

For a 'More Active' EU in the Middle East

Transatlantic Relations and the Strategic Implications of Europe's Engagement with Iran, Lebanon and Israel-Palestine

SVEN BISCOP

EGMONT PAPER 13

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Introduction¹

The 2003 *European Security Strategy* (ESS), calls for the EU to be ‘more active’ in pursuing its strategic objectives. The two probably most salient examples of a ‘more active’ EU are to be found in the Middle East.² The ‘EU3’ (France, Germany and the UK) are leading nuclear negotiations with Iran. The EU has taken the lead in reinforcing the UN peacekeeping operation in Lebanon, UNIFIL, as authorized by UNSC Resolution 1701 of 11 August 2006. Over 70% of the enlarged force of 7,600 troops out of 10,800 are provided by the EU27. This engagement clearly fits in with the EU’s interests as defined in the ESS, notably the need ‘to promote a ring of well governed countries [...] on the borders of the Mediterranean with whom we can enjoy close and cooperative relations’, and to avoid ‘a WMD arms race, especially in the Middle East’.

The cases of Iran and Lebanon can be seen as positive examples of an EU that is more united and hence ‘more active’. Yet, they also provoke fundamental strategic questions on the ambitions and potential of EU policy towards the region, and of the EU as a global strategic actor. These are questions which the EU inevitably will be confronted with if it continues its ‘more active’ role in the Middle East.

1. Prof. Dr Sven Biscop is a senior research fellow at Egmont – the Royal Institute for International Relations in Brussels and professor of European security at Ghent University. This paper was commissioned by the Israeli-European Policy Network (IEPN), an initiative of the Friedrich Ebert Foundation. The author thanks all colleagues who participated in the IEPN meetings where the first draft of this paper was presented, as well as Prof. Dr. Rik Coolsaet, Prof. Dr. Michael Brenner and Dr. Sharon Pardo, who kindly reviewed the paper before publication, for their vital comments and suggestions. A number of quotes in the paper refer to interventions by officials at various seminars held under the Chatham House Rule which the author attended, hence their source cannot be revealed.

2. Including Iran obviously stretches the traditional definition of the Middle East, although I will argue that developments on Iran and, for that matter, Afghanistan, are inextricably linked to Lebanon, Israel-Palestine and Iraq. As the ‘greater’, ‘broader’ and ‘wider’ Middle East have all gained some connotation or other, I will opt for ‘the Middle East broadly defined’.

More Active – More Successful?

On the positive side, not only is the EU more active in the Middle East – its role is also recognized and accepted, and to some extent even actively solicited, by the international community.

On the Iranian proliferation issue, which was brought to the fore by revelations in the summer of 2002, the EU is the natural choice to lead negotiations. The US has not only discredited itself in the region after its invasion of Iraq over a similar issue – at least according to the original motivation for its ‘pre-emptive’ strike – but has long cut diplomatic relations with Tehran, leaving it badly equipped for a leading role as negotiator even if it had aspired to it. The EU on the contrary has continued to entertain important – though not always easy – relations with the country. There also is a clear desire, including on the part of those EU Member States that supported the invasion of Iraq and often are still there with troops, to avoid a repetition of that scenario. The EU3 seized the initiative in October 2003 when the three foreign ministers visited Tehran, with the support of Dr. Javier Solana, High Representative for the CFSP, and in coordination with the other Member States.³ They have led the negotiations ever since, until Iran’s referral to the United Nations Security Council (UNSC) in February 2006, when the format de facto changed to ‘P5+1’ (the permanent members plus Germany).

Following the 2006 war in Lebanon, the UN clearly looked to the EU to provide the forces for an enhanced peacekeeping force. The EU has more or less become the UN’s only reservoir of well-trained and well-equipped forces.⁴ If during the war the EU did not always act united, as notably the UK conformed with the US and delayed the call for a cease-fire, now the EU was quick to take up the call from the UN, shocked into action perhaps by the unexpected scale and intensity of the war, and driven by its strong declarations of support for the UN in recent years. In the Political and Security Committee (PSC) the option was sincerely considered to launch an ESDP operation, i.e. with a UN mandate but under EU command. Why indeed not assume command and run the operation under the EU label if EU Member States contribute the bulk of the forces anyway? In the end however – and perhaps not completely to the disappointment of all EU Member States – only the UN framework turned out to be acceptable to all conflict parties, hence the reinforcement of the existing UNIFIL operation rather than a new force. Interestingly, NATO was never an option, because of the con-

3. Walter Posch, ‘The EU and Iran: A Tangled Web of Negotiations’. In: Walter Posch (ed.), *Iranian Challenges*. Chaillot Paper 89. Paris, EU Institute for Security Studies, 2006, p. 103.

4. Nicole Gnesotto, ‘Leçons du Liban’. In: *EUISS Bulletin*, 2006, No. 20, p. 1.

notations it carries in the Middle East – a sound argument for the maintenance of an alternative mechanism to launch operations, i.e. ESDP.

For the EU Member States the decision to contribute to 'UNIFIL-plus' was clearly taken in an EU context. Deliberations on force composition and the force commander took place in the EU institutions, in close coordination with the UN – although EU Member States rejected a Council Secretariat proposal for the EU to act as 'clearing house' managing the national contributions to UNIFIL.⁵ On 25 August 2006 UN Secretary-General Kofi Annan participated in an extraordinary meeting of the EU Council, which 'welcome[d] Member States' intentions to commit a substantial number of troops to be deployed in Lebanon'.⁶ Afterwards the Secretary-General declared his satisfaction with this outcome, stating that 'Europe has lived up to its responsibility'.⁷ In spite of the troops wearing the blue helmet, UNIFIL-plus is thus clearly seen as an EU presence, by all relevant parties, and with all the implications that carries for the EU. The Council conclusions themselves state this clearly: 'The significant overall contribution of the Member States to UNIFIL demonstrates that the *European Union* is living up to its responsibilities. [...] This gives a leadership role for the *Union* in UNIFIL [emphasis added]'.

Naturally, by being more active, the EU has achieved more, but these first achievements are very conditional. Without adequate follow-up, they will quickly evaporate.

Vis-à-vis Iran, the EU's conscious decision to opt for negotiations initially was relatively successful, as in 2004 Iran signed the additional protocol to the NPT and suspended uranium enrichment. The Paris Agreement of 15 November 2004 confirmed that Iran does not seek to acquire nuclear weapons while recognizing its rights under the NPT. If Iran does have military intentions, they will not have progressed much during the suspension. For the EU, to have demonstrated that there is an alternative way of dealing with proliferation as compared to the US reaction to the alleged proliferation threat posed by Iraq, and that it can achieve results in concrete cases, is a success as such. The EU has also been successful to the extent that so far war has been avoided and thus lives have been spared – while the US at some point appeared on the brink of going to war. But whether the EU will be successful in the long run is difficult to predict. With Iran's resumption of uranium conversion in August 2005 and enrichment in January 2006, negotiations broke down, leading eventually to referral to the

5. Nicoletta Pirozzi, 'UN Peacekeeping in Lebanon: Europe's Contribution'. In: *European Security Review*, 2006, No. 30.

6. *Extraordinary EU Council Meeting: Conclusions on Lebanon*. 25 August 2006.

7. *Brussels, Belgium, 25 August 2006 – Secretary-General's Press Conference*.

UNSC, which called for suspension of all enrichment-related activities in Resolution 1696 of 31 July 2006, and finally adopted sanctions in Resolution 1737 of 27 December 2006, which bans the import and export of nuclear material and freezes the assets of ten companies and twelve individuals. In itself the latter step will not lead to a resolution. Renewed diplomatic initiatives are in order to break the deadlock. Otherwise war might yet erupt, with disastrous consequences for the region and the world.

The same precariousness applies to achievements in Lebanon. It certainly is a success that the border with Israel is now being controlled by the Lebanese armed forces rather than the Hezbollah militias. For the EU, its large presence in UNIFIL seems to imply increasing acceptance of a politico-military rather than just an economic role, notably by Israel. Following the earlier acceptance by Israel of an unarmed EU presence on the border between Gaza and Egypt, EU BAM Rafah, the deployment of near to 8,000 troops in Lebanon could signal the EU's evolution from a mere 'payer' to an effective 'player'. Yet, UNIFIL will not disarm Hezbollah – it will demilitarize the border region below the Litani river, above which Hezbollah is likely to regroup. UNIFIL thus basically buys time for a political process that should integrate all actors in a democratic Lebanese polity. Only in such a wider political framework can SSR/DDR⁸ schemes result in the integration of the armed Hezbollah in a united Lebanese army, which seems the only peaceful way of consolidating Lebanese democracy. Secretary-General Annan explicitly confirmed this after his participation in the EU Council: 'I think it is also generally accepted that the disarmament of Hezbollah cannot be done by force. It has to be a political agreement between the Lebanese; there has to be a Lebanese consensus and an agreement among them to disarm'.⁹ Commissioner for External Relations Benita Ferrero-Waldner confirmed the same: 'The disarming of Hezbollah [...] realistically can only be achieved as part of a process of political integration'.¹⁰ As the assassination of several Lebanese leading figures since the deployment of UNIFIL-plus and the ensuing general political turmoil have shown, time is preciously short. An initiative to launch the required political process is urgently needed, or the country might plunge into a new civil war. Without it, the positive light in which UNIFIL is seen today can quickly fade away. As in Afghanistan, if insufficient benefits are seen to be forthcoming, the peacekeepers might easily come to be seen as occupiers, and as proxies for Israel. If civil strife would effectively erupt, UNIFIL would be in a most difficult position.

8. Security sector reform / disarmament, demobilization and reintegration.

9. *Brussels, Belgium, 25 August 2006 – Secretary-General's Press Conference.*

10. Benita Ferrero-Waldner, 'For a Sovereign and Independent Lebanon'. In: *The Wall Street Journal Europe*, 31 August 2006.

One who does not do anything, cannot do anything wrong. By being more active, the EU has shouldered more responsibilities, has generated expectations and pressures, and naturally runs the risk that its actions will fail. If the recent bout of activity is followed by an all too long spell of inactivity, failure is certain, given the precariousness of achievements so far. If follow-up action is undertaken however, the EU will have to answer a number of important outstanding questions, both with regard to its policies towards the region and its overall strategic actorness.

Challenges for the EU and the Middle East

Iran

The short-term objective vis-à-vis Iran is to prevent the country from acquiring a military nuclear capacity and ensuring that any civilian nuclear programmes are put under the complete supervision of the IAEA. The EU has ruled out the use of force, as high-level EU and national officials have indicated on numerous occasions, for reasons of both principle and practice. First of all, there is the ambiguous nature of the case. Iran indisputably has the legal right to develop a civilian nuclear capacity. Because of a lack of compliance with the supervision mechanisms of the IAEA and the NPT, the suspicion has arisen that Iran really has the intention to develop nuclear weapons, which carries the risk of provoking a nuclear arms race in the region, but which in Israel and the US is also perceived as a direct military threat. More than anything else, it is the nature of the regime that generates suspicion – which it must be said the current President of Iran does nothing to alleviate – for several countries have acquired a civilian or even, like India, Pakistan¹¹ and Israel itself, a military nuclear capacity without raising suspicion, at least in Europe or the US. Note however that no positive proof of Iran's intentions is available, although there are strong indications. Many actors in Iran explicitly oppose the acquisition of nuclear weapons – rather than a firm decision to go nuclear, Iran could also just be keeping its options open, including the option of making a deal.¹² In these circumstances, how could force be used, especially after Iraq?

The answer to this question is related to the threat assessment. Is the threat of a nuclear-armed Iran sufficient to warrant military intervention? Apart from the risk of a nuclear domino-effect in the region and the consequent damage to the NPT-regime – which has already been damaged by the US nuclear deal with India – any military threat would mainly be against Iran's neighbouring countries rather than against the EU or the US. However, one should not equate possession of WMD with the intention to use them – if simple possession of WMD would constitute an immediate threat, the door would be opened to military action against any nuclear-armed State by any other State that would like to consider itself threatened. Rather than military victory, by acquiring nuclear

11. In Pakistan, the overthrow of the current government and its replacement by a rather less friendly regime, which would then possess a ready-made nuclear arsenal, is far from an impossible scenario. That does not justify the alleged nuclear intentions of Iran, but it does put them in context.

12. Jean-Yves Haine, 'The European Security Strategy and Threats: Is Europe Secure?'. In: Sven Biscop & Jan Joel Andersson (eds.), *The EU and the European Security Strategy – Forging a Global Europe*. Abingdon, Routledge, 2007, forthcoming.

weapons Iran would seek regional power status. That would indeed be a substantial geopolitical development, but not necessarily sufficient ground to go to war. As Halliday states, 'in essence, we are witnessing a collision between two aspirations for regional hegemony, and for the shaping of the future of the region – that of the US and its allies, especially Israel, and that of Iran'.¹³ The nuclear issue is a symptom of a more fundamental underlying tension, which would continue to be seen as a threat by Israel and the US even if the nuclear dimension would be removed. Furthermore, even assuming that intervention is technically possible and that the capabilities are available – which is rather less than likely – the question remains whether the *potential* results obtained by military action would outdo the negative effects which it would almost *certainly* produce.¹⁴ Any attack would greatly strengthen the regime; people can be expected to rally around the government, stifling the internal reformist dynamics. There would be great risk of an all-out war with Iran, which directly and indirectly could easily retaliate against American and European targets in Iraq and Lebanon. The image of a clash between Islam and the West would be reinforced, furthering radicalization worldwide, provoking still more terror, and destabilizing the wider region. And simply, many people on all sides would get killed. Posen therefore argues that *if* diplomatic means, the preferred option, would fail to produce a solution, containment and deterrence is preferable to military intervention.¹⁵

As the use of force is not an option for the EU, it has recourse to diplomacy. The question can be put whether this can be successful if not backed up by a credible threat of force, as the 'classic' theory of coercive diplomacy has it. It has also been argued however that emphasizing even the threat of force only serves to reinforce the position of President Ahmadinejad and his hard-line supporters and to draw public opinion together against 'the West', which is easily portrayed as seeking to prevent Iran from exercising its legal right to develop a civilian nuclear capacity. The same can be said about sanctions. It has been argued that in the long term the most effective way of promoting reform would actually be to end 'all forms of economic and cultural embargo' and promote the international exchanges that many people and actors seek but the regime fears,¹⁶ although in the short term sanctions may reinforce the internal debate in Iran and strengthen the position of the President's opponents. Nevertheless, as stated above, in itself Resolution 1737 will not lead to a solution. As much was admit-

13. Fred Halliday, 'Iran's Regional and Strategic Interests'. In: Walter Posch (ed.), *op.cit.*, p. 60.

14. On the military option, see Sam Gardiner, *The End of the 'Summer of Diplomacy': Assessing US Military Options on Iran*. New York, The Century Foundation, 2006.

15. Barry Posen, *A Nuclear-Armed Iran: A Difficult but not Impossible Policy Problem*. New York, The Century Foundation, 2006.

16. Bernard Hourcade, 'Iran's Internal Security Challenges'. In: Walter Posch (ed.), *op.cit.*, p. 56.

ted in a 'reflection paper' for the EU Council prepared by Dr. Solana, stating that 'the problems with Iran will not be resolved through economic sanctions alone'.¹⁷ The adoption of sanctions rather reflects the deadlock in the negotiations and reduces the flexibility of the negotiation process, reason why due in fact to the EU the IAEA did not refer the case to the UNSC until 2006 while it could have done so in September 2005. Iran itself set in motion the train leading to sanctions by its August 2005 decision to resume uranium conversion. Once that happened, events acquired a momentum of their own and referral to the UNSC and sanctions became almost inevitable. Posch sees this as a panic reaction by Iran provoked by a perception of loss of control of the process and the fear that suspension of enrichment during the negotiations might create a fait accompli and produce indefinite postponement.¹⁸ Sauer adds that Iran had expected a package deal on transfer of nuclear technology, trade and cooperation, and security to result within months, while the EU expected negotiations to last one or two years.¹⁹ The EU reacted by moving towards the US position and sanctions. The conclusion must be that there is a vital lack of confidence between the parties, which both caused and was reinforced by the breakdown of negotiations, and perhaps insufficient understanding of each other's logic.

That does not mean that there is no further room for negotiations, which are very much necessary if the deadlock is to be broken. It should not be forgotten that for a while in 2004-5 the EU did succeed in having Iran suspend enrichment. Skilful negotiations can continue to play on the fact that Iran is not a monolith, but contains several competing centres of authority. This is, in the words of a European negotiator, 'the Iran that we know and love – with divisions between different power bases that all check up on each other'.²⁰ The new chairman of the Senate intelligence committee, John D. Rockefeller, heavily criticized the US administration for its lack of knowledge of these internal dynamics of Iran.²¹ For President Ahmadinejad the nuclear issue also is an instrument in the domestic political power game and a way of diverting attention from pressing internal problems. The bad performance of Ahmadinejad's supporters in the December 2006 local elections demonstrates that public opinion is not behind the hardliners. Consequently, there still is room for manoeuvre. Of course, even

17. Mohamed El Baradei, head of the IAEA, equally stated that 'sanctions are an important tool, but sanctions alone will not solve the issue'. 'EU Sanctions Cannot Stop Iran Bomb, Memo Says'. In: *EU Observer*, 13 February 2007.

18. Walter Posch, 'The EU and Iran: A Tangled Web of Negotiations'. In: Walter Posch (ed.), *op.cit.*, p. 113.

19. Tom Sauer, *Coercive Diplomacy by the EU: The Case of Iran*. Discussion Papers in Diplomacy. The Hague, Clingendael, 2007.

20. Quoted in Mark Leonard, *Can EU Diplomacy Stop Iran's Nuclear Programme?* London, Centre for European Reform, 2005, p. 10.

21. 'Leading Senator Assails Bush over Iran Stance'. *The New York Times*, 20 January 2007.

Ahmadinejad's critics mostly share the objective of acquiring a civilian nuclear capacity. That is why the proverbial carrot remains crucial, more so than the stick. It is hard to imagine a settlement which would leave Iran without a civilian nuclear capacity – as it is hard to imagine a settlement without concrete and verifiable safeguards. In the negotiations, the EU has offered a substantial carrot, emphasizing its 'readiness to support the development of a safe, economically viable and proliferation proof civilian nuclear programme in Iran in the context of objective guarantees provided by Iran'.²² Without that carrot, negotiations are meaningless, but as the 2005 breakdown shows, it is insufficient in itself if there is not enough trust between the parties.

As trust has to be gradually rebuilt, the process of negotiations will be a very drawn-out one. Although sight should not be lost of the objectives, the process is therefore important in itself, as a necessary confidence-building measure. Yet herein lies another difficulty, because the preferred method as well as the threat assessment of the EU on the one hand and the US and Israel on the other hand are substantially different. While negotiations can not go on indefinitely, it is easy to see that as long as there is potential for progress, the EU will be more patient. The risk is that either Israel or the US will not be so patient and opt for the use of force anyhow, the negative side-effects of which will equally hit the EU. It is in the EU's interest therefore to resume negotiations quickly.

The chances for success of negotiations would greatly increase if the US would also engage with Iran, without preconditions for starting talks as such – any measures taken by Iran should rather be the result of talks. Ultimately, US engagement is indispensable, for if the underlying issue is indeed the Iranian and American quest for regional hegemony, the compromise that has to be worked out must include the wider regional dimension and both Washington and Tehran must be party to it, as must the other Gulf States. A US security guarantee to Iran would be at the heart of such an arrangement,²³ in order to dispel the fear that the US really seeks regime change in Tehran. The question can even be asked whether the EU and the US, even if they joined up, have the means to forge such a regional settlement – EU-US concert might turn out to be a necessary but not sufficient condition for success. In any case it can be argued that re-establishing normal relations with the US is what really interests Iran.²⁴ The BBC

22. *Statement by the United Kingdom on behalf of the European Union at the IAEA Board of Governors*, 9 August 2005.

23. Flynt Leverett, *Dealing with Tehran: Assessing US Diplomatic Options toward Iran*. New York, The Century Foundation, 2006.

24. Again, Leonard expresses things most vividly: '[...] one European negotiator has compared the talks with Iran to a cocktail party, where the person you are talking to continually looks over your shoulder to catch the eye of someone more important. That VIP is the United States'. Mark Leonard, *op.cit.*, p. 19.

revealed e.g. that shortly after the invasion of Iraq in 2003 Iran through Swiss diplomatic channels had proposed to end support to Hezbollah and Hamas in return for the US ending its hostility; although favourably received by the State Department, the offer was apparently rejected by the White House.²⁵ President Ahmadinejad's letter to President Bush of 8 May 2006 did not meet with any response either. Even though these apparent Iranian overtures must be seen with a healthy scepticism, they are worth pursuing, for ultimately such schemes could lead to the 'golden' carrot: 'normalization' of Iran's position in the international community, a prospect that actually was hinted at in the Paris Agreement's reference to 'a mutually acceptable agreement on long-term arrangements'.²⁶ Indeed, had this been pursued in 2003, when US standing in the region appeared to be at its height, a much more advantageous deal might already have been negotiated.²⁷

Lebanon

That the armed Hezbollah no longer are on the Lebanese-Israeli border is a positive achievement, which reduces the risk of conflict. But as stated above, the presence of an enlarged UNIFIL does not by itself guarantee domestic stability in Lebanon, which is equally important for lasting stability in the region. Neither does the pledging of economic and financial support at the Paris conference of 25 January 2007, where the EU and its Member States contributed more than 40% of total aid pledged, nor the adoption of the Action Plan for Lebanon in the framework of the European Neighbourhood Policy. Rather, the deployment has created an opportunity to launch a *political* process that should lead to a consolidation of peace and democracy, which the economic support should accompany. UNIFIL-plus has bought some time – but preciously little.

With its troops on the ground, the EU cannot afford to wait and see, but must actively facilitate the internal political dialogue in Lebanon. The question is whether the EU has the leverage to put this process in motion, in view of the evident linkages with outside actors and developments in the broader region, notably Syria and Iran. Once again, it is clear that chances for success will be higher if the US also engages with Syria and Iran. In any case, the EU, having assumed responsibility by deploying the troops, which it has thus put at risk, should now also shoulder the responsibility to at least try and launch the proc-

25. 'Washington Snubbed Iran Offer'. BBC News, 18 January 2007, <http://newsvote.bbc.co.uk>.

26. Walter Posch, 'The EU and Iran: A Tangled Web of Negotiations'. In: Walter Posch (ed.), *op.cit.*, p. 105.

27. Flynt Leverett, *op.cit.*

ess, or the window of opportunity will be closed. One of the first steps should be the development of a policy on Syria, to replace what a Commission official described as the current 'non-policy of non-engagement', a practice which is not based on any Council decision. Individually some Member States are already seeking contact, but their uncoordinated action has simply put Syria in a strong position, even to the point where it has made thinly veiled threats against UNIFIL.

Israel-Palestine

For the EU, the Israeli-Palestinian conflict remains the key to peace and security in the region, as the ESS clearly states: 'Resolution of the Arab/Israeli conflict is a strategic priority for Europe. Without this, there will be little chance of dealing with other problems in the Middle East'. Initiatives on Iran and Lebanon should logically be accompanied by an initiative on Israel-Palestine. Here too, time is pressing, in view of the internal political deadlock between Hamas and Fatah and the intra-Palestinian violence that has flared up at the end of 2006. Like Lebanon, the Palestinian Authority runs the risk of collapse.

The EU has put itself in a difficult position however, by breaking off official relations with the Palestinian government after the Hamas election victory of January 2006, apparently under US pressure, possibly in return for the US subscribing to the negotiated approach towards Iran. The Hamas government played into the hands of those favouring breaking off relations by refusing to condemn suicide attacks. This decision contrasts sharply with established EU policy, which has always been that a lot more influence can be had by dialogue rather than designating rogue States with whom one does not talk, even if like in the case of Hamas part of their programme is not acceptable. Although Hamas is on the EU list of terrorist organizations, pragmatism should have prevailed. Why after all refuse to speak with Hamas on the ground that it does not recognize Israel, while simultaneously negotiating with Iran, the President of which has declared he would like to see Israel destroyed?

Arguably, cutting relations has been counter-productive. By condemning the results of what probably are the fairest elections in any Arab country, the EU has severely undermined the legitimacy of its democratization project. Furthermore, by immediately breaking off relations, demanding changes in policy, the EU has left the initiative to resume the relationship with the other party and has thus made itself dependent on the most radical elements within Hamas. If alternatively the EU would have continued to work with the Palestinian government, it could potentially have strengthened the more moderate wing of Hamas, which

is focussing on the domestic governance of Palestine rather than on the confrontation with Israel and is therefore very interested in continued EU support.²⁸ It can safely be argued that Hamas did not win the elections because it was more anti-Israeli than its competitors, but because of its social-economic programme, which had gained credibility thanks to the network of social services that Hamas and affiliated organizations have built in the territories, and, simply, because Fatah, with its record of corruption and ineffectiveness, lost the elections. If the EU is now unforgiving vis-à-vis Hamas, in the past it has perhaps been too soft on conditionality.

In the absence of any other initiative, in early February 2007 an agreement between Hamas and Fatah to form a government of national unity was forged in Saudi Arabia. The EU must now resume relations with the Palestinian government and start to talk with Hamas. In Palestine and indeed in the region at large, the EU cannot afford not to have a dialogue with political Islam. Given its prominence in politics and in civil society, political Islam must be recognized, perhaps not as a partner but at least as an indispensable actor.

Of course, such a policy can only work if the Israeli government adopts a constructive attitude as well and refrains from disproportionate use of force and further infringements on Palestinian authority, such as holding back tax revenues and building settlements. Incursions into the UNIFIL-zone, such as overflights and the incident in which a German ship was fired at, can also be seen as a lack of constructiveness and pose the question of whether and how the EU – and European forces in UNIFIL – should react. As usual, there are positive as well as negative indications. The openings made by Prime Minister Olmert around Christmas 2006 e.g., announcing a reduction of roadblocks within the Palestinian territories and having a dialogue with President Abbas, created hope, but can just as easily be undone by extremists from either side. The EU can build on such openings however to work with the Israeli as with the Palestinian government.

28. The author thanks Dr. Claire Spencer for pointing out this argument.

Challenges for the EU as a Global Strategic Actor

The remaining challenges notwithstanding, the current commitment of the EU in the Middle East is proof of its growing international actorness. At the same time, it highlights a number of broader strategic challenges which the EU will have to confront if it continues its development into a fully-fledged global actor. Three of the vital challenges are related to the use of force, the CFSP machinery, and relations with strategic partners.

In the EU view, the use of force can only be used as an instrument of last resort and, in principle, with a UNSC mandate, hence the preference for negotiations to settle the Iranian nuclear problem. By attempting to address the political, social and economic root causes of instability and conflict, the ESS aims at preventing the need to revert to force in the first place. Inevitably however, there will be cases when it will come to the ultimate stage, when the choice is between inaction and forceful action; the Rwandan genocide is a case in point. Given Europe's rejection of the Clausewitzian use of force, as just another instrument to further policy, the most likely scenario in which the use of force will be considered is indeed that of the 'responsibility to protect' (R2P). This principle, which was endorsed at the UN Millennium+5 Summit in September 2005, implies that if a State is unable or unwilling to protect its own population, or is itself the perpetrator of genocide, ethnic cleansing, war crimes or crimes against humanity, national sovereignty must give way to a responsibility to protect on the part of the international community. In such cases, the UNSC must mandate intervention, if necessary by military means, which per definition implies high-intensity operations.

The question is whether EU Member States are willing to consider the use of force in an ESDP framework when necessary, i.e. when the US are not willing to join in an intervention or when NATO is less suitable for reasons attached to the organization itself, such as its negative image in the Middle East. Even though most Member States do put their forces in harm's way in national, NATO or coalitions-of-the-willing operations, and although legally the Petersberg Tasks²⁹ as defined in the Treaty on European Union include operations at the high end of the spectrum of violence, politically the Member States are still extremely divided over the EU's level of ambition in this field. As Member States rest divided, in crisis situations the EU-level is more often than not out of the loop.

29. The Petersberg Tasks are the EU equivalent of NATO's non-Article 5 operations and basically cover everything but collective territorial defence: humanitarian and rescue operations, peacekeeping, and peace enforcement or crisis management.

Consequently, even though the EU has proven that it can mount high-risk operations if the political will is present, most EU-led operations are of lower intensity and often of smaller scale. The still very young ESDP needs a number of successes to legitimize itself, hence the tendency to select operations with a large chance of success. To some extent therefore the criticism is justified that the EU takes on important but mostly 'easy' operations, in the post-conflict phase, in reaction to the settlement of a conflict – a criticism which can of course be applied to the international community as a whole. All of this contributes to a lack of credibility of the EU as a security actor, notably in the Middle East.

There are, sadly, too many conflicts and crises for the EU to deal effectively with all of them, certainly in a leading role. Prioritisation is inevitable. Two criteria could determine when and where the EU must lead, or make a substantial contribution to, diplomatic and military intervention, up to and including the use of force if necessary and mandated by the UNSC. This intervention must be proactive – the EU should be a true peacemaker. On the one hand, if anywhere in the world the threshold to activate the R2P-mechanism is reached, the EU, in view of its support for the principle, should muster the courage to contribute to its implementation. On the other hand, the EU must also contribute to the resolution of conflicts and crises that are of real strategic importance for Europe or, as the EU is a global actor, for the world. This would certainly include the Balkans, the Middle East and the Gulf, but a debate seems in order to further clarify these strategic interests. What would be Europe's role in case of conflict in North Korea, or in the Caucasus, or if vital energy supplies would be cut off?

With regard to the CFSP institutions, the leading role played by the EU3 in the negotiations with Iran at times led to criticism from other Member States, who felt left in the dark on important aspects.³⁰ The EU is still feeling its way in this new field of action and with an enlarged Council. The November 2006 Spanish-French-Italian peace plan for Israel-Palestine is a different example of an informal 'contact group' within the EU. Its motivation was explained by Spanish Prime Minister José Zapatero in terms of the necessity to follow up on the commitment in Lebanon: 'This initiative is France, Spain and Italy exercising their responsibility – almost their duty – as three Mediterranean powers with forces now in Lebanon'.³¹ But this initiative died an early death, demonstrating perhaps that informal 'contact groups' can play a useful role in the preparatory phase of policy-making, but should then take matters to the Council before going public. All too often still Member States are tempted to play the national card. Member States differ e.g. on how to pursue the established EU consensus

30. 'EU Members Want More Openness from Solana on Iran'. In: *EU Observer*, 2 September 2006.

31. *France, Spain, Italy Propose Middle East Peace Plan*. Reuters, 16 November 2006.

on the two-state solution. In the view of a Commission official, when things are looking bad Member States are happy to leave the initiative to the High Representative and the Special Envoy for the Middle East, but as soon as there is a ray of hope each government is eager to launch its own peace initiative, which at best meets with a routine reception from local actors accustomed to a flow of high-level visits. Are institutionalized mechanisms needed to deal with such scenarios, e.g. via 'contact groups'? Or would the EU Foreign Minister and European External Action Service as provided for in the draft Constitutional Treaty be the answer? In any case, EU engagement in the Middle East once again firmly demonstrates that the Member States can only hope to influence the course of events if they act as one. Individual initiatives, like French President Jacques Chirac's attempt in January 2007 to send Foreign Minister Philippe Douste-Blazy to Iran to negotiate on Lebanon, are bound to fail.

As a matter of principle, the EU operates via the collective security system of the UN. The UNSC is regarded as the 'ultimate arbiter in the case of non-compliance', as the EU Strategy on WMD words it. This approach requires the Permanent 5 to at least adopt a non-obstructive, if not a cooperative attitude. The UN collective security system can only work if all permanent members actively subscribe to it and refrain from paralyzing or bypassing the Security Council. Conditionality can only work if it is not undermined by actors that disregard human rights and other considerations in their international relations. The same holds true for the use of sanctions. 'Strategic partnership' with Russia and China is thus essential. The case of Iran is an excellent example. If Russia and China have been more constructive than had perhaps been expected – and arguably this united front impresses Iran more than a threat of force – it is still far from being a stable partnership. The sanctions adopted by the UNSC e.g. were considerably watered down under Russian and Chinese pressure. How to give more substance to existing partnerships is therefore another major challenge for the EU.

The Number One Challenge: A Transatlantic Strategic Bargain

The EU's most important strategic partner is of course the US. Forging European unity by ending the paralyzing internal divide over the nature of this partnership is the single most important challenge for the EU as a global actor.

In spite of its long history, the transatlantic partnership is currently in flux.³² The EU and the US share basic values and, mostly, overall objectives, but often differ considerably on the approach to achieve those objectives. More and more, their strategic views are diverging, as is proven by the fact that even the EU Member States that supported the invasion of Iraq opted for an alternative course of action vis-à-vis Iran. A simple comparison between the ESS and the US *National Security Strategy* (NSS) in its 2002 and 2006 editions highlights this strategic divergence. Even though it devotes more space to democracy, human rights and trade, the NSS instrumentalizes these dimensions of foreign policy in function of the single overall objective of the 'Global War on Terror'. It puts great emphasis on the use of the military instrument, including, if necessary, 'pre-emptively' or even preventively, 'before [the threats] are fully formed', as stated in the covering letter to the 2002 NSS. The US pictures itself as the pillar of a unipolar world, reserving the right to act unilaterally and via ad hoc coalitions, and operating via the UN only when it is in its interest. The ESS on the contrary advocates a holistic approach that seeks to integrate all instruments, from aid and trade to diplomacy and the military, into a structural policy of prevention and stabilization, operating through partnerships and rule-based, 'effective multilateralism'. Clearly the EU and the US view the world differently. In the words of a European diplomat: for the US, the world is dangerous – for the EU, the world is complex. This divergence was of course pushed to the extreme over the invasion of Iraq, but as this analysis of strategic documents shows, it goes beyond that specific issue. For the greater part therefore, it is likely to be structural.

At the same time, the EU and the US need each other to make their policies work and must therefore find an arrangement that allows their partnership to regain effectiveness. This holds true especially for the Middle East, even though European and American strategies differ substantially. For the EU, the Israeli-Palestinian conflict remains the key – although this does not guarantee that the EU will at all times actively pursue its resolution. As many Europeans warned on the eve of the invasion of Iraq, no domino-effect of democratization would fol-

32. Sven Biscop, *NATO, ESDP and the Riga Summit: No Transformation without Re-equilibration*, Egmont Paper No. 11. Brussels, Royal Institute for International Relations, 2006.

low from toppling the regime of Saddam Hussein, because significant steps towards a resolution of the Israeli-Palestinian conflict are a necessary prerequisite for acquiring the legitimacy without which the promotion of reform does not stand any chance of success. This continues to be the case, as the invasion of Iraq and subsequent events have delegitimized 'the West' even further. Ending the conflict will not provide a magical solution to all of the region's problems, but it will break the current deadlock and thus create great potential for a new dynamic. For one, existing regimes will no longer be able to abuse the conflict as an excuse for ignoring internal challenges. And of course making an end to this eternal conflict is a highly commendable objective in its own right. For the US however, the conflict is much less of a central issue, even more so after the invasion of Iraq than before, as the ongoing war has come to dominate its Middle Eastern policy, to the detriment of other concerns – including that other ongoing operation, in Afghanistan.³³ The US continues to steer a much more confrontational course, refusing direct engagement with actors such as Syria and Iran.

But in spite of all these differences, the EU and the US need each other's cooperation, because all of the issues in the Middle East are inextricably intertwined.

The EU, first, needs to engage with Syria and Iran in order to build a stable polity in Lebanon that integrates Hezbollah. Certainly any initiative would carry a lot more weight if it could be undertaken jointly with the US. Second, this is even truer with regard to the central issue – for the EU – of Israel-Palestine. Past experience shows that only a concerted EU-US initiative has any hope of success in furthering the peace process, as each has leverage on one of the parties to the conflict. In this regard too, the involvement of Syria and Iran is vital. Third, with regard to the Iranian nuclear issue, the initially reluctant US subscribed to the EU-led negotiated approach, perhaps more out of necessity than out of conviction. Washington could regard the adoption of sanctions after these negotiations broke down as a shift towards its position, but in fact a renewed diplomatic initiative is the only way out of the deadlock. Here certainly US engagement is indispensable, as it is indeed more generally given Iranian and American involvement in *all* of the region's security issues.³⁴

The US itself needs to engage with Iran, and with the other neighbouring States of Iraq, in order to help stabilizing that country and contain violence within its borders, regardless of whether US troops are withdrawn or not. As a conse-

33. In the words of a Democratic Congressman: 'We got our eyes off the ball – we were diverted by Iraq, while the Taleban are on the rise in Afghanistan'.

34. On the regional dimension, see Robert Lowe & Claire Spencer (eds.), *Iran, its Neighbours and the Regional Crises*. London, Chatham House, 2006.

quence of its focus on Iraq, the US requires a major increase of European engagement in Afghanistan, in terms of police and civilian deployments and financial assistance as well as troops, to strengthen the weak governance structures and to allow the US to continue to concentrate its efforts on Iraq. In February 2007 the Council agreed on the deployment of an ESDP police mission. An increased European presence only make senses though, and should therefore only be agreed to by the EU, if the EU and the US agree on the long-term strategy for Afghanistan, and if propitious circumstances are created in the wider region. For what use is it to pour money and forces in Afghanistan if the region around it collapses? As long as the war in Iraq continues to fester, radicalization will rise and the number of acts of violence will grow – in Afghanistan, in the other countries of the Middle East, and in Europe itself. Finally therefore, the EU needs the US to find a way out for/of Iraq as much as the US itself.

Currently all of these issues are to a great extent dealt with as separate strands, by different groups of actors at different levels of coordination, even though in reality all the strands are intertwined and all the actors are mutually dependent. Ideally, what is needed is a grand strategic bargain on the overall strategy for the Middle East between the EU and the US. In due term, a new 'grand' conference on the Middle East could result, involving all regional parties including Turkey and the Gulf States, but first specific and pragmatic EU-US initiatives should be taken vis-à-vis all relevant parties. On 17 January 2007 Secretary Condoleezza Rice returned from a tour of the region just as Javier Solana left for his tour of the capitals – evidently, much more coordination is needed. The question is whether Brussels and Washington can find sufficient common ground and the will to compromise.

Conclusion and Recommendations

The EU has come a long way in a very short time. But it is not a mature strategic actor yet – as the cases of Iran, Lebanon and Israel-Palestine show, certain doctrines and instruments have to be further developed. In the EU's neighbourhood, comprising the Middle East, the Caucasus and extending to the Gulf, many of the most important challenges for the world as a whole are situated. Furthermore, developments in this region are inter-related: policies on Iran, Lebanon and Israel-Palestine are not only mutually dependent, but the room for manoeuvre is also determined by developments in Iraq and Afghanistan. In dealing with its own region, the EU must effectively become a global power. That indeed requires the EU to be 'more active', as called for in the ESS. But if following the Lebanon crisis there appeared to be a new dynamic in the EU concerning the region, including the Israeli-Palestinian conflict, that quickly faded away. At the December 2006 European Council, the EU returned to the habitual declaration, 'calling for', 'urging' and 'inviting', but without announcing any initiative. With regard to Iran too, stalemate seems to have set in. It is first of all up to the EU itself therefore to resume the leadership role that it voluntarily assumed before when sending near to 8,000 European blue helmets to Lebanon and leading negotiations on the nuclear issue with Iran.

Any such initiative would be greatly strengthened if it could be taken jointly with the US. In Washington just as in Brussels the latest signs do not lend themselves to hope however. Even before its release in December 2006, the long-awaited Baker-Hamilton report on Iraq was downplayed by the White House as just one report among others. In spite of its call to engage with Syria and Iran, the main thrust of the 'new' strategy for Iraq announced by President Bush in January 2007 was augmenting the number of American forces, while surprisingly threatening language was used vis-à-vis Damascus and Tehran.³⁵ At the end of February the US did agree to participate in a conference called by the Iraqi government at which Iran and Syria would also be represented. But simultaneously with this potential diplomatic opening rumours about a pending military strike continue to fly in Washington. The US has taken action on Israel-Palestine, but its idea of financing a build-up of President Abbas' security forces could only fuel the intra-Palestinian violence – and left the field free for Saudi Arabia to take the initiative and forge the required Fatah-Hamas agreement on a government of national unity. Further a field, the US supports the invasion of Somalia by Ethiopian forces in order to restore the Interim Government against the so-called Islamic Courts, deemed to be linked with al-Qaeda.

35. 'Transcript of President Bush's Address to the Nation on US Policy in Iraq'. In: *The New York Times*, 11 January 2007.

US persistence in a Manichean worldview leaves little room for the grand bargain with the EU that ideally would be forged. Clearly, the EU objectives to stabilize the Middle East according to its own principles and priorities and to maintain good relations with the US at the same time have for now become irreconcilable. Yet, the EU cannot afford not to act on the Middle East. As a consequence of its engagement with Iran, Lebanon and Israel-Palestine, the EU has assumed responsibilities, has created expectations and has put its reputation and its troops at risk. Without follow-up, failure is certain. The cliché image of a powerless EU will once again be confirmed. Without action in support of its own strategy, the EU will suffer by association with the confrontational US strategy.

Since an a priori EU-US grand bargain is not possible, there is but one choice left: the EU must resume the initiative, even if for a while that implies more difficult relations with the US – in that way only are innovative policies possible. If EU initiatives create progress, the US can be brought on board in a later stage – just as happened on Iran in the beginning.

Components of this EU initiative must be:

- Actively facilitating and mediating domestic political dialogue in Lebanon – with its troops on the spot, the EU cannot afford to wait and see.
- Forging a common policy on dialogue with Syria, vital to the stability of Lebanon.
- Resuming dialogue with Iran, starting from earlier ‘carrots’ and planning it as a first step towards a broader regional settlement and eventually normalization of Iran’s international position, including its relations with the US – for that appears to be what Tehran is really interested in.
- Resume relations with the Palestinian government and start dialogue with Hamas.
- Refraining from building up further the EU commitment in Afghanistan without a thorough review of the long-term strategy vis-à-vis the country and without a transatlantic consensus on strategy for the broader region, for Afghanistan cannot be seen in isolation.
- Stepping up consultation with the US keeping it fully informed of EU actions.

Hopefully such EU initiative will create sufficient initial progress and thus potential for larger success to *persuade* the US of the need to support it – before the collapse of US policy will *force* it to change course.

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