

EU Foreign Policies in the Middle East--Iran, Iraq, Syria, Israeli-Palestinian Peace Process

Introduction

A commonplace within the existing literature on EU foreign policies in the Middle East is that the European Union has not been very successful in promoting cooperation in this region and has achieved mixed results.¹ First, a brief presentation of the EU's overall approach to the Middle East will be provided, followed by an explication of its foreign policy towards each country and its stance on the Israeli-Palestinian Peace Process. Secondly, possible reasons and explanations, why the effectiveness of the EU Foreign Policies in the Middle East has been undermined, will be discussed. Finally, since the differences between the EU and US approaches have been particularly evident in this region, possible trends in evolution of the EU's Common Foreign and Security Policy (CFSP) and by extent in European Security and Defence Policy (ESDP) towards the Middle East and their implications for transatlantic relations will be analysed.

Features of EU policies in the Middle East

According to the formal rhetoric, democracy promotion is one of the most significant components of the European Foreign Policy towards the Middle East. A "democratic" policy, first clearly expressed within the 'Barcelona Process', in 1995 (later renamed the Euro-Mediterranean Partnership), has been recently outlined in the final report on an "EU Strategic Partnership with the Mediterranean and the Middle East (approved by the European Council in June 2004). Lebanon, Syria, Israel and Palestine are also being embraced by the European Neighbourhood Policy (evolved since 2003). The Middle East Peace Process is separate from, but complementary to the Barcelona Process. Despite the variety of frameworks, there are some overlapping features in the EU approach to the region:

1. An emphasis on 'soft security' issues and socioeconomic strategies ("the power of soft power");
2. The involvement of particular countries (like Britain, France, Germany – the famous EU-3) still prevails over a distinct EU profile in the Middle East;
3. A bilateral approach of the EU (policy towards each country) still outbalances a regional approach toward the Middle East as a whole. This is embedded in bilateral association agreements between the EU and the country concerned.
4. The EU is a complex structure, and all three institutions (the European Commission, Parliament and Council) have different (although overlapping) competences and instruments in the foreign policy domain. The Commission (representing the I Pillar – community or supranational) obviously has a higher profile in the Middle East due to the primary objective (the development promotion) and necessary instruments (aid, trade, financial resources etc), while

¹ Rosemary Hollis, *Europe in the Middle East in International Relations of the Middle East*, ed. by L. Fawcett, Oxford University Press, 2005, p. 307.

the Council (responsible for the II Pillar, CFSP – a coherent foreign policy of the EU on behalf of its member states) is mainly represented by diplomatic activities of Javier Solana, a High Representative for Foreign and Security Policy (HR) on behalf of the Union.

Syria (by extension – Lebanon)

According to Eva Goes and Reinoud Leenders, “for more than a decade and with strikingly modest results, the EU has engaged Lebanon and Syria on promoting democratization, the rule of law, and civil society”.²

Despite the unresolved conflict between Israel on one side, and Syria and Lebanon on the other side, both countries became involved in the Europe-Mediterranean Partnership Program with the European Commission playing a major role in building these relations.

EU negotiations with Lebanon over an association agreement began in late 1995, resulting in the signing of a full agreement in June 2002. Although mainly about the EU-Lebanese trade relations, it also includes a clause that the relations shall be based on democratic principles and fundamental human rights. In 1997 Syria also started negotiations over its own association agreement with the EU. However, they were blocked until September 2004. Syria was reluctant to remove trade barriers because of its largely uncompetitive economy, and the EU, from its part, insisted on reference to the nonproliferation of weapons of mass destruction as part of any association agreement. Syria found this reference unacceptable since the same principle was not a part of any agreement with Israel, another Euro-med partner, which already possessed such weapons.

Although the agreement was initialed in September 2004, its ratification has been blocked because of a further decline in relations (a result of French pressure on Syria to withdraw from Lebanon, and the UK frustration over Syria's support to insurgents in Iraq). Without its ratification, the EU can not suggest the so called Action Plan to Syria (which represents a declaration of mutual objectives and commitments in terms of political and economic reforms), one of the key elements of the ENP.

However, parallel to this formal interaction over accession to the Euro-med Partnership, the EU and its member states launched some of their own initiatives:

1. In Lebanon – legal training, institutional assistance to the Ministry of Justice, administrative reform, improvement of municipal governments, NGO funding to fight corruption, improvement in the role of women in politics, and the promotion of independent journalism.
2. In Syria – only a few projects on citizenship, and human and minority rights materialized at the initiative of European foundations (e.g. the German Konrad Adenauer Foundation). This was due to the fact that aside from the low number of active NGOs, Syrian law prohibits NGOs from receiving foreign funding without official approval. The EU Commission had a low profile in political initiatives, while France has taken a leading role in promoting institutional change (e.g. it

² Eva Goes, Reinoud Leenders, Promoting Democracy and Human Rights in Lebanon and Syria in Crescent of Crisis (U.S.-European Strategy for the Greater Middle East), ed. Ivo Daadler, Nicole Gnesotto, Philip Gordon, Brooking Institution Press (Washington, DC) and EU ISS (Paris), 2006, p. 94.

sent experts on administrative reform and established a team of reform-minded Syrian technocrats) although these attempts had also failed by the spring of 2005.

The ineffectiveness of the EU policy of promoting democratization in Lebanon and Syria may be excused because of complex domestic developments occurring in both countries as well as the complicated state of relations between them. For instance, at one stage difficulties in Syria's negotiations with the EU pushed pro-Syrian Lebanese politicians to raise obstacles to the EU's reform projects in Lebanon. The newly launched ENP received no attention at all from Lebanese ministers or senior public servants.³ However, there are obviously major shortcomings in the EU approach itself (more below).

The escalation of the crisis in the Middle East in summer 2006 dismissed once again any hopes for change and economic and political reforms in Lebanon emerged during the "Beirut Spring" of 2005. The EU was criticized for its slow and ineffective reaction to the crisis during the summer. In fact, the EU's CFSP was again represented first of all by personal involvement of HR J. Solana rather than the coherent approach of the member states. A draft resolution (calling for an immediate cease-fire and condemning Israel for violation of international humanitarian law), elaborated by Finland (holding the EU rotating presidency during the second half of 2006) produced some disputes between the member states. Finally at the extraordinary meeting of the Council on 1 August 2006, foreign ministers (under pressure of Germany, the UK, Czech Republic and Poland) approved a softer version.⁴ There was also some speculation as to why an autonomous EU mission under the ESDP (European Security and Defence Policy) had not materialized, and the member states rather preferred to contribute their forces separately to the UN mission. The possibility of an ESDP mission was circulated in Brussels during the summer. However, it was clear that such mission could not use "the Berlin+" mechanism (because it would not be a good idea to have a NATO flag on the border of Syria). And an ESDP mission in cooperation with the "third countries" (presumably from the region – Turkey, Egypt) was also problematic since the mechanism of 'third-party' inclusion in ESDP operations is underdeveloped.

For immediate reconstruction the European Commission boosted its contribution to the Lebanon to over 100 million euro for 2006.

Iraq

In the 1990s the EC used such foreign policy instrument as 'sanctions' and 'weapons inspections' against Iraq and its partners after its invasion to Kuwait (1991). Britain and France joined the US in imposing so called no fly-zones over both the Kurdish region of Northern Iraq and in the south, to protect the Shi'ite population there, but arguably more to defend Kuwait. Then the French ceased this engagement, and only the British assisted the Americans in bombing operations against the Iraqis in 1998 (Operation Desert Fox), which aimed at forcing Iraqi compliance with weapons inspections.⁵

³ Ibid., p. 99.

⁴ Council Conclusions, Extraordinary General Affairs and External Relations Council Meeting, Brussels, 1 August 2006 // http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/gena/90739.pdf

⁵ Rosemary Hollis, Op. cit., p.318.

Disputes in Europe over the current war in Iraq have become a notorious example of the European disunity, which proved for many that the EU's goal of a CFSP is more a far distant dream rather than a reality. It also had profound implications for transatlantic relations.

As Toby Dodge rightly points out, memory about this split along with the so called 'security vacuum' in Iraq have become two major problems standing in the way of European involvement in multilateral attempts to rebuild the Iraqi state.⁶

Meanwhile, an opportunity to deal directly with the Iraqi Transitional Government (formed in April 2005) allowed the EU deeper involvement in Iraq's stabilization and reconstruction. For example, following an invitation from the Iraqi authorities, the EU Council decided on 21 February 2005 to launch an integrated rule-of-law mission for Iraq (code named - EUJUST LEX).

This Mission consisted of providing integrated training in management and criminal investigation to senior officials and executive staff from the judiciary, the police and the penal system.

The operational phase started on 1 July 2005 and ended 12 months later.

The year 2006 has seen some positive but also many troubling developments in Iraq. Four months after the 15 December 2005 elections, a political deadlock finally ended when Nuri al-Maliki was named prime minister and asked to form a new government. However, sectarian violence has continued to rise and US reconstruction programs are still far from meeting their goals.

In this environment, the EU has the potential to play a more active and constructive role as "a neutral facilitator, an impartial arbitrator" in negotiations with different groups (above all, for example, with those who boycotted the elections).⁷ President George W. Bush has encouraged Europeans to focus particularly on the question of aid to Baghdad. In an important recent development, the EU has been a prominent supporter of the International Compact process, an initiative introduced in July to provide broad financial support for Iraq over 5 years as it attempts to reintegrate into the international community. Formal initiation of the Compact took place at the UN just last month (September 2006). Final plans are expected from Iraq by the end of the year.

Although there are positive prospects, the EU's role in Iraq will still be limited due to the reasons mentioned above.

Iran

There were two main elements in the EU's dealing with Iran before 2003:

1. The existence of a fairly coherent common strategy.⁸
2. A belief (not shared by the US) in engagement rather than isolation and confrontation as a means of resolving problems.

At the time of US economic sanctions against Iran (the Iran-Lybia Sanctions Act, signed in August 1996), the EU used trade cooperation and European investments as a bargaining card with the hope that Iran would make concessions on human rights and

⁶ Toby Dodge, *Trying to Reconstitute the Iraqi State: a European Perspective in Crescent of Crisis...*, p. 124.

⁷ *Ibid.*, p. 135.

⁸ Rosemary Hollis, *Op. cit.*, p.318.

terrorism. Beginning with a “critical dialogue” in late 1992 and moving to a “comprehensive dialogue” in 1998 (after the election of reformist Iranian President Mohammed Khatami in 1997), the EU launched negotiations on an EU-Iran trade and cooperation agreement and a dialogue on human rights in December 2002.

However, this positive dynamic was interrupted in 2003, after the famous IAEA report published in June 2003. The EU’s big three (UK, France, Germany known as the EU-3) took the lead on behalf of the Union in the dialogue on the nuclear problem.

The EU itself began pressuring Tehran to sign a new protocol to the Nuclear Non-Proliferation Treaty. Tehran’s agreement in October 2003 to suspend all enrichment and reprocessing activities was perceived as a success in Europe. However, the Iranian parliament put ratification of the Additional Protocol on hold, and the enrichment suspension itself was defined in a vague manner that allowed the Iranians to resume some activities. According to Bruno Tétrais, “Iran was clearly seeking to divide Europe from the United States”.⁹

The November 2004 Paris agreement became a new phase in the negotiation process, which included three “baskets” – political, economic, and nuclear. In return for the suspension and further renunciation of any enrichment and reprocessing capabilities, Europe promised to normalize trade relations, to support Iran’s entry into the WTO, and even to construct a light-water reactor.

However, by the summer of 2005, the negotiations had failed. In August the Iranians rejected the European proposals and decided to end the suspension of their nuclear activities. As a consequence, the Europeans dismissed the Iranian six-point proposal in January 2006.

During summer 2006, Iran ruled out a new set of proposals as a basis for negotiation elaborated by the EU-3, Russia, the USA and China, as well as the suspension of its enrichment program in response to UN Security Council Resolution 1996 (July 31, 2006).

Although Iran agreed to discuss its nuclear activities, negotiations with HR Solana have not brought any practical results so far.

Two conclusions with regard to the EU’s foreign policy toward Iran can be drawn:

1. The EU member states agreed on the EU-3 to act as some kind of informal directorate on their behalf.
2. Solana has played the role of an intermediary between the EU-3 and the member states. Thus, then problematic Iranian resolution is deeply associated with his name, and in case of failure, he might resign.

The EU’s record of achievements has received different assessments, from sceptical to positive. According to Bruno Tétrais, “from 2002 to 2005, Europe has been able to slow down Iranian nuclear activities and to maintain an open diplomatic channel that has proved helpful in understanding Tehran’s motivations and intents”.¹⁰

Israeli-Palestinian Peace Process

⁹ Bruno Tétrais, *the Iranian Nuclear Crisis in Crescent of Crisis...*, p. 31.

¹⁰ *Ibid.*, p. 37.

In the 1960-1970s Britain and France were the core European diplomats with regard to the Arab-Israeli conflict.

In the wake of Jimmy Carter's stalled Camp David process, the Venice Declaration of 1980 reflected a decision by the EC to become more directly involved in finding a comprehensive solution to the crisis. The Declaration, among other things, explicitly defined the right of the Palestinian people to exercise self-determination. It became the basis of the European stance on the issue.

Generally the formulation of a united EC (and later on EU) policy on the Israeli-Palestinian conflict has been more effective than any other EU's policies in the region. EC and subsequent EU statements have underlined the importance of implementing UN resolutions. For example, these include Europe's condemnation of Israel's invasion of Lebanon in 1982 and call for unconditional withdrawal in accordance with UN Resolution 425 of 1978. The European approach has clearly differed from the US: "[W]hile the US puts more responsibility on Palestinians for the collapse of the Oslo process, the Europeans see Israel as the party most to blame".¹¹

The EC has used such instruments as delaying approval of certain documents (like Israel's partnership agreement of 1995) and protocols affecting trade with Israel on a number of occasions with the aim of demonstrating European disapproval of Israeli policies towards the Palestinians.¹²

At the Madrid conference (1991), which launched another round of the peace process, the Europeans received only observer status. But the EU continued efforts to build up the peace process, both on bilateral and multilateral bases. The EU took responsibility for monitoring the elections of the Palestinian Authority. Besides the fact that the EU has been the largest donor to the PA, several member states also launched their own aid programmes and projects.

Although critical of some Israeli policies and of support given by the USA, the EU at the end of the 1990s did its best to prevent Palestinian President Yasser Arafat from declaring Palestinian statehood unilaterally. Thus, the EU issued a formal declaration envisaging Palestinian statehood as the expected outcome of the peace process.

With the collapse of the negotiation process at Camp David (July 2000) and escalating conflict from the following September (Palestinian suicide attacks in Israel), Israel re-occupied Palestinian autonomous areas in spring 2002. The EU did not support the decision of the Bush administration to boycott Yasser Arafat and suspend aid and assistance. The EU continued its aid, although making it conditional on progress with internal reforms. In spring 2002, the two-state solution was endorsed as the solution to the core conflict (UN Security Council Resolution 1397 and the Arab summit in Beirut in March 2002). And since that time the EU has been a part of "the Quartet" (the EU, US, UN and Russia) working on a "Road Map" (the first version of which was drafted under Danish presidency in 2003), which was launched in 2003 with the aim of implementing the two-state solution.

The EU's Security Strategy (approved in December 2003) pledges to resolve the Israeli-Palestinian conflict as a top EU priority. However, the road map was not a perfect mechanism from the start, and was used more at a declaratory rather than a practical

¹¹ Cited in: Rosemary Hollis, *Op. cit.*, p. 321.

¹² *Ibid.*, p. 322.

level. Although it included principles for reaching the end goal, its concrete outline remained open to reinterpretation. According to some European researchers, it gave Israel backed by the USA, a considerable space for manoeuvre and unilateral actions (e.g. President Bush announced his support for Sharon's unilateral "disengagement" plan in March 2004, and in fact the latter contradicted the Road Map). Also, the EU could not but agree to it since the Union strongly believed that a successful peace process required American leadership.

In dealing with the Israeli-Palestinian peace process, the EU has traditionally used the principle of conditionality, albeit almost entirely on the Palestinian side. Between 2002 and 2005, the EU made the transfer of emergency budgetary assistance to the Palestinian Authority conditional on reform, especially in its public finances. In 2002-2003, the EU donated over 600 million dollars including donations to the World Bank and U.N. agencies; in 2004-2005, it promised to spend over 300 million in total per year.¹³

Both Israel and the Palestinian Authority were in the first round of countries, having agreed the ENP Action Plans with the EU in 2005. Since the Action Plans are not legally binding documents, representing a set of jointly agreed priorities (thus, the EU partners can decide how much they want to reform), there is less space for the EU to endorse any conditionality.

The EU is also conducting two missions under the ESDP in the Palestinian Territories. On 30 November 2005 the EU launched the Border Assistance Mission at Rafah crossing-point with duration of 12 months. The EU is proud of the quick decision of the Political and Security Committee with regard to the mission launch, which followed the conclusion of an "Agreement on Movement and Access" between Israel and the Palestinian Authority. Just in a month (on 1 January 2006) the EU started the operational phase of the EU Police Mission for the Palestinian Territories (code named EUPOL COPPS, expected for 3 years) aimed at enhancing support to the Palestinian Authority in establishing sustainable and effective policing arrangements.

Dramatic changes in the region over the last months (the election of the radical Hamas in January 2006 and the Lebanon war) have made the Roadmap practically dead. Having sanctioned the duly elected Hamas, the EU has nevertheless kept the Palestinian Authority from collapse by channelling funds through the elaborated International Temporary mechanism (supervised by the World Bank and the EU).

Even before these events some experts have called on the EU to play a more active role in the peace process (namely, by calling for restoring Palestinian statehood as an unconditional right and end goal) and to diverge more openly from the U.S. position in certain respects.¹⁴ And more recently there is a strong belief that the EU and its member states should take the initiative diplomatically, both because of its reasonably balanced position between the adversaries and its deepening involvement in the Middle East conflict in terms of financial resources and manpower.¹⁵

¹³ The EU's Relations with the West Bank and Gaza Strip // http://europa.eu.int/comm/external_relations/gaza/intro/index.htm

¹⁴ See, for example: Yezid Sayigh, *Putting the Israeli-Palestinian Peace Process Back on Track in Crescent of Crisis...*, p. 70.

¹⁵ Michael Emerson, Natalie Tocci, *What Should the European Union Do Next in the Middle East?* CEPS Commentary, 22 September 2006 // www.ceps.be

Weak outcomes of the EU Foreign Policies in the Middle East

1. The limitation of the 'conditionality principle' when the EU membership is not offered and not sought (relevant for **Lebanon** and **Syria** in the first place). Two approaches can be named in this respect:
 - 1.1. Official rhetoric. The EU has turned out to be disappointed that "provisions in the Barcelona process to combat corruption, promote accountability and transparency and export European norms for human rights protection have not achieved the results for which they hoped".¹⁶ However, such expectations seem to be naïve since the EU famous principle of conditionality works only when "membership" is on the table, and even in this case not equally successfully. When prospect of the EU membership is not offered by the EU and in turn sought by its partner (as in the case of Russia or the countries of the southern Arab Mediterranean and the Middle East), the chances of exporting European norms and values are very slight. In my view, this was quite apparent for the EU, and thus its pressures and demand for democratization (political conditionality) have been very soft and limited, and emphasis on economic reforms and benefits (economic conditionality) has been given more prominence.
 - 1.2. A sceptical (even cynical) approach suggests that the promotion of democracy in this region has never been the ultimate goal of the EU. While insisting on talks on human rights and democracy, the EU first of all wants to curb migration; however, they offer quite scarce and limited financial resources. On the contrary, the region is interested in more substantial financial aid, facilitation of the visa regime (and, by extension, access to the EU services market), and non-interference in its domestic affairs. Thus, the aims of the EU are in fact absolutely the opposite of those of the countries of the region. However, it is fair to say that these contradictions were partly recognised by the European Commission, which in 2005 recommended the negotiation of comprehensive free-trade-in-services agreements between the EU and the Mediterranean partner states in addition to the existing free-trade-in-goods projects.¹⁷
2. Since **Israel**, **Palestine** and **Lebanon** are under the European Neighbourhood Policy, its overall success is damaged by the lack of progress towards Arab-Israeli peace.
3. Since the European Neighbourhood Policy has embraced "East" (Moldova, Ukraine, Georgia, Armenia, Azerbaijan) and "South" (Morocco, Algeria, Lybia, Egypt, Israel, Palestine, Lebanon, Syria and Jordan) , there has been even less space for an effective policy in the Middle East than under the framework of the Barcelona Process. Aside from the EU Commission, which has been trying to save face and pledging the success of the 'single roof' for the EU's 'ring of friends', others (Secretariat of the Council, member states, many analysts) strongly criticize this mechanism for lumping

¹⁶ Rosemary Hollis, Op. cit., p.320.

¹⁷ European Commission, Tenth Anniversary of the Euro-Mediterranean Partnership: a Work Programme to Meet the Challenges of the Next Five Years, Communication from the Commission to the Council and the European Parliament, Brussels, April 2005 //

http://ec.europa.eu/comm/external_relations/euromed/barcelona_10/docs/10th_comm_en.pdf

together different countries in the ENP, and to some extent “diluting the failure of the Middle East process in an ambiguous initiative”.

4. In all cases, the EU is not the only player in **Iran, Iraq, Arab-Israeli Peace process**, and it is difficult to distinguish the EU's successes or failures from the entire process of negotiation and conflicts resolution where others (notably the USA, Russia, China, UN) also play a role. Thus, even the low profile of the EU must be considered within the broader framework of the complex interplay in this region.
5. The EU's weak performance can also be explained by the complexity of domestic affairs in these countries.

Tendencies in the EU's external policies and their implications for transatlantic relations

While talking about perspectives of the EU's foreign policies in the Middle East, three components must be distinguished:

1. Further aid, assistance and preferential trade and service agreements (outlined in the association agreements, and the Action Plans for Israel and Palestine, and in prospect – with Lebanon) in return for sound reforms and sustainable development. This is supervised by the European Commission, and it is unlikely there will be radical changes in this work.
2. Progress in building an effective and coherent EU **Common Foreign and Security Policy**. Since CFSP is a prerogative of the member states (intergovernmental process in the Council), much will depend on their goals and preferences. In a long term perspective, one can expect a formation of different country- or region-oriented groups, which will stimulate the EU's external policy towards a particular country (e.g. “Ukrainian group”) or a region (the Middle East). In this case, calls for a more active EU role as an intermediary in the Middle East may be fulfilled, and this could produce further tensions with the USA inasmuch as their approaches differ, at least towards the Israel-Palestinian peace process and the Iranian problem. From a short term perspective, there may be attempts to divide the “south” and “east” vectors of the ENP, if not formally then at least by giving much preference and attention to one direction. In this respect, there is much speculation at the moment about the priorities of forthcoming German presidency of the EU (first half of 2007). According to some information, leaked to the press, Germany will aim at making the EU's foreign policy to the east (Russia, Ukraine, Belarus etc.) its top priority. Such an agenda is likely to be supported by the new EU member states of Central and Eastern Europe, which have much greater interests and expertise in this region than in Northern Africa or the Middle East. In this case, the EU's profile in the Middle East may be further represented by the personal diplomacy of Javier Solana and a few individual EU states. Thus, the EU's role and contribution may be quite unclear and vague.
3. Although a **European Security and Defence Policy** (the EU's collective civilian and military crisis-management capabilities) is impossible without a strong and coherent CFSP, the practice of recent years has shown that the ESDP (with 16 missions launched in different parts of the world) was a more successful story

than a truly common foreign policy of the EU. However, it is quite clear that the EU is unlikely at an early date to launch its own military missions for crisis management and peace-making in the “hot phase” of any crisis in the Middle East and without consultations with other core players. (Separate French and Italian contributions to the UN mission in Lebanon has confirmed this fact.) As far as other capabilities available under the ESDP are concerned (preventive measures, peace-keeping, border monitoring, rule of law and police missions), they could, on the one hand, be attractive for the USA, given its limited resources and overstretching in the Middle East. On the other hand, if these missions are of military nature or civilian-military character, and are launched without involving the “Berlin plus” mechanism (providing EU access to NATO assets and capabilities), such a practice (already tested during the *Artemis* mission in the DRC) could cause further tensions in transatlantic relations. For many, the “Berlin plus” agreement is even now more of a symbolic than a practical, working mechanism.