

THE INS AND OUTS OF THE EU'S SHORTCOMINGS IN SYRIA

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Security and European Neighbourhood Policy: from 2004 to 2015

The European Neighbourhood Policy has remained ill-equipped to deal with a fast-changing environment.

Despite its revisions in 2011 and 2015, the European Neighbourhood Policy (ENP) has remained ill-equipped to deal with an unsustainable and fast-changing environment and the different geopolitical shifts unfolding in the neighbourhood. When assessing the ENP, a number of respondents to the Euromed Survey highlight precisely its difficulty to adapt to new challenges and contexts and the need for the European Union (EU) to better address conflict resolution. The case of Syria, where Russia's military intervention in September 2015 completely changed the dynamics of the conflict, coinciding with the withdrawal of American military presence in the region, illustrates the EU's unreadiness to take up the challenge.

In its inception, the ENP I was mainly conceived to respond to EU internal changes such as the so-called "big-bang" enlargement of 2004, which shifted the EU's borders to the east but also to the south. The idea was to "share the benefits of the EU's 2004 enlargement with neighbouring countries in strengthening stability, security and well-being" (Commission of the European Communities, 2004, p. 3) and to create "a ring of friends, with whom the EU enjoys close, peaceful and co-operative relations" (Commission of the European Communities, 2003, p. 4). The narratives of security and stability were among the most outstanding components of the policy and eventually led to cooperation, support and strengthening of different autocratic regimes both in its eastern and southern neighbourhood (Durac & Cavatorta, 2009). This was confirmed by Stefan Füle, former Commissioner for Enlargement and ENP, who admitted that "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-terminism" (Füle, 2011).

The ENP II was also initially conceived to adjust internally to the Lisbon Treaty and to the Arab uprisings unfolding in the EU's southern neighbourhood. The "New Response to a Changing Neighbourhood" document was presented in May 2011 and it was much more ambitious than the "original" ENP. The ENP II was again based on the principles of bilateralism, differentiation and positive conditionality ("more for more") but for the first time it also indicated the EU's readiness to use negative conditionality ("less for less"). The ENP II also introduced the idea of "deep and sustainable democracy", which would go hand-in-hand with the infamous three Ms – money, market (access) and mobility. Among the innovations of the ENP II was also the creation of a Civil Society Facility and the European Endowment for Democracy, which were destined to provide non-registered NGOs as well as political actors and movements with EU funding (Schumacher & Bouris, 2017). Despite the positive innovations, however, the policy remained an inappropriate tool for geopolitics as it ignored the strength of other actors (Lehne, 2014, p. 7).

Conflicts in Libya, Syria and Ukraine, the growing terrorist threat from ISIS/Daesh and the refugee crisis forced the EU to revise the policy in 2015. The ENP III clearly moves away from discussions and efforts of democracy promotion and exclusively focuses (again) on the idea of stability (similarly to the ENP I), thus downgrading the EU's ambitions in its eastern and southern neighbourhoods (Schumacher, 2016). The ENP III abandons the principle of conditionality ("more for more" and "less for less") and has negative repercussions with regard to the EU's ambitions as a normative foreign policy actor. Although, for some, the ENP III is more "pragmatic" at the same time the end of ambition and the adoption of this "pragmatic" approach (by putting stability and security first) raises questions about the "perceived demotion of fundamental rights in the external action of a Union, that appears ill-equipped in matters of security" (Blockmans, 2017, p. 1). The ENP III document also goes hand in hand with the EU's recent Global Strategy, which puts the idea of "principled pragmatism" and "resilience" at the heart, confirming the shift of the EU towards more Realpolitik.

The EU in Syria

For the past 15 years relations between Syrian governments and the West, but more specifically the EU, have been strained by tensions. Suspicion and potential disillusionment were regularly in the background of any given diplomatic initiative. The very few short-lived periods of relative diplomatic normalcy were often suspended or ended abruptly because of grave violations of human rights or political repression against Syrian opposition movements.

When Bashar al-Assad succeeded his father in June 2000, he was credited by many European countries with the determination to open and modernise the country's political system, civil society and institutions. During the first years of his tenure, he confirmed those early assumptions and allowed for a more active and engaged civil society in the political field. But what was known as "the Damascus Spring" did not last more than a brief season and a new fierce repression and massive arrests in the opposition ranks put an end to the very short experience.

Nevertheless, as soon as this political opening started to show signs of materialisation in 2003, the EU, within the framework of the newly-established ENP and with the ambition to stabilise and democratise the countries in its neighbourhood, launched a series of high level negotiations with the Syrian government aiming to modernise, reform and liberalise the Syrian economy and institutions. The principal incentive of the process was a "more for more" approach. All areas were considered open to cooperation. But soon the EU negotiators stumbled on human rights issues, a subject the Syrian government would not consider as a matter of substantive discussion. Moreover, the negotiations came to a deadlock because of the suspicion by some member states of the involvement of Syrian security apparatuses in the assassination of the Lebanese Prime Minister in February 2005. Hence, all prospects of EU cooperation with the Syrian government were suspended and all EU ministerial bilateral visits to Damascus cancelled.

In May 2007, with the election of President Sarkozy in France, the stigmatisation of the Syrian regime was overruled. In the summer of 2008, the launch of the Union for the Mediterranean (UfM) in Paris provided the occasion for the official return of President Assad in the mainstream of Euro-Mediterranean politics. He became an acceptable partner again. The suspended EU-ENP negotiations were resumed and concluded rapidly. Cooperation agreements were signed swiftly and the operational implementations started in all areas, such as reform of state institutions, civil society, gender equality, rule of law, judicial reform, education and tourism. During 2009 and 2010, Syrian society, with the approval but careful control and monitoring of the political authorities, was engaged in one of the most important European oriented metamorphoses.

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This blooming reformist season was cut short when those involved in implementing the different programmes came to a direct confrontation with the Syrian officials. Inspired by what occurred in Tunisia and Egypt in the early months of 2011, civil society activists organised peaceful demonstrations nationwide seeking the release of political prisoners, condemning torture, calling for political reform and freedom of expression. Despite President Assad's declaratory promises of major structural reforms, the demonstrations were brutally repressed by the security apparatuses and resulted in a number of killings and massive random arrests. In May 2011, among other Western countries, the EU issued a strong statement condemning the repression of the peaceful demonstrations and calling for the liberation of the political prisoners. It also issued the first set of sanctions freezing assets and travel restrictions, against certain individuals affiliated or close to the regime.

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The debates during the Foreign Affairs Council (FAC) were tense as conflicting interests among member states were expressed regarding the management of the Syrian crisis. After the military operations in Libya against Muammar Gaddafi endorsed by the United Nations Security Council (UNSC) resolution 1973, France and the United Kingdom (UK) advocated a military intervention and were supported by Germany and the Netherlands. But the majority of the other member states opposed the initiative and favoured a negotiated settlement. In August, after another major confrontation during a demonstration in Damascus, which resulted in the killing of 15 civilians and over one hundred casualties, the first HR/VP Lady Ashton in a statement endorsed by the member states called for President Assad to step down.

The decision of the HR/VP to suspend all operations in Syria and to withdraw the European expatriates working on Syrian projects was taken under strong pressure from France, the UK, Germany and the Netherlands. This statement and decision were contrary to clear recommendations from the EU Delegation in Damascus. In a previous preparatory working paper for the August FAC meeting, the Delegation firmly asserted that a call to the top of the leadership to step down would be equal to a point of no return. The paper also warned that this step should only be considered once the EU assesses that there is no chance of a positive contribution by the EU to a way out of the current situation. At this point, and after the first set of sanctions decided by the EU in May, large parts of the Syrian government perceived the EU as a "hostile entity".

The EU signed itself out of any active political role.

Retrospectively, the EU signed itself out of any active political role. It reduced its margin for manoeuvre as a funding partner and technical assistance provider to the United Nations (UN) mediation initiatives. Which it did with the three UN Special Envoys (Kofi Annan, Lakhdar Brahimi and Staffan de Mistura) and with the chemical disarmament UN/OPCW (Organisation for the Prohibition of Chemical Weapons) missions. It might also be true that at that time the HR/VP gave priority to positioning the EU as a facilitator and player in the negotiations for the nuclear deal with Iran concluded in June 2015.

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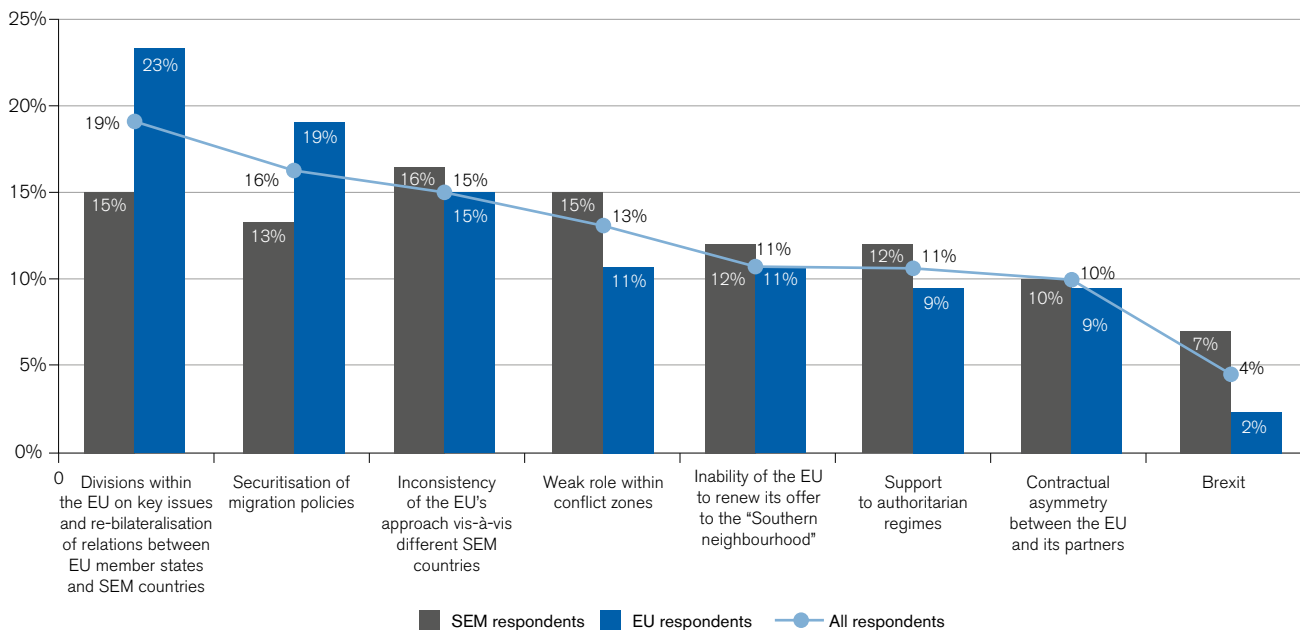
Later on, in March 2012, the HR/VP stood up against pressures from many member states (France, the UK, Germany, Italy, Spain, Belgium, the Netherlands, Sweden, Denmark) to close its Delegation to Syria and Lady Ashton announced that the Delegation would remain functioning in Damascus as long as the security situation permitted. After a short withdrawal to Beirut (December 2012/April 2013), the EU Delegation remained diplomatically operational until today. Maintaining contacts with MFA at the level of deputy ministers allows for EU positions to be clearly communicated (condemnation of human rights abuses, barrel bombs, besieged areas, specific cases of political prisoners, disappeared activists, etc.). Remaining actively engaged in Damascus gave the EU leverage on pressing the MFA to accelerate the access and the delivery to rebel areas of EU humanitarian assistance (ECHO) in cooperation with UN agencies, the International Committee of the Red Cross (ICRC) and international NGOs. The meetings with the MFA were often tense because of the questions raised and because of the ongoing and regular new set of sanctions. But at least the channel of communication was preserved. At a FAC meeting in November 2015, Mrs Federica Mogherini described the activities

of the EU in Syria as “humanitarian diplomacy”. Despite the importance of the EU’s humanitarian contribution, though, Russia’s full military intervention in September 2015 completely changed the dynamics of the conflict and shifted the debate from trying to find a political solution to trying to find a military solution. Russia did not only enter militarily but also gathered the support of Iran and Turkey resulting to a consolidation of their own positions while working towards a political solution in the framework outside the UNSCR 7524 parameters and fighting, if not undermining, the work of UN Syria Special Envoy.

At the same time, EU member states have stepped up their individual policies without any coordination at the EU level. As shown in the Euromed Survey, this lack of coordination would be affecting the EU’s credibility (see Graph 1).

Graph 1: What is most likely to affect the EU’s credibility in the Mediterranean?

(respondents were asked to choose 2 options out of 8)



Source: Compiled by the IEMed based on the results of the 9th Euromed Survey

In the summer of 2012, the EU Delegation in Damascus temporarily hosted four diplomats (Italy, Spain, Belgium, the Netherlands) accredited in Syria before their capitals decided to close their embassies or before being declared persona non grata. The Romanian and Czech embassies remained operating all through the crisis with an ambassador present in Damascus. Both embassies represent the consular interests of France (Romanian) and the United States, the UK and Canada (Czech). Austrian, Spanish, Swedish, Danish and Finnish chargé d’affaires based in Beirut regularly visit Damascus and conduct meetings with MFA officials. Hungary, Ireland, Bulgaria, Poland and Cyprus send envoys from their capitals or from regional diplomatic missions.

The Syrian crisis could be equated to the role of the chorus in Greek tragedies.

Though morally and legally based on UNSC Resolution No. 2254 adopted in December 2015 calling for the formation of a transitional government within six months and parliamentary elections within 18, today’s EU stance towards the Syrian crisis could be equated to the role of the chorus in Greek tragedies. In this sense, Graph 1 shows the specific relevance that Southern and Eastern Mediterranean respondents to the Euromed Survey give to the “weak role of the EU in conflict zones” and how this affects the EU’s credibility.

The overwhelming military and diplomatic presence of the three former Empires in the Middle East leaves very little room for Europeans.

As guardians of the Temple, EU statements remind and reassert the principled solution for the Syrian crisis adopted by the international community, i.e. a negotiated political transition under the UNSE, free and fair elections supervised by international observers, transfer to the International Criminal Court of all those who have committed war crimes and humanitarian violations. It also warns that any other solution, apart from being unacceptable, endangers Syria's future stability and would be a threat to peace and security in the region. With this firm declaratory posture, the EU seems to be in a denial as it ignores the new balance of power in its southeastern neighbourhood. With the Russian fully-fledged military support for the Syrian regime, the Syrian government is far from being on the collapse track but more and more defiant.

The overwhelming military and diplomatic presence of the three former empires (Russian, Persian and Ottoman) in the Middle East leaves very little room, if any, for Europeans to influence the political outcome of the crisis. The void left by the American withdrawal from Iraq in December 2011 has been filled by external forces and not by the EU.

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