SWP Comments

Stiftung
Wissenschaft und
Politik

German Institute
for International and
Security Affairs

Violence and Post-conflict Transitions

Twin Challenge for the EU in the "Arab Spring"

Marco Overhaus

In several countries of the Middle East and North African region, the "Arab Spring" has given rise to violent contests for power. The European Union is ill-suited to effectively deal with these kinds of crises. By contrast, compared to bilateral actors such as former colonial powers or the United States, the EU has a potential strength when it comes to supporting post-conflict transitions in a way that is less likely to be rejected by domestic actors as illegitimate interference. Because violent crises and post-conflict transitions are strongly interlinked challenges, the European Union needs to deal with its deficits and build on its strengths simultaneously in both conflict phases.

Civil war and foreign intervention have resulted in the regime's demise in Libya, but the challenges of building new state structures are enormous, and the risk of continued destabilization remains. In November 2011, after months of bloody protests, Yemen's president, Ali Abdullah Saleh, finally signed a deal that provides for his resignation and the installation of an interim government. In Syria, possible scenarios include a widening crackdown on protesters and a descent into civil war. If developments in these countries deteriorate, the European Union and its member states will feel increasingly under pressure to react in one way or another. However, the options to exert effective political influence in these scenarios are very limited.

The challenge of erupting crises

NATO countries chose military force in order to help bring about the fall of the Qaddafi regime. The military option will be much more circumscribed in the face of violent conflicts or even outright massacres against the populations in other countries of the region, such as Syria or Yemen. Already in Libya, NATO member states displayed a strong reluctance to commit military resources either for war fighting or post-conflict stabilization. Other international bodies, such as the UN or regional organizations, hold more legitimacy than the North Atlantic Alliance but are even less able to mobilize the necessary resources for using force. The European Union is still light years away from

Dr. Marco Overhaus is a researcher in SWP's EU External Relations Research Division

SWP Comments 41
December 2011

deploying a military mission to enforce an arms embargo or protect civilian populations.

With regard to political and economic instruments, the European Union is also ill-prepared to react to evolving crises in its southern neighborhood. The deficits are especially apparent on three dimensions. The most important of these is the overarching political dimension. In situations of rapid change where member states' assessments of – and policy positions toward – a given country in the neighborhood are in flux, the EU is unable to rapidly formulate a common stance that would make a tangible impact. More unity is particularly needed when it comes to the engagement with opposition forces, attempts to mediate between opposition forces and the regimes, and assessments on the potential risks associated with these courses of action.

The problem starts at the highest political level, where High Representative Catherine Ashton often does not enjoy the political backing of all the larger member states. No matter how her personal leadership skills are to be judged, this lack of political support means that – as has been the case with Libya and Syria – she can only summarize the lowest common denominator after member states have already publicly stated their own positions. The problem reaches down to the level of EU Special Representatives and EU delegations, where European officials compete with high-ranking diplomats from individual member states. This also limits the ability of senior EU officials to mediate in conflicts.

Secondly, developments in Libya, Syria, Yemen, and elsewhere have once more shown that the European Union has only very limited capabilities to exert economic pressure on conflicting parties during crises. In the Libyan case, the EU succeeded in rapidly imposing sanctions that went beyond those agreed at the United Nations. In contrast, the Syrian case shows both that initially agreeing on sanctions can be difficult within the EU, and that such sanctions lack effectiveness if they are not backed by an international sanctions regime. The more general question is to what extent and under which conditions sanctions can be effective to induce a change of behavior among ruling elites.

The third deficit in dealing with erupting crises relates to the financial instruments that are currently available to the EU. Most EU funding to external partners is absorbed by the so-called geographic instruments, such as the European Neighbourhood and Partnership Instrument. These are primarily aimed at supporting long-term development cooperation and transformation. During the recent developments in North Africa, the European Commission faced the challenge of refocusing existing allocations that had been earmarked for years in advance. Still missing in the EU's toolbox are instruments that can make an impact in the short and medium terms. In order to achieve this goal, the geographic instruments need to be made more flexible. Moreover, in 2007 the EU created the Instrument for Stability in order to better deal with crisis situations in partner countries. This instrument should receive more funding and a clearer focus.

Supporting post-conflict transitions

EU member states have a strong interest in supporting the transition in Libya. Several member states have developed a sense of responsibility for the future course of the country due to their role in the NATO intervention. They also seek to capitalize on their investment in the revolution in order to advance economic and business interests, including the support of political players in Libya with whom they have developed strong relations. Finally, EU member states will seek to limit the regional fallout from the conflict, such as from Libya's inability to control its borders and prevent weapons proliferation. For all these reasons, EU member states are aspiring to play an active and substantial supporting role in the transitional process.

EU assistance to post-conflict transitions in Libya and elsewhere in the region needs to take into account that external actors are likely to face considerable local opposition to their involvement in sensitive transitional processes, implying that a prominent external role could be counterproductive. In Libya, the Transitional National Council (TNC) rejected the deployment of an international stabilization force, military observer mission, or police mission; it has also stressed that any international support should not be linked to conditions. Local suspicion of external interests also has implications for EU plans to support Security Sector Reform in Libya: Overt external involvement in a process that directly affects the balance of power could aggravate rifts between the various political forces there. From a more general perspective, the European Union and its member states – as well as the international community at large – need to rethink their deeply interventionist concepts that have dominated the debates about post-conflict reconstruction and state-building for almost two decades.

Despite these caveats, the EU may be better positioned than individual member states. For instance, the track record of the EU's Common Security and Defence Policy of being primarily advisory and non-coercive enables the EU to make offers that are less likely to be rejected by domestic actors as illegitimate interference. The EU and the European Commission have developed less intrusive tools that might eventually be more acceptable to Libyan partners. Similarly, if the Syrian regime were eventually to collapse, any direct and open French, American, or even NATO involvement in post-conflict stabilization and reconstruction would likely prove counterproductive. The EU could be seen as a less threatening and more credible partner to the Syrian opposition in areas such as Security Sector Reform, administrative capacity-building or civil society – although any engagement would need to take into account the caveats mentioned above.

The potentially biggest risk to a constructive role for the European Union during post-conflict phases in the Middle East and North Africa is the competition among member states for privileged access to the new governments. By providing support to the new Libyan authorities, external players are positioning themselves to benefit from the major economic opportunities opening up in Libya after the conflict. Already during the civil war, the TNC's foreign allies supported different actors within the revolutionary forces. In the next phase, there is a risk that EU member states, among other external actors, could compete with each other by offering assistance to rival players within the loose, fragile coalition that is still leading the transition. The risk is particularly acute in the security sector, where the chain of command is as yet far from clear. Such competition could have a disruptive impact on the transitional process. Competition for economic opportunities among member states is likely to pose a challenge for EU support to the transition, but it also provides an opportunity for a constructive role. By assuming the lead in coordinating and channeling assistance from member states to the new Libyan government, the EU could work to prevent or contain such competition – provided that agreement among member states can be found.

Lack of trust in the EU's new foreign policy system

In conclusion, the European Union faces the challenge of simultaneously building its instruments to better deal with acute crises and fully playing its potential strengths to support post-conflict transitions in its southern neighborhood. During the former phase, which is most challenging to any international actor, the best bet would be to invest in a more unified political representation, all the way from the top echelon in Brussels down to the delegation level on the ground in conflict areas. The European Union's new foreign policy sys-

tem, created by the Lisbon Treaty, offers great potential to improve crucial common functions such as collecting intelligence in conflict zones, providing common assessments on which collective action can be based, and serving as a joint interlocutor for conflicting parties. In order to exhaust this potential, common EU institutions – most notably the Commission, the High Representative, and the External Action Service – need a stronger political mandate, and possibly new competences for coordinating member states' activities in the area of post-conflict economic reconstruction.

The principal problem is the lack of trust among national governments in this new institutional set-up to deliver better solutions, to be more effective, and to ensure more influence than the actions of individual capitals. This kind of trust can only be built step-by-step. It is also a precondition for member states to refrain from a destructive and divisive form of competition for influence during the post-conflict phase.

© Stiftung Wissenschaft und Politik, 2011
All rights reserved

These Comments reflect solely the author's views.

SWP
Stiftung Wissenschaft und Politik
German Institute for International and Security Affairs

Ludwigkirchplatz 3−4
10719 Berlin
Telephone +49 30 880 07-0
Fax +49 30 880 07-100
www.swp-berlin.org
swp@swp-berlin.org

ISSN 1861-1761