EUROPEAN UNION'S FAILURE TO TACKLE CRISIS SITUATIONS

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Abstract:*For more than four decades, EU has risen to the point that it became an important global actor. Being the world's largest economy has made it possible. But despite its economic power, EU seems to be unable to be a strong political actor in the tri-continent region. The fact that EU does not want to assume a role as a hard power is not the only reason. There are other factors that need to be taken into account. The problem lies in the heart of the institutional framework. Recently, EU has failed to become a major regional lieder in more than one occasion: Libya, Syria and Ukraine, are the perfect examples. EU hasa hard time to react in a promptly matter to external crisis situations, and this is because the foreign policy of the Union depends on the external policies of the member states, altogether. So in order to react, EU needs to have all the members to agree. Interguvernamentalism is a failed policy in this matter. Having failed to find a proper response, one that would count, EU has basically just managed to impose economic sanctions in all 3 separate occasions, a solution that did not managed to resolve the problem. Instead, the inability to react more promptly, EU has opened the door for the most important member states to take matter into their own hands: France in Libya, Germany, Poland and again France in Ukraine, and that only shows that the Union as a whole is just not ready to take it to the next level in the region. This will probably not happen until EU foreign affairs will not be run almost entirely by the European Commission.*

Keywords:*European Union, foreign policy, Ukraine, interguvernamentalism, institutional framework.*

The European Union needs to be pro-active and forward looking if it wants to live in a peaceful neighborhood. This is in fact rather mandatory. EU has a history of involvement in crisis or conflict situations whether we are talking about the Balkans in the 90s or in Aceh, Indonesia.[1] We can also mention situations that are rather recent, such as Syria, Libya or Ukraine. There is a thin line between success and failure in managing crisis situations. Since there are no guideline for obtaining the best results, EU has to improvise each time according to the specific situations. European Union's ability to cope under stress situations lies in the heart of its unique foreign policy institution. For more than for decades, EU has risen to the

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[1] Nicu Popescu, *EU Foreign Policyand Post-Soviet Conflicts – Stealth intervention,* Editura Routledge, Londra, 2011, p. xii

point that it became an important global actor. Becoming the world's largest economy[2] has made it possible. But despite its economic power, EU seems to be unable to be a strong (or stronger) political actor in the tricontinent region. The fact that EU does not want to assume a role as a hard power is not the only reason. There are other factors that need to be taken into account. The problem lies in the heart of its institutional framework, more precisely the fact that EU foreign policy relies on interguvernamentalism. Because of this, all the states have to agree upon any major foreign policy action, and it hasn't been that easy.

The measures that are at the EUs disposal are designed mainly to prevent crisis situations and offer mediation for conflict resolution. Direct military actions are off the table since the EU does not use hard power tools. EU was not created to act as a hard power, so the means at its disposal are limited in this sense. Also there aren't any real reasons for a transformation in this direction, even if there are voices that call for this. The former High Representative, Catharine Ashton suggested that Should elevate its status to becoming ahard power.[3] While there are certain valid arguments for this, it is neither the time nor the place for this, so the subject of transforming the EU towards a more involved actor on the regional scale was set aside. This does not mean that the EU cannot be a strong actor in the region. It is, but disregarding the official pro-European propaganda, we can see that the Union in its current state is not able to be the strong regional actor that it can.

There are too many voices in Europe today that have to agree upon taking action. Transforming Europe's responsibilities into action is often too difficult. Today it is only too often that the member states have too many divergent views on what is good for the EU. In fact, the common good is often present only in official speeches. If the member states are not able to achieve more in terms of firm unified positions, the EU will not appear as a credible and reliable partner. The members of the EU have not been as good as they should have been in tackling issues that present common challenges to them. As it is well known, in the early phases of European political cooperation, governments were reluctant to share or give away any of their sovereignty in terms of foreign policy. There are several examples of those early difficulties. We saw much of it as it came to dealings with the breakup of Yugoslavia. More recently, we have seen it in the context of the campaigns in Iraq and – to a lesser degree – in Afghanistan. For a number of years, part of the problem has been an institutional one. Today, the situation has changed. The rather fragile machinery for cooperation in foreign and security policy has been strengthened as the Lisbon Treaty entered into force in December 2009. Now

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[2] http://europa.eu/about-eu/facts-figures/economy/index_en.htm, accesat în data de 16.05.2015
[3] http://eu-un.europa.eu/articles/en/article_11814_en.htm, accesat în data de 16.05.2015

the European Union has proper instruments for the conduct of a common foreign and security policy. It will have even fewer excuses not to act in the future. Of course, it may be unrealistic to expect that the members of the union would always find common positions. However, these new institutional arrangements should be that spring board towards a real European political union which will be capable of giving a larger contribution to the resolution of the major issues of our time.[4]

All these being said, even if the institutional problem has been resolved, the decision making process based on the unanimity of the member states remains unchanged and it may cause similar problems in the future. We see it better today, when Greece plays a tricky game by not wanting to prolong sanctions against Russian Federation. While qualified majority vote is in order in case of immediate danger, the unanimity vote makes it harder and slower to counteract crisis situations in the region. After the Lisbon Treaty it should have been easier, but it doesn't appear that too much has changed. Being a strong regional key player needs onething: the ability to act fast and efficiently. The fact that the EU does not use military troops to be deployed tosolve a regional crisis is and will be amajor difficulty in resolving the situations. Diplomacy is the big gun of EUs foreign policy and I have to admit that it is better sometimes to use words instead of guns. But not always. Syria is probably the best example of what you can't achieve with diplomacy. After the World War Two, the western civilization was built on one idea: never again. While this was the foundation that has brought peace in Europe, the problem lies outside of the EU borders. Here, it appears that never again˛ tends to repeats itself quite often: the genocides in the former Republic of Yugoslavia, the civil war in Syria, or the war in Ukraine are a good remainder of this.

To better understand where the EU has failed, we need to see first off all the design that makes the European foreign policy work. European External Action Service has among other attributions, the ability to address crisis situations. But what is the definition of crisis management? It is often used very loosely and interchangeably with other phrases such as peace building, peace making and peace keeping as well as crisis response, conflict resolution and conflict prevention.[5] Narrowly defined approaches view crisis management as one of many other approaches to realizing and maintaining security. Crisis management in this regard deals with situations, when preventive measures have already proved insufficient. In contrast to conflict prevention, crisis management is perceived more short-term and

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[4] Nicu Popescu, *op. cit.*, pp. xii-xiii,
[5] Svenja Post - *Toward a Whole-of- Europe Approach Organizing the European Union's and Member States' Comprehensive Crisis Management,* Editura Springer VS, 2014, p. 64

contingency-oriented. Crisis management instruments may entail a more direct use of military and negatively perceived means such as sanctions, embargoes or the freezing of relations. It contains crisis assessment, crisis response and post-conflict peace building. In this understanding crisis management is conceptually very different from any preventive action and involves immediate efforts to manage tensions that have reached a high level of confrontation and violence. In other words, narrowly defined crisis management can only exist if a conflict has reached a violent stage. More broadly defined, crisis management in the international arena is taken to refer to any attempt by third parties to resolve crisis and prevent further escalation of conflict.[6]

The EU has acknowledged that conflict poses risks for its own objectives. Therefore, it is deeply committed to conflict prevention, and, in consequence, the use of civilian crisis management tools. Addressing the root causes of conflicts is regarded as essential from EU perspective. … The ability to use civilian and military crisis management instruments can be claimed to be the "specific characteristic of the EU's approach to conflicts". Theoretically, the Union has both, a wide variety of civilian crisis management means such as political, diplomatic, economic, and police instruments as well as military means at its disposal[7]

Despite the large number of diplomats and departments under the EEAS that are involved in active crisis management, European integration has probably been the most successful exercise in conflict resolution in history. It started with the integration of the coal and steel industries of Germany, France, Italy, Belgium, the Netherlands and Luxembourg in the early 1950s, and later became an economically integrated community of states, which has constituted the basis of a peaceful Europe for more than half a century. The driving forces behind European integration were economic, but the objectives were predominantly political. As integration advanced and the potential for conflicts in Western Europe faded, the European Union's concern with conflicts gradually externalized. The EU's concern was increasingly with non- EU conflicts which could affect its security. After the end of the Cold War, the EU was dragged into efforts to prevent, manage and resolve potential and existing conflicts in Central and Eastern Europe and the Balkans. With eastern enlargement effectively accomplished and the EU's common foreign and security policy developing apace, the EU has been playing an increasingly active role in conflict management worldwide[8].

The EU's institutional complexities created significant problems of political

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[6]*Ibidem,* p. 66
[7]*Ibidem,* p. 164
[8] Nicu Popescu, *op. cit.,* p. 25

coordination, external representation, as well as it generated an ambiguous division of competencies and inter- institutional rivalries. At the highest political level the EU had two senior foreign policy figures: The High Representative for CFSP and a Commissioner for External Relations. In addition, rotating presidencies of the Council changing every six months also had the mandate to represent the EU abroad and set the foreign policy agenda. And all these actors were supposed to represent the EU worldwide and contribute to the development of a common foreign policy often leading to a certain cacophony.[9]

The Lisbon Treaty aimed to move the EU further into security issues, particularly those relating to countering terrorism. The Treaty makes a provision for a common defense response if any EU member is subject to a terrorist attack or natural disaster. It also incorporates changes to the institutional framework. Significantly, a High Representative of the Union's Common Foreign and Security Policy is created by the treaty, and the person in charge is serving as a Vice-President of the Union, reflecting the seriousness with which external relations are now taken. Similarly, the Commission and the High Representative can submit joint proposals on external action – thus bringing together the economic and military sectors. The Treaty also created the EEAS which acts as the diplomatic corps of the EU and which is made up of seconded staff from the member states, the Commission, and the General Secretariat of the Council. This is an important move which centralizes foreign policy activity within Brussels. The most important institutions within CFSP and European Security and Defense Policy are the foreign and defense ministries of the member states. Within these institutions policy initiatives are formulated and agreements struck on whether to accept Common Positions and Joint Actions. Neither the Commission nor the High Representative has demonstrated the ability to act in the same way as a domestic ministry. For example, there have been doubts about the quality of internal security in the Commission, which leaked information potentially endangering the safety of officials in the field, something that is particularly sensitive in counter-terrorism operations.[10]

The European Union (EU) was awarded the Nobel Peace Prize in 2012. In announcing the award in Oslo, the Nobel Committee President, Mr Thorbjoern Jagland, said the Committee wanted to direct public attention towards the EU's work over the past six decades in advancing ''peace and reconciliation, democracy and human rights. ''In its formal announcement, the Committee mentioned the success of successive enlargements of the EU

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[9]*Ibidem,* p. 29
[10] Robert Dover, „From CFSP to ESDP: the EU's Foreign Security, and Defence Policies",în Michelle Cini, *European Union Politics,* ediţia a III-a, Editura Oxford University Press, 2010, p. 251

over the decades — extending towards Southern Europe, Eastern Europe and, most recently, the Balkans. Linking Europe more closely together economically and politically has contributed greatly to the spread of peace, democracy and stability across the continent.[11]

Europe appears that it doesn'twant to take the chance in order to protect its foundingideas outside its borders, in situationsthat are quite close to its borders. In the case of Yugoslavia the excusewas thatthere were no institutions strong enough to interfere, although the head of theEuropean Community declared at thebeginning of the crisis that it willintervene because, and I quote: „It is the hour of Europe, not of the United States".[12] What happened in the last 3 major crisis situations, Libya, Syria and Ukraine shows best UEs inability to act promptly in its vicinity. Syria maybe in the Middle East, but it is a neighbor of Turkey, a long time potential accession candidate, and this poses a major threat. United Nations Security Council was unable to put an end to the civil war, the United States refused to go to war again in the Middle East, andwe all see the results today. If stopped years ago, the civil war may have not resulted in the forming of the Islamic State which poses major threat on the security of the EU member states. The sanctions imposed by the EU had no outcome.

I think that economic sanctions tend to be futile, take for example North Korea, which managed to pursue its nuclear ambitions under strict sanctions. Libya, though not a direct neighbor of the Union poses a major threat, and a strong regional act or should react. EU used only diplomacy to promote democracy, but on an individual level, France reacted promptly and became the self-proclaimed leader of Taint-Gadhafi coalition. Other member states joined along side NATO forces, but not all the EU countries joined which shows us just how difficult is for the EU to have a prompt and unanimously reaction to a regional crisis. The current institutional framework and foreign policy of the EU are not able to respond in this kind of situations. Lastly, the situation in Ukraine shows just how bad EU responds to crisis situations. At a diplomatic level, EU acted in its normal routine of condemning the clashes in Kiev and asking president Ianukovici to respect democratic principles. No harm done so far, but it was not the time nor the place for the UE institutions to interfere, even if at a diplomatic level, with a country's sovereignty. The fact that the massive demonstrations had a pro-European stance, gave the EU the motive to interfere furthermore after the government of Ukraine decided not to pursue the signing of the Association Agreement. It claimed, and I

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[11]Ronald L. Holzhacker, Paul Luif (ed), *Freedom, Security and Justice in the European Union – Internal and External Dimensions of Increased Cooperation after the Lisbon Treaty,* Editura Springer, New-York, 2014, p. 1

[12]http://www.theguardian.com/commentisfree/2009/mar/27/eu-economy, accesat în data de 17.05.2015

quote: „The EU took note of the unprecedented public support in Ukraine for political association and economic integration with EU". Even if that would have been true, it is unwise and even undemocratic to assert this. For an institution that praises democracy like the EU, to goover the powers of a legitimate parliament and government like those of Ukraine, shows the double standards ofthe Union. EU should have abstained. But what it did next was even worse. Instead having a common policy towards Ukraine, UE stood by while 3 of its member states decided to mediate the conflict that the UE fueled by trying to get Ukraine to sign the Association Agreement and supporting the massive protests. Even if the people in the streets of Kiev had the right to be heard, they were in no way representative for the entire country, and the EU or any other member states should not have interfered there. Germany, France (that tries to find its imperial glory) and surprisingly Poland, decided to form a troika and help with the negotiations. The result was similar to the negotiations between Chamberlain and Hitler. While the 3 European powers where still under the influence of their apparent success, Ianukovici fled, and chaos broke loose. EU doesn't have the experience yet to be a strong regional actor. Its recent failures are eloquent. The main reasons for this are the common foreign policy and the individual actions taken by some member states on occasions that would require an EU intervention. As long as interguvernamentalism remains the basis of the EU foreign policy, EU will not be able to function in a proper way in regards to regional crisis situations. There is also a bright side the foreign policy of the EU. The Union uses, with a high degree of success a stick and carrot approach, and the example of Kosovo is the best on how EU can settle the problems in the Balkans. As long as Serbia wants to join the EU it has to comply with the fact that it has to recognize the state of Kosovo and take actions in order to have anormal relation with the authorities from Pristina. But this approach seems useless outside the eastern border in Ukraine, Moldavia, Georgia or Armenia. EU should focus its attention on the Balkans first, and give up for now its ambitions regarding the eastern partnership because Russia will certainly refuse to lose its influence in this region, and it has and will make use of its military force to retain the eastern countries in its sphere.

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