

# The European Union and the Mediterranean Area: Dealing with Conflicts, Tensions and Resets

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Long gone are the days when the European Union set itself a foreign policy ambition for the entire Mediterranean Basin, as in the November 1995 Barcelona Conference. Since then, the September 11, 2001 attacks, the Lisbon Treaty and the Arab revolutions have gone by and have drastically changed Europe's policy outlook in the region. This multiplication of conflicts and tensions was matched only recently by a rise in the EU's diplomatic involvement and, for wider motives, by a debate on increased military and border/coast guard capabilities.

In addition, major developments have occurred in the area – such as migration, refugees and human trafficking – while actors such as Russia, the US and Turkey have also drastically reset their posture in recent years and months.

Overall, the EU is better equipped today than it was a few years ago, but the changing dynamics in the Mediterranean region and among key actors in the region will require faster and deeper changes in EU policies and methods if it wants to influence the course of history in this crucial neighbouring region.

This article first looks at the two major regional conflicts, then deals with some of the wider issues on which the EU has limited influence and the changes to the international environment affecting the Mediterranean. Finally, the article briefly assesses what future EU policies could aim at.

## A Limited EU Role in Active Conflicts

There are many tensions around the Mediterranean Basin but two active conflicts dominate the battle against the organization of the Islamic state (ISIL): Syria-Iraq and Libya. In addition, the protracted Syrian civil war has led to one of the major political, humanitarian and moral crises in modern times' foreign relations, with major spillover effects in Europe. In both cases, the EU's involvement consists primarily of bilateral actions. Several Member States are directly involved with military forces:<sup>1</sup> France, the United Kingdom, Germany, Belgium, Denmark, and the Netherlands in Syria-Iraq; at least France and the United Kingdom in Libya. Most of their involvement consists of air force assets with either reconnaissance, refuelling or combat aircraft, as well as training operations. Even fewer EU Member States have special forces on the ground, probably only France and the United Kingdom in both cases.<sup>2</sup>

On the diplomatic front, the EU – especially through the High Representative and the European External Action Service – is exerting efforts to influence the debate through a combination of diplomacy and financial support.

*Syria: Finding a New Positive Role through the Reaffirmation of Its Own Principles*

Diplomatic activities until now have not produced much progress in stopping the bloodshed in Syria. The successive Geneva conferences under the aegis of the United Nations, the Astana talks under the leadership of Russia with Iran and Turkey, and vari-

<sup>1</sup> US CENTRAL COMMAND: [www.centcom.mil/AREA-OF-RESPONSIBILITY/CENTCOM-COALITION/](http://www.centcom.mil/AREA-OF-RESPONSIBILITY/CENTCOM-COALITION/)

<sup>2</sup> Libya: Leaked tapes suggest West supports Haftar, [www.aljazeera.com/news/2016/07/leaked-tapes-expose-western-support-libyan-general-160708182646443.html](http://www.aljazeera.com/news/2016/07/leaked-tapes-expose-western-support-libyan-general-160708182646443.html)

ous other contacts have produced multiple statements, but no actual progress on the political front and only limited ceasefires because of weak control and incentive mechanisms. The main game changer occurred in September 2015 with Russia's military intervention in western Syria, which achieved a triple objective: rescuing the fledgling Assad army; establishing a permanent air base in the Middle East; and making its own imprint on the way the international order is discussed and reshaped.

By convening a Syria conference on 5 April 2017 in Brussels, High Representative Federica Mogherini sought to put diplomacy and the EU back on the map. The conference achieved three results:<sup>3</sup> it illustrated the EU's convening capacity; it demonstrated a reciprocal willingness of the EU and the UN (Secretary General Antonio Guterres attended) to work together; and it put down in a joint declaration a number of principles for future action.

Five main principles stand out in the conference's declaration. On the humanitarian aspects of the Syrian conflict, international support and the need to guarantee access to refugees in need were reaffirmed, and the link between humanitarian considerations and a political settlement was stressed; the need to educate the young generations among the refugee population was also highlighted; the need to ensure the protection of refugees was reaffirmed; reconstruction needs were identified and the prerequisite of a political process was underlined; finally, the need for a process of reconciliation and transitional justice was clearly mentioned.

Given the immense divergences regarding the way forward between the EU and Western countries on the one hand and Russia and the Assad regime on the other, neither the Brussels conference, nor the enumeration of these principles will solve the Syrian conflict. Yet, a demonstration was made by the central foreign policy institution of the European Union about the need to proceed with negotiations on the basis of principles. In that sense, the EU was true to its founding principles and its own historical memory.

In addition, the High Representative's initiative to convene this conference, after years of individual initiatives by some EU Member States, re-focused the

diplomatic work on the central role given to EU institutions in the Lisbon Treaty in 2009.

### *Libya: Supporting the Political Reconstruction of a Divided Country*

Diplomatic activities in Libya are essentially driven by the UN system, while the EU plays a supporting role. The situation is particularly complex given the existence of two rival governments in Tripoli and Benghazi. Here too, the EU is basing its policy on well-established principles, such as the Libyan ownership of the political process and the need for an inclusive dialogue and settlement.

On the thorny issue of migration through Libya, the EU has an obvious need to nurture an effective policy based on a few critical elements: capacity building of the Libyan authorities; respect of the rights of and humanitarian support to migrants present in Libya; and implementation of a voluntary return policy. None of these migratory issues are new in Libya: the EU has been discussing them with Tripoli since 2004 with uneven success given the magnitude and sophistication of the trafficking networks. The issue is primarily one of government control over these traffickers, and therefore one of capacity, corruption and rule of law. Bad habits inherited from the time of the Gaddafi regime are still at play, even more so now with a weakened state security apparatus.

Be it in Syria or in Libya, the EU's limited role can be explained by the current state of integration between EU countries on foreign and defence policies. The state of play can even be described as an EU foreign policy architecture still being tested after the adoption of the Lisbon Treaty some nine years ago. The foreign policy role of EU institutions is still being tested.<sup>4</sup>

Yet, the dual paradox illustrated by the two major conflicts on the Mediterranean is clear: a) no single EU Member State, however powerful, has the capacity of nurturing and imposing a given policy to other Member States – hence the crucial role of central EU institutions – and b) any sensible EU policy in this type of situation will inevitably be a combination of diplomacy, humanitarian assistance, reconstruction, and technical assistance in various fields (ad-

<sup>3</sup> *Supporting the future of Syria and the region: co-chairs declaration*, [www.consilium.europa.eu/en/press/press-releases/2017/04/05-syria-conference-co-chairs-declaration/](http://www.consilium.europa.eu/en/press/press-releases/2017/04/05-syria-conference-co-chairs-declaration/)

<sup>4</sup> VIMONT, Pierre. *The Path to an Upgraded EU Foreign Policy*, Carnegie Brussels, 2017 <http://carnegieeurope.eu/2015/06/30/path-to-upgraded-eu-foreign-policy-pub-60527>

ministration, border control, elections, transitional justice), a complex task which the combined work of EEAS and the Commission delivers best.

## Be it in Syria or in Libya, the EU's limited role can be explained by the current state of integration between EU countries on foreign and defence policies

The EU will benefit from more demonstrations of its collective capacity. This should be done under a strong lead of the EEAS and the Commission, with the aim of producing fast-tracked analyses and policy proposals and responding in real time to crisis situations that have a profound impact on the Union. This assumes that the European Council of Heads of State and Government is willing to trust again the High Representative and the Commission.

### *The EU is Directly Affected by Situations in Which It Has No Real Role or Leverage*

In the Mediterranean area, the past few years have been dominated by momentous events such as the Arab revolutions, a phenomenon which outpaced diplomacies worldwide and resulted in differentiated, as yet unresolved situations. In the more recent periods, two situations stand out as examples of developments in which, for various reasons, the EU has so far had no decisive leverage, but is directly exposed to their fallout: one is migrations and refugees; the other is the domestic developments in Turkey. In both cases, if the EU cannot find ways to quickly adjust its pre-existing policies, a further degradation of the situation will have the potential of more destabilization within the EU itself. These are situations where, above and beyond the application of EU principles and norms, diplomatic action should incorporate more than ever before the defence of the EU's own interests. Clearly, the European citizens' reactions since the 2015 surge in migrations and the 2016 failed coup d'état in Turkey point in that direction.

## *Migrations and Refugees*

This is a case in point: in 2015 and 2016, the EU witnessed a massive surge in asylum requests and arrivals by migrants from Syria, Afghanistan, Iraq, Pakistan, Eritrea, Iran, Nigeria and Somalia, among other countries. Vast criminal networks specializing in human trafficking have been and remain at work. Such networks have operated in the Mediterranean area for at least three decades, but they have reached a degree of sophistication that often outpaces the reactive capabilities of state institutions. In particular, the crisis of 2015 revealed how efficient their use of social media and telecommunications have been in directing, or even attracting, the huge reservoir of would-be migrants who they consider as their "market." The FRONTEX Risk Analysis Reports for 2016 and 2015 are particularly telling.<sup>5</sup>

The huge economic impact of these sudden waves of migration has been felt on both the Aegean track (Syria-Turkey-Greece-Western Balkans) and on the central Mediterranean track (Sub-Saharan Africa, Libya, Italy). EUROPOL estimated the turnover generated by migrant smuggling to and within the EU at around € 5-6 billion for 2015.<sup>6</sup>

Much like in other illicit activities (drugs, for example), such amounts dwarf the income that any licit activity would bring and therefore trigger vast changes in the normal course of business (sales of rubber dinghies, life vests, clothes, food, land transport services, temporary land accommodation) and elicit corruption and disruption of state controls.

Entire regions are affected by these movements: Jordan, Lebanon, Turkey as first recipients; Italy and Greece as countries of first EU arrival; Western Balkans as countries of transit to the EU; Croatia, Slovenia, Austria, Hungary as EU countries of transit toward Germany. The impact on local host communities is huge.

Given the intrinsic difficulty to reach a consensus on asylum and migration within the EU and to apply the principle of internal EU solidarity to the refugee situation, two main initiatives were taken.

One is the need to reinforce the EU's border and coast guard capabilities. Work has started and produced some initial results (Rapid Reaction Pool, ini-

<sup>5</sup> FRONTEX, *Risk Analysis for 2016*, 2016 [http://frontex.europa.eu/assets/Publications/Risk\\_Analysis/Annula\\_Risk\\_Analysis\\_2016.pdf](http://frontex.europa.eu/assets/Publications/Risk_Analysis/Annula_Risk_Analysis_2016.pdf) and *Annual Risk Analysis 2015*, 2015 [http://frontex.europa.eu/assets/Publications/Risk\\_Analysis/Annual\\_Risk\\_Analysis\\_2015.pdf](http://frontex.europa.eu/assets/Publications/Risk_Analysis/Annual_Risk_Analysis_2015.pdf)

<sup>6</sup> EUROPOL, *Migrant smuggling in the EU*, February 2016, [www.europol.europa.eu/publications-documents/migrant-smuggling-in-eu](http://www.europol.europa.eu/publications-documents/migrant-smuggling-in-eu)

tial steps to transform FRONTEX into a European Border and Coast Guard Agency)<sup>7</sup> but much remains to be done.

Another initiative was the agreement with Turkey on Syrian refugees. Despite its initial political flaws (the deal is contravening the EU's own directive on the application of the Geneva Convention on refugees, and was denounced as immoral) and the absence of an efficient return mechanism, the purely humanitarian aspects work very efficiently, at unprecedented speed (despite claims to the contrary by some Turkish politicians) and it also benefits the host communities whose social and educational infrastructure has been under stress. The political issue will now be whether the Turkish agreement becomes a "model" for relations between the EU and transit countries (e.g. Libya, Niger) or countries of origin.

**Vast criminal networks specializing in human trafficking have operated in the Mediterranean area for at least three decades, but they have reached a degree of sophistication that often outpaces the reactive capabilities of state institutions**

Beyond tackling the emergency situations, the EU faces two major hurdles in this domain. One is the need to improve the application of the Geneva Refugee Convention and other elements of humanitarian law in countries where the burden is heavy (Jordan, Lebanon, Turkey) and in countries where the state is failing (Libya).

Equally important is the need to tackle the international criminal networks who have established themselves as genuine "rivals" to states everywhere in the Mediterranean region and beyond. The strong involvement of international criminal networks in human trafficking across the Mediterranean has become a major new feature in the problems confronting the European Union in the region. This is true both in situations of conflict (Syria) or in situations where

economic motives predominate (such as with Sub-Saharan migrants). These networks, whose financial capacities and speed of operation often surpasses what international diplomacy and individual states (especially in the Sub-Saharan region) can do, represent a massive challenge, not so much because they are something new, but primarily due to the huge size and outreach of their operations. The features of these networks are well documented (cf. the EUROPOL report) but enhanced international cooperation is a must. This is a field in which there is ample room for improvement.

#### *Domestic Evolution in Turkey*

Turkey is linked in many ways to the EU, especially in economic terms via the Customs Union, and has long held the ambition of forging a political alliance through accession to the EU. The negative developments and instability witnessed in Turkey ever since the Gezi protests in June 2013, therefore, affect the EU, not only because of trade, investment or tourism, but also because a joint ambition (even if challenged by some EU members) has now become a distant prospect, this time because of Turkey's own orientation toward an autocratic political system.

The degradation of the rule of law has been so vast, especially since the failed coup of July 2016, that the country, by the very choices of its leaders, no longer meets the political criteria for accession.

A political alliance between Turkey and the EU (i.e. accession) will therefore remain impossible if the constitutional reform desired by the Turkish leadership (i.e. an autocratic system with no checks and balances) is implemented. On the other hand, a complete break-up has not been specifically invoked by the EU side (the EP has requested the suspension of accession negotiations, but this is not a compulsory decision) while the Turkish leadership has invoked the possibility of a referendum on EU accession (therefore hinting at a break-up) and repeatedly hinted at joining the Shanghai Cooperation organization. As a result, the realistic way forward in the short and medium term lies in a priority set of actions of mutual interest. For the EU, the issue is now one of political leverage on Turkey's own governance.

<sup>7</sup> EUROPEAN COMMISSION. *Securing Europe's External Borders a European Border and Coast Guard*, June 2017 [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20170613\\_ebcg\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-security/20170613_ebcg_en.pdf)

Apart from the domestic evolution in Turkey, the Turkish leadership has also shown a propensity to bring its own fights onto EU territory. For example, the Turkish government wanted to conduct political rallies in Germany, the Netherlands and other EU countries, taking advantage of the EU's freedom of expression environment to promote an illiberal new constitution, at a time when campaigning within Turkey was largely denied to opposition forces (some of them jailed, with a state of emergency in force and unequal access to state-controlled media).

When EU governments opposed such political rallies, it resulted in acrimonious comments directed at EU leaders ("Nazis", "gas chambers") which left behind extremely negative feelings across Europe. Similarly, Turkey's decision to prevent Bundestag deputies from visiting German troops involved in the anti-ISIL coalition out of a Turkish base has further escalated the tensions. Similar actions against German and French journalists belong to the same category.

These developments illustrate that, because of the large Turkish diaspora in Europe and because the EU's values and governance system still represent a beacon of hope for many Turks, the EU is not immune from the sharp degradation of rule of law in Turkey and from the aggressive stance of its leadership. This new reality is very far from the spirit of a strategic alliance and the EU will have to adjust its policies accordingly. Such an aggressive posture from a third country (for reasons pertaining to its internal situation) feed tensions within the EU countries' political system, with the clear danger of fueling xenophobic and populist tendencies. At this point, it becomes an internal EU problem.

### The EU Also Faces Vast Changes in the International Environment

The interaction between the EU and states in the Mediterranean Basin is not happening in a vacuum. There are historical transformations at work in the region which are very largely independent of the EU's political intentions and means.

The first is undoubtedly the **Arab revolutions** as a regional phenomenon: when they erupted in Decem-

ber 2010-January 2011, the EU was caught by surprise at the very time it was putting in place the new diplomatic architecture resulting from the Lisbon Treaty (a High Representative, a European External Action Service, new forms of diplomatic coordination in countries in the region). This in itself left only a narrow margin of manoeuvre for the EU.

In addition, the self-engineered Arab revolutions themselves developed in many different directions: Tunisia took the direction of deep structural reforms and patient consensus building in a difficult political context; Morocco and Jordan chose to conduct more modest reforms in order to satisfy the most urgent demands from their citizens; Egypt saw its democratically-elected President overthrown by a military coup in July 2013 and the development of an authoritarian trend; and Syria and Libya fell into a catastrophic cycle of protests and violent repression which resulted in a de facto partition of both countries and are facing a very protracted path toward peace and reconciliation.

As a result, the EU, which was previously equipped to deal primarily with these countries on the basis of a regional policy (same principles, same type of agreements, same type of financial support and trade instruments), found itself hard put to answer very different situations born out of civilian uprisings and often violent armed situations, if not outright war crimes and crimes against humanity. The principled EU policy for the region found itself often ill-equipped to deal with these diverse situations. Only in Tunisia, because of the consensus-based approach typical of the country, does the EU seem to have the means of conducting a substantive dialogue and delivering strong economic and democratic support.

The second major factor is the **new Russian policy**.<sup>8</sup> Russia intervened in Syria as of September 2015 to simultaneously rescue a collapsing allied regime, establish permanent forward military bases in the Middle East and fill a political vacuum created during the Obama Administration, and finally make a bigger imprint on the world order at the United Nations and through other international negotiations. The first implication of Russia's diplomatic involvement in Syria is its willingness to maximize its control over the negotiations toward a political settlement, in

<sup>8</sup> TRENIN, Dimitri. "Russia in the Middle East: Moscow's Objectives, Priorities, and Policy Drivers," *Task Force White Paper*, Carnegie Moscow Center, April 2016 <http://carnegie.ru/2016/04/05/russia-in-middle-east-moscow-s-objectives-priorities-and-policy-drivers-pub-63244>



particular by conducting its own brand of dialogue (the “Astana Process,” with Iran and Turkey), leaving as little a role as possible to the EU and US. The EU initiative to convene a conference on Syria in April 2017 was a welcome step in that respect.

This diplomatic and military move goes together with a strong energy policy implemented with Turkey and Egypt in order to keep as much control as possible of the EU's external gas supplies, as well as contacts with the Eastern Libya authorities who control most of the country's oil and gas resources. It takes different forms such as the construction of the “Turkish Stream” gas pipeline or the purchase of 30% of the yet unexploited Egyptian underwater gas fields. In addition, the possible sale of S-400 missiles by Russia to Turkey would create an unprecedented situation within NATO. These factors necessarily affect the EU's policies in the region.

As of January 2017, the Trump Administration started implementing a **new US policy**. Policy is perhaps not the most accurate word since, at the time of writing, it is not always very clear what is the real substance and motivation of what is read as “US policy.” For example, the US has decided to side with Saudi Arabia and its allies, with a simultaneously hostile stance against Iran and a confusing one with Qatar. Such abrupt moves are contrary to EU interests. These developments are concomitant with the US President's hostile or cold attitudes vis-à-vis the EU (for the first time ever) and NATO.<sup>9</sup>

Finally, the EU itself has been confronted since June 2016 with a major internal transformation following the **British referendum on Brexit**. While the exit process of the United Kingdom might still take another two or three years to process, the implications on the EU foreign policy outlook are obvious, if only because the Brexit process in itself might create delays, if not a paralysis, in some policies concerning the Mediterranean region.

Confronted with such massive changes and diversified situations, the EU can no longer limit itself to implement region-based policies in its traditional spirit of dialogue and consensus. This typical EU methodology – a replica of its own internal procedures and choices – is not necessarily suited to situations where rule of law has become a remote consideration, dialogue is replaced by weapons, regional cooperation

is now a low priority, and international cooperation habits are increasingly disrupted by abrupt changes.

### Future Trends for EU Policies in the Mediterranean

The evolutions described in this short article show that the EU's policy in the Mediterranean area will have to evolve substantially and swiftly in multiple directions. Some of these evolutions have a much wider rationale than handling conflicts and tensions in the Mediterranean, such as for example enhancing the EU's military capabilities. Other policy areas are more closely linked to the Mediterranean Basin. Here are some examples of how developments in the Mediterranean area should influence EU policies:

- Reinforce the border protection capacities in the region by reaching the objectives set up for the European Border and Coast Guard Agency in October 2016.
- Implement its humanitarian intervention for refugees and migrants as a fully integrated tool in its foreign policy in the region. Strive toward an agreement on an EU migration and asylum policy, including on the crucial issue of legal migration routes.
- Launch an extensive cooperation scheme against international networks involved in trafficking human beings. This should include cooperating with countries of origin and transit and be developed in parallel to an asylum and migration policy.
- Continue to take initiatives aimed at steering the negotiations on the future of Syria in the direction of a sustainable peace accord and political settlement. Involve itself, when the time comes, in the reconstruction of the Syrian State, not just with physical reconstruction or de-mining, but with the rehabilitation of the State's software: local democracy, elections, transition justice, education, civil society development.
- Engage in a political dialogue with Turkey toward an understanding on a) the way to return to an acceptable level of governance in Turkey itself and b) the unacceptability for Turkey's internal politics to affect the EU's own democratic architecture.

<sup>9</sup> BRATTBERG, Erik. *Letter From Washington*, Carnegie Europe, 9 June 2017, <http://carnegieeurope.eu/strategieurope/71197?lang=en>