only having the right institutional arrangements – it also requires having muscles and the willingness to use them.

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