The EU and the Arab Spring:
What Lessons for the EU as International Actor?

Paper prepared for the panel ‘The Arab Spring: NATO and U.S. Options’

International Studies Association (ISA) 53rd Annual Meeting

1-4 April 2012, San Diego, CA, United States

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Introduction

The events shaking the Middle East and North Africa as of 2011, commonly referred to as the ‘Arab spring’, has led to unprecedented changes in a region that until recently seemed particularly prone towards status quo. A number of authoritarian regimes have been rapidly overthrown due to popular protests (and in some cases combined with the ‘bandwagoning’ of the armed forces). However, whereas Tunisia has already held free elections under civilian rule and is in a process of setting up a new constitution, the political situation in Egypt appears much less stable and the supreme military council has not yet handed over power to civilian authorities.

In Libya, a civilian uprising that started in Benghazi soon turned into a nation-wide liberation struggle, with the military support of a NATO-led coalition, and even though the rebels managed to eventually defeat Qaddafi’s forces the situation in the country is still unstable. Morocco has embarked on a reform process which has led to the adoption of a new constitution and the country’s first Islamist-led government, but the monarchy still retains several of its powers. At the time of writing, Syria is sinking further into a bloody turmoil as the Assad regime looks determine to stay in power whatever the costs in terms of human suffering and although the international community has taken some actions against Syria a Libyan-style intervention there does not seem likely for political as well as military reasons.

These events have spurred an array of reactions from political leaders and pundits in Europe and elsewhere. Some have made positive assessments comparing them to what happened in 1989 when Communist regimes in Central and Eastern Europe crumbled under the pressure of peaceful, popular protests paving the way for democratic transitions as well as NATO and EU enlargements.¹ Other less optimistic assessments rather make the comparison to the break-down of Yugoslavia and the Soviet Union which led to a bloody civil war in the Balkans.

¹ See for example, Catherine Ashton ‘Supporting the Arab Awakening’ published in New York Times, 2 February 2012
and a host of ‘frozen conflicts’ in the Caucasus that are still with us today. Indeed, history provides apple opportunities for those who want to make analogies between current and past events, although we should of course refrain from making too much out of comparing countries and regions with quite different circumstances and conditions.

However, the aim of this paper is not to produce such a comparison nor does it aim to pass any judgment on those being made, it rather suggests to use the Arab spring as a case for assessing the European Union (EU) as an international actor. Since it can certainly be argued that these events call on us to re-think our understandings of the Arab World, perhaps we need to re-think our understandings of the EU as well? To put it differently: what do the responses of the EU towards the Arab spring tell us about the Union as an international actor? It can of course be argued that it is still too early to fully answer such a question (I would agree to certain extent), but asking it now can nonetheless be a fruitful intellectual exercise that might pave the way for a more exhaustive analysis later on. Given this caveat, I argue here that there are at least two good reasons for us as students of International Relations (IR) to start asking this question at this point in time.

First, the argument can be made that the Arab spring presents the EU and its member states with both potential threats (e.g. civil war/state failure in the neighbourhood) and possible opportunities (e.g. enhanced cooperation with closely situated countries in transition towards democracy), and that the Union has a clear interest in seeking to influence the outcome of the process to its advantage. However, even though the EU would have an interest to do so, that is not the same thing as actually being able to do it. Therefore, exploring how and in what ways the EU has responded to the events (or failed to do so) in North Africa and the Middle East would arguably provide us with a valuable piece to the puzzle of understanding the Union as international actor.

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2 See for example, Paddy Ashton ‘It is time for Europe to back a no-fly zone in Libya’ published in Financial Times, 13 March 2011; Gideon Rachman ‘It’s 1989, but we’re the Russians’ published in Financial Times, 4 April 2011
Second, the events in North Africa and the Middle East have erupted at a time when the ‘foreign policy system’ of the EU is undergoing significant changes as a consequence of the entry into force of the Lisbon Treaty in December 2009. For example, the High Representative for Foreign Affairs and Security Policy of the EU is now not only representing the member states in the Common Foreign and Security Policy (CFSP) but is also vice-President of the European Commission with responsibility for EU external relations. Moreover, the European External Action Service is being set-up and it is intended to merge parts of the Commission with the Council Secretariat. Thus, taking a closer look at how the EU has responded to the Arab spring might give us a view of whether and how the latest institutional changes have affected the Union’s capacity to react to immediate crises and settle on long-term common policies towards the region.

This paper proceeds as follows. First, it discusses different conceptualizations of the EU as an international actor, or better put the EU’s ‘actorness’, taking into account its hybrid nature combining features of an intergovernmental arena for bargaining, coordination and decision-making with the traits of a supranational actor to whom member states have delegated both authority and capacities. Second, it presents a set of questions being used to perform an initial assessment of the EU as international actor, as well as motivates the choice to focus on primarily the EU’s responses to the events in Libya, Tunisia and Morocco. Third, it gives a descriptive account of the EU’s response guided by the analytical questions, and fourth presents some preliminary conclusions.

The EU as international actor post-Lisbon

The debate on the EU in the field of IR is as much a debate on what the EU is as what the EU does. It has often been suggested that the EU represents a ‘new’ kind of actor in international
politics (Rosecrance 1998), being less of traditional great power and more of a ‘civilian’ or ‘normative’ power that yields influence mainly through non-military means relying on attraction rather than coercion (Duchêne 1972, Manners 2002). Moreover, whether the EU should be seen as an actor in its own right or rather as a conglomerate made up of the member states (sometimes, but not always) acting together has also been discussed for decades.³

But the answer to these questions is not necessarily either/or because the puzzle here is spurred by the fact that even though the EU does not, allegedly, possess all the qualities usually associated with the ‘state-as-actor’ model (i.e. autonomy, capacity, cohesion), it has nonetheless proved for quite some time now to be able to behave in ways consistent with: “normal” international actors as we know them’ (Sjöstedt 1977:3). In the literature it is now commonplace to conceptualize the EU as having varying degrees of ‘actorness’ in different areas of international politics depending on a complex configuration involving: the member states’ interests and preferences; the capacities of EU institutions (mainly Commission and Council); and the EU’s relationship to other actors (not least the U.S. and NATO) (Hill & Smith 2011:4ff).

For example, in economic matters and especially in the area of international trade, the EU ‘speaks with one voice’ as the Commission represents the EU in international trade negotiations. Indeed: ‘Trade policy has provided the foundation of the Union’s relations with outsiders and many of the key instruments available to its emergent foreign policy. It also provides a yardstick for the assessment of [the EU’s] actorness in other domains’ (Bretherton & Vogler 2006:88). This is also reflected by the fact that trade policy is a supranational policy field dating back the creation of the European Economic Community (EEC) in the late 1950s.⁴ Likewise, in areas such as developmental aid, humanitarian affairs, environmental policy, and enlargement and neighbourhood policy, the Commission has a significant influence over the

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⁴ Although it should be noted that member states still have significant influence over the formulation of EU trade policy (Meunier & Nicolaïdis 2011).
policy-making in the Union and can be said to ensure continuity in the EU’s relations with third countries.

However, in the ‘traditional’ field of foreign and security policy things tend to look different. While the member states do have a pedigree of trying to formulate a ‘common European foreign policy’ at least dating back to 1970s, it was not until the beginning of the 1990s (and the creation of the EU itself through the Treaty on European Union, TEU) that the Common Foreign and Security Policy (CFSP) of the EU was launched (Smith 2004). The CSFP is an intergovernmental policy field which means that the treaties only grant the Commission a limited formal role in the policy-making and that the member states make decisions (on for example sanctions) on the basis of unanimity, and the Council Secretariat provides continuity.

Moreover, the rotating EU Presidency has meant that the member state holding the chair of the Council also represented the EU (together with the Commission and the High Representative) vis-à-vis third countries. This has often led to allegations that the CFSP is good for declaratory politics but shorter on concrete actions, reflecting the lowest common denominator among the member states’ interests and preferences as well as the lack of coherence among EU institutions (Rynning 2003). It is also here that the famous ‘capability-expectations gap’ regarding the EU as international actor would be most pronounced (Hill 1993).

Nonetheless, since the beginning of the 2000s the EU has been developing a capacity to conduct civilian and military crisis management and peacekeeping operations within the Common Security and Defence Policy (CSDP) (Howorth 2007). The CSDP is part of CFSP and draws on the member states’ civilian and military resources, and there is no standing ‘EU

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5 As of January 2012 the EU has launched more than 20 missions on three continents, a majority being civilian (e.g. police, rule of law, civil administration). The largest military operation, EUFOR Althea, is still active in Bosnia. Although progress has been made there are still hurdles left in the way, not least when it comes to EU-NATO cooperation (Grevi, et al. 2009).

6 With the entry into force of the Lisbon Treaty the European Security and Defence Policy (ESDP) was changed to Common Security and Defence Policy (CSDP). For the sake of consistency it will be referred to as CSDP throughout this paper.
army’. But the institutional infrastructure in the Council to support the CSDP has rapidly expanded over the last decade, and Meyer suggests that this has fostered: ‘a socially cohesive policy community with shared objectives and increasingly shared attitudes concerning the use of force’ (Meyer 2006:112) in the EU.7

Then, to what extent can the Lisbon Treaty which entered into force in December 2009 be said to change the EU as an international actor and affect its ‘actorness’? While the Lisbon Treaty does not replace the previous EU treaties it amends them, bringing a number of changes to the TEU and (what is now called) the Treaty on the Functioning of the European Union (TFEU). To begin with, a new permanent President of the European Council has been created and elected, Herman Van Rompuy, and the High Representative (HR) for the Foreign Affairs and Security Policy, Catherine Ashton, is now also vice-President of the Commission.8 The Treaty largely preserves the intergovernmental character of CFSP as article 24 TEU stipulates that it is subject to ‘specific rules and procedures’ (i.e. unanimity in the Council), but it should be noted the Foreign Affairs Council is now permanently chaired by HR Ashton (i.e. the principle of the rotating EU Presidency is abandoned).9

Importantly, while the President of the European Council is a novelty created by the Lisbon Treaty, the figure of the HR is instead amended by it along the lines described

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7 See also, Cross (2010), Mérand, et al. (2011).
8 The President of the European Council shall: ‘at his level and in that capacity, ensure the external representation of the Union on issues concerning its common foreign and security policy, without prejudice to the powers of the High Representative of the Union for Foreign Affairs and Security Policy’ (art. 15 TEU). Furthermore, the Council and the Commission, assisted by the High Representative shall ensure ‘consistency’ between the different areas of EU’s external action and other EU policies (art. 21 TEU), whereas the European Council shall: ‘identify the strategic interests and objectives of the Union’ (art. 22 TEU).
9 It should also be noted that the European Parliament has also gained a greater say over policy fields related to EU external relations. For example, article 207 TFEU (ex art. 133) stipulates that the Parliament and the Council (in accordance with the ordinary legislative procedure) shall adopt the measures defining the framework for implementing the EU trade policy (cf. Woolcock 2008). The Commission conducts negotiations with third parties and shall report regularly to a special committee appointed by Council and to the Parliament on the progress of negotiations. Furthermore, the Parliament and the Council shall jointly adopt measures necessary for the implementation of the EU’s economic, financial and technical cooperation with third countries (art. 212 TFEU, ex art. 181a). In order to conclude association agreements with third countries the Council needs to 'obtain consent' from the Parliament, although this is not entirely new since it was already stipulated in the old treaties (art. 218 TFEU, ex art. 300).
Moreover, in this new capacity HR Ashton is also the Head of the European External Action Service (EEAS) which is being set-up as of March 2010. The EEAS merges the parts of the Commission that deal with EU external relations and the Council Secretariat that deals with the CFSP/CSDP. However, it will not formally have competence over trade, humanitarian aid or the EU’s enlargement policy as these policies are being dealt with by other members of the Commission. It has also been suggested that besides the HR Ashton and Van Rompuy: ‘the President of the Commission [i.e. José Manuel Barroso] will continue to play a crucial role in external relations’ (Missiroli 2010:430).

Thus, with the Lisbon Treaty it seems as if the EU has taken a step towards greater cohesion as international actor in that the position of the EU institutions (Commission, Council, Parliament) has been strengthened vis-à-vis the member states and that there is increased scope for better coordination among these institutions (the HR, EEAS) in matters related to EU foreign policy/external relations writ large. Interestingly, it does seem as if the new treaty has served to first and foremost codify that which has already been taking place in practice since the late 1990s, and it has also been noted that: ‘the institutional protagonists in EU external action have learned quite well to deliver operational solutions despite institutionally compartmentalized channels of interaction’ (Gebhard 2011:124, emphasis in original).

The EU and the Arab spring: an initial assessment

I have already stated in the introduction that the Arab spring presents us as students of the EU with an opportunity to study how the changes brought about with the Lisbon Treaty can be said

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10 The HR was originally created by the Amsterdam Treaty in 1997 to serve the CFSP. The first person to be appointed HR was former NATO General Secretary, Javier Solana. In the period 1999-2009 Solana played an important role as the: ‘external face of the EU and to help forge consensus on policy issues within the Council’ (Howorth 2007:66). Solana was assisted only by a small policy unit at the Council but he is nonetheless described as having played a pivotal role in the drafting of the European Security Strategy of 2003 (adopted by the EU in the wake of the transatlantic crisis over the Iraq War).
to have affected the EU as an international actor. For the sake of the argument, I propose that
the events in North Africa and the Middle East can be seen as a ‘test’ of the EU’s post-Lisbon
capacity to react to a large-scale ‘foreign policy crisis’. However, this is not the same thing as
normatively assessing the on-going developments in the region as being ‘good’ or ‘bad’ (for
democracy, regional stability, or something else) nor is it the same thing as assessing the EU’s
performance in terms of how ‘well’ or ‘poorly’ it has reacted to these events compared to other
actors.

The aim here is much more modest as I suggest that we can start to unpack the
EU’s responses to the Arab spring by asking questions such as what policies have been decided or
changed as a response to these events, who (i.e. which EU institution) has decided upon them, how
were the decisions taken, when were they decided upon? Asking questions like these ones at this
early stage serves the purpose of conducting an initial mapping exercise which can later feed into
a more systematic and encompassing analysis. The unit of analysis here is thus the EU’s ‘foreign
policy system’ (Council/member states, Commission) and the time frame for the analysis is set
to 1 January - 31 December 2011. In terms of empirical material, this analysis builds upon official
sources mainly from the EU and some secondary sources (articles, policy briefs, etc.). A next step
could, for example, be to seek to complement this material with interviews with EU officials and
national representatives in order to get a more complete picture of how the decision-making
process worked in Brussels.

I have decided to focus this analysis of the EU’s responses towards three countries
in the region: Tunisia, Libya and Morocco. Due to time and space constraints it probably would not
have been possible to include all countries in North Africa and the Middle East in an initial
assessment such as this one, but there are good reasons for choosing this smaller set of countries

11 I will not focus systematically on the European Parliament in this analysis due to time and space constraints.
since a more in-depth comparison is only made possible if the analysis of the EU’s responses is limited to fewer countries. Still, why choose these countries rather than others in the region?

First, Tunisia, Libya and Morocco are situated closely to large EU member states (Spain, France and Italy) which have had a significant influence over the EU’s policies towards the Southern Mediterranean in the past (Bicchi 2007). We can assume that these member states have a clear interest in seeking to influence the EU’s responses in order to deal with immediate problems relating to the humanitarian crisis in Libya and Tunisia but also more forward-looking responses dealing with aid and trade, since they will be more directly affected by prolonged instability in North Africa than other member states. The assumption here is that perceived threats and opportunities to the EU and its member states are more pronounced in relation to countries in North Africa, compared to countries such as Yemen or Bahrain.

Second, whereas Tunisia and Morocco have a long tradition of formal and institutionalized cooperation on a wide array of issues with the EU, Libya had only started to develop its relations to the EU in the years before the Qaddafi regime was toppled (Dawson 2009). We can assume that the EU has a repertoire of instruments to choose from vis-à-vis all these three countries, but in relation to Tunisia and Morocco the responses would also need to take into account already existing frameworks such as association agreements and the European Neighbourhood Policy (ENP). We might thus get an understanding for how past policies to a varying degree affect the EU’s responses to the countries in this part of the region but also how these responses relate to broader frameworks that are part of the EU’s external relations.

Third, the course of events in Tunisia, Libya and Morocco in 2011 differs substantially from each other, and to some extent they can be said to represent different ‘paths’ along which events have unfolded also in other countries in the region (compare these three countries to e.g. Egypt, Syria and Jordan). By way of example, Tunisia has gone from an authoritarian regime to holding free elections and designing a new constitution in less than a year,
in a relatively peaceful manner and with the state institutions essentially intact.\textsuperscript{12} Libya has experienced a bloody, albeit relatively short, civil war that ended Qaddafi’s forty years rule. Even though the fighting has stopped the situation in the country remains unstable and the challenges ahead for the transitional government range from upholding public order without regular police forces to basically building a new state from scratch.\textsuperscript{13} Morocco has embarked on a process of ‘managed’ reforms under the stewardship of the king in which some steps have been taken towards political liberalization and strengthened rule of law, although it is clear that the Monarchy holds on to many of its powers.\textsuperscript{14}

Thus, focusing on Tunisia, Libya and Morocco provides for a selection of ‘high-stakes countries’ for the EU at the same time as we can assume that there is variation in the EU’s responses due to past policies and how events have unfolded. However, there is a particular kind of selection bias that needs to be taken into account here. All three countries can be said to be in the EU’s ‘backyard’ in North Africa and that they therefore might be more prone to seek cooperation with the Union and its member states. Had the selection of countries rather been on Middle Eastern countries such as Egypt, Syria and Jordan we probably would have seen other results, not least due to factors such as a much greater involvement of other actors (e.g. U.S., Russia, Turkey, Iran) and persisting regional dynamics (i.e. the Arab-Israeli conflict). Having said

\textsuperscript{12} The popular protests in Tunisia that begun in late 2010 ignited basically the whole Arab World and led to that Ben-Ali fled the country in February 2011. Even though the security forces of the old regime at first sought to suppress the protests, the Tunisian Armed Forces did not partake in the repression and rather seem to have played a crucial role in ushering in the transitional government (Droz-Vincent 2011). In October 2011 elections were held in Tunisia and an Islamist party, Ennahda, won the largest share of the votes and could form a government with secular parties.

\textsuperscript{13} Popular protests in the city of Benghazi led to an uprising against Gaddafi that later received military support from a NATO-led coalition sanctioned by UN resolution 1973. After about six months of fighting the rebels had taken Tripoli and killed Gaddafi. The Transitional National Council is overseeing the process of crafting a new constitution but the situation in the country is still unstable, not least due to the problem of upholding public order in the cities and disarming the rebel militias in the absence of a functioning state administration.

\textsuperscript{14} King Mohammed VI proposed reforms to the constitution as a reaction to popular protests in the spring of 2011. The reforms were endorsed in a popular referendum and the new constitution grants greater powers to the Moroccan parliament, for example stipulating that the king shall propose that the party who gains the largest share of the votes in the general election forms a government (although important powers related to national security still remain with the Monarchy). In November 2011 an Islamist party, PDJ, won the Moroccan elections which is an unprecedented event in the history of the country.
that, for an initial assessment which is what this paper strives for looking at the EU’s responses towards Tunisia, Libya and Morocco seems like a rather feasible research strategy nonetheless.

**The overall EU response in 2011**

After a zigzagging initial response to the protests in Tunisia (or as in the case of French Minister of Foreign Affairs, Michele Alliot-Marie, even suggesting to support Ben Ali), the Foreign Affairs Council of the EU met on 31 January 2011 and expressed its support for the ‘democratic aspirations’ of the Tunisian (as well as the Egyptian) people (cf. Balfour 2011:29). The European Council meeting on 4 February reiterated this support and called upon HR Ashton to: ‘develop a package of measures aimed at lending European Union support to the transition and transformation processes’ in the region. HR Ashton visited Tunis on 14 February and held meetings with Prime Minister, Mohamed Ghannouchi, and other political leaders (on 22 February she visited Cairo).

On 8 March 2011, HR Ashton and the Commission published a joint communication proposing ‘A partnership for democracy and shared prosperity with the Southern Mediterranean’. The communication emphasized the need for the EU to support the demands for political participation, dignity, freedom and employment opportunities. It also proposed a so-called ‘more-for-more’ principle, under which increased support in terms of financial assistance, enhanced mobility, and access to the EU’s Internal Market were to be made available (on the basis of mutual accountability, to those countries most ‘advanced’ in terms of reforms) (cf. Tocci 2011). Interestingly, Commissioner Štefan Füle (responsible for enlargement and neighbourhood

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15 BBC News ‘French Foreign Minister Alliot-Marie quits over Tunisia’, 27 February 2011
16 Council of the EU meeting, Foreign Affairs, 31 January 2011, Brussels
17 European Council meeting, 4 February 2011, Brussels
18 European Commission and the High Representative of the Union for Foreign Affairs and Security Policy ‘A Partnership for Democracy and Shared Prosperity with the Southern Mediterranean’ COM(2011) 200 final, 8 March 2011, Brussels
policy) had on a previous occasion in speech to Members of the European Parliament admitted that:

We must show humility about the past. Europe was not vocal enough in defending human rights and local democratic forces in the region. Too many of us fell prey to the assumption that authoritarian regimes were a guarantee of stability in the region. This was not even Realpolitik. It was, at best, short-termism — and the kind of short-termism that makes the long term ever more difficult to build.  

As the situation in Libya deteriorated the President of the European Council, Van Rompuy, convened an extraordinary meeting on 11 March. The European Council welcomed UN Security Council resolution 1970, calling for Qaddafi to step down, and announced that sanctions had been adopted and stated that the EU from now on considered the transitional national council in Benghazi as its political interlocutor. It also welcomed the joint communication from HR Ashton and the Commission. However, the EU member states failed to keep a united front at the UN when resolution 1973 was adopted a few days later as Germany abstained (see also below).

Another case of disagreement among EU member states spurred by the ‘Arab spring’ occurred in April when French authorities temporarily blocked trains from Italy (at the border station in Ventimiglia) in an attempt to stop North African migrants en route to France from entering the country. The Italian foreign minister, Franco Frattini, replied that it was “illegitimate and in clear violation of general European principles [i.e. the Schengen agreement]”. The diplomatic row was later settled in a high-level French-Italian meeting in Rome on 26 April.

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19 Štefan Füle, European Commissioner for Enlargement and Neighbourhood Policy, Speech on the recent events in North Africa, Committee on Foreign Affairs (AFET), European Parliament, 28 February 2011, Brussels
20 European Council extraordinary meeting, 11 March 2011, Brussels
Nonetheless, on 22 May HR Ashton became the highest-ranking foreign diplomat to visit Benghazi as she attended the inauguration of an EU office in the rebel-held city and met with the chairman of the NTC, Mustafa Abdel Jalil. On 25 May another joint communication by HR Ashton and the Commission was published, launching ‘a new response to a changing Neighbourhood’ focusing on supporting ‘deep democracy’ and ‘sustainable economic growth’ in the partner countries. In hindsight it seems plausible that a major reason as to why the Commission could respond fairly quickly with suggestions to the Council regarding changes to the EU’s policies and instruments to the region was that it had been engaged (under the direction of Commissioner Füle) with a revision of the whole ENP policy framework since 2010. In this ‘new approach’ the EU is said to recognize that many challenges are common to all countries in region, but the Union is allegedly prepared to support each country on a differentiated basis focusing on the three ‘Ms’ (i.e. money, mobility and markets).

In terms of money, in May 2011, the EU made available funds up to €1.2 billion on top of the €5.7 billion already budgeted for support to the neighbourhood for the period 2011-2013. Furthermore, a new package of grants for the region was adopted by the Commission on 26 September, including the so called SPRING (Support for Partnership Reform and Inclusive Growth) programme, and the Civil Society Facility for the neighbourhood (both south and east). In its budget proposals for the period 2014-2020 announced on 7 December, the

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23 Memo 11/918 ‘The EU’s response to the “Arab Spring”’, 16 December 2011, Brussels
24 In addition, the European Investment Bank (EIB) can now provide, besides the €4 billion available before the ‘Arab spring’, additional loans for up to €1 billion to the region. The European Bank for Reconstruction and Development (EBRD) is set to extend its geographical coverage to include the Southern Neighbourhood and to provide annually up to €2.5 billion of public and private sector investment.
25 This carries a budget of €350 million in additional funds for 2011 and 2012 and makes available support on the ‘more-for-more’ basis to partner countries showing sustained commitment to, and progress in, democratic reforms.
26 The overall budget for 2011 is €26.4 million. This facility aims to strengthen the capacity of civil society to promote reform and increase public accountability in their countries.
Commission recommended that the EU should allocate more than €18.1 billion to support the 16 partner countries of the ENP.\footnote{This would represent an increase (approximately 40 per cent) compared to the financial support of the period 2007-2013. The above figures are in addition to the first and immediate financial response to provide humanitarian aid. The Commission has allocated €80.5 million to the refugee crisis in Libya and Tunisia and EU member states have provided an additional €73 million.}

In terms of mobility (a particularly sensitive issue in the relation between the EU and its southern neighbours due to the problems of illegal migration in the Mediterranean dating back to the 1990s), HR Ashton and the Commission envision allegedly an expansion of university scholarships and exchanges as well as the launch of so called ‘mobility partnerships’, including visa facilitation and readmission agreements. However, at the time of writing, dialogues on such partnerships have only been launched with Tunisia and Morocco, and no tangible results have been reached thus far.

In terms of markets, negotiations of Deep and Comprehensive Free Trade Agreements (DCFTAs) with first and foremost Morocco, Jordan, Egypt and Tunisia are being proposed.\footnote{It should be noted that these four countries have already signed the Agadir Agreement and are the most advanced among the southern Mediterranean countries (expect Israel and Turkey) in terms of trade agreements with the EU.} Compared to current trade relationships with the EU, these DCFTAs are intended to go beyond removing tariffs to cover all regulatory issues relevant to trade (e.g. investment protection and public procurement) which also something that the EU has been calling for since the launch of the ENP in 2004. Moreover, a new investment scheme called SANAD (‘support’ in Arabic) was also launched in August 2011 together with a German bank for a total of €20 million.

Importantly, Balfour notes that this new approach of the EU towards the region envisioned in the communications of March and May: ‘does not represent a significant departure from previous EU policy, which over the past twenty years has increasingly favoured findings paths of cooperation with partner governments [in North Africa/Middle East]. The difference, at least on paper, is that democratic commitments appear stronger conditions for gaining the additional incentives’ (Balfour 2011:30). However: ‘the ENP should not be understood as
coterminous of EU foreign policy, which involves a much broader range of actors and processes, including dynamics pertaining to relations of the member states with individual countries in the region [and] the proposals coming from the Commission and the High Representative require member states’ cooperation for their delivery and implementation’ (Balfour 2011:29).

Furthermore, apart from the new programmes, additional funds and changes to the ENP, HR Ashton proposed in June that the EU should appoint the high-ranking Spanish diplomat, Bernardino León, as EU Special Representative (EUSR) for the Southern Mediterranean.\footnote{Press release A252/11 ‘Catherine Ashton proposes Bernardino Leon as new EU Special Representative for the Southern Mediterranean Region’, 29 June 2011, Brussels} The Council so decided on 18 July and EUSR León’s task is essentially to support the political dialogue with the EU’s southern neighbours and assist the coordination of efforts among the EU institutions, member states, relevant financial institutions such as the EIB and the EBRD, and the private sector.\footnote{EUSR León is also tasked to establish coordination on behalf of the EU with relevant local partners and international and regional organizations such as the African Union, the Cooperation Council for the Arab States of the Gulf, the Organisation of the Islamic Conference, the League of Arab States and the UN. See, Council Decision 2011/424/CFSP appointing a European Union Special Representative for the Southern Mediterranean region, 18 July 2011, Brussels} So called high-level task forces co-chaired by HR Ashton and political leaders of the partner countries are also a tool for ‘enhanced’ political dialogue and the first task force was organised in late September for Tunisia (the second task force meeting was held with Jordan in February 2012).\footnote{The EU is also a major player in the G-8 ‘Deauville Partnership’ initiative that has already seen €20 billion pledged for the countries of the Southern Mediterranean.}

**Tunisia**

Once the Foreign Affairs Council had expressed its support for the democratic aspirations of the people in North Africa and the Middle East in January 2011, the EU’s political support for the transition in Tunisia was demonstrated by a series of high-level visits, for example by HR Ashton a few weeks after the revolution (see above). Her visit to Tunis was followed by visits by Commission President Barroso, Commissioners Füle (Enlargement/Neighbourhood), Cecilia Malmström (Justice and Home Affairs), Kristalina Georgieva (Humanitarian Aid), Michel Barnier
(Internal Market) and Karel De Gucht (Trade), as well as the President of the European Parliament, Jerzy Buzek.

A wide range of EU financial instruments have been mobilized in response to the challenges of the transition process in Tunisia and humanitarian support has been made available, in particular to help Tunisia to cope with the influx of refugees fleeing war in Libya (see also below). The EU provided support for the preparation of the elections held in October, mainly through the provision of technical assistance to the transitional authorities but also support to civil society organizations. The EU also increased the funds available for bilateral cooperation with Tunisia, it has doubled the allocation for 2011 and for the period 2011-2013 the budget was increased from €240 million to €400 million. These new funds are said to target in particular economic recovery and strengthening civil society organizations.

In addition, an EU-Tunisia Task Force (the first one in the region) has been set up aiming to ensure better coordination of European and international support for Tunisia’s political and economic transition. The first meeting, chaired jointly by HR Ashton and Tunisian Prime Minister, Béji Caïd Essebsi, on 28-29 September in Tunis, allowed an involvement of both European and international partners. In total, nearly €4 billion (including grants and loans) could allegedly be made available to support the transition in Tunisia over the next three years: 3 billion from EU institutions, EU banks and international institutions (African Development Bank, Islamic Development Bank, World Bank) and one billion from EU member states. The EU and Tunisia also expressed the joint ambition of a privileged partnership through an ‘advanced status’, as well as agreed on resuming negotiations on other issues, including on trade liberalization and a mobility partnership. Moreover, the preparatory process for the future negotiations for a DCFTA with Tunisia is expected to be launched in early 2012.

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32 Memo 11/918 ‘The EU’s response to the “Arab Spring”’, 16 December 2011, Brussels
33 Such an ‘advanced status’ was granted to Morocco already in 2008. See, EU-Moroccan Association Council ‘Document conjoint UE-Maroc sur le renforcement des relations bilatérales/Statut Avancé’ UE-MA 2701/09, 3 December 2009, Brussels
An EU Electoral Observation Mission was present in Tunisia on 23 October as the country’s first free elections were held. Shortly afterwards HR Ashton and Commissioner Füle commended the candidates and parties that took part in the democratic process and congratulated the Ennahda party which obtained the highest percentage of the votes:

For the first time Tunisian citizens have had the opportunity to choose in a free and democratic manner their representatives and determine their own future. The newly elected Constituent Assembly will now have the key task of writing the new Constitution of the country. It will need to work in a spirit of consensus in order to build a new democratic State… The EU remains fully committed to continue its political and financial support for the Tunisian society.34

Libya

The Qaddafi regime’s brutal repression of demonstrations led the EU to suspend all technical cooperation with the country as well as the negotiations on the EU-Libya Framework Agreement (see above).35 EU representatives also participated in international meetings such as those of the International Contact Group on Libya, and HR Ashton worked to try and bring together divergent positions of some key international partners through her participation in the ‘Cairo Group’ (comprising AU, Arab League, EU, Organisation of the Islamic Conference and the UN).

The EU adopted a series of sanctions against individuals and entities, aiming at preventing arms and money from reaching the Qaddafi regime. The engagement of EU member states (notably France and the U.K.) at the international level led to the UN Security Council

34 Press release A434/11 ’Joint statement by Catherine Ashton, High Representative of the Union for Foreign Affairs and Security Policy, and Commissioner Štefan Füle, on the Constituent Assembly Elections in the Republic of Tunisia’ 28 October 2011, Brussels
35 Compared to Tunisia and Morocco, Libya’s relations with the EU are much less institutionalized and informal. It has not signed any association agreement with the EU nor has the country taken active part in EU-supported regional frameworks, such as the Euro-Mediterranean Partnership/Union for the Mediterranean or the ENP. However, in the years preceding the Arab spring Libya had started to move closer to the EU in line with Qaddafi’s rapprochement with the West.
resolution 1973 which called for international action to protect civilians and provided the legal basis for the NATO-led military intervention. As mentioned above, HR Ashton opened an EU office in Benghazi on 22 May and then inaugurated an EU Delegation in Tripoli during her visit to Libya on 12 November. She was also the first foreign dignitary to meet with the newly appointed Prime Minister, Abdurrahim al-Keib.

Since the beginning of the crisis in Libya, the EU has provided more than €155 million in humanitarian aid and mobilised EU civil protection teams and assets to assist civilians both in Libya and at its borders (through the EU Community Civil Protection Mechanism). The EU was also involved in the evacuation of EU citizens from Libya. In total there were about 7,500 EU citizens in Libya of which 6,500 asked to be evacuated. About 4,400 EU citizens were evacuated from Libya using military means. There was also a large flow of refugees from Libya over the border to Tunisia and initially, when insufficient civilian means were available, the EU Military Staff (on request and under the overall coordination of DG ECHO) coordinated the use of military aircraft from member states for the evacuation of refugees from Tunisia to their countries of origin.

Interestingly, on 1 April 2011 the Council approved the launch of a CSDP operation (EUFOR LIBYA) to provide military support and security to humanitarian assistance in Libya. An operational headquarters was set-up in Rome, and the Council decided that

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36 EU factsheet on military assistance for Libya, 7 October 2011, Brussles
37 The EU has an established coordination mechanism for this, in which the Consular Unit of the Joint Situation Centre (SITCEN) has contact with their colleagues in EU capitals. In that way they established the location and number of citizens for evacuation. Secondly, the Humanitarian Aid department of the Commission (ECHO) has contact with Humanitarian Assistance agencies in the region. The third player is the EU Military Staff, which has contact with the Ministries of Defence of the member states and thus can coordinate the use of military means. The nucleus of the evacuation by military personnel was the Non Combatant Evacuation Coordination Group. This group worked from Malta and coordinated military means on the ground. Through a liaison team from the EU Military Staff, information available in Brussels could be used by the personnel on the ground.
38 The military aircraft were mainly provided by Belgium. Through that mechanism, civilian planes were also leased by other member states for the same purpose.
39 Press release 8589/11/PRESSE 91 ‘Council decides on EU military operation in support of humanitarian assistance operations in Libya’, 1 April 2011, Brussels
40 The headquarters prepared several scenarios as foreseen by OCHA as the crisis evolved. The most important would be to clear, repair and run an airport or a port and to ensure bulk fuel distribution. Evacuation and delivery of food and water were also planned.
military support and security would only be given on the request of the UN Office for the Coordination of Humanitarian Affairs (OCHA). As such, the EU seems to have been the only international body ready to deliver military support to humanitarian assistance on the ground in Libya.

However, there are indications that Sweden blocked the adoption of the concept of operations for EUFOR Libya at the Foreign Affairs Council on 12 April. Koenig notes that: ‘For Sweden, this issue was particularly sensitive since it was the framework nation of one of the two Battlegroups on stand-by, whose deployment was being considered in the context of EUFOR Libya. In case of a deployment, Sweden would have had the operational command of the Nordic Battlegroup to which it contributes around 1,600 soldiers’ (Koenig 2011:11). As it turned out, OCHA never made such a request and no CSDP operation has been launched in Libya to date.

Nonetheless, the Commission made some €30 million available to support the immediate stabilisation priorities of the Libyan NTC, and a further €50 million is intended to be available for longer-term support programmes. As agreed at the international conference in Paris in September, the EU is carrying out needs assessments in communications, civil society, and border management. It has deployed experts to Libya in these fields as well as in security and procurement. Moreover, migration-related projects which were suspended in early 2011 were in the process of being resumed at the end of the year.

Morocco

Compared to both Tunisia and Libya the situation in Morocco has been much more stable throughout 2011, although popular protests were regularly held throughout the country since

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41 Nonetheless, Sweden was one of the non-NATO member states that participated with aircrafts in the operation to enforce a no-fly zone over Libya.
February demanding democratic reforms and an end to corruption. In April a well-frequented café in Marrakesh was struck by a terrorist attack killing 16 people (among them several tourists), but the Moroccan authorities did not seem to crack down on suspected perpetrators and Islamist sympathizers to the same extent as after the Casablanca bombings in 2003.42

In June the political support that the EU traditionally lends to Morocco was once again underlined by the statement on behalf of HR Ashton and the Commissioner Füle, welcoming the decision by Mohammed VI to hold a referendum on a new Moroccan constitution,43 in which some of the monarch’s power will be transferred to the Prime Minister and the Parliament in order to appease some of the demands put forward by the Moroccan people in the wake of the revolutions in Tunisia and Egypt.44 On 2 July, Ashton and Füle welcomed the outcome of the referendum which endorsed the reforms originally proposed by the Moroccan monarch, and reiterated the EU’s support for Morocco’s efforts to implement the reforms:

We welcome the positive outcome of the referendum on the new Constitution in Morocco and commend the peaceful and democratic spirit surrounding the vote. The reforms proposed in it constitute a significant response to the legitimate aspirations of the Moroccan people and are consistent with Morocco’s Advanced Status with the EU… Now we encourage the swift and effective implementation of this reform agenda. Moroccan citizens should remain at the centre of this process and the inclusive dialogue with their representatives should continue and grow stronger. The European Union is ready to fully support Morocco in this endeavour.45

43 Press release A238/11 ‘Joint statement by High Representative Catherine Ashton and Commissioner Štefan Füle on the announcement of the new constitution of Morocco’, 19 June 2011, Brussels
45 Press release 478/11 ‘Joint statement by High Representative Catherine Ashton and Commissioner Stefan Füle on the referendum on the new Constitution in Morocco’, 2 July 2011, Brussels
The EU also sent an expert mission to assess the parliamentary elections of 25 November.\textsuperscript{46} The setting up of the Mobility Partnership with Morocco was launched in Rabat in October and the EU sought to give impetus to the negotiations for the new Action Plan of Morocco’s Advanced Status, which were then resumed in December. Moreover, the preparatory process for the future negotiations for a DCFTA with Morocco is intended to be launched in early 2012 (similar as in the case of Tunisia).

As regards financial support from the EU to Morocco, the five priority areas for cooperation remain largely the same as stipulated within the ENP and the EU-Morocco association agreement (i.e. development of social policies, economic modernisation, institutional support, good governance and human rights, and environmental protection). The indicative budget for 2011-2013 is €580.5 million, which represents about 20 per cent increase in comparison with the budget of 2007-2010. Morocco also benefits from other programmes (e.g. ENP) and is intended to receive further support from the EU under the Civil Society Facility and Erasmus Mundus.

**Conclusions**

I argue that two observations can be made on the basis of this initial assessment of the EU’s response to the Arab spring. The first observation regards the lack of coherence among the positions of the EU member states first and foremost in relation to the crisis in Libya. Not only did Germany abstain from voting in the UN Security Council in March, there are also indications that in April the member states did not agree on what kind of CSDP operation that should be launched in Libya if UN OCHA had made a request to the EU. The events in North Africa in the spring of 2011 also gave rise to bi-lateral tension between France and Italy over the issue of border controls and migration (although that row seemed to have been settled quite rapidly).

\textsuperscript{46} Memo 11/918 “The EU’s response to the “Arab Spring””, 16 December 2011, Brussels
The second observation relates to the way in which the EU responded to the Libyan crisis more or less by way of standard operating procedures (both the Commission and the Council activated existing coordination mechanisms to support refugees and alleviate the humanitarian crisis). Furthermore, once the Foreign Affairs Council and the European Council had expressed the EU’s endorsement for the democratic aspirations of the peoples in North Africa and the Middle East, HR Ashton and the Commission initiated work to both publicly show the EU’s support to the transition processes in the region as well as presenting suggestions as to how the EU’s available instruments and means could be used to increase the Union’s support.

Curiously enough, these observations suggest overall continuity in terms of EU ‘actorness’ also after Lisbon, albeit in somewhat different forms. One conclusion that can be drawn from it is that when it comes to matters of using military force in international politics, the EU seems (not surprisingly) to be continuously divided among the member states. However, that does not imply that EU member states will refrain from the use of force (cf. France and U.K.), rather that they will do so in other forums and it seems likely that NATO will continue to play this role in the near future. Thus far the EU’s response to the crisis in Libya seems to confirm the notion that it is in no position to compete with NATO when it comes to launching multinational military crisis management operations (it should also be taken into account that many CSDP military operations have relied to NATO assets).

However, this is not to say that the CSDP is irrelevant, far from it, since a majority of CSDP operations to date have been civilian mission there seems to be room for complementarily between EU and NATO. In the event that the U.S. manages to shift more of the burden of military crisis management to its European partners in NATO (e.g. to focus on
Asia instead of Europe) there might be enhanced prospects for better EU-NATO coordination, but we can of course only speculate about it at this point.47

Another conclusion that can be drawn from the observations being made above is that the EU’s ‘actorness’ in international politics is much more pronounced when dealing with civilian instruments and means, especially in policy fields where the Commission plays a large role in the policy-making process, such as trade, humanitarian aid and neighbourhood policy. This is perhaps neither particularly surprising given that the EU has proper funds in these policy fields and the Commission has a long technical experience of negotiating trade agreements and managing the Union’s relations with countries in the region (Tunisia and Morocco in particular).

What is interesting, however, is that HR Ashton seems to have been able to rather successfully play the part of interlinking the Council and the Commission, most notably in relation to the aim of revising (and receiving political support for the revision among the member states) the ENP and the EU’s overall policy towards the Southern Mediterranean. The shift towards explicit conditionality within the ENP (i.e. the ‘more-for-more’ principle) combined with the emphasis on democratic reforms, and not only regulatory convergence with the EU’s Internal Market, is also noteworthy since it challenges the ‘working arrangement’ that the EU upheld with regimes in North Africa before the Arab spring (and member states such as Spain, France and Italy often supported that status quo position).

It remains to be seen whether the emphasis on democratic reforms in exchange for ‘enhanced cooperation’ with the EU will have an effect on developments in countries such as Tunisia and Morocco (and in Libya if the situation stabilizes). It does seem likely that the EU will face an even more heterogeneous Southern Mediterranean in the near future in which some countries might move towards political and economic transition whereas other might stagger into

47 See, for example, EUobserver ‘NATO commander: EU could not do Libya without US’, 20 March 2012 http://euobserver.com/13/115650
prolonged instability. In a foreign policy perspective, such a situation would put higher pressure on the EU to come up with tailor-made solutions to individual countries that nonetheless harmonize somehow within the Union’s interests and preferences vis-à-vis the region. That is certainly not an easy balancing-act for the EU, and it is not made any easier taking into account the bad economic situation in Europe in the wake of the (still not resolved) ‘Euro-crisis’. But this analysis does indicate that HR Ashton and the Commission will play a larger role in this regard in the post-Lisbon era.

Another issue that needs further reflection is how the EU will respond to the rise to power of political Islam in the wake of the Arab spring. It was often suggested in the past that most EU member states (not least Spain, France and Italy) seemed happy to cooperate with authoritarian, yet pro-Western and secular, regimes. However, Moderate Islamist parties now hold office in both Tunisia and Morocco. While there is little that suggests for now that this is something that will bring any major changes to the foreign policies of these two countries, the question could nevertheless be asked is how EU member states will react in the case that, for example, women’s rights would be significantly circumscribed in these partner countries. Although, judging from past experiences the EU has not refrained from ‘doing business’ with countries where political freedom and civil liberties are not guaranteed and it will probably not to so in the future.

It seems that the question is instead whether the issue of political Islam in North Africa will be politicized to a much higher extent than before in Europe by, say, right-wing politicians and movements on the extreme right. That might have an effect on EU foreign policy to the extent that member states would have to take into consideration negative domestic opinions. As for now this is mere speculations, of course, but since the European Parliament are getting more of a say over EU trade and aid policy after the entry into force of the Lisbon Treaty we might start to see a more politicized policy-making process possibly also affecting the EU as
international actor, for better or worse. But I guess that the question we really need to ask ourselves is whether policy-makers as well as ordinary citizens in Europe are able and willing to re-think ingrained understandings of their neighbours in North Africa in the wake of the ground-shaking events that the peoples of the region helped bring about in 2011.

References


