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The EU's Foreign Policy In Syria

Is a coherent common foreign and security policy possible?

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THE EU'S FOREIGN POLICY IN SYRIA

Is a coherent common foreign and security policy possible?

CONTENTS

CHAPTER 1 - Introduction

When looking at the present critical situation in Syria, one cannot help but acknowledge the obstacles that the European Union has been encountering while trying to develop a coherent uniform foreign policy. On the one hand, these obstacles are intrinsic to the progression of the Syrian civil war since 2011, namely the escalation of violence, the multiplication of actors opposing the regime, some of which are external combatants interfering in the battlefield, and the regime's indiscriminate use of chemical weapons against its own population. On the other hand, various obstacles stem from characteristics inherent to the nature of the EU's Common Foreign Security Policy (CFSP), to the configuration of Euro-Mediterranean relations and to the difficulties the EU encounters while attempting to find a common standing point between the quite diverse strategic positions held by each Member State singularly.

By analysing both approaches to these obstacles, from the European and the Syrian point of view, the aim set out in this research is to try an answer the question, is the EU capable of constructing an independent and coherent foreign policy and security strategy in Syria? In the attempt to give an answer to this question I will examine different aspects, institutions and decision-making processes that are crucial to understanding the context in which relations between the EU and Syria have been and may be constructed.

The first chapter concentrates on the novelties of the European CFSP since its latest restructuring. The ratification of the Lisbon Treaty in 2009, brought some important changes to the foreign and security policy of the EU in the attempt to improve its functioning and to build a more coherent diplomatic and security strategy. These changes are principally of general provision, institutional and decision-making nature. The novelties comprise the modification of two important figures: the President of the Council, who assumes a permanent post replacing the rotating one to favour continuity and which is largely considered as a chairmanship, and the role of the High Representative of Foreign Affairs and Security Policy, who assumes also the role of Vice President of the Commission in the attempt to bridge the institutional divide between the two foreign policy institutions, namely the Council and the Commission. .

Moreover, the Lisbon Treaty further envisages the transformation of the European Security and Defence Policy (ESDP) into the Common Foreign and Security Defence Policy (CFSP). Not only was the European Defence Agency (EDA), which had been created in 2004, placed within this new framework, but also new mechanisms were included such as Permanent Structured Cooperation (PESCO) which prioritised the implementation of pooling and sharing of defence capabilities and encourages member states to engage in procedures coordinating their military capacity in various ways. The transformations under the Lisbon Treaty also include the creation of an innovative institution, the European External Action Service (EEAS), which constitutes a newly independent diplomatic service for the European Union and supports the EU foreign affairs chief, High Representative Ashton, in forging a common foreign and security policy (EEAS, 2013). The controversial role occupied since its creation by Catherine Ashton was characterised by increased and enlarged scope of responsibilities that has given rise to many criticisms for its lack of efficient and coherent action (Lehne, February 2013). Thus, the current EEAS setup still presents some structural weaknesses, which are trying to be dealt with and overcome through further reform, as noted in the 2013 official review. The new EU defence system, the CFDP, is also still in its embryonic phase, as it continues to depend greatly on NATO forces. A greater coordination between the two is essential. Finally, if EU Member States want to occupy a decisive role they must combine efforts, pool resources and empower strong common institutions (Lehne, Why Is It So Hard to Develop an Effective EU, May 2013).

The second chapter looks into the specific evolution of the EU's relations with the Southern Mediterranean region. The latter have also been subject to significant change since the recognition of the importance of creating stable and enduring economic, political and security relations, which gave life to the Euro-Mediterranean Partnership in 1995. Since then further progress has been sough, creating a complementary mechanism which would deal with each European neighbouring state on a bilateral and more "functional" basis, namely the European Neighbourhood Policy that was set up in the 2004 "European Neighbourhood Strategy Paper." Thus, the EU struggled to find the right balance of principles and priorities to obtain the desired result of increased cohesion and stability in the region. In 2007-2008 a new proposal for a Union for the Mediterranean was set forth by French President Sarkozy that replaced the Euro-

Mediterranean Partnership but that however was impeded from being implemented due to the beginning of the revolutionary movements in North Africa and the Middle East. What is more, further improvement of the functionality of EU neighbourhood cooperation was attempted within the Lisbon Treaty framework, representing an important turning point for the ENP as it fulfilled a strategic review of the latter and granted it legal status. Finally, in the light of the events that have been largely referred to as the "Arab Spring," the EU has witnessed a radical transformation of its Southern neighbourhood due to the popular protests and consequent uprisings that have taken many forms, from North Africa through the Middle East. In particular some new paradigms came to characterise the region, namely the necessity of a different economic model than the neo-liberalist one, fragmentation of society, the domination of a political Islam, the rise of Nationalism and increasing regional polarisation between Sunni and Shi'a movements (Behr, 2012). These elements consequently transformed also the EU's relations with the area and they must be taken into consideration when developing further relations in the Southern Mediterranean.

The third chapter examines the Foreign Policy of Syria during the al-Assad regime and the first developments of EU-Syrian relations. As will be analysed, the EU's relations with Syria had been complicated from the outset under Hafiz al-Assad. When the protests started in 2011 the only official agreement that had been ratified was the Cooperation Agreement of 1977 established within the framework of the European Economic Community (EEC) and thus characterised by predominant economic and trade features. Syrian foreign policy under the Al-Assad regime was principally connected to obtaining two regional goals: affirming a legitimate nationalist Arab sovereignty and defeating Israel to regain the lost territories of the Golan Heights also with the intent of reaffirming Syria's role as the "beating heart of Arabism" in the region (Goodarzi, January 2013). Moreover, the fulfilment of these two objectives tended to overshadow Syria's domestic policy development, in favour of its foreign policy aims, and political liberalisation was thus not a priority as proven by the establishment of the state of emergency since the 1980s. The foreign policy decision-making process was characterised by the dominant role of the President that ultimately made all final calls, aided by the strong presence of military and security services, the *muktabarat*, extremely infiltrated into all levels of society and notorious for their cruel

and illegal methods of interrogation. With the nomination of Bashar al-Assad as President after the death of his father Hafiz in 2000, domestically some internal economic liberalisations were initiated, while externally the US had started to become an increasingly hostile regional presence, also as a consequence of the events of September 11th 2001. Consequentially, a strategic opening of the Syrian regime to the creation of further relations with Europe started to take place, in the hope of obtaining European support capable of counterbalancing the regional power struggle. However, domestic reform was short-lived and co-operation with the EU seemed not to be able to get past the economic sphere. Moreover, after years of negotiation an Association Agreement was finally signed in 2004 but never ratified.

The last chapter deals with the latest developments of EU-Syrian relations, in particular in the light of the most recent events of August-September 2013. The advent of the Syrian uprising in 2011 and the civil war which followed put an end to the developments reached in the EU-Syrian relationship as restrictions and sanctions were posed by the former on the latter. This principally entailed an embargo on arms and equipment that could be used for internal repression, and targeted sanctions comprehending a travel ban and asset freezing against those responsible for or associated with the repression (EEAS, 2013). The few co-operation programs in place under the European Neighbourhood Policy Instrument (ENPI), were transformed into funds for humanitarian aid and finally all diplomatic ties with the Syrian regime were cut.

However, creating international political and economical isolation didn't seem to produce the desired deterring effects, for the conflict continued and now, in 2013, is well into its third year. Bashar al-Assad showed no intention of leaving his post, as the opposition forces had been requesting. The dictator has often reprimanded the West for not backing the regime in favour of the rebel opposition of the Syrian conflict, strategically manipulating the multiplication of actors and the increasing interference of external extremist militants, some even tied to the al-Qaeda organisation, to dissuade the West from arming the opposition. The confusion of combatants constituting the opposition front in Syria also influenced significantly the debate in Europe on arming or not the rebel front, since there was a widespread fear that arms could fall into the wrong

hands and constitute a counterproductive move. Moreover, two different standings were taken in Europe: on the one hand the states that were in favour of arming the opposition, namely the UK and France that therefore asked for the arms embargo to be lifted; and on the other, those who were contrary to sending arms, principally Germany. The position held by EU High Representative Catherine Ashton was also very cautions, advocating the need for a political solution and trying to limit her considerations to condemning the regime's violent repression of the population and sending as much humanitarian aid as it could.

A turn in civil war events occurred when the regime attacked Eastern Damascus on August 21st 2013, where many rebels were stationed. This attack against the Syrian population saw the use of chemical weapons, which were confirmed shortly after by a UN inspection team to contain Sarin, a potent and lethal nerve gas that in the attack killed 1400 people, 400 of which were children. The attack, in particular because it entailed the use of chemical weapons, was immediately condemned by the international community especially by the US, which deemed that such an action crossed a pre-established "red line" and therefore entailed intervention. Many countries, the UN, the EU and the Arab League retained this action to be a war crime and a crime against humanity, breaching the hundred year international pledge to not resort to the use of WMD, thus calling for strong actions. Thus, two fronts were rapidly built: on the one hand the states sustaining Obama's stand and his will to intervene military in Syria and on the other, the states that wanted to avoid intervention headed by Putin. However, the latter in the attempt to avoid intervention proposed a negotiated arrangement that would entail the consignment of all chemical weapons to UN forces by the Syrian regime and their further destruction. The result was an agreement in the Geneva on the 14th of September 2013 between US Secretary of State Kerry and Russia's Foreign Minister Lavrov to requisite and to destroy all chemical arms in the Syrian regime's possession, this agreement entails the approval of a UN resolution, which is still being negotiated.

The role of the EU in Syria during the crisis has remained fairly marginal, not demonstrating the capability to overcome the divisions between the different standings of the various Member States and thus being gridlocked into a position of inaction or, at the most, of rhetorical indignation in a region that should be of its interest over all other

international actors. Thus, while agreeing in EU meetings on the centrality of improving a unified EU front and recognising the essentiality of pooling and sharing to guarantee a higher degree of coherence and legitimacy, the Member States when faced with concrete security decision-making issues such as the impelling Syrian question, cannot let go of the power-politics of the European state system, and consequentially fail to project the image of a strong and coherent actor within the international community.

CHAPTER 2 - The Transformation of EU Foreign Policy after Lisbon

1. Introduction

When looking at the present critical situation in Syria, one cannot help but acknowledge the obstacles that Europe encounters when trying to develop a coherent uniform foreign policy.

EU foreign policy underwent many changes with the Lisbon Treaty, which surely represent a big step in the right direction. However, there are still many obstacles to overcome. Since intervention in Libya, the difficulties faced by post-Lisbon EU in creating a coherent and effective foreign policy have been placed under more careful scrutiny. Moreover, the hope is that this will lead to attentive review as already initiated by the one presented to the Commission on the 29 of July 2013 by HR Catherine Ashton, although this does not constitute an official guarantee of effective change. Effective results will depend on the will of the Member States.

Before looking at the EU's foreign policy in the Southern Mediterranean and specifically in Syria, it seems first essential to draw out the most important changes that

have occurred in the structure of European foreign policy after the Lisbon Treaty. Thus, first of all I will analyze the main CFSP changes brought forth by the Lisbon Treaty. This consists principally in changes in general provisions, institutional innovation and new decision making procedures. Secondly, I will look at some important novelties of the new CSFP structure. This entails the setting up of a new independent European External Action Service (EEAS), the transformation of the European Security and Defence Policy (ESDP) into the Common Security and Defence Policy (CSDP) still however in the framework of the CSDP, and a strategic review of the European Neighbourhood Policy (ENP). Finally, I will examine, after looking at the shortcomings particularly underlined by the 'failure' of the Libyan intervention of 2011, the possible improvements necessary to change the course of action in which the CFSP/CSDP seems to be blocked. Although the EU's foreign policy and diplomatic service will never be a replica of previous or existing state powers, nor even federal ones, we may only hope that it transforms into one of a sophisticated regional grouping characterized by increasing coherence and recognized legitimacy (Howorth, 2013).

2. CFSP after the Lisbon Treaty

2.1. Changes of General Provisions

The Lisbon Treaty was ratified in December 2009, bringing to life the already envisaged reforms of the TCE (Treaty establishing a Constitution for Europe). The reforms encompassed change in areas of defence, security and the broader foreign policy (Comelli & Pirozzi, 2013).

After much debate about the ratification of a constitution for Europe, and the lack of unanimity on the matter, a compromise was reached in the form of the Lisbon Treaty. It replaced the Constitutional Treaty and most of the provisions that it contained relating to the CSFP (Common Foreign and Security Policy) and the ESDP, now named CSDP (Common Security and Defence Policy). However, some member states requested that

the more "Constitutional" aspects of the Treaty be marginalised to ensure that institutional competences follow a stricter interpretation. For example, the revision of Article 15b now explicitly spells out the "exclusion of legislative acts in the domain of the Union's external action", and Article 3b paragraph 22 now emphasizes "the prevalent role of the Member States over the Union" (ISIS Europe, 2008).

Whereas the Constitutional Treaty created a new document that put together the *acquis* and new provisions, the Lisbon Treaty integrates its' new line of action with the one of the European Union Treaties i.e. it doesn't create a new Treaty *ex novo*, but rather it amends the Treaty on the European Union (TUE) and the Treaty of the European Community (now Treaty on the Functioning of the European Union, TFUE), in so doing conserving the treaty's traditional dual structure (ISIS Europe, 2008).

Hence, the Lisbon Treaty must be intended as an outcome of a long, complex constitutional debate, in which the enhanced global role of the EU was one of the main guidelines. When between 2002 and 2003 some of the main member states actively supported the Iraq War, this debate stagnated, highlighting the necessity for "a strategic vision to enhance internal cohesion at EU level" (EEAS, 2013). This can account for the restrictions of the institutional compromises reached in 2003/2004 regarding the "European Security Strategy" (ESS) and the Constitutional Treaty.

The ESS was adopted in December 2003 by the European Council, with the aim of providing "the conceptual framework for the Common Foreign and Security Policy (CFSP), including what would later become the Common Security and Defence Policy (CSDP)" (EEAS, 2013). The document "*A secure Europe in a Better World*," was drafted by the former High Representative for the Common Foreign and Security Policy, Javier Solana, and explicated the ESS, analysing and defining in a brief but comprehensive way the EU's security environment for the first time and identifying key security challenges with their consequent EU political implications (EEAS, 2013). Five key threats are singled out by the ESS in this framework: terrorism, proliferation of weapons of mass destruction (WMD), regional conflicts, state failure and organised crime (Solana, 2003). What is more (EEAS, 2013):

> "The ESS also calls for preventive engagement to avoid new conflicts/crises. Building security in the EU's neighbourhood (Balkans, Southern Caucasus, and the Mediterranean) is prioritised as is the goal of strengthening the international rules-based order through effective multilateralism. Furthermore, the ESS explicitly acknowledges the interdependence of various global security challenges, i.e. by linking security and development issues and highlighting the possible interplay between key threats."

As far as the Constitutional Treaty is concerned, even if rejected in 2005 as a result of the French and Dutch referenda, eventually regained ground in 2007 as the Lisbon Treaty (Telò, 2013, p. 30). European legislators tried to safeguard the cardinal principles the Constitutional Treaty contained inside the new document. In particular, the Lisbon Treaty, has three fundamental goals: to make the institutional structure more efficient and flexible in order to be able to cope with the challenges brought forth by the growing number of member states; reinforce European democracy to promote the growth of legitimacy among the Union's citizens; further develop European action at an international level, above all through a more coherent and transparent Common Foreign and Security Policy (CFSP). Hence, to comply with these objectives the 'pillar' structure is eliminated in the Lisbon Treaty– although CFSP decision making procedures continue to be distinguished from the general procedures – and attributes 'legal personality' to the Union (Comelli & Pirozzi, 2013).

Thus, a new article 46A appears in the Lisbon Treaty and states that "The Union shall have legal personality". In international law this implies that the EU acquires the capacity to act in the international arena, but not necessarily the competence to do so – which continues to depend on the agreement of member states. It goes without saying that these developments do not undermine the sovereignty of the EU's member states, although giving the EU its own 'legal personality' enhances its status in international law as an actor speaking with a single voice. Nevertheless, the EU needs to increase its weight on the international scene, bringing its position to one of comparable value to its member states (De Scoutheete & Andoura, 2007).

Thus, the Lisbon Treaty grants the Union a Legal personality and in this manner enables it to conclude international treaties or agreements in which it has played an active role

in the elaboration and negotiation. However, the Union may make use of its legal personality only if specifically deliberated by the Member States, and specific decision-making procedures still govern the CFSP (ISIS Europe, 2008)

Chapter 1 of the Treaty, on "General Provisions of the Union's External Action," explains extensively the principles and values on which CFSP and CSDP where elaborated. The Lisbon Treaty article 10 states that:

> "The Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law. The Union shall seek to develop relations and build partnerships with third countries, and international, regional or global organizations which share the principles referred to in the first subparagraph. It shall promote multilateral solutions to common problems, in particular in the framework of the United Nations".

The principles as clearly laid out in article 10 explicitly identify what normative framework the EU considers to be essential for its foreign policy to be built, revealing its inevitable ties to the UN system. Thus, the General Provisions of the Lisbon Treaty articulate what should function as the guidelines for an increasingly coordinated action, which, must necessarily begin with institutional reform (Howorth, 2013).

2.2. Institutional Innovations

In the pre-Lisbon Treaty era, EU foreign policy could not be delimited to only the second pillar (intergovernmental) structure. In fact, it covered the complete range of EU policies not excluding first pillar provisions. The new CFSP overcame a structure of separate and distinctive policy areas and comprised instead under the same name several different rules of EU foreign policy decision-making (Fabbrini, 2007).

The Lisbon Treaty introduced innovations with the aim of rationalizing the institutional architecture of the EU, trying to generate a more coherent structure. If in precedence a wide array of actors participated in the external action of the EU, resulting in the impossibility to create a practice that could be both common and coherent, the Lisbon Treaty tries to overcome this *modus operandi* by creating more coordination and effectiveness within the institutions (ISIS Europe, 2008) even though the second pillar procedures seem to remain mainly intergovernmental and the multiple legacies of the Maastricht Treaty's "baroque" architecture are far from disappearing (Telò, 2013).

If the EU's external action was in precedence exercised by a multiplicity of actors, which had the effect of diluting the establishment of common and coordinated practice, the Lisbon Treaty attempts to overcome this lack of coherence and effectiveness by reorganizing the institutional framework in a number of ways.

Within the Treaty important innovations were brought forth, in particular by creating two new key actors: President of the Council, whose first post was occupied by Belgium's former Prime Minister, Herman Van Rompuy, and High Representative for Foreign Affairs and Security Policy-Vice President of the Commission (HR-VP), whose position is held by the UK's Catherine Ashton (Howorth, 2013).

2.3. President of the Council

Since the six-moth rotating presidency system contributed deeply to the lack of continuity in the Presidents of the Councils actions, the Lisbon Treaty transforms this role by transforming this post into a permanent one. Article 9B paragraph 5 of the Lisbon Treaty delineates that the election will take place by qualified majority voting (QMV) and each term will be of two and a half years, renewable only once. The aim of this new more stable role, as article 9B continues in paragraph 6, is to give better visibility and stability in "the preparation and the continuity of the work of the European Council" and "the external representation of the union on the CFSP issues"(ISIS Europe, 2008).

Rather than being considered an executive function, the position of Council President is widely assumed to be a Chairmanship. Moreover, there was a lack of desire on the part of the Heads of Government and State to find themselves in a position of being coerced by one of their own (as is proven by the overwhelmingly rejected hypothetical candidacy of Tony Blair) (Telò, 2013). If Van Rompuy had ever entertained any ambition to turn the job into one of real executive authority, it was rapidly trumped. The financial sovereign debt crisis that overwhelmed the Union since 2010 ensured that only nation states retaining most power in the Union, such as Germany and, to a lesser degree, France would have first say in the decision making. Under these circumstances the position of Council President was forced to act merely as a 'Secretary General' of the EU. In that capacity, and given the constraints imposed by the Treaty upon his position, Van Rompuy is widely judged to have been relatively effective, and has now been confirmed in his second term (Howorth, 2013).

2.4. High Representative-Vice President (HR-VP)

The main purpose of this innovation was to achieve a more coherent and effective EU foreign policy coordination. This was deemed possible by creating a post that would personally unite the two key functions, HR-VP, straddling the Council and the Commission. Thus, the HR is appointed by the European Council with the approval of the President of the Commission, presently José Manuel Barroso, and the consent of the European Parliament. As specified in article 9E paragraph 4 of the Lisbon Treaty, the HR is in charge of "harmonising and coordinating the EU's external action between the Commission and Council." Furthermore, the High Representative participating to develop CFSP/CSDP acquires the new possibility to "submit proposals on his own initiative or conjointly with the Commission" and to "submit questions to the Council and convoke extraordinary meetings on emergency matters" (article 27.2 TUE).

Moreover, the high representative also takes on the function of president of the Foreign Affairs Council, which up until this moment was assigned to the foreign minister of the

member state detaining the turn of the rotating EU presidency. This new mechanism was set up to guarantee greater continuity in the institutional commitments with third countries (Lehne, Promoting a Comprehensive Approach to EU Foreign Policy, February 2013). It therefore involves a representative function in the "conduct of political dialogue with third parties" and to "express the Union's position in International Organizations and at intergovernmental conferences" (article 27 paragraph 2 TEU), not to mention a consequent responsibility for facilitating the creation of harmonised views among the Member States. (ISIS Europe, 2008). The High Representative, Catherine Ashton, is formally responsible for CSDP, but after her appointment in 2009 she was initially preoccupied with establishing the European external Action Service (EEAS). As I will examine in more detail further ahead, the service is now up and running. It was launched with ultra-discretion and is still trying to cope with many difficulties and necessary transformations (Howorth, 2013).

Regrettably, regarding the High Representative-Vice President position the same positive note as the one expressed regarding President of the Council van Rompuy was not initially expressed. In early 2012, Ashton's "half-term reports" were generally negative. In her defence it may be said that after the merger of the previously independent functions of High Representative for CFSP and Commissioner for External Relations (Commission Vice-President), it was never quite clear what the job entailed or what exactly was expected of the incumbent. Nonetheless, Ashton's shortcomings have often been attributed to the fact that she was far from being the strongest candidate for the job. On the one hand, her appointment left the European foreign and security policy community feeling quite disappointed. On the other hand, many say that it is impossible for the job to be carried out by one person alone. Whether this is the case or not, surely there is a compelling need for more efficiency (Telò, 2013; Howorth, 2013).

2.5. Decision-Making

Strengthening the vertical coherence between the EU's external action and the foreign policy of its member states is one of the central goals of the Lisbon Treaty. By fostering intensive transgovernmental networks (Slaughter, 2004), the Treaty aims at achieving a higher degree of centralization and coordination addressing the original division of competencies between states and EU, while the "EU's foreign policy system" (Hill, 1996) remains "fundamentally decentralized and multilayered" (Telò, 2013). All the same, as pointed out by Telò (Telò, 2013):

> "The open question is whether member states, Council and Commission are merely transferring their differences into a new institutional context rather than overcoming them. However, the challenging events of the post-Lisbon Treaty years show that, even if it exists, improved internal efficiency does not necessarily mean enhanced external effectiveness in coping with the international challenges."

The aforementioned legal personality granted to the Union thanks to Lisbon Treaty (Article 46A TEU) represents an important turning point for its international role, enabling it to sign treaties or international agreements that it has had a part in elaborating and negotiating. Nevertheless, this legal personality is subject to a restriction by which it may use this legal personality only regarding competences that Member States have conferred to the Union specifically,[1] and specific decision-making procedures must still be adopted within the CFSP framework (ISIS Europe, 2008).

In any event, the Lisbon Treaty simplifies the procedures of decision-making in many ways. For example, a fourth exception is added to the unanimity rule in CFSP by which Member States are now entitled to adopt decisions with a QMV on proposals that the HR has presented. Furthermore, a provision in article 15B paragraph 3 TEU, called the "*passerelle*" provision, allows Member States to further expand the use of QMV vis-à-

[1] Declaration 24 in the Lisbon Treaty stipulates: *European Union has a legal personality will not in any way authorize the Union to legislate or to act beyond the competences conferred upon it by the Member States in the Treaty*.

vis CFSP but again only on the basis of unanimity among Member States and the European Council. Moreover, in the same spirit, the Treaty maintains the so called "constructive abstention" provision (introduced in the Amsterdam Treaty). According to this procedure a Member State may abstain on a voting without blocking decisions in the CFSP area that would have otherwise been unanimous, in so doing permitting lines of action with which the majority of Member States complies (ISIS Europe, 2008).

QMV is of particular importance because it overcomes the obstacle of veto posed by nation states, i.e. it enables a majority of states to overcome a decision opposed by a minority. However, in relation to the adoption by the single Member States of proposals made by the HR a vital exception is attached. If an objection is raised by a Member State to vote by a QMV for what is defined as "vital reasons" and is reluctant to apply the constructive abstention provision, the question may be brought to the attention of the European Council, which shall then take a unanimous decision. Hence, this provision reaffirms the prevalence of Member States in CFSP. What is more, the "*passerelle*" clause is not included in CSDP (ISIS Europe, 2008).

However, CSDP (Common Security and Defence Policy) does make use of QMV. In fact, article 28 of the Lisbon Treaty introduces it for the establishment of permanent structured cooperation and the establishment of start-up financing for a defence policy mission (ISIS Europe, 2008).

Even though the changes made regarding new decision-making procedures of CFSP and CSDP seem to be quite limited and the essentially intergovernmental nature looks set to prevail, the provisions introduced by the Lisbon Treaty reflect the Member States intentions to create more opportunities for coherent action, and their will to produce a decision-making process that works in an EU of 27 (and now 28) Member States (ISIS Europe, 2008).

3. Common Security and Defence Policy (CSDP)

Another key innovation presented by the Lisbon Treaty is related to the field of defence. With the Lisbon Treaty, CSDP (formerly called ESDP) now acquires its own section within the Treaty framework and is symbolically 'upgraded' from a "European" to a "Common" Security and Defence Policy (while still being within CFSP). Although this testifies the willingness of the Member States to develop a 'military arm', it cannot be coupled with a consequent integrationist approach. Proof of their ambivalence is the reference to NATO as the foundation of the Member States' security policy. Similarly, the fact that Article 17 TUE remained intact, stating that the "*progressive framing of a common Union defence policy will lead to a common defence, when the European Council, acting unanimously, so decides*" places the CSDP unmistakably at its embryonic stage (ISIS Europe, 2008), leaving the possibility of developing a common defence up to a unanimous decision in an indefinite future.

As far as the Lisbon treaty is concerned, there is little dealing with *military capacity*, and its development on behalf of the Union, and must be considered an ongoing process (Howorth, 2013). However, on the 11th of December 2008 the Council released its Declaration on Strengthening Capabilities (Council, 2008). Within this document it was agreed that the capacity to take up a number of simultaneous overseas missions should be developed by the EU: two major stabilization and reconstruction operations, two rapid response operations of limited duration, an emergency operation for the evacuation of European nationals, a maritime or air surveillance/interdiction mission, a civilian-military humanitarian assistance operation lasting up to 90 days, about a dozen CSDP civilian missions of varying formats. A significant measure of approval has now been reached by all Member States (including the UK) on the necessity of *pooling, sharing specialization* of military capacity within the framework of the European Defence Agency (EDA, 2012). In fact, the EDA was established in 2004 and was placed within the legal framework of the CSDP as well.

To this regard, another important innovation introduced by the Lisbon Treaty is worthy of note: *permanent structured cooperation* (PESCO) encourages member states to engage in procedures coordinating their military capacity in various ways. Article 28A paragraph 6 states that:

> "Those Member States whose military capabilities fulfil higher criteria and which have made more binding commitments to one another in this area with a view to the most demanding missions shall establish permanent structured cooperation within the Union framework."

The dynamics of this procedure aim at being as inclusive as possible with the main goal being to mobilize as much EU capacity as possible, drawing on whatever instruments are available from whatever source. What seems to be necessary to underline is that CSDP cannot and will not function relying exclusively on few contributors while the many simply act as spectators or receivers (Howorth, 2013). PESCO could have a significant effect on the generation of EU military capacity if it can be made to function as intended by the Treaty. Moreover, if the EU hopes to carry out the missions referred to under the Declaration on Strengthening Capabilities, an increased military capacity is not only an asset that is promptly needed but it is also indispensable to accomplish the types of missions the post-Lisbon EU aspires to undertake (Howorth, 2013).

Another important novelty of the Lisbon Treaty is the extension of the scope of the so called *Petersberg tasks*, i.e. a series of actions that the EU is called to fulfil outside its borders by way of civil and military means. Developed by the Western European Union (WEU) in 1992 and attributed to the EU for the first time in the Treaty of Amsterdam, they originally comprised humanitarian and assistance missions, peacekeeping activities, and missions of combat units in crisis situations including those aimed at re-establishing peace (peace-enforcement). The Lisbon Treaty picks up on this list adding to it in article 28B paragraph 1: "*joint disarmament operations; military advice and assistance tasks, peace-making and post-conflict stabilization; conflict prevention and post-conflict stabilization missions*" and also contributes to combating terrorism "*in supporting third countries in their territories.*" These changes have already been translated operationally into a growing predisposition towards disarmament operations,

demobilization and reintegration of ex-combatants, reform of the security sector, monitoring and consultancy to States in crisis situations.

Defence remains a very sensitive topic for it touches on issues of national sovereignty and can also open up issues, for example, of transatlantic relations. Moreover, Member States have developed and continue to develop their defence policies and instruments outside EU treaties, making them difficult to Europeanize, also because these policies were and are monopolized by an international organization such as NATO. What is more, the different military capabilities, the different national political cultures (of neutrality or of ex colonial power), and the different perception of international threat in relation to geographical collocation all create singular lines of action in each Member State (Fabbrini, 2007). Although these fundamental issues are not directly addressed by the Lisbon Treaty, nonetheless the latter attempts to align the law with the practices in those areas where Member States can agree (ISIS Europe, 2008).

Finally, it is worthy of note that the transfer that has occurred from more traditional operations of peacekeeping and peace-enforcement towards actions of conflict prevention and of post-conflict stabilization seem to be in line with the transformation of modern conflicts and warfare. How effective they will actually be is still to be seen. I will look at the latest development in more detail in section six of this chapter.

4. European Neighbourhood Policy (ENP)

Even if already launched in 2003 and operative since the approval of the fist Action Plans in 2004, the European Neighbourhood Policy (ENP) found its legal status only with the Lisbon Treaty. In particular, article 8, paragraph 1 TEU lays out that "*The Union shall develop a special relationship with neighbouring countries, aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union and characterised by close and peaceful relations based on cooperation*".

The first consideration to be made regards the position held by article 8 within the Treaty on the European Union. This article is in fact relocated among the general provisions and no longer placed beside article 49 TEU regarding Union enlargement, which is collocated instead among the final dispositions of the Treaty. This change in positioning within the Treaty could possibly reflect the will of European legislators to separate neighbourhood policy from the policy of enlargement, even if the former is strongly connected to the latter. Surely, in the years following its institution the neighbourhood policy has encountered many developmental difficulties along with many obstacles within the Union itself. Furthermore, regression of the neighbouring countries, especially the ones of the southern Mediterranean shore, in the process of democratization, coupled with the economic and institutional complications of the EU played an important role in convincing both sides that prospects of accession for the neighbouring countries, even the more advanced, was still premature. What is more, article 8 is not even within the framework of the dispositions regarding EU external action. Thus, from a legal point of view, ENP and European external action remain completely disconnected. Nonetheless, from an institutional point of view ENP is *de facto* strongly linked with the organ that more than any other deals with EU external action, i.e. the European External Action Service (EEAS) (Comelli & Pirozzi, 2013).

In the following chapter I will analyse in more detail the development of this policy. What is most interesting for the purpose of this first chapter is how the ENP falls within the important institutional innovations brought forth by the Lisbon Treaty, particularly regarding the redistribution of tasks between the Commission and the EEAS. To this regard, whereas in the pre-Lisbon framework neighbourhood policy was almost exclusively developed and overseen inside the Commission on behalf of the Commissioner for Foreign Relations and his relative services, now ENP is developed by the Commissioner for Enlargement and European Neighbourhood Policy and by the High Representative (Comelli & Pirozzi, 2013).

These changes fall within the intent to create more cohesion between the institutions of EU foreign policy, keeping both Commission and EEAS up to speed with the policies that are being developed. In actuality, they seem to complicate and at times duplicate work. Moreover, the institutional organization seems quite elaborate to say the least,

especially regarding the organization of the services. Whereas prior to Lisbon it was the Directorate-General for the External Relations (DG RELEX) that took care of the elaboration and supervision of ENP, now these competences have passed over to the EEAS. The problem is that, regarding ENP, EEAS staff now answers both to Commissioner Štefan Füle, responsible for neighbourhood policy, and to High Representative Catherine Ashton creating not little confusion.

Furthermore, there is the complex issue of the European Neighbourhood and Partnership Instrument (ENPI), responsible for programming and coordinating the financing of the ENP. However, what could at first seem difficult to disentangle in matter of competences between Commission and High Representative, is in fact clarified in article 9 paragraph 5 of the Decision of the Council 26 July 2010, which states that (Coucil, 2010):

> "Any proposals, including those for changes in the basic regulations and the programming documents… shall be prepared jointly by the relevant services in the EEAS and in the Commission under the responsibility of the Commissioner responsible for Neighbourhood Policy European External Action Service (EEAS)."

Thus, in substance the Commission remains responsible for the adoption of the decisions but the latter entails the complete participation of the High Representative and of the EEAS (Comelli & Pirozzi, 2013). Hence, to understand how the actors have changed in recent years it is fundamental to take a look at the new EEAS instrument.

5. European External Action Service (EEAS)

In order to partly diminish one of the institutional causes of the famous "expectations-capabilities gap" (Hill, 1996) the new European External Action Service (EEAS) was created to assist the High Representative, as codified in article 13A paragraph 3 of the Lisbon Treaty, and Catherine Ashton spent quite an amount of her energies developing it. It merges the two branches of the EU external relation administrations and 140 external delegations. On 26 July 2010, the EEAS was approved by a decision of the

Council, followed by two regulations (one on personnel and one on finances) and a resolution of the European Parliament for the adoption of a Service balance sheet (Comelli & Pirozzi, 2013).

These two administrative acts represent the conclusion of a period of extremely complex negotiations that had begun with the presentation of the proposal on the establishment and functioning of the EEAS on 25 March 2010 by HR-VP Catherine Ashton. This period was characterized by intense debate, especially involving the Member States and the European Parliament. Specifically, the EP was assertive regarding the definition of its role and was thus able to transform the obligation of consultation in a *de facto* co-decision (Quille, 2011). The EEAS was instituted on 1 December 2010 and became operative on 1 January 2011.

Composed of officials from the Council, Commission and diplomatic services of Member States, the EEAS has the task of rationalising the EU external services by compounding all those involved in foreign affairs (ISIS Europe, 2008). It features an impressive team of diplomats, headed by the former French ambassador to the United States, Pierre Vimont, and seconded by the long-time Brussels insider, David O'Sullivan. Fundamental elements in the EEAS are the EU Special Representatives (EUSRs) who represent the HR-VP in countries and regions characterized by crises or conflicts, promoting the policies and the interests of the Union while contributing to the efforts in consolidating peace, stability and the rule of law (Comelli & Pirozzi, 2013). Furthermore, the crisis management institutions (CMPD, EUMC, and CPSCC) were brought within the EEAS as well, and are also required to report to the HR (Telò, 2013).

The organization and functioning of the EEAS, as indicated by the Lisbon Treaty, is set by decision of the Council, which deliberates on proposals from the High Representative after hearing the European Parliament and Commission, searching to achieve a development of EU foreign policy that is as coherent as possible. The EEAS in this manner seeks to acquire the function of "coordination builder – horizontal and vertical" – although unfortunately it detains no real power to influence coordination when highly controversial issues are at stake between the Member States (Lequesne, 2013).

As much as this unprecedented institutional creation improves notably the task of information gathering, essential premise for a coordinated foreign policy between the Union's and Member States to take place with numerous embassies and delegations abroad, it is still evidently at the beginning of an extremely complex identity building process (Telò, 2013). A notion of EU diplomacy is yet to be identified and there is still no clear internal structure or organizational criteria between geographical and thematic operations, not to mention a questioned level of quality of skills and training (Telò, 2013). Furthermore, the current economic crisis summed with the legal limits of the EU budget (1% of the total GDP of the 27 member states affect substantially the financial side and the resources of the Service) (Telò, 2013). To this point, the economic crisis and its consequent budget cuts and austerity measures among many member states have led to important reductions in individual defence budgets over the past few years (Howorth, 2013), reducing the capacity to pool resources. Authoritative voices warn that an EU crisis of "demilitarization" may be on the rise, which would prevent it from occupying a seat at the table of actors in the security field (Mölling, 2011; Witney, 2011; Howorth, 2013).

Many uncertainties are affecting the EEAS's consolidation process: difficulties have arisen in accepting new hierarchies and competences, leaving the smaller states feeling under-represented and the bigger states felling threatened by a new competitor. Additionally, the self-identification "of this relatively large epistemic community in the making," looks like a challenging construction (Telò, 2013). What is more, the chain of command is not defined clearly enough leaving the EEAS to deal with implementation challenges and doubts on relevant issues, such as who is in charge of negotiating on behalf of the EU in areas of "multiple shared competences" (Telò, 2013).

However, very recent developments bring signals of improvement for a more coherent and pragmatic functioning of the EEAS, thanks to the long-awaited official review of the European External Action Service that became public at the end of July 2013. Thus, it seems as though the EU is finally showing some signs of foreign policy leadership.

Signed by EU High Representative for Foreign Affairs and Security Policy Catherine Ashton herself, the document presents itself as a strong one and addresses all the major shortcomings of the EEAS in straightforward language and offering a clear plan of

action for the troubled institution to move forward. The document appears ambitious, making it very clear that the EEAS has serious aspirations it desires to fulfil (Techau, 2013).

As Lehne points out only few days before the HR-VP's review (Lehne, Between hesitations and Aspirations, July 2013):

> "Two-and-a-half years after its creation, the European Union's diplomatic service – the European External Action Service (EEAS) – still has a weak institutional identity. On rare occasions, such as the dialogue between Belgrade and Pristina on the level of autonomy for Serbs in northern Kosovo, it displays the leadership role of a collective EU foreign ministry. On other issues, it amounts to little more than a secretariat for foreign-policy co-ordination among the member states."

With this new document Ashton seems determined to turn over this opinion and lack of faith, strong on recent results of the EEAS such as maintaining diplomatic relations with Iran while the United States was absorbed in an interminable presidential election campaign; the negotiated political compromise between Serbia and Kosovo on notoriously tricky questions over the status of the breakaway republic (this success was backed up by German economic and political weight, but it was achieved by Ashton personally); and the achievements continuing even now as the High Representative has become the most prominent Western diplomat on the ground in post-Morsi Egypt (Techau, 2013).

Depending on the perspective, these diplomatic successes may be interpreted on the one hand as exceptions, or on the other as achievements capable of driving the Service to make the qualitative jump that is so deeply needed. It is clear that the EEAS, and particularly Ashton herself, appeal to the latter interpretation.

Momentarily pushing aside the endless criticisms on the "dysfunctional workings of the EEAS headquarters" (Techau, 2013), Ashton presents a long list of shortcomings of the Service and responds to them by presenting 35 concrete suggestions for improvement. One of the most significant changes proposed is the creation of a deputy high representative that would allow the HR to finally delegate legitimately some of her

many obligations, dividing in this way some of the work load that by many had been deemed excessively burdensome for one person alone.

Central interest of the document is however the head-on approach to the two key structural weaknesses of current EEAS setup: the difficult relationship with the European Commission, and member state trust.

On the first weakness, the review proposes to improve the poor coordination between the two organizations and their many bodies, groups, and committees. Ashton to this point is self critical, acknowledging her part of responsibility for this shortcoming in as much as she is also the Vice President of the Commission. Thus, as Techau points out (Techau, 2013):

> "Ashton now wants to make better use of her dual role, which means bringing the commissioners with external portfolios (in particular trade, neighbourhood, enlargement, and humanitarian aid) closer together under her coordinating function. This will prove tricky as operational budgets—and therefore power—still lie with the commission. But she hints at a possible deal between the next commission president and her own successor that would unify policymaking."

The second major flaw is the member states trust issue or "buy-in" problem, as Lehne defines it, and is surely trickier to deal with compared with the first. Since the outset, many of the Member States were sceptical regarding the EEAS and only a limited number had a real interest in its success. This was due to the fact that most of them were not willing to place their national diplomacies in the hands of a centralized institution. The accomplishments of Iran, Serbia/Kosovo, and now Egypt have given Ashton the confidence she needed to ask those sceptics to put aside their distrust and to let the Service provide real diplomatic guidance.

The focal point of the review is the demand for stronger policy planning capacities and a more central role for the EEAS in EU ministerial decision-making and in the Commission's annual external relations work plan, confident that the Service occupies a unique position for promoting strategic direction in the EU's external action (Techau, 2013).

The limitations of the Service are no secret and Ashton does not try to go about as if they did not exist. However, confident that the EEAS could have a real chance at giving EU foreign policy a direction, HR/VP Ashton is not willing to give up the opportunity to lay down a document capable of steering the Service in a clear direction. What is more, in many ways this realistic yet ambitious document may represent a real sign of leadership that had otherwise been lacking on the behalf of the high representative since the beginning of her mandate. Now the ball falls in the court of those who never missed a chance to criticize the young European diplomatic institution. It is their turn to prove just 'how serious they are about reforming and empowering it' (Techau, 2013).

6. What Lies Ahead for the CSDP (and what role for NATO)

The recent transformations of the last decades have shown large improvements in the field of EU security and defence, but are they enough to transform the EU into a truly competitive global actor? Lehne underlines some of these improvements as follows (Lehne, Between hesitations and Aspirations, July 2013):

> "Altogether, the Lisbon reforms envisaged the high representative/vice president and the EEAS as powerful ways to integrate the CFSP, member states' policies, and the external competences led by the Commission to enable the EU to finally develop a coherent and comprehensive approach to foreign policy… In some areas the new system has proven its worth. Greater continuity has allowed the high representative and her top management to build stronger relations both with their counterparts in the member states and with interlocutors in third countries… Crisis platforms were established to bring together the relevant EEAS and Commission services and that has enabled the high representative to improve the EU's approach to crisis management… Task forces were set up for Tunisia, Jordan, and Egypt and are open to member states, financial institutions, and the private sector. These are promising signs that the EU will be able to better support countries undergoing transition. Summits with strategic partners are now prepared in a more inclusive and efficient manner, and the alignment of the Commission's and EEAS's approaches to European Neighborhood Policy has generally worked out well."

However, the power shift that is taking place today at the global level will inevitably shed light on the impossibility for European countries to continue to be relevant players acting on their own. Declining population coupled with military spending and scientific achievement are all elements that implore for cooperation among European states. This entails that Europeans will increasingly be faced with a choice. If they are willing to accept a more modest role on the international stage, allowing others to take the decisions regarding their neighbourhood and the future global order, then there is no reason to change modus operandi. If, on the other hand, they want to step up to occupy a decisive role they must combine efforts, pool resources and empower strong common institutions (Lehne, Why Is It So Hard to Develop an Effective EU, May 2013).

The current economic crisis in Europe has its defence community discussing how EU States can collectively fill their capability gaps at a time of decreasing defence budgets. This dilemma was central to the debate that took place at EDA's Annual Conference in March 2013 in Brussels. The future role of the EU on the international stage is at a cross road that may no longer be ignored (EDA, 2013):

> "Is Europe on the brink of radically enhancing the way it collectively deals with the growing number of regional and global security threats by entering a new, unprecedented era of deeper and wider defence collaboration? Or is the continent drifting towards a new era of lost capabilities, where fragmentation and economic volatility corrode the EU's ability to respond effectively to crises and strategic industrial assets disappear forever?"

The fundamental changes needed to meet the security challenges facing Member States have not yet been translated into concrete actions, notwithstanding the repeatedly stated commitment on behalf of government leaders to increase collective action. The concern of most of the 450 conference attendees, made up of senior decision makers from the EU defence community, including Member States, industry, European organizations, research bodies and think-tanks was the prospect that, as national programs are cut and funding for research and technology (R&T) dries up, Europe's vital industrial capabilities will be lost.

Claude-France Arnould, Chief Executive of the EDA, introducing the event stated that (EDA, The Two Choices Now Facing European Defence, 2013):

> "Political will at the highest level is essential, but success will also require the active involvement of those who are responsible for providing our soldiers with the necessary capabilities: capabilities encompassing not only equipment, but also training, employment and logistic support. We need a cutting edge industry to support our defence, our innovation, our growth and our security of supply. That is why particular attention to European industrial and technological potential is vital in this time of financial austerity."

Thus, Ms Arnould called on the good faith of Member States, reminding them of the pledge that was made in 2011 when the eleven pooling and sharing priorities were approved by Defence Ministers: "in times of austerity, complex operations and highly advanced technology, acting together is essential if Europe is to preserve and develop the capabilities it requires," said Ms Arnould. Not just good intentions, but substantial actions.

Furthermore, 2011 was a terrible year for the EU's post-Lisbon foreign policy system for a combination of factors. The combined effects of the economic clash and the Libyan crisis revealed what weaknesses the EU was dealing with (Telò, 2013).

Thus, as if the growing number of complex defence and security challenges currently facing Member States wasn't intimidating enough, even in the absence of financial problems, the lesson of the crisis in Libya suggests that not only new capabilities are urgently needed but also that military action alone is not sufficient to resolve these issues. Diplomatic, economic and security operations need to be combined into a general line of action (EDA, 2013). With the new type of threats that linger today, such as terrorism, uncontrolled migration, cyber-attacks and trafficking in people, a new dimension of defence and security is essential. During the EDA conference Alan Shatter, Ireland's Minister for Justice, Equality and Defence representing the Presidency of the EU stated (EDA, 2013):

> "The European Security Strategy clearly articulates the fact that today's threats and challenges are not purely military and are not resolvable by purely military means. Each requires a mix of modalities, expertise, instruments and responses."

Yet even in the core military area Europe is still missing some vital capabilities, according to Minister Shatter (EDA, The Two Choices Now Facing European Defence, 2013):

> "This was evident in the Libyan crisis in 2011, when European capability gaps had to be filled by the United States. However, even on smaller missions such as the EU Training missions in Mali and Somalia, the EU still has a major difficulty in ensuring the availability of key enablers. These include strategic lift, air-to-air refueling, information/surveillance/reconnaissance (ISR), satellites, transport and attack helicopters and medevac facilities."

The intervention in Libya, *Operation Unified Protector*, was the occasion for Europe and the CSDP to attest its worth and put into practice what it had been working to achieve: an independent and unified security and defence apparatus. This proved impossible. Even though the US decision to "lead from behind" was aimed at giving the Europeans at least in appearance control of the operation, the CSDP was not even considered as a potential leading agency and the reluctance of Europeans expressed by the High Representative effectively ruled out any military involvement by the EU as such in the Libyan operation (Howorth, 2013). Instead it was NATO that stepped in to save the day. Nonetheless, many critics of NATO have underlined how the outcome would not have been possible without the crucial intervention of the United States. They played an indispensable role in the mission, taking down Libyan air defences in only three days and continuing to provide around 50 per cent of the combat support aircraft, the bulk of the strategic intelligence, stock of ammunition, real-time targeting guidance and 75 per cent of the mission's aerial refuelling (Howorth, 2013).

Change is certainly needed if the CSDP wants to stand a chance in creating a credible image for itself, if not to survive altogether. And this was duly noted by the European community. If we look back to Libya it is not surprising that the EU was not up to the task considering that two thirds of the member states and half the members of NATO opted not to be involved. What is more, these factors pose major questions about NATO

itself. The operation lasted far longer than initially anticipated due to logistical and resourcing problems thus creating serious implications for future operations, in particular operations against Syria (Johnson & Mueen, 2012; Howorth, 2013; Scmidt, 2012).

Thus in the wake of Libya, collaboration between CSDP and NATO remains more crucial than ever, and some go to the extent of stating that a progressive institutional and political merger between the two is indispensable for their continued existence (Howorth, 2013).

Surely a recalibration of the CSDP-NATO relationship in which the CSDP acquires operational autonomy through and within NATO would help the Americans to genuinely take a step back and progressively shift the balance within the Alliance to one in which the Europeans are taking operational lead in their own corner of the globe, with the Americans taking the role of "force enablers" (Howorth, 2013).

Since Libya, the attitude of the Member States has evolved and many have opened their eyes to the urgency of cooperation and pooling to create a coherent European security and defence institution. However, as exhorted by Ms Claude-France Arnould, Europe must stop talking cooperation and do it. In the Annual EDA Conference what many panellists and participants alike urged for was to stop issuing declarations and to act and invest, i.e. what is needed is money, not words (EDA, 2013).

Speaking in his Special address to the panel of the EDA Conference, President of the European Council Van Rompuy underlined that the role of EDA is one of facilitator, as is his own. This role is one of support between Member States, which has still not been used to its full potential. He underlined as well the necessity of change (EDA, Special address to the EDA Annual Conference by Herman Van Rompuy, President of the European Council, 2013):

> "We need to change ourselves. Every one of us is drawing the lessons of Libya, and more recently Mali. Starting with the gaps in capabilities that were laid bare – from air-to-air refuelling to field hospitals and force protection. This hardly matches the high expectations of the countries of the region, who look to us for

> support for their own security and stability, trusting in our unique and comprehensive approach to conflict prevention."

Creating mutual trust and joint action in the area of security and defence is not an easy task but without it the risk is to fall behind, losing technical and industrial capabilities, intellectual advancement and ultimately a voice at the international table. This does not imply an exclusively military application, quite the contrary. Fundamental to a well functioning security foreign policy in the EU implies a good balancing of both diplomatic and armed forces, with the goal of not resorting to the latter if not strictly necessary. However, this will be efficient only if well coordinated. On the one hand, the proposals of reform of the EEAS seem to be heading in the right direction to create a more coherent and efficient diplomatic service. On the other, greater coordination between CSDP and NATO to avoid duplication and dispersion of already lacking investment possibilities is in my opinion a non negotiable check-point. Institutional complexity is unavoidable in a Union of such diverse Member States. Nevertheless, seen that Europe shares the premise of a common analysis of threats, as testified in its European Security Strategy and as shown often on the ground, this common aspect must be kept in mind as a basis on which to concretize coherent and legitimate action.

7. Conclusion

The structural changes that have occurred with the Lisbon Treaty and its further revisions are a fundamental part of the shift that is trying to be implemented within the EU, one that attempts to compromise between constitutional and strategic elements. The scope of the general provisions, the creation of new institutional actors and some novel decision-making mechanisms in the field of diplomatic and security action all stand to prove the intention to create more coherence in EU foreign policy, coherence which by the many is deemed to be absolutely necessary for the very survival of the European Union as an internationally relevant actor. However, the CFSP still remains a fairly decentralised institution and the Member States still maintain at large the capacity of the last word in foreign and security policy decisions. The new EEAS body is an important

innovation but it is still presents some important structural weaknesses and is lacking a great deal of coordination. What is more, although a significant measure of approval has now been reached by Member States on the necessity of *pooling, and sharing specialization* of military capacity within the framework of the European Defence Agency (EDA, 2012), military capacity is hardly dealt with at the Treaty level, the new European CFDP system appears still in its embryonic phase, as it continues to depend greatly on NATO forces, and in practice the Member States financial contributions to building a common military force remain scarce.

As for the European Neighbourhood Policy, if on the one hand it achieved a legal status thanks to the creation of article 8 TUE, on the other its legal separation within the treaty from the provisions of enlargement (contained in article 49 of the TUE) disconnect it also from the EU external action in general. However, this separation at a legal level does not correspond to an equal institutional separation since the ENP is connected more than any other mechanism with the organ dealing with external action, namely the EEAS, which now became in charge of neighbourhood policy supervision. In the next chapter I will take a closer look at how the particular framework of the Euro-Mediterranean relationships has developed since the signature of the Barcelona Declaration in 1995 and how these relations presents themselves today.

If a certain degree of awareness regarding the present systemic weaknesses is visible among the EU foreign and security institutional bodies, the capacity to create real change rests in the hands of the Member States, which are the only ones that ultimately have the capacity to create a more coherent foreign policy action. To do so, they must agree to ceding portions of their sovereignty in the name of maintaining a dominant role in the international scene, and especially in the regions of their interest, namely the Mediterranean.

CHAPTER 3 - The Euro-Mediterranean Relationship: Transformations in EU Foreign Policy in the Southern Mediterranean Region

1. Introduction

Since the Barcelona Declaration the configuration of the relationship between the EU and its Southern Mediterranean neighbours has undergone many transformations. During these consequential and sometimes overlapping developments, the goal the EU set out to fulfil was to create an increased level of cohesion and stability in the region, and to obtain this result has struggled to find the right balance of principles and priorities. Furthermore, the EU's internal transformations coupled with a significant enlargement of the Union in 2004 contributed to modify how this partnership was to be intended, distancing the neighbourhood policies from those of enlargement. Finally, the implementation of the Lisbon Treaty in 2009 and the revolutionary events taking place in the Southern Mediterranean influenced strongly the Union to bring about further modifications to the policy, in order to face the geopolitical changes taking place. In this chapter I will look at the development of these changes, which allow a better comprehension of the European Neighbourhood Policy and more in general of EU foreign policy towards the Southern Mediterranean as it presents itself today.

First of all, I will look at the development of the Euro-Mediterranean Partnership (EMP) in 1995. This initial phase is characterized by the intent of creating a relationship based on greater political integration at a regional level. Secondly, the European Neighbourhood Policy (ENP) was developed as a complementary level of the EMP. Its goal was to produce more functional agreements that would be accorded on a bilateral basis, in order to better respond to the different characteristics of the countries in the region. Third of all, I will look at the Union for the Mediterranean. In 2007-2008 a proposal from French President Sarkozy was brought up to the European level to create a Union for the Mediterranean, which would have characteristics more similar to the EMP, therefore more concentrated on creating regional agreements in the prospect of cohesion between the two shores of the Mediterranean. However, the beginning of the protests in North Africa and the Middle East blocked the project before it was able to be launched. Next, it seemed important to refocus on the implications brought forth by the approval of the Lisbon Treaty, in which the ENP was codified and given a legal basis. Finally I will focus on the most recent transformations of the ENP which, in the midst of a continental financial crisis and a geopolitical transformation of the southern Mediterranean, is struggling to conform to the new configuration of a region that, still combating for democratic reform, presents itself very differently than when the first policymakers had set out to make it its partner.

2. The European Mediterranean Partnership

The Euro-Mediterranean Partnership was launched in Barcelona in 1995. The Barcelona Declaration, or Barcelona Process as it came to be known, resulted from 20 years of intense bilateral and trade cooperation between EU Member States and 12 Mediterranean Partners: Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, the Palestinian Authority, Syria, Tunisia, Turkey as well as EU members since 2004, Cyprus and Malta. This initiative sought to create strong and durable bonds between the shores of the Mediterranean. It aimed to create a common area of peace and stability and security through political dialogue; construct a zone of shared prosperity through an economic and financial partnership and the gradual establishment of a free trade zone;

and promote the rapprochement between peoples by encouraging social, cultural and human exchanges between cultures and civil societies (European Council, 2005). Thus, the EMP was made up of the Partnership on Political and Security Affairs, the Partnership on Economic and Financial Affairs, and the Partnership in Social, Cultural and Human Affairs. This threefold approach that characterised the EMP reflected a restructured Mediterranean policy whose goal was not only to address issues regarding finance and trade but also a wide array of non-traditional political security issues such as migration, terrorism, social development, as well as cultural issues (i.e. the inter-religious dialogue, racism, xenophobia). Hence, a new extended concept of comprehensive and multidimensional security spread to the domain of EU international relations, a systemic change due to multiplying security threats that often have transnational origins and go beyond a purely military dimension to include social and human dimensions as distinct features of global security (Buzan & Waever, 2003).

The relationship between the EU and the Southern Mediterranean countries was characterized by a double dimension, bilateral and regional, one being complementary to the other. On the one hand, within the bilateral dimension the EU carried out substantial co-operation activities bilaterally with each country, the most important being the Euro-Mediterranean Association Agreements. On the other hand, the regional dimension was one of the most innovative aspects of the Partnership, covering the political, economic and cultural areas of regional co-operation (European Council, 2005).

Ultimately, the ambitious aim the EU set out to fulfil in 1995 with the Barcelona Declaration was "to turn the Mediterranean basin into an area of dialogue, exchange and co-operation granting peace, stability and prosperity" (Panebianco & Rossi, EU attempts to export norms of good governance to the Mediterranean and Western Balkan countries, 2004). Thus, the basic assumption behind the EMP was that, in order to achieve economic development in EU partner countries, political instability and socio-economical disparities, deterioration of the environment, threats to security deriving from illegal migration, terrorism, organised crime, must be duly accounted for (Panebianco & Rossi, EU attempts to export norms of good governance to the Mediterranean and Western Balkan countries, 2004). This assumption stemmed from

the conviction that the western model of democratic, pluralist and accountable governments respecting minority rights was the *conditio sine qua non* for poverty reduction and domestic stability (European Commission, 2001).

As if to confirm the intentions set forth by the EU in its relations with the Southern shore of the Mediterranean, in the "Common Strategy of the European Council on the Mediterranean Region" of June 2000, among the general objectives the EU confirms its goals in policy development to "make significant and measurable progress towards achieving the objectives of the Barcelona Declaration and its subsequent *aquis*" and "to establish a common area of peace and stability through a security and political partnership" (European Council, 2000).

This "principled" approach to EU international relations was supported in large measure by the European Commission. In a communication to the European Council and European Parliament in 2003, it proposed the mainstreaming of human rights and democracy, recalling with satisfaction that all of the documents adopted in the framework of the Barcelona Process - Presidency Conclusions to the Foreign Ministers Meetings, Valencia Action Plan, Common Strategy - reaffirm the joint commitment to promote human rights, fundamental freedoms and democracy (Panebianco & Rossi, EU attempts to export norms of good governance to the Mediterranean and Western Balkan countries, 2004).

The EMP institutional architecture was not established with international treaties or formal agreements; instead it was the result of political documents and substantial agreements and was subject to change over time. A great range of governmental meetings, conferences and civil society networks composed the EMP institutions and included also a parliamentary dimension. Of great importance is also the non-governmental dimension of cooperation, which was also supported financially by the EU. In this framework, since 1996 the EuroMeSCo acts as a concrete example of partnership building measures by bringing together institutes of research debating on security related issues (Panebianco, The EU involvement in the Mediterranean: changing priorities and strategies?, 2007).

It is a significant factor that the Southern Mediterranean countries were willing to subscribe the Declaration that included distinctly European values and principles and that they accepted to "conduct a political dialogue to examine the most appropriate means and methods of implementing the principles adopted by the Barcelona Declaration" (Panebianco & Rossi, EU attempts to export norms of good governance to the Mediterranean and Western Balkan countries, 2004). However, the political adherence they formally expressed did not seem to translate into a coherent implementation of norms (Panebianco & Rossi, EU attempts to export norms of good governance to the Mediterranean and Western Balkan countries, 2004).

Thus, as underlined in a communication of 2003 by Javier Solana, ex High Representative for the CFSP, a series of events that occurred at the turn of the century forced the Barcelona Process to face difficulties it did not have the instruments to deal with. In 2000 the failure of a project for ultimate peace between Israel and Palestine and the emergence of a second Intifada confirmed the perseverance of a conflict not easily eradicable. The terroristic attack in 2001 against New York changed the world perception of security, especially in the United States and in Europe. Finally in 2002 and 2003, the conflict in Iraq, war and an ever so slow and difficult path towards stable peace confirmed that a drastic change in the strategic situation in the Middle East had occurred. The original spirit in which the EMP was developed was one aiming at intensifying the sentiment of peace between Israelis and Arabs which existed after the Madrid Conference. It is not by chance that in this period the Partnership was the only multilateral context outside the United Nations where all the parties affected by the Middle East conflict sat together, and Israel and the Palestinian Authority were here recognized as equal Mediterranean Partners within the EMP. However, these hopes for reaching a peace agreement now seemed like a mirage. It was intended to bring the two shores of the Mediterranean closer together, enabling them to develop a shared view of security that was to be enshrined in a Charter for Peace and Stability that in the face of the events was forced to be put on hold. Solana didn't see these elements as proof of failure of the Barcelona process, valuing what had been achieved as a starting point from which to improve and expand the range of cooperation and future projects (Solana, 2003).

Notwithstanding the difficulties that arose because of endogenous conflicts in the Southern Mediterranean area, not all efforts were useless. As far as funding is concerned, in 2003 the EU was the largest donor of non-military aid to the Mediterranean and Middle East, giving roughly €1 billion in grants and another €2 billion in soft loans. This was in addition to the assistance given by the EU Member States through their national programmes.

The main financial implementation instrument for the EMP was the MEDA Programme. As documented by the European Council "for the period between 1995 and 2004, MEDA accounted for €6.2 billion of the total €8.8 billion of budgetary resources allocated for financial co-operation between the European Union and its Mediterranean Partners" (European Council, 2005). This cooperation program was replaced in 2007, (along with the TACIS program for the Eastern European countries), by the European Neighbourhood and Partnership Instrument (ENPI). The latter has been operational since the 1st of January 2007 and is the main source of funding for the 17 partner countries (ten Mediterranean and six Eastern European, plus Russia[2]). In this light, the ENPI appears as the strategic continuity with enlarged objectives of the former TACIS and MEDA programmes

Moreover, significant loans to support the grants made by MEDA from the EU budget were made by the EIB (European Investment Bank), who designated funds for specific projects in the Mediterranean Region, with placing particular relevance on the development of small and medium-enterprises (European Council, 2005).

Furthermore, the FEMIP (Facility for Euro-Mediterranean Investment and Partnership) was set up by the EIB in 2003 to not only promote renewal of the Mediterranean partners' economic systems, but also to support social cohesion, the protection of the environment and development of the communications infrastructure (European Council, 2005). The idea at the basis of FEMIP was to promote deeper involvement of the MTCs (Mediterranean Third Countries) themselves by setting up a dialogue forum (the policy dialogue and co-ordination committee) and it concretely loaned to the region

[2] Morocco, Algeria, Tunisia, Libya, Egypt, Israel, Lebanon, Jordan, Syria, Palestine, Azerbaijan, Armenia, Georgia, Moldova, Ukraine, Belarus and Russia.

around €2 billion each year (European Council, 2005). This mechanism is still functioning today.

In the first years of development of the Barcelona process the EU can boast some achievements in various areas of this integration partnership. First of all, the first ten years since the establishment of EMP were characterized by a mutual relationship and development of dialogue. Extending through various areas of human activity, among which culture, women's rights, financial assistance and counterterrorism not only discussions but often also practical cooperation took place (European Council, 2005).

A second achievement of this period relates to regional integration. Promoting free trade and economic integration, Bilateral Association Agreements were concluded with all Euromed Partners including with Syria (European Council, 2005). These agreements were of particular importance as they enhanced south-south regional integration and trade (European Council, 2005):

> "As a result of Turkey's Association Agreement, a customs union with the EU entered into force on 1 January 1996. The EU has long supported South-South economic integration and successfully assisted Egypt, Jordan, Morocco and Tunisia to conclude the Agadir Regional Free Trade Agreement that was signed on 25 February 2004. Regional assistance programmes promoted intra-regional co-operation among the partners in areas such as political issues, trade, infrastructural integration, sustainable development, justice and home affairs and cultural and social matters."

The promotion of human rights and democracy was also carried out in this period. In this dimension the EU started collaborating with partners in the region to promote democracy, the rule of law, and respect for human rights and fundamental freedoms (European Council, 2005). As from 2006, €50 million was additionally made available for those Mediterranean countries who pledged to make effective progress in these fields (European Council, 2005).

The EIDHR (European Initiative for Democracy and Human Rights) was also put at the disposal of MEDA countries and it financed many projects in the fields of electoral

assistance and observation missions, women rights, gender equality, media, etc (European Council, 2005).

Finally of particular importance were the developments made in the area of Trade. The EU in this period was the major trading partner of every country in the region. As the Council specifies, "it accounted for almost 50% of their visible imports and exports (€91.5 billion in 2003), compared to 14% (€26.4 billion) for the US. Trade in services with the EU amounted to €32 billion in 2001. In 2001 FDI (Foreign Direct Investment) flows from the EU into the region accounted for €2 billion and FDI assets reached €100 billion in 2003" (European Council, 2005).

If one looks at the founding principles on which the Barcelona process was built, these achievements however seem to be partial. It doesn't seem that the EU was capable of becoming the external actor of democratization (Huntington, 1991) in the Mediterranean it had set out to be. Thus, Panebianco and Rossi identify three main reasons to explain the difficulties encountered by the EU when trying to assume the role of norm exporter. Firstly, the Barcelona Declaration is a politically binding document, not a juridical one (Panebianco & Rossi, EU attempts to export norms of good governance to the Mediterranean and Western Balkan countries, 2004). This means that contracting parties are not bound to comply but are free to adhere to whichever cooperation project they may or may not be interested in, depending on the issue at stake. Thus, the enlargement process and the Barcelona Process present completely different approaches to the transposition of norms. Whereas EU candidate countries are obliged to adopt and implement the *acquis communitaire* as a precondition to joining the EU, the compliance with the underlying principles of the Barcelona Declaration, in practice, rests upon the will of the single MTC because no sanction is provided for in case of non adherence to EU norms and values (Panebianco & Rossi, EU attempts to export norms of good governance to the Mediterranean and Western Balkan countries, 2004).

Second of all, when comparing the line of action of the different EU institutions involved we may notice that it is characterized by a quite substantial lack of coherence. The spread of EU norms and principles to Arab countries is dealt with differently by each institution. The European Commission seeks to create an innovative framework of

cooperation, assuming the role of "policy-entrepraneur" and favouring a bottom-up approach choosing representatives of civil society as primary actors of cooperation. The European Parliament took a critical stand, denouncing violations of human rights and restrictions to individual freedoms in its annual report on human rights in the world. The Council opted for a pragmatic approach led primarily by political considerations, accepting EU's partners' weaknesses in the implementation of democratic reforms or tolerating low human rights standards in EU partner countries (Panebianco & Rossi, EU attempts to export norms of good governance to the Mediterranean and Western Balkan countries, 2004). Hence, despite the official declarations in favour of political and democratic reforms and respect of human rights, in practice sanctioning the partners' violations of democratic norms and restrictions of fundamental rights does not take place, as if EU member states feared to destabilise their partners' governments (Youngs, The European Union and Democracy Promotion in the Mediterranean: A New or Disingenuous Strategy?, 2002).

Thirdly, the potential effectiveness of the EU democratisation policy is significantly weakened because not many funds are destined to these objectives (Panebianco & Rossi, EU attempts to export norms of good governance to the Mediterranean and Western Balkan countries, 2004). In the years 2002-2004, the MEDA regional support mechanism preferred to develop other priority areas rather than cooperation to strengthen democratization:

> "Having a look at the financial breakdown by priority, one finds that only M€ 6 out of a total of M€ 93 were devoted to enhancing rule of law and good governance. The "more advantaged" priority areas were: bringing the Partnership closer to the people (M€ 25); the sustainability of the Euro-Mediterranean Integration (environment, equal opportunities, education and training for employment: M€ 20); regional infrastructures (M€ 17); Euro-Mediterranean free trade zone (M€ 10)" (Panebianco & Rossi, EU attempts to export norms of good governance to the Mediterranean and Western Balkan countries, 2004).

Regrettably, the inconsistency between the principles laid out in the Declaration and the effective institutional attitude resulted in what has been defined as "low profile Euro-Mediterranean Partnership" (Panebianco & Rossi, EU attempts to export norms of good

governance to the Mediterranean and Western Balkan countries, 2004), which was able to meet only a minor part of the goals it had originally set out to fulfil. The impossibility to apply sanctions to human rights and democratic norms violations coupled with degenerating stability in the area brought to transformations in the way the relations were to be carried out, almost completely abandoning the regional approach and privileging the bilateral one on a selective basis.

To reinforce the Barcelona Process in 2003 the ENP (European Neighbourhood Policy) was set up for those countries that shared borders with the Union, i.e. the southern Mediterranean countries plus Ukraine, Moldova, Belarus, but did not have prospects of gaining membership. Reinforced political dialogue and more exhaustive access to policies and programmes of the EU were granted through the ENP, including access to the Single Market and stronger Justice and Home Affairs cooperation (European Council, 2005). In a second moment the ENP was extended also to the Caucasus (Armenia, Azerbaijan and Georgia) (European Council, 2005).

3. The European Neighbourhood Policy

It was the former President of the Commission, Romano Prodi who in 2002 for the first time articulated the proposal to create a policy addressed to the neighbours of the EU (Panebianco, The EU involvement in the Mediterranean: changing priorities and strategies?, 2007). Subsequently, it was presented by the European Commission in the significantly titled Communication "*Wider Europe-Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours*." Ultimately, it was adopted in 2004 by the Commission with the "*European Neighbourhood Strategy Paper*" (Panebianco, The EU involvement in the Mediterranean: changing priorities and strategies?, 2007).

The ENP came to be developed in a period in which not much had changed on the Southern borders, the only difference being the joining of the EU on behalf Cyprus and

Malta, but in which the EU delimitation in the East was being completely redefined[3] (Panebianco, The EU involvement in the Mediterranean: changing priorities and strategies?, 2007). This probably influenced the logic behind dropping the denomination "Mediterranean" and the adoption of "neighbourhood" instead, which was seemingly more adequate to describe the new alliances that were to be formed not only with MTCs but also with the post-soviet neighbours in the East. Furthermore, since this new cooperation framework was ideated as a complementary component of the EMP, it stemmed from the idea that the latter would continue to be occupied with the regional cooperation building while the ENP would follow to establish singular and functionally oriented bilateral agreements.

For the purpose of this research, this section will concentrate on the development of ENP with Southern Mediterranean countries and how it differentiates itself from the EMP. In particular, the dimension that is of most interest here is the one relative to security development in the region, especially after the re-emergence of tensions within the Arab-Israeli conflict.

The Neighbourhood Policy represents an essential element of the implementation of the EU Strategic Partnership with the Mediterranean countries. The first Action Plans that were created for EU's Mediterranean neighbours were the ones for Morocco, Tunisia, Jordan, Israel and the Palestinian Authority (European Council, 2005).

Attached to this new policy is the imminent priority to help support and develop the economies of the "*ring of friends*" on a bilateral basis, with the long term goal of participation of the MTCs in the EU internal free market. This insistence on economic collaboration seems to turn political cooperation in into a secondary goal, therefore placing the development of rule of law, democratic institutions, and human rights on the backstage of the cooperation framework. In fact, notwithstanding the reference to these principles, the partners subscribing to these new Action Plans are left free to create their own timeline for political reform and no operative instruments are adopted on behalf of the ENP for their achievement. This method of positive conditionality is proclaimed to

[3] In 2004 the EU enlargement process in the East included accession of the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia. In 2007 the accession of also Bulgaria and Romania took place.

be more functional to the concrete creation of bridges between the two sides of the Mediterranean, in contrast to "negative conditionality" at the basis of the EMP Euro-Mediterranean Association Agreements (Panebianco, The EU involvement in the Mediterranean: changing priorities and strategies?, 2007).

What is more, although at a first glance it might seem as though the primary goal of the EMP to create an "area of peace, stability and prosperity in the Mediterranean" (Barcelona Declaration, 1995) has been transferred also to the new neighbourhood policy framework, the importance of building secure borders is more than ever at the top of the EU's priority list (Panebianco, The EU involvement in the Mediterranean: changing priorities and strategies?, 2007). Thus, the democratisation process seems to remain always instrumental to the exigencies of security, especially in the face of new rising threats of terrorism spiralling from the region.

The perception of the Mediterranean Sea now more than ever transcends its antique value of shared historical, geographical and cultural space to become a frontier that divides two neighbours that may yes, establish agreements, mostly of economic nature, but that are two separate entities that with difficulty may achieve a common regional integration (Bono, 2009). Thus, the preoccupation of creating secure borders seemed to acquire new strength following the events of September 11, 2001. In addition to this, the war in Afghanistan in 2001, in Iraq of 2003, the stagnation and failure of the peace process following the Arab-Israeli conflict and the consequent destabilisation of the region were all elements that created renewed security issues, due also to the use made by politicians and mass media of these events (Panebianco, The EU involvement in the Mediterranean: changing priorities and strategies?, 2007). Furthermore, these concerns entered the sphere of the individual due to the increasing flows of migrants and consequent difficulties in social integration that they produced. Security seems to be more and more a question that concerns not only the nation state but also the individual (Collyer, 2007).

Hence, as far as Europe is concerned, the main security threats that have been identified are terrorism, migration and energy supply shortages, as the priority of these questions in the political documents of the EU of this period reveal (Barroso, 2007) (Ferrero-Waldner, Opening Speech, 2007). The main concern of border security seems to have

returned to being essential in European foreign policy and appear to be going through what Hyde-Price calls a "realist-turn" (Hyde-Price, 2008; Panebianco, The EU involvement in the Mediterranean: changing priorities and strategies?, 2007). Thus, in this context EU action in the region is a "matter of self-interest", as if the security of Europe itself depended on creating stability in a region that would otherwise allow the contagion of instability (Ferrero-Waldner, The EU, the Mediterranean and the Middle East: a Partnership for Reform, 2006).

Thus, as Panebianco points out (Panebianco, The EU involvement in the Mediterranean: changing priorities and strategies?, 2007):

> "This drastic systemic change has affected the EU Med Policy proving that: a) territorial security is a pre-condition for cooperation, thus the Arab-Israeli conflict remains the most relevant cause of lack of regional political cooperation in the Mediterranean; b) energetic resources (primarily gas and oil) have become an important dimension of the EU Med Policy; c) the EU is sacrificing political cooperation with neighbouring countries in favour of economic short to medium-term interests to integrate the neighbours in the internal market."

The fact remains that, since it has no coercive means to convince MTCs to adopt their democratic principles, the EU appears to be what Nye defines as a "soft power": the transmission of values and principles can occur only thanks to the admiration on behalf of the Southern Mediterranean states and their will to apply them to their political systems (Nye, 2004). Thus, it seems as though the only channel of transmission and interrelation capable of bridging the two shores of the Mediterranean is the one of bilateral economic agreements, since assimilation of principles appears quite arduous.

Thus, in the context of Euro-Mediterranean policy, the EU institutions had presented the EMP and the ENP as being two correlated roadmaps to cooperation. However, they approach Euro-Mediterranean relations using two very different conceptual premises. On the one hand, "partnership" lay at the basis of the EMP, on the other "neighbourhood" is underneath the ENP. The EMP developed a region-building process, whereas the ENP develops targeted bilateral agreements. This change in cooperation framework was intended to help increment the participation in policy development through the Association Agreement and Action Plan instruments,

elaborated and updated regularly by both parties. Unfortunately, the principle of differentiation, i.e. distinguishing between each Mediterranean partner's capabilities and willingness, froze the region building processes in the Mediterranean, moving from liberal regionalism to a more realist bilateralism. Thus, the conceptual divergence implicates not just a terminological difference or inaccuracy but most importantly it represents the transforming approach and content of EU policy (Panebianco, The EU involvement in the Mediterranean: changing priorities and strategies?, 2007). Moreover, ultimately different goals, priorities and instruments were identified in EU relations with MTCS more focused on building economic and security agreements and less on creating a common Mediterranean region: in 2007 the EMP was already almost completely abandoned by the EU; surely it remained symbolically important, even if not operatively active (Panebianco, The EU involvement in the Mediterranean: changing priorities and strategies?, 2007).

4. The Union for the Mediterranean

The latest development in the area of Euro-Mediterranean relations consists in the UfM (Union for the Mediterranean), that was first ideated by Nicolas Sarkozy, former French President, in 2007 during his presidential electoral campaign. He presented it to the "Marseille Euro-Mediterranean foreign ministers conference" in 2008, but was then significantly transformed and its political value has been importantly downsized (Balfour, 2009).

In the complex institutional framework of the EMP and ENP, the UfM came to be developed establishing its own new dynamics, bringing a degree of change to the system seen that it was developed from a completely different political context compared to the one in which the other two Euro-Mediterranean cooperation strategies were established (Bicchi, 2011).

Thus, in this new system we may recognise nonetheless both a degree of continuity and one of change (Bicchi, 2011). Continuity on the one hand with the actors involved: it

came to no surprise that it was France that led the way in the Mediterranean, while also trying to regain ground on the international scene; the institutional structure of the EMP also apparently remained in large measure unchanged, besides the addition of the Secretariat, meetings between heads of states and government, and a co-presidency; and finally, the motivations underlying the will of procedure were largely untouched: Security, energy resource supply, migration, economic development and Arab-Israeli relations remain at the top of the priority list even in this new framework (Bicchi, 2011). As far as the elements of change are concerned, we must not forget the new geographical changes that had occurred since 2004 in the European region. After undergoing its principal enlargement, almost doubling its extension, the agenda of the EU seems to have slightly changed and so has the character of the Euro-Mediterranean integration process (Bicchi, 2011). The bilateralism that characterizes the ENP moving away from the multilateral nature of the EMP seems to have set its' roots also in the development of the UfM. What is more, democracy and human rights had disappeared completely from the areas of discussion, also because there no longer seemed to be a peace process to talk about (Bicchi, 2011).

France initially set out to involve in the new cooperation process those actors that, because of their geographical location and historical ties, had a direct involvement in Mediterranean relations and affairs, thus Italy and Spain were the two most significantly concerned countries (Balfour, 2009). However, they were worried that this new project would interfere with EU policies in the Southern Mediterranean, in particular with the EMP of which Spain was particularly fond, by excluding the participation of other member states; thus, the two actors in the 2007 meeting in Rome were able to obtaining a commitment that this would not occur (Balfour, 2009). The strongest opposition of the new *Union Médirranénne* came from Germany that led a group of mainly northern European countries but also some Arab states, that saw the project with reluctance and preferred the continuation of a modified EMP framework, as so long as it remained under the guidance of Europe as a whole (Bicchi, 2011). Moreover, the Franco-German summit played a pivotal role in shifting the UM to the UfM, acquiring a European structure and involvement. In fact, the participation of the Commission in drafting some of the most relevant documents for change in Euro-Mediterranean relations stands

to prove the lack of faith that prevailed in the original French proposal and the will to maintain the project under the guise of Europe as a whole (Balfour, 2009).

As previously stated, the UfM brings forth some institutional innovations. First of all, to the summitry of sectoral and foreign ministers that takes place twice a year in the EMP framework the UfM also adds bi-annual meetings of the heads of state and government. Therefore, it is the latter that will hold responsibility for political guidance of the project. The diplomatic success of the inaugural meeting in Paris 2008 must be kept in mind but not taken for granted. As Balfour points out (Balfour, 2009):

> "[t]he French president met with Syrian President Bashar al-Assad for the first time since the assassination of Lebanese politician Rafik al-Hariri in 2005, and the Israeli Prime Minister Ehud Olmert and al-Assad participated in the same summit even if they did not exactly shake hands. In Marseille, the Arab Peace Initiative was welcomed by all parties, with suggestions of an opening o the part of Israel too. What remains to be seen is whether the high level summitry will be sustained over time in terms of participation, and whether it will produce any results... "

A second important innovation is the enlargement of participation: the UfM presents an expanded membership compared to the EMP, adding to the countries participating in the latter also Monaco, Croatia, Bosnia and Herzegovina, and Montenegro. Of particular importance is the participation as a member on its own of the Arab League: this novelty could have possibly helped to bring together the difficult relations with Israel and help improve the relations between Arab states of the Mediterranean and the recently developed economic ones with the Gulf States (Balfour, 2009).

Thirdly, as a response to the enduring debate on participation of both shores of the Mediterranean, an agenda-setting co-presidency was introduced, which envisaged the participation of both European and Mediterranean representatives: for the South, Egypt was the first to step up whereas in Europe it was to follow the existing provisions of the Treaty on EU presidency (Balfour, 2009). Furthermore, the EuroMed Committee was replaced with the "Joint Permanent Committee" to deal with the non official matters (Balfour, 2009).

Finally, after intense negotiation on staffing and location the Secretariat was set up in Barcelona with a technical capacity. It was established that it would manage the UfM under the political direction of the senior officials, the EU and national officials of all EMP partners who meet every month to provide guidance to EU-Mediterranean relations (Balfour, 2009). The main priorities of the UfM are in the areas of protection of civilians, alternative energy, especially solar, de-polluting the Mediterranean, maritime and land highways, higher education, research and Euro-Mediterranean University, and the Mediterranean business development initiative; it is in these areas that the Secretariat will have supervision of the projects (Balfour, 2009). What remains unclear is how these projects, some of which had already been initiated within the EMP framework, are supposed to receive an further development, especially considering that no new financial mechanism has been set up and the European budget for the Southern Mediterranean seems to be unvaried and will continue to be so for the foreseeable future; if further financing is to be found, it will have to come from the UfM participating states (Balfour, 2009).

As it has been previously noted, the ENP represented an important step in the direction of bilateral agreements in contrast with the prevalent regionalism that the EMP was intended to be characterised by. In this context, the UfM, that in a way is the continuation and more and more the replacement of the EMP framework, also seems to introduce a high degree of bilateralism. This may be due to two prevalent structural features. First of all, the UfM has as its goal to involve "willing countries" especially in neighbouring regional areas: thus through the power of attraction rather than coercion it is possible to involve sub-regional groups, but this is in a way admitting that the regional integration method has lost its power (Bicchi, 2011). Second of all, since there are more members now involved in the UfM, this makes it more difficult to agree on cooperation projects at a regional level: consensus and cohesion is impeded by the different characteristics, needs and willingness of over 40 extremely diverse participants (Bicchi, 2011).

Thus, as analysed by Bicchi, with the development of the UfM Euro-Mediterranean relations have witnessed the latest shift in its institutional logics: the EMP seemed to be a highly politicised regionalism, responding to new security threats with the intent to

create a truly regional project of integration and cooperation; the ENP represented a shift towards bilateralism with a functional twist, centred on managing Association Agreements and Action Plans, seen that the highly political nature of the EMP didn't appear to be capable of bearing the fruit that had been hoped for; finally the UfM represents the last development of this evolution (Bicchi, 2011). Most probably the original plan set out by France was that of creating a new institution capable of creating regional and functional impetus, with the intent of moving the focus away from the highly politicised Middle Eastern question. Yet, because of the context in which the UfM was developed, this auspicated outcome was not possible, and what survived was a structure of bilateral agreements that because of the participation of heads of states and government remained highly politicised (Bicchi, 2011).

What is more, as the following section will underline, with the outbreak of the Arab revolution movements the UfM ultimately failed to take off altogether, and the only cooperation framework that seemed to be capable of responding to the transformations occurring in the Southern Mediterranean region was that of the European Neighbourhood Policy.

5. The ENP in the Lisbon Treaty

Since the entry into force of the Lisbon Treaty in 2009, the ENP has a solid legal basis in article 8 TEU as well as in the EU's interest in influencing the formation of a region that comprises both the European continent and the Euro-Mediterranean area with the intent to create a "common polity and a shared institutional architecture framing common policies" (Telò, 2013).

The relocation of article 8 among the general provisions instead of beside article 49 TEU regarding Union enlargement, which is collocated instead among the final dispositions of the Treaty, gains specific value because of the independent role the legislators have given it from the latter. This evolution supposedly enshrines the intent to keep neighbourhood integration in mind in the elaboration of all European

provisions, both internal and external. This seems to be confirmed by the fact that it is also outside the "EU external action" provisions. Practically, this entails that neighbourhood policy should be taken into consideration by EU institutions in the development of basically every Union competence, for example in elaboration of policies regarding energy, environment, transport, internal market and, of course, regarding the enlargement process as well (Hillion, 2013). If these intentions could prove to be effective they could radically change the scope and cohesion of the neighbourhood integration process (Hillion, 2013).

Among the important novelties the codification of the ENP implies is the determination of a mandatory obligation for the EU to engage in developing "a special relationship" with its neighbouring countries. This is specified through the use of the verb "*shall*", which entails that the EU has an obligation to engage in such a relationship, differently from the characteristics of the enlargement process, where accession is the consequence of compliance with a set of conditions which, after being fulfilled, *may* be followed by accession, if the Union deems it appropriate (Hillion, 2013). Thus, under article 8 there is a formal obligation to create such relationships and there are no conditions to be satisfied, so long as they are "neighbouring" states. In fact, article 8 is very unclear about the type of relationship that must be built, and so it often depends directly on the particular situation of each MTC. This results in different kinds of bilateral agreements, from partnership agreements to association agreements (Hillion, 2013). Thus, the only conditionality that is contemplated regards the modalities with which this engagement takes place: the actions taken will, thus, be a function of the behaviour of the neighbour state; this could entail the development of common policies in the field of agriculture, transport or commerce, but to act they will all involve a robust EU mandate (Hillion, 2013). (This structure will grant the ENP with the denomination of functional bilateralism (Bicchi, 2011)).

Placing article 8 within the EU constitutional framework and, thus, creating a legal basis for ENP through the modality of a formal mandate may have had the positive effect of "substantive coherence" (Hillion, 2013); but it also produced a policy system in which the production of norms is quite formal and cooperation is necessary between different institutional actors (Comelli & Pirozzi, La Politica estera dell'Unione europea dopo

Lisbona n.72, 2013). This passage from a system that relied on the use of soft law to one that entails formal mandate approval adds constraints to a policy development that, no longer outside the Treaty system, must act in accordance with the "structural and procedural principles of the Union's legal order" (Hillion, 2013).

What is more, the scope of the ENP seems to be redefined: by referring to "*the values of the Union*", article 8 reaffirms the *will* of the EU to act as a normative power in the region, by bringing into the systems of its neighbour states the principles on which its own political foundations rest, i.e. democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law (emphasis added). Whether it is capable of such a task is another question altogether.

As observed in chapter two, the new policy framework for the ENP requires necessary coordination between different actors at both the institutional level, particularly between Commission and EEAS, and between EU delegations on the ground (Hillion, 2013). What is more, member states have created their own individual cooperation programmes with MTCs, particularly after the Arab uprisings, sometimes resorting even to military agendas (Hillion, 2013). The positive repercussions of ENP codification in the Lisbon framework are still to be seen. This could also be due to the fact that the revolutionary outbursts that took place in the Southern Mediterranean region were mostly independent, bottom-up events, therefore that did not allow the EU to extend the "values of the Union" from the top. As Comelli reminds (Comelli, Potential And Limits of EU Policies in the Neighbourhood, 2013):

> "While democratisation in Eastern Europe has lapsed, a number of Southern Mediterranean countries overthrew their ruling autocrats, but the EU had no role in that."

6. A new Southern Euro-Mediterranean Framework

In the past three years the EU has witnessed a radical transformation of its southern neighbourhood due to the popular protests and consequent uprisings that have taken many forms, from North Africa through the Middle East. In Tunisia and Egypt they were characterised by a bottom up overturning of autocratic regimes; in Jordan and Morocco they were structured as top down transformations; in Libya and especially in Syria they took the shape of incredibly cruel and sanguineous civil wars (Behr, 2012), the latter still continuing today. Notwithstanding these differences, all of these movements are correlates by the fact that they were all endogenous revolutions, in which the EU or any other western country for that matter did not take part.

Thus, the EU must formulate its foreign policies in a new political basin of the southern Mediterranean, that is characterized by both challenges and opportunities (Behr, 2012). From the continental shores, EU actors and observers were not prepared when the outbreak of revolution occurred in the Arab region, even though signals of stability vacuums in the autocratic regimes were surely there (Gillespie, 2013). In the period of the first protests in the Tunisian squares in 2010, the CFSP had been losing impetus and a higher degree of complexity had been brought to EU foreign policy, at least at first, by the Lisbon Treaty due to a more intergovernmental modus operandi that created strong debate, in particular regarding the role of the HR-VP, of the CFSP and the new EEAS (Gillespie, 2013). Additional funds were difficult to mobilise towards southern neighbours because of the financial crisis that was disrupting many of the EU member states which, other than mobilising some material support, remained highly preoccupied with restabilising their own economies rather than worrying about geo-economic policy (Gillespie, 2013; Youngs, The EU and the Arab Spring: from Munificence to Geo-Strategy, 2011). However, it is not the economic front on which the shortcomings of the EU were most felt; instead, it was the political capacity to act that was lacking (Gillespie, 2013).

Although it had not been prepared for it, the first reaction the EU had to the Arab revolutions was to use and further develop the ENP and to mainstream democratization support to the southern Mediterranean neighbours (Gillespie, 2013). A multiplication of actors in the midst of the quickly evolving events that were taking place in some countries, and persistently violent internal conflicts in others, complicated the relationships that the EU had entertained for a long time with the authoritarian Arab regimes (Gillespie, 2013).

Some transformations in the region brought about by the so called "Arab Spring" definitely influenced the way the EU developed its neighbourhood policy, and if not taken into account will create not few problems for the EU's Mediterranean partnership (Behr, 2012). Timo Behr individuates out of these developments some of the most important. First of all, the "end of a neoliberal paradigm": this type of approach to the Mediterranean has proven to have failed as we may see by the leading role held by Egypt and Tunisia in the revolutionary outburst, who were previously considered "economic tigers" (Behr, 2012). In these countries the waves of protest were inflamed by high unemployment levels, wavering education systems and social inequality: now the governments that have taken their place are breaking with the policies of their predecessors and demanding a change in the direction of a more sustainable model of development that will most probably force the EU to revise the open door market strategy (Behr, 2012).

A second challenge is represented by a "fragmentation of civil society": the Arab population no longer fears their authoritarian regimes and this, on the one hand, could lead to waves of democratization; on the other, however, it could also create the foundation for increasing fragmentation, sectarianism and extremism (Behr, 2012). Moreover, it is this second scenario that seems to be unfolding. The power vacuum that has occurred represents a weakness in these political systems and the consequent fragmentation of civil society is something that the EU will have to adapt to dealing with (Behr, 2012).

A third challenge is represented by the "dominance of political Islam": different kinds of Islamism have been entering the political scene during the quest for democracies of the Arab states and this will surely create an obstacle to the supposedly "normative role"

of the EU in MTCs (Behr, 2012). Furthermore, the recent events in Egypt, by which Morsi's first elected government was forced to resign by way of a military coup, is proof that the new systems are not yet stable and the culture of democracy still does not have deep enough roots in society to allow it to function. Thus, the inevitable clash between Islamic and EU values on issues such as free speech, gender equality and religious freedom has not even had the time to take place yet, but in its eventuality the EU will definitely have to revise and reassess its normative foreign policy goals, and create a new balance between them if it hopes for any partnership to be possible at all.

Furthermore, the "rise of Nationalism" has helped intensify the mistrust in western policies. Since the era of colonization, distrust in the west has been a big part of the Arab social sentiment, and parties such as Muslim Brotherhood have done their part to help this attitude grow, thanks to a strong Arab nationalist inclination. Examples of this tendency are the fact that an IMF loan was initially turned down by Egypt, or that the Egyptian authorities brought legal suit to some international and local NGO's operating in the region after police raids in December 2011 (Behr, 2012). As Mark Leonard put it (Leonard, 2011), "now that Arab countries are democratizing, they are not turning toward the West. In many ways they are going through a 'second decolonization,' emancipating themselves from Western client states in the same way the earlier generations freed themselves from Western rule." If the EU hopes to be able to pursue policy development in this region, it will have to find a method that is not perceived as intrusive.

Finally, the southern Mediterranean has increasingly become "a polarized region": the conflict in Syria, sustained by Iran and contrasted by Israel, has brought back new strength to a never vanished regional Sunni-Shia rivalry (Behr, 2012). Furthermore, if this is placed in the context of a Middle East peace process that has come to a halt, hopes are surely not high for a quick or easy solution in any foreseeable future. In this context, the EU will certainly have a hard time maintaining its focal goal of the creation a "cohesive Euro-Mediterranean region" (Behr, 2012). Thus, this context may make it very difficult to part from the bilateral agreement scheme.

A passive approach is surely not the way to go if Europe hopes to stay on the Euro-Mediterranean scene and if it does not want to risk having severe consequences in the

fields of security, influence and access to the region (Amirah Fernàndez & Behr, 2013). Interference in the ongoing Arab transitions requires a good deal of caution surely, but that should not mean a complete lack of intervention on behalf of European countries to help form more democratic features on the Mediterranean shores (Amirah Fernàndez & Behr, 2013). The southern Mediterranean is the destination of most of the trade and investment exchanges of Europe; hence, if the latter were not to play a central role in supporting the democratic aspirations of those who desire to overcome dictatorship it would just not make sense (Amirah Fernàndez & Behr, 2013). Alas, the fact that Europe is still not capable of intervening in favour of those civilians that have been the target of colossal massacres produced by the dictatorship of al-Assad in Syria is exactly a case in point (Amirah Fernàndez & Behr, 2013). How the conflict develops in 2013 will be crucial, although any EU action might arrive too late to have any effective consequences.

Nonetheless, some of these changing and challenging elements have successfully been taken into consideration in the EU's new ENP strategy (Behr, 2012). To respond to the many challenges the south Mediterranean region posed, the EU launched a major revision of the ENP in 2011 (Amirah Fernàndez & Behr, 2013). Despite initial division among policymakers, a new regional strategy was put together in light of the strategic importance and impelling repercussions the Arab revolutions would have (Amirah Fernàndez & Behr, 2013). The member states finally realised that Arab regimes could no longer guarantee their stability necessities in the region, and therefore the only thing that could possibly be in their interest was if a clear transition to democracy took place, thereby offering realignment with the principles and values of the Union. Thus, this was confirmed by Commission President Barroso's speech to the EP in March (Barroso, Statement by President Barroso on the situation in North Africa, 2011):

> "I think it is our duty to say to the Arab peoples that we are on their side! From Brussels, I want to specifically say to the young Arabs that are now fighting for freedom and democracy: We are on your side."

The first document of this review was the Commission's and EU HR's March 2011 joint communication on "A partnership for democracy and shared prosperity with the southern Mediterranean"; it was followed by communications on "A new response to a

changing neighbourhood" in May 2011 and on "Delivering a new European Neighbourhood Policy" in May 2012, along with a great number of accompanying EU documents and communications (Amirah Fernàndez & Behr, 2013).

These documents draw out a new line of action that contemplates the promotion of a "deep democracy" promotion (Behr, The European Union's Mediterranean Policies after the Arab Spring: Can the Leopard Change its Spots?, 2012). In this model, not only free and regular elections are envisioned by the EU, but also a much wider scheme of prerequisites such as the rule of law, freedom of expression and association, eradicating corruption and creating democratically controlled security forces are contemplated (Behr, The European Union's Mediterranean Policies after the Arab Spring: Can the Leopard Change its Spots?, 2012). Political conditionality is reaffirmed as the EU sets out a "more-for-more" incentive-based approach: on the basis of this principle greater differentiation among southern Mediterranean countries will take place implying that the countries that are more willing to apply the previously stated democratic principles will receive more generous European assistance than the others (Behr, The European Union's Mediterranean Policies after the Arab Spring: Can the Leopard Change its Spots?, 2012). What is more, many analysts have argued that according to this approach, the EU will also have to punish those countries that don't keep up the speed with democratic reform, following a "less-for-less" logic (Fischer, 2011; Behr, The European Union's Mediterranean Policies after the Arab Spring: Can the Leopard Change its Spots?, 2012).

The Commission sets out in "A Partnership for Democracy" that countries applying for additional support must commit to at least "adequately monitored, free and fair elections" (European Commission, 2011). Furthermore, "minimum benchmarks" to help evaluate the degree of progress are to be created by the EU in relation to each ENP country Action Plan; however, neither of the two documents proposes any concrete methods for determining the nature of these benchmarks, leaving the policy goals to be quite vague and applicable with difficulty if not through free interpretation (Behr, The European Union's Mediterranean Policies after the Arab Spring: Can the Leopard Change its Spots?, 2012).

Moreover, as incentives for the fulfilment of these vaguely defined requisites, the EU delineates a number of potential rewards: on the one hand it offers the renewal of political agreements bringing them to an advanced status to help MTCs strengthen cooperation with EU institutions and political dialogue; on the other, in exchange for crucial reform more material rewards are referred to in the documents, namely "Ashton's 3 Ms": money, mobility and market access (Behr, The European Union's Mediterranean Policies after the Arab Spring: Can the Leopard Change its Spots?, 2012).

As far as direct monetary support measures are concerned, more than €1 billion of extra funding was made available through the ENPI for the period of 2011-2013. Even though these funds have been earmarked for the whole of ENP development, in actuality most of it has been designated to a number of programmes in MTCs (Behr, The European Union's Mediterranean Policies after the Arab Spring: Can the Leopard Change its Spots?, 2012). In September 2011 a package of measures sustaining the process of transition was set up; the heart of this package was the "Support to Partnership, Reform and Inclusive Growth" (SPRING) programme that in accordance with the "more-for-more" principle has the goal to bestow in assistance €350 million between 2011 and 2013 (Behr, The European Union's Mediterranean Policies after the Arab Spring: Can the Leopard Change its Spots?, 2012). A number of smaller pilot project have also been set up by the Commission to sustain the poorer regions, support the development of small and medium enterprises and invest in higher education (Behr, The European Union's Mediterranean Policies after the Arab Spring: Can the Leopard Change its Spots?, 2012). To bring direct support to the people a Civil Society Facility has been set up with a €22 million capacity for 2011-2013 to endorse the means of action and capacity to participate in democratic reform of CSOs (civil society organisations) (Behr, The European Union's Mediterranean Policies after the Arab Spring: Can the Leopard Change its Spots?, 2012).

What is more, lending has been increased through the cooperation between the EU and the EIB (European Investment Bank), and the mandate of the EBRD (European Bank for Reconstruction and Development) has been extended to the southern Mediterranean

(Behr, The European Union's Mediterranean Policies after the Arab Spring: Can the Leopard Change its Spots?, 2012).

Regarding increasing mobility between the EU and southern Mediterranean countries, a "Mobility Partnership" is provided for in the reviewing ENP documents. This idea of mobility is structured on the already existing EU agreements with Moldova and Georgia and entails the easing of visa restrictions for students, researchers and businessmen, improved accessibility to legal migration channels and an increased EU support and training for migration management and border control (Behr, The European Union's Mediterranean Policies after the Arab Spring: Can the Leopard Change its Spots?, 2012). In exchange, a delegation of EU legislation on these issues, including the return of illegal migrants, must be received by neighbouring countries (Behr, The European Union's Mediterranean Policies after the Arab Spring: Can the Leopard Change its Spots?, 2012).

Finally the last "M", is the issue of greater market access. To foster tighter market integration and regulatory convergence DCFTAs (Deep and Comprehensive Free Trade Areas) are being negotiated along with developments in the liberalisation of agriculture and trade, although the latter might prove more difficult for the reluctance of many member states to liberalise these sectors (Behr, The European Union's Mediterranean Policies after the Arab Spring: Can the Leopard Change its Spots?, 2012).

The new strategic and economic contexts have also helped new challenges to emerge. Inside the EU, the crisis has consumed significant energy and resources and common external action tends to be back-seated by member states thereby creating concrete obstacles for the Lisbon Treaty foreign policy provisions to be carried out (Comelli, Potential And Limits of EU Policies in the Neighbourhood, 2013). Externally, other actors have emerged in the EU neighbourhood, for example the GCC (Gulf Cooperation Council) that is gaining ground and wide consensus because of the financial aid and assistance they are delivering to the region, which appears to be far more generous than what the EU has to offer. Southern Mediterranean countries and their citizens no longer necessarily look at the EU as a model and as a final foreign policy goal. (Comelli, Potential And Limits of EU Policies in the Neighbourhood, 2013). Thus, the idea that the EU has cultivated of creating social, economical and political integration in a Euro-

Mediterranean area that orbits around Europe no longer corresponds to the regional geopolitical reality (Behr, The European Union's Mediterranean Policies after the Arab Spring: Can the Leopard Change its Spots?, 2012). The EU will necessarily have to recalibrate its expectations: when the ENP was initially laid out the EU had a net predominant influence over the Arab Mediterranean region. Now, the 2011 revised ENP looks unimpressive. The strong conditionality of "more for more" to which it is connected is not likely to obtain the hoped for results in a neighbourhood where reforms have taken place through endogenous developments (Comelli, Potential And Limits of EU Policies in the Neighbourhood, 2013). Furthermore, stronger conditionality also means greater differentiation that will inevitably lean more towards bilateral agreements rather than regional integration (Amirah Fernàndez & Behr, 2013). On the other hand, where authoritarian regimes are still in place like in the Gulf countries and Algeria, the use of negative conditionality seem out of the question either because of unwillingness or inability; the only exception to this line of action being the sanctions against Syria (Comelli, Potential And Limits of EU Policies in the Neighbourhood, 2013), that were in any case matter extensive of debate.

7. Conclusion

Years of development of a more coherent EU foreign policy have been necessarily and strongly linked to the Southern Mediterranean rim which, because of its strict geographical proximity to the European continent, has been interlocutor of commercial, economic, trade and security matters for centuries. Since the first developments of the EMP it was clear that if Europe wanted to create internal stability it would be necessary for it to help develop the stability of its regional neighbourhood as well. The ENP to a certain extent represents a step backwards in this project, retracting to an increasingly bilateral nature of policy development.

As a consequence of the Arab revolutions the configuration of the southern Mediterranean region has been radically transformed, making a comprehensive regional

approach more difficult than ever. What is more, those countries that are on the political track towards democracy see with scepticism the proposals, characterised by strong conditionality coming from the EU towards which they no longer nurture the admiration of the past. Furthermore, the internal division of the EU on what type of reaction to regime massacres in Syria was most suited was influenced by regional and international considerations (Gillespie, 2013) [instead of prioritising a coherent EU line of action/ symptom of the general malaise of EU foreign policy: lack of coherence].

The provisions set out in the ENP reform seem to be the sole vehicle of response of the EU to the rapidly evolving events in the Southern Mediterranean region, and time is surely needed to allow an assessment of their efficacy. As far as EU legitimacy is concerned, which is an essential element for its policy to even be taken into consideration, the fact that democracy has returned to be a central element of discussion, and the fact that the Arab mass movements seem to embrace this notion of democracy as intended commonly in Europe could be a point in its favour (Gillespie, 2013). Furthermore, the efforts to involve civil society in activities of cooperation and the dialogue with the League of Arab States prior to military intervention in Libya are all elements that could be of assistance to gain legitimacy in the region (Gillespie, 2013). However, years of diplomatic relations between European leaders and the authoritarian Arab regimes has produced a diffidence that cannot be wiped away so easily. To build new trust will require time and effort on the EU's behalf that surely goes beyond the policy framework of the ENP, which still holds many elements of continuity with the founding ENP principles and concerns of European security policy. The regional and geopolitical context has not finished evolving and if the EU intends to maintain some level of influence in the area it will have to increasingly compete with other actors (Behr, The European Union's Mediterranean Policies after the Arab Spring: Can the Leopard Change its Spots?, 2012). The most plausible result will be further concentration on bilateral agreements. Although this will not work in favour of regaining a predominant regional role, it might help keep the EU in the region long enough to be able to improve its coordination for when politically transformed Arab countries stabilise.

CHAPTER 4 - Syrian Foreign Policy in the Assad Regime

1. Introduction

Syrian foreign policy must be analysed in the complex web of regional and international relations with which it confronts itself for strategic, ideological and rent seeking reasons. Thus, I will analyse the circumstances in which Syrian foreign policy came to be developed: in fact, the setting in which Hafiz first and Bashar later came to create the longest stable regime in Syria is crucial to understanding their regional and international relations and ultimately the underlying reasons that came to provoke the 2011 civil war. In other words, the negligence of domestic reform in favour of foreign policy was an igniting factor of the Syrian revolution. This factor, in addition to Syria's alliance choices, non compliance with international norms on human rights, and development of weapons of mass destruction contributed to form its isolation from the US and to persuade it to search stronger ties with the EU. However, the authoritarian character of its regime ultimately impeded the formation of full political agreements within the Euro-Mediterranean and Neighbourhood policy framework, limiting the cooperation to one of economic nature.

The first section of this chapter contextualises the first years of the al-Assad regime, in which standards were set for the years to follow. Since Hafiz al-Assad's rise to power in 1970, Syria has been dominated by an authoritarian regime. The principle aim of Syrian foreign policy was to assert Syria's role in the region as "the golden ring of the chain of resistance against Israel" (Velayati, 2012) and as the "beating heart of Arabism" (Goodarzi, January 2013), whilst gaining legitimacy as an Arab nationalist sovereign state. Thus, the prerogative of regaining the Golan Heights that had been lost in the 1967 war became a central element of Syrian foreign policy, as Hafiz attempted to reaffirm an Arab dominance of the region. The second section follows to analyse the period of Bashar al-Assad, son of Hafiz. Bashar had received a Western education, had married a British citizen of Syrian origin and had then returned to Syria in 1994 to be groomed for his succession as president. After the death Hafiz al-Assad, Bashar initially gave the Syrian population high hopes of political and socio-economic reform. From his first statements and attitude it seemed as though an era of freedom and liberalism was finally coming upon the Syrian population, and that the oppression of the father's regime was finally coming to an end. However, initial limited liberalisations were followed by the regimes retraction to its hard-line authoritarian status. Within this section, the decision-making system is secondly analysed. Policy development is almost exclusively in the hand of the president, to which the military and security systems strongly contribute. The role of the Ministry of Foreign Affairs remains secondary and is in any event the expression of the will of the president. Even the Ba'ath party becomes a marginal actor and, with a wide participation of the population, represents an assurance for support to the regime. Next this chapter looks at the development of the regional and international relations under Bashar. The changing scenario after the end of cold war obliged the young president to overcome a foreign policy that was designed to take advantage of bipolar world dynamics and forge new alliances that could assist his regional security and stability goals. It is in this context that Syria pursues deeper relations with the EU, hoping to find a partner on the Western front capable of counterbalancing the hostility of the US.

2. The Beginning of a Regime: Hafiz al-Assad

Since its very birth, the Syrian state was characterised by a sentiment of identity frustration due to the imperial imposition of a fragmented regional state system. Thus, the new state was of artificial creation and its fragmentation went along the lines of geographical and identity divide inherited by the dismemberment of historic Syria by the western powers (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005) Arabism was the main element of cohesion that bridged communal cleavages between the majority of the Sunni Arab population and the multiplicity of Arab minorities (Hinnebusch, 2012). But Arabism also tied the country to long lasting pan-Arabism politics, the Palestinian conflict and the one against the common enemy of the West (Hinnebusch, 2012). Profound irredentism stemmed from this new regional disposition within the Syrian state and expressed itself through the ongoing desire to recreate the wider Arab nation of which Syria was supposed to be a part. The rejection of the regional division was deepened by resentment towards Israel as the Zionist coloniser of the Palestinian territory, which was perceived as a lost portion of historic Syria; further disputes with Israel on border issues reignited this perception (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005). Pan-Arabism and rejection of the Israeli state were therefore the basic prerequisites for any Syrian politician to adjudicate and maintain power; however, this expression of radical nationalism was initially externalised only on a rhetorical level seen that Syria was not strong enough yet to play an active role in the regional power struggle (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005).

Society was divided along sharp class lines which also divided the country between the landlords and commercial oligarchy, a rising middle class, which came to dominate the army, and an aggrieved peasantry (Hinnebusch, 2012). Thus, a new political elite characterised by a rural background and participation in the socialist and nationalist

movements of the 1950s was brought to power by the Ba'ath coup of 1963 that would mark the beginning of a new era of authoritarian ruling (Hinnebusch, Syria: from 'authoritarian upgrading' to revolution?, 2012; van Dusen, 1975).

During the 1950s Syria's revisionist tangent had grown stronger due to the political mobilisation of the middle class, which the oligarchic-dominated political institutions had failed to absorb causing domestic instability. What is more, they were not able to address the impelling problem of social unrest that had stemmed from an unequal division of the land and that was causing further turmoil in the agrarian community (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005). Contemporarily, Israel was being backed by the West, who continued to promote a system of influence aimed at contrasting the pan-Arab model that Egypt's Nasser was promoting in the region: this fact had repercussions inside Syria, de-legitimising pro-Western politicians and the ties withheld by the landed-commercial oligarchy with Western economies (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005).

Moreover, it was in this fertile context that radical parties came to be formed, first of all the Ba'ath party, which extended itself from the army to the schools and the streets; the threat represented by Israel boosted military expansion and, recruiting from middle class and peasant youth, fermented populist dissidents and nationalists (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005). In the midst of this scenario, the 1963 coup of the Ba'thist party was made possible. However this coup did not bring to consequent stability. Opposition from the old oligarchic rule, but also from other rivals such as Nasserites and the Muslim Brotherhood, endangered the fragile support on which the regime rested. Moreover, struggles for power were going on inside the regime itself, on the basis of sectarian, ideological and generational differences. It was the "ex-peasant" radical Alawis that came out victorious from this fight and gained power at the expense of the predominantly Sunni middle class moderates (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005).

A central issue to this struggle between Ba'athi radicals was foreign policy. Forming itself in a fairly durable line of action, the Alawi dominated party sought nationalist legitimacy by sponsoring raids into Israel by the Palestinian *fedayeen*[4]. However, this ignored completely the military superiority of the Israeli army, and ultimately brought to Syrian defeat in 1967, with the loss of the Golan Heights, pivotal territory of geopolitical value, summed to the consequent discrediting of the Ba'athist radicals headed by Salah Jadid (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005). After the war of 1967, Egypt of Nasser, Syria's main partner and leader in the quest to defeat Israel and restore the great pan-Arab nation, also changed its line of action. Nasser realised that it was impossible to escape the new political and geographical logics of the nation state and this provoked a change in his foreign policy. Egypt was undeniably the strongest out of the Arab states looking for unity and, thus, it was unthinkable for the fight to continue behind the lead of any other country; this leading role was the one Jadid would have liked Syria to assume. However, his plan collided with reality as Hafiz al-Assad, minister of defence and commander of the air force, refused to commit to the latter's plan of intervention which resulted in failure and consequent rise to power of Assad in 1970 (Dawn, 2004).

Assad's interpretation of Arabism was much closer to the one Nasser held rather than to the one of the former Syrian ruler: defeating Imperialism remained a central goal, in particular securing the rights of Palestinians (Dawn, 2004). Although the ultimate goal to achieve an Arab Union remained in place, this was now seen through the more realist eyes of Hafiz who recognised the essential nature of securing Syria as a nation state. Thus, the new "realist wing of the Ba'ath" launched a top down revolution putting in place land reform and nationalisations that aimed at regaining the population's trust and securing a basis of power for the regime. The party was strengthened ideologically and involved a wide rural participation, which institutionalised the Ba'ath party's orientation as Arab nationalist and socialist (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005).

[4] The *fedayeen* were armed militias that grew from militant elements within the Arab Palestinians. Their aim was to infiltrate Israeli territory to strike targets in the aftermath of the 1948 Arab-Israeli War. The bases for the members of these groups were often within the refugee communities stabilized in the Gaza Strip, the West Bank, or in neighbouring Lebanon and Syria.

Assad from the start proclaimed the need to cooperate with the other Arab states, especially with Egypt and even with Ba'athist Iraq, to obtain its regional aspirations: Assad held the common view that Jordan, Palestine and Lebanon were parts of natural Syria but he now realised the necessity to recognise their sovereignty and independence as so long as they cooperated against their common enemies (Dawn, 2004). Besides Israel, the central enemy of the Arab states remained the superpowers, and in particular the US. Thus, Syria's turn to socialism was ultimately provoked by the belief that eliminating the connection between the Syrian bourgeoisie and the West was the only way to achieve a nationalist foreign policy (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005). What is more, Assad's pragmatic approach to foreign relations helped him to take advantage of the superpowers' rivalry. Thus, if on the one hand he prepared for better relations with the US by facilitating the passage through Syria of the Tapline (Trans-Arabian Pipeline) and eliminating Marxist and pro-Soviet discourse from official statements, on the other hand he also held cordial conversations in Moscow signing an economic cooperation agreement with the latter in 1972 (Dawn, 2004).

The army constituted an essential pillar of the regime. It had already been radicalised by the war against Israel and was evermore dominated by the presence of the Alawi minority, eager to prove their dedication to Arab identity and to maintain their newly acquired status. An important security apparatus was furthermore set up by Hafiz, made up of both Alawi and Sunni bourgeoisie affiliates, the latter group having been appeased by economic liberalisation and state subsidy (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005). Assad was capable of creating a regime coalition based on economic fidelity, which connected to society through bureaucratic and party-corporatist institutions and cross cut the sectarian and social divides, incorporating both the rural and middle class population; this granted Syria social legitimacy, completely focused on the problematic of Arab nationalist and anti-Israeli foreign policy that Hafiz intended to pursue (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005).

However, political elite domination by the Alawi officers was evident, and this created a sentiment of resentment in the Sunni community, in particular among the merchant-clerical faction represented by the Muslim Brotherhood (Hinnebusch, Syria: from 'authoritarian upgrading' to revolution?, 2012). This led the latter to guide a series of rebellions, in particular the insurrections of the northern cities in the early 1980s that provoked a brutal repression on behalf of the military forces of the regime, the height of which is represented by the semi-destruction of Hama in 1982. Furthermore, these conflicts resulted in the 1980 penal code law n. 49, outlawing Muslim Brotherhood affiliation altogether, which is still in place today (Corrao, 2011).

Rent seeking was also a crucial element for the regime's consolidation and it represented a central driver to the relationships that Assad created in the region. Internally, clientele networks were essential to the functioning of the regime and the oil revenues and aid received from Arab oil states played an important role in financing them. Externally, they contributed to the creation of an image of power and strength by funding the construction of a huge national security state further reinforced by the acquisition of Soviet arms (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005).

The consolidation of the regime's newly found nationalist legitimacy was instrumental in recasting the parameters of the Arab nationalist quest into one compatible with the parallel existence of the various nation states in the region, and exhorted their cooperation to fight external threats (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005). In this framework, revenues and aid from other states were justified by the fact that Syria took it upon itself to occupy the role of 'paladin of the Arab cause' against Israel, whilst not threatening the other Arab states' national sovereignty.

The concentration of power that stemmed from the "presidential monarchy" of Syria enabled Assad to pursue his struggle against Israel rationally; by discarding the unrealistic goals of irredentist predecessors yet affirming his ambition, he mobilised the country behind the more realistic goals of regaining the Golan Heights and creating a Palestinian state in the West Bank/Gaza (Hinnebusch, Globalization and Generational

Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005).

Two things drove the tenacity with which Hafiz refused to either settle with Israel for anything less than full withdrawal from the Golan Heights or undermine the Palestinians by accepting a separate settlement: on the one hand, it stemmed from a profound Arab identity that had its roots in Syria; on the other, it depended on the manipulation capability of Assad towards the international and regional systems to obtain his desired results (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005). If on the one hand he took advantage of the attempts of the US to broker an Arab-Israeli settlement, on the other he concluded agreements with the USSR and the conservative oil states on opposite ideological grounds in order to enhance Syria's military forces (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005). This permitted Hafiz to pursue a strategic line of action that granted Syria an otherwise unthinkable role of power in the region (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005) (Seale, 1988).

Hence, in these years a precise foreign policy trajectory was defined characterised by a tight link between foreign and domestic policy that will be very difficult for Bashar to untangle. Syria's geopolitical position in the Middle East, its' enduring confrontation with Israel and even with the generalised "West" are all elements which allowed the regime to cultivate its nationalistic goals by leading the front of resistance and ultimately legitimised the shortcomings of domestic policy: while the population was concentrated on the higher cause of fighting the common Arab enemy, the default of the domestic system was given secondary importance, thus de-prioritising political liberalisation (Colombo, June 2011).

However, what created stability during the regime of Hafiz, created not few problems in the following reign of his son. Syria's failure to reach a peace settlement with Israel is perhaps the most important factor that undermined Bashar al-Assad's foreign policy options from the outset (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005). The reach

of Washington after the Gulf-war was the perfect occasion for Syria to get a better settlement in the Arab-Israeli peace agreements; furthermore, the Oslo accord had freed Syria from the constraint that connected the regaining of its lost territories to the creation of a Palestinian state, allowing more space of action in reaching an agreement with Israel, that ultimately seemed willing to return the Golan Heights, and Hafiz even conceded to reopen diplomatic relations and allow some de-militarised zones on the border favouring Israel once the territories had been returned (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005). However, even if the two sides came very close to a resolution at the March 26th, 2000 Clinton-Assad Summit, the agreement was ultimately never reached (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005).

On the internal front, the diversion of funds to creating an oversized military for the Israeli conflict drained the possible investments in economic development leaving the country divided between a very small, wealthy and corrupt Alawi elite and the majority of the population that was poor and resentful. Austerity policies that starved the public sector in the 1980s, which froze social benefits and diminished the earning power of the state-employed middle class were followed by a decline in aid due to the fall of the Soviet Union and the initiation of the peace process in the 1990s. Moreover, all of these elements collided with the extreme necessity to invest inside the country as a substitute for eternal aid (Hinnebusch, Syria: from 'authoritarian upgrading' to revolution?, 2012). When the peace negotiation eventually failed, the repercussions were strong inside the country: Syria by the end of the 1990s was expecting the peace agreement to be just around the corner and was preparing to move from a security nation state that lived off strategic rent to one of economic development; Hafiz and his son Bashar had been programming a line of reforms gearing towards major liberalisations and anti-corruption that were necessary if they wanted to benefit from a hoped for influx of investments, mostly from Arab countries and expatriates (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005). Alas, the final null results of the Arab-Israeli peace process curtailed these prerogatives and left Bashar to deal with a completely different foreign policy scenario.

3. A New Era: Bashar al-Assad's Foreign Policy

3.1. Consolidating Presidential Power

With the death of Hafiz al-Assad, his son Bashar was approved as President of the Syrian Arab Republic through popular referendum of which he was the only candidate in July 2000. Some have considered him as "having been groomed for succession by default, in the absence of any suitable alternative" (Kausch, 2010) and others sustain that his choice "resulted from a deliberate decision by Syria's real power brokers to avoid a choice on the matter of succession" (Zisser, Winter 2003). Whichever the reason be, the all around hope of the Syrian population and the international community alike was that with his appointment a change in register of the totalitarian regime would take place.

In a terribly difficult economic situation, Syria was urgently in need of internal development and political reform, and the population had faith that this young leader could be the answer for the shortcomings of the country's past. This was also due to the way Bashar presented himself to the nation, since he openly called for liberalist inspired, democratic political and administrative reforms already in his first public speeches (Source and translation: Syrian Arab News Agency, 2009). In the period that directly followed Bashar's appointment, often referred to as the Damascus Spring, a number of informal groups began to meet in private homes to discuss political reform; however, it's peak also signalled it downfall and even if hundreds of political prisoners were released when the Mazzeh prison was shut down in November 2000, by August 2001 the period of experimental reforms was already over (Human Rights Watch, 2010). The so strongly proclaimed transparency in Bashar al-Assad's initial address (Source and translation: Syrian Arab News Agency, 2009) was never materialised in the decision-making process with a consequent total absence of public information on the policy debates that occur within the regime. This makes it virtually impossible to comprehend the real reasons behind the initial relaxation and subsequent rigidity of Bashar al-Assad's policy choices (Human Rights Watch, 2010).What is more, since 1963 the state of emergency had been enacted and there was no sign of it being lifted by

the government that continued to rule by emergency power, with the aid of the *mukhabarat*, Syria's feared security agencies that terrorises the population through sudden and unwarranted detentions and arrests, regularly engaging in interrogations, torture and unfair trials under the special courts set up under the regime's emergency laws, such as the SSSC (Supreme State Security Court) (Human Rights Watch, 2010).

Initially, Bashar was forced to share power with the party's "old guard" who did not have much faith in his project of reform. Thus, it was a prerogative for him to try and concentrate power in the presidential role. Thus, continuing to struggle with the elite that had been established during the 30 years of rule of his father, he tried to retire and replace members of the "old generation" with his loyalists in the army and in the security forces while inserting reforming technocrats in the government (Hinnebusch, Syria: from 'authoritarian upgrading' to revolution?, 2012). The power struggle for party leadership, which Bashar was trying to overturn in favour of his reformist legislation, culminated in the 2005 "Syrian Party Congress" when the old guard was ultimately wiped out from their position of power (Hinnebusch, Syria: from 'authoritarian upgrading' to revolution?, 2012). Although he was able to achieve his goal of eliminating the obstacles to his reform, he actually made a very dangerous move: he undermined the power interests his father Hafiz had created with clientelist networks, which represented key segments of society and were what ultimately guaranteed stability, and followed to substitute them with an increased dependence on the Assad-Makhlouf family clan, thus creating an overconcentration of patronage and corruption (Hinnebusch, Syria: from 'authoritarian upgrading' to revolution?, 2012). Before looking at how foreign relations have changed in the era of Bashar, a delineation of how foreign policy decision-making takes place in the Syrian regime is of utmost importance.

3.2. Decision-Making in Syrian Foreign Policy

The central figure of decision-making in Syria is the President, who has minimised the role of the country's primary institution, the Ba'ath Party, as well as other institutions depriving them of that role (Kandil, 2008). Hinnebusch sustained that the Ba'ath Party

has been "downgraded, deideologized, and turned into a patronage machine with little capacity for independent action," and therefore no longer has any influence on key decisions (Hinnebusch , 1996 in Kandil, 2008). During Hafiz al-Assad's regime the Ba'ath Party gradually lost its strong ideological ground, as the founders were exiles and the intellectual work was banned. A series of structural reforms in the Party established a ninety-member Central Committee appointed by the President, which would then elect a Regional Command of twenty-one and together they represented the party's decision-making organs, under the strict control of the president (Kandil, 2008). The number of party members grew significantly, contributing to the President's ability to construct an enlisted public support for the regime, transforming the Ba'ath Party in more of "an instrument for the execution of policy than an originator of policy" (Prados & Sharp, 2005).

Another important structural change took place during the term of Hafiz al-Assad in 1973, when the Syrian constitution was issued. It elucidates the central role of the President in the formulation of the country's foreign policy. Moreover, Article 94 asserts that it is the President of the Republic that lays down the foreign policy of the state and oversees its implementation through consultation with the Council of Ministers; the legislative power's role is limited to discussing policy elaborated by the Foreign Minister and ratifying international treaties and agreements related to state security (Ziadeh, 2011).

Since Syrian foreign policy is coordinated closely with the President of the Republic, it is theoretically the Ministry of Foreign Affairs and not the Council of Ministers that is in charge of its formulation: collecting and analysing information and the consequent drafting of foreign policy is the responsibility of the Ministry of Foreign Affairs who, in turn, submits it to Assad who makes the final decision (Ziadeh, 2011). However, the issues of routine, namely the ones regarding the unchanging features of Syrian foreign policy, are overseen by the Minister of Foreign Affairs but, if the decisions consider military or security issues the minister's role may be, and usually is, reduced. In these cases, it is the President that assumes control in quality of general leader of the armed forces and some of their assisting institutions, such as the Ministry of Defence, the intelligence organisations and general staff (Ziadeh, 2011). For example, war is a

situation in which the consent of the Popular Assembly is necessary although the President is still the main figure in charge of making the decisions. Thus, foreign policy decisions are strictly connected to the personal decisions made by the President and are a direct reflection of his will, namely the will of Hafiz first and Bashar now.

President Hafiz al-Assad always held a central role in decision-making regarding foreign policy, especially during the Syrian-Israeli negotiations between 1991 and 2000 that followed the Madrid conference: some have even spoken of a "word for word diplomacy" referring to the fact that he would check word for word the press releases of the Syrian officials from which he would pick and chose any statement he wanted to reserve for himself; he sometimes personally handed over initiatives or statements to Farouk al-Shar'a, Minister of Foreign Affairs, giving him the assignment to put them into effect (Ziadeh, 2011). Hence, a high degree of control was a prerogative of all negotiations conducted by Hafiz who directed his negotiators so that they would fulfil their assignments effectively.

After the death of Hafiz, Farouk al-Shar'a's role as foreign policy director acquired new depth for the good relations he entertained with Bashar al-Assad and also with other security institutions with whom he had contributed to create a calm atmosphere for the power transition (Ziadeh, 2011). Even though al-Assad received many complaints about al-Shar'a's outspoken and unrestrained manners by many of his colleagues (Ziadeh, 2011), with his promotion to Vice President it was clear that his role was increasingly valued by the President, and that he had a strong influence on foreign policy development. In fact, the role of Vice President that is usually considered as both a "promotion and a paralysis" in this case was freed of its limitations by a legislative decree issued in 2006 which, besides giving him the faculty to oversee foreign policy, furthermore granted him the power to supervise and gather information, making it possible to exercise far-reaching authority. Moreover, these elements reflect the nature of Syrian foreign policy which gives more importance to the decisions of people than the application of policy. With the new power which Bashar invested him, Farouk al-Shar'a acquired an authority that the position of President Deputy did not originally entail (Ziadeh, 2011).

In 2006 Walid al-Muallem was appointed Minister of Foreign Affairs. His selection was widely instrumental for Syria's international image, since al-Muallem was already well known to the institutions of the United States and of the European Union for his moderation. In fact, he had served as ambassador to the United States during what has been referred to as the "honeymoon period" of Syrian-US relations that went from 1990 to 2000 (Ziadeh, 2011). Notwithstanding his useful diplomatic capacity, he didn't hold a very high political hierarchy, and, as underlined by Kandil, in an interview released to the Washington Post he portrayed his relationship with Bashar as one in which "[h]e is the leader. I am expressing his ideas" (al-Moallem, 2006) (Kandil, 2008).

The differentiation between position or post, power and influence is of extreme importance in Syria. Bashar al-Assad makes this distinction using a slightly different terminology already in his opening address as newly appointed President in 2000. He reflects on the difference between position, that he intends as detaining a higher meaning thus attributing responsibility in life, and post, which is the position that Syrian citizens and himself hold within society (Source and translation: Syrian Arab News Agency, 2009) :

> "The post is not an end but a means to achieve an end…The question now is what does this new post add to the position in which I have always found myself? I have always said to those I met with, that the post is a responsibility but the position has imposed this responsibility on me beforehand. Some might say that the post gives the legitimacy, but the legitimacy is first and foremost the will of the people and their desire. The importance of your vote on my nomination stems from the fact that it is a response to the desire of our people whom you represent in all their different strata. Hence, we can say that the responsibility is towards the interest of the people and the legitimacy is the people's will and their desire. The post is only the framework which combines the two and regulates their relationship… Every decent citizen has to put himself in the position I have indicated above, shoulder his/her responsibility and to believe in legitimacy even if he were in situation that does not allow him to implement his ideas. The post does not engender responsibility, the opposite is true. The post deprives one of his responsibilities and allows him to exercise it only through the authority granted to him."

In practical and less rhetorical terms, position or post, does not necessarily entail the assignment of power as it generally would in other state systems. In Syria it is the trust that is given to a particular person, first of all by the president and secondly by the security organisations, that grants him power and influence (Ziadeh, 2011). Thus, membership to the Ba'ath Party and loyalty to certain interest groups are elements that can assign power and influence to an individual up to the extent that administrative corruption is actually encouraged as it helps to build networks of influence (Ziadeh, 2011).

Furthermore, of central importance to making Syrian foreign policy decisions is the role played by military and security organisations: it is generally not spoken of although every actor and observer is conscious of the fact that, especially when decisions of great importance are concerned, the military and security organisations play a central role in the final decisions. In particular, the latter are involved in the ones regarding the states surrounding Syria, or when the security dimension of the regime is at stake (Ziadeh, 2011). For instance, security questions regarding flows of refugees, the Palestinians within Syria and the influx of Iraqi refugees after the Iraq invasion in 2003, brought about security discussions that preceded the political ones. In these cases, the president holds the final decision prioritising the security dimension to the actions suggested by the Ministry of Foreign Affairs (Ziadeh, 2011).

In this regard, how Syria went about its relations with Lebanon is an illustrative example. The security channels used by Bashar al-Assad when managing his relations with Lebanon were the same as the ones adopted by his father Hafiz, namely the Syrian security apparatus in Lebanon headed by Ghazi Kan'an. Thus, despite the growing Lebanese opposition, the Syrian military presence and interference in internal affairs continued in Lebanon. When Rustum Ghazalah took the place of Kan'an, his insolent behaviour brought many Lebanese and Syrian officials to complain about him to Bashar al-Assad. Since international pressure for Syrian withdrawal from Lebanon was growing, al-Assad decided only in this secondary moment to pursue a political solution, assigning Walid al-Muallem, then the deputy of the Syrian Ministry of Foreign Affairs, the task of creating a new relationship taking into consideration political rather than security elements (Ziadeh, 2011). Notwithstanding his efforts, the assassination in 2005

of previous Lebanese Prime Minister Rafiq al-Hariri was still fresh in the memory of the country and the international community, bringing the Syrian-Lebanese relationship to a state of crisis. The supposed involvement of Syria in this assassination and the consequent complication of relations between the two countries brought Bashar al-Assad to reluctantly withdraw the Syrian troops from Lebanon in 2005, although Bashar, consulting with Syrian military intelligence and not the Ministry of Foreign Affairs, maintained a generally good relationship with Shi'a Islamic Lebanese parties, including Hezbollah and the Amal movement (Ziadeh, 2011) (Kausch, 2010).

3.3. New Regional and International Relations under Bashar al-Assad

Many regional factors have contributed to modify Syria's strategic relations with its neighbours and with the West. The negative impact that was left on Bashar's foreign policy by the failure of the peace process with Israel put him in an initially weak position. His first years were characterised by a deterioration in the relationship between Damascus and the US and the majority of its Arab allies, including Egypt, Saudi Arabia and Jordan (Kausch, 2010) (Zisser, Winter 2003). The instrumentalist dynamics that had been carried out by Hafiz had been exhausted by the end of the cold war and now a new approach was needed to guarantee a role for Syria in the region and internationally capable of reconciling its integration in world economy with its Arab nationalist identity, based on regional stability and security.

When Bashar al-Assad came to power in 2000 he had declared his dedication to the cause of the peace process that he and the Syrian population alike were in a hurry to give life to, as long as it was not at the cost of land or sovereignty (Source and translation: Syrian Arab News Agency, 2009). Even though this had created admiration towards him, since it clarified his intensions to pursue a line of peace in the region while playing on the Syrian sense of Arab nationalist loyalty, his policies ended up seeming confused and incoherent because of the context of extremely sensitive regional circumstances in which his arrival to power took place (Ziadeh, 2011).

Moreover, a Golan settlement was no longer a viable option when the rise of Sharon came about and his repression of the Palestinian intifada inflamed public opinion against Israel; Bashar al-Assad decided to take advantage of this situation to boost his own Arab nationalist credentials and actually became less accommodating towards Israel than his father, returning to Syria's earlier requests for settlement that comprised the creation of a Palestinian state with Jerusalem as its capital and preservation of the Palestinian right, under UN resolutions, of return or compensation (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005). As reminded by Ziadeh, Bashar arrived to declare that for a comprehensive peace plan "there must be a balanced Lebanese, Palestinian and Syrian axis" (Ziadeh, 2011).

Regarding Lebanon, the strained relationship that had come to be created was additionally complicated by the intricacy of the involvement with Israel: Syria's strategic security vision encompassed a tactical balance with Israel. Since the 1980s Syria had treated Lebanon as if it were merely an extension of its territory, a "surrogate battlefield in a proxy war" against Israel (Hinnebusch, 2005), that had to be controlled and militarily secured, and it was ultimately this context that instigated Syria to interfere in Lebanon's security, military and political affairs (Ziadeh, 2011).

However, when the events of September 11th 2001 arose, Syria allegedly agreed to a European request to maintain calm in south Lebanon. Consequently, Syria saw its impunity in retaliation actions against Israeli forces in southern Lebanon fade, and it was forced to come to terms with the fact that it could no longer pressure Israel back to the negotiation table with a cost-free line of action (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005).

With the Palestinian organisations, especially those situated in Syria, such as Hamas, the Islamic Jihad, the Popular Front for Liberating Palestine and the Democratic Front, Syria maintained a very similar behaviour as the one entertained with Lebanese Hezbollah. Anything, related to political or security issues, was coordinated by Syrian military intelligence, and it was with the latter that the Palestinian organisations entertained relationships. The final decision was always up to the President on these

matters. However, Hafiz had never entertained direct contact with the representatives of the Palestinian organisations but rather was informed by the subdivision of military intelligence. This was due to the fact that Lebanese Hezbollah and Palestinian organisations in Syria had been blacklisted by the United States as 'terrorist' organisations, and therefore Hafiz al-Assad avoided at least meeting them publicly, despite their close relationship (Ziadeh, 2011). On the other hand, this significantly changed with Bashar al-Assad who presented a much bolder approach in dealing with these organisations: while maintaining his contact with Hezbollah and the Palestinian extremist groups by means of the military-security channel, he also seemed to be less preoccupied by the effects of holding public meetings with their highest members, for example with Hasan Nasr Allah, secretary general of the Lebanese Hezbollah, or Khaled Mash'al, head of the political bureau of Hamas. Furthermore, particularly after the consolidation of the strategic relationship with Hezbollah as a consequence of the Israeli war against Lebanon in 2006, fairly regular meetings with the Palestinian organisations were scheduled since a stable relationship had been established also with Hamas (which had come to power after elections in 2005) (Ziadeh, 2011).

On a parallel line but on another front, Bashar was preoccupied since his rise to power with regaining other important regional relationships, since an emerging Turkish-Israeli-Jordanian alliance could have threatened Syria's survival in the region. Thus, Bashar decided to try to neutralise this threat by mending fences with Turkey and Jordan (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005). In the 1990s Damascus had been at the edge of war with Turkey over the contention of Euphrates water and had pressured Ankara by supporting the anti-Turkish, Kurdish guerrillas (PKK); since Syria had dropped that card, there was no longer any reason for friendly relations not to be consolidated and a series of economic agreements were established (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005). Bashar's relations with Jordan's King Abdullah II also grew closer, although the latter refused to cut ties with Israel. Even with the PLO al-Assad tried to improve the relations he had inherited from his father; he started by inviting Arafat to Hafiz's funeral and when the Al-Aqsa intifada broke out, Syria recognised the legitimacy of the Palestinian authority, although Arafat was

unwilling to tie himself to commitments with Syria for possible negotiations with Israel (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005).

Central to Syria's regional strategy were the inherited relations with Egypt and Saudi Arabia: during the rise of the al-Aqsa intifada Bashar made his first trip to Cairo as President, and obtained a declaration from Egypt that it would reconsider its relations with Israel if the latter had attacked Syria, and from Saudi Arabia assurance that an attack on Syria or Lebanon would not be ignored (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005). The pressure to be part of an Egyptian-Saudi alliance became increasingly serious after the events of September 11th. However, the dissatisfaction of Syria for the continued state of occupation of the Golan Heights brought it to reach out also for an opposing alignment with Iran and Iraq. Hence, Syria was trying to create a position for itself that would be able to take advantage on the one side of its alliance with the pro-Western states, namely Egypt and Saudi Arabia and on the other of a new anti-Western front represented by Iraq and Iran (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005).

The relation with Iraq was one primarily of geo-economics: in 2000 the re-opening of the oil pipeline from Iraq to Syria's Mediterranean port of Banias that had been closed during the Iran-Iraq war was an economic strategic move on Syria's behalf, receiving in return crude oil at a below market price, thus being able to make huge profit by exporting it at much higher international prices (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005). Potential for geo-political alignment stemmed from the new alliance as well, and Syrian leaders spoke of Iraq as Syria's strategic, economic and scientific depth (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005). However, a true alliance between Iraq and Syria never developed and full diplomatic relations were never established. This was due to the fact that, especially after 2001, Syria feared that this alliance could focus US hostility also on Syria, which it wanted to avoid. Damascus

feared the installation of a pro-US regime in Iraq, but as a protection against possible regime change, Bashar cultivated his relationships with the Iraqi opposition, namely the Kurdish factions, hoping that this would place Syria in a position to retain its influence in a post-Saddam Iraq together with Iran, which had close ties to the Shi'a opposition (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005).

Of a complete different nature was the Syrian relation with Iran's Islamic theocracy. It began under Hafiz al-Assad, when he decided to support the 1979 Iranian revolution as a sign of protest against the US-imposed order, and was initially interpreted as "an opportunistic, short-term, marriage of convenience" (Goodarzi, January 2013). However, the relation proved to be long lasting, also due to the complementary strategic aims of the two regimes: their relationship was one based on mutual defence, which conjugated two different ideological motors into political and strategic concerns. For Iran this meant maintaining a role of supremacy in Persian Gulf affairs and preventing the rise of governments hostile to Iran in Baghdad; for Syria it entailed regaining the Golan Heights and having a veto power on Lebanese affairs in order to avoid the development of policies in Beirut that could potentially be detrimental to Syria (Goodarzi, January 2013). Syria regarded the deposal of the pro-Western Shah Reza Pahlavi and the consolidation of the Islamic Republic by the leader of the revolution Ayatollah Khomeini, as the perfect occasion to gain further support from the new regime that seemed sympathetic to the Arab cause.

The tightening of ties between the two regimes occurred in coincidence with the deterioration of Syrian-Iraqi and Iranian-Iraqi relations, and with the fading of Syria's hopes to become part of a triangular alliance with Egypt and Saudi Arabia (Kandil, 2008). Seen that Egypt had signed the Camp David Accords with Israel in 1979, talks were set up between Syria and Iraq with the goal of creating a political union between the two states. However, mutual incriminations brought the negotiations to an end due to differences that seemed irreconcilable (Goodarzi, January 2013). On the other hand, deterioration in the relations between Iraq and Iran had stemmed from the fear of Iraq's leader Saddam Hussein that the Islamic revolution could have a contagious, and therefore destabilising, effects on his regime. He furthermore mistook the Iranian

turmoil for a sign of weakness, and decided to seize the moment to invade and attempt to gain territory. Thus, the Iran-Iraq war of 1980 was what brought consolidation to the relations between Iran and Syria, that proclaimed its unwavering support for the Islamic Republic and procured valuable diplomatic and military support to Tehran (Kandil, 2008). Thus, when the time of need came for Syria, Iran exchanged the favour and in 1982 the Iranians helped fend off Israel's invasion of Lebanon's southern regions, and also set up training camps in the Baqa' Valley where help was given to recruit, arm and mobilise Lebanese Shi'a against the invading Israeli army (Ranstrop, 1997). Cooperation between the two countries also contributed to diversifying their sources of weaponry: they procured military equipment from the Russian Federation, China, Ukraine and North Korea and started to build up an indigenous arms industry (Kandil, 2008).

Relations remained close under Bashar: in the period between 2000 and 2006 the latter visited Tehran five times whereas Iranian President Ahmandinejad made his first official visit to Damascus after assuming office in 2005. Amongst strong criticism from the other Arab countries, Damascus has continued to defend this relationship, and Bashar has described the Iranian role as one that is "vital to regional stability" that "does not contradict, but rather reinforces an Arab role" (al-Assad, 2006). What is more, the two countries vowed diplomatic and military support to each other in case of an American or Israeli attack after forging a "united front" in 2005, in response to international threats (Kandil, 2008).

As much as the Syrian-Iranian relationship has proven to be quite the asymmetric type, characterised by strong differences of ideological and strategic regional nature, it has none the less been one of the most durable relations of Syria in the region and continues to survive presently. Thus, the initial support given by Tehran to the protest movements as they had erupted in other Arab countries, describing them as the advent of a new Islamic era in the region, was brought to a quick halt in the case of the protests against the Syrian regime, which it could not risk losing as an ally.

As far as Syria's relations with the US are concerned, after the fall of the Berlin Wall and the end of global bipolarity and the consequent dominance of American hegemony in the region, Syria unwillingly came under pressure to sacrifice some of its nationalist

Arab elements, in order to appease the US hegemonic power, and avoid greater threat from Israel: certainly, the participation of Syria in the Gulf war coalition and the Madrid Peace Process can be seen in this light (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005). Even if Syria nurtured some concern in having the US as its ideal third-party mediator for an Israeli-Syrian peace settlement, Damascus had every interest in creating opposite balancing alliances in the region. However, after reports that Syria had been receiving Iraqi oil outside of the oil-for-food regime, the previously mentioned Iraqi pipeline became a major contention with the US. In the aftermath of September 11th it seemed clear that the leaders and interest groups of Washington against Syria were achieving a dominant position, and the backing of the Israeli front during the al-Aqsa intifada was a unequivocal sign that the US could no longer play the broker role for a Syrian-Israeli peace process, as further tensions in the region were raised by Bush's war on terrorism. In fact, an aggressive agenda was being advanced against Damascus by the US that was trying to exploit the old image of Syria as a terrorist state, interested in closing the offices of Hamas and Islamic Jihad, responsible for suicide bombing in Israel (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005). The growing presence of the US in the region and its intervention in regional affairs, the war in Afghanistan, US threats to freeze Hezbollah's assets and to invade Iraq are all factors that put quite an amount of pressure on Syria, who was feeling intimidated by their presence due to its' 'territorial extensions' in Lebanon, its' possession of 'Weapons of Mass Destruction' and its prolonged sponsorship of Hamas and Hezbollah (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005).

The prospects of creating a better relationship with the US seem very dim. The military capability has always constituted a problem for the US and has appeared regularly on the State Department's list of "States Sponsors of Terrorism" (Zunes, October 2003).

Thus, it was evident that as long as Syria's conflict with Israel continued to remain unresolved and as long as the al-Assad regime kept its ties with extremist Islamic groups it could count on pressure from the Washington front. As a consequence,

attempting to neutralise this threat, Syria decided to further strengthen its' inter-Arab links, tighten its relationships with Iran and also with extra-regional actors, in particular with Europe (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005).

4. Syria's Relations with the EU

One of the major developments in foreign policy under Bashar al-Assad's rule was the strategic priority given to relations with Europe. France had had an influential role in the Middle East since the era of its colonial possessions. A French commitment to maintain good relations was proven by the open approval of Bashar's succession and by the alliance that had previously been forged with his father Hafiz, symbolically validated by President Jacques Chirac's attendance of to Hafiz's funeral in 2000 (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005). Notably, the first five states outside the region Bashar decided to visit as President were Western European, namely France, Spain, Germany and Britain. The new Syrian president saw an alignment with Europe as a crucial ingredient for forging Syrian economic renewal and was perceived as a tactical move to protect itself from US hostility (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005). Cooperation with Syria had been in place since 1977 on the basis of a Cooperation Agreement that had a mostly economic and trade nature. When the EU decided to set up the Euro-Mediterranean Partnership in 1995, it represented a perfect occasion for strengthening ties. However, several issues stood in the way of the deepening of relations.

Syria was indicating reluctance in embracing Western foreign policy positions and this was creating some uneasiness and impatience on the European front: for example, in the wake of September 11th the Syrian perseverance in stating that Palestinian actions of national liberation against occupation must not be confused with terrorism created not few objections on behalf of the EU representatives, who strongly rejected Syria's

support for the radical factions of the intifada. Conversely, Europe and Syria found a common point in their intent to refrain US aggression against Iraq, although this position was a voice to deaf ears as the major Western power in the region pursued its strategy to contain the regional conflicts through intervention (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005).

Another EU preoccupation with Syria regarded human rights issues – for example the arrest of political dissidents after the brief political liberalisation period of Bashar – that strained the relationship between the two. On the one hand, Syria felt that the EU was utilising the relationship to impose political change in the country, whereas EU representative Marc Perini underlined that the EU's line of action was part of a "constructive dialogue" for all around improvement, including the achievements of basic human rights (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005).

Although for Europe human rights remained a top concern, they were eventually sidelined to privilege a relationship with Syria that was principally based on economic relations by attempting to stipulate an agreement within the EMP framework for which negotiations started in the beginning of 2000 (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005).

At the 1995 Barcelona meeting Syria had presented mainly political reasons for approaching partnership, hoping to obtain from Europe the much needed support to pressure Israel to return the regimes occupied territories, and subsequently not attending the conference in Marseille on the grounds that Israel would have attended. Nonetheless, Syria had increasing economic motives in seeking partnership, since the fall of the Eastern Bloc had brought it to shift towards the West and thus made the EU its main trading partner: 60 percent of Syria's exports were destined to the EU and 30 percent of Syria's imports originated from it, making the EU a great potential source of investment and of growth for Syria (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005).

Opponents within the Syrian regime were however sceptical of the partnership, arguing that it would entail the imposition of a neo-liberal framework on what was a "statist-dominated economy," that it would require Syria's economic legislation to be brought in line with EU practice, and finally that opening the Syrian markets would create an unequal competition for its industries, leading to unemployment and trade deficits.

The negotiations and debates on the partnership were protracted as it was extremely difficult to try and find a middle ground that could have accommodated EU expectations and Syria's capabilities. As with other Euro-Mediterranean partnerships, the main obstacle was that the EU was not really open to co-operate with Syria to obtain a compromise, but rather presented its offer and unless Syria accepted the basic principles of the deal, namely adopting an open economy, the negotiations would be stalled. On the one hand, this was a strong deterring element in the case of Syria, because the authoritarian nature of the regime was not particularly prone to reach a compromise with liberal EU policy. On the other, it reflected the underlying structural problem of Euro-Mediterranean policy, that is to say the structural power-imbalance built into the process, by which the EU sets the terms unilaterally and each individual Arab state negotiates its accession, instead of promoting collective negotiation between the EU and Arab states to achieve a mutually acceptable framework[5] (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005).

Thus, even the most eager modernisers of Syria saw with mistrust the partnership, worried that the imposition of foreign policies in Syria perpetrated by what they saw as biased foreign economists, who were not aware of the dynamics of Syrian life, could have disastrous effects on Syrian economy and social balance (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005).

Hence, the regime was entangled in a binding situation: if on the one hand deeper ties with Europe were necessary, on the other the Euro-Mediterranean agreement risked jeopardizing the regimes main constituencies and its very social base (Hinnebusch,

[5] This issue has been brought up by the EEAS, and has been underlined as one of the elements the ENP is trying to improve, although on a bilateral basis.

Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005). All of this entailed great uncertainty for Syria, since the partnership didn't guarantee consequential growth in investment, and might have even facilitated capital exports (Hinnebusch, Globalization and Generational Change: Syrian Foreign Policy between Regional Conflict and European Partnership, 2005).

For its part, Europe has expressed scepticism towards Syria's good intentions to bring forth economic and especially political reforms, and although the Association Agreement was initialled in October 2004, after an arduous five-year negotiation period and numerous delays, it still has not been signed and ratified, because European countries believed Syria to be in violation of the stipulated provisions on human rights and good governance (Kandil, 2008). Syria also became a member of the Union for the Mediterranean and the European Neighbourhood Policy, developed on a bilateral basis between the EU and neighbouring countries, but never benefited from all of its instruments and incentives, pending entry into force of the Association Agreement. Its bilateral co-operation agreements were suspended in 2011 due to the escalation of violence inside the country at the beginning of what is now an extensive civil war (European Commission, 2013).

5. Conclusion

Since the beginning of the al-Assad regime, Syrian foreign policy has been dominated by two fundamental elements, namely regaining the lost territories of the Golan Heights and the quest to consolidate an Arab nationalist sovereignty. Thus the regime claimed legitimacy by diverting the populations' attention from domestic matters to issues of regional stability and security.

However, regime continuity does not necessarily generate automatic increased stability, quite the contrary. Syria can be considered as one of the harshest and most repressive regimes in the Arab world, as Bashar's personal figure, the formal and informal

structures that surround him and the extent of violence used by the regime to repress the persistent revolt of civil society since 2011 have proven (Kausch, 2010). Thus, of a decade of Bashar's regime, almost the only thing of interest for the West is the volatility of Damascus' foreign policy, its persisting relations with extremist Islamic groups such as Hezbollah, Hamas and Islamic Jihad, making Syria an extremely difficult player to deal with (Kausch, 2010).

The turn towards Europe can be contextualised in a historical political moment in which Syria was losing its Eastern support, due to the demise of the Soviet Union, and in which its rent seeking partners were starting to leaf. Therefore, Syria turned to the West in a quest for new economic partners, and this pushed it naturally towards Europe that was in the midst of the development of the new Euro-Mediterranean Partnership. Furthermore, Syria was hoping to obtain European support in the Israeli-Syrian peace process, one that could possibly counterbalance the hostile position of the US. However, the EU's support on the security front was never a viable option. What is more, the binding nature of the prerequisites for accession to the ENP was overwhelming for Syria, and years of difficult negotiations were pursued to try to find a compromise, that however was never reached.

If up until the outbreak of violence in 2011 the international community seemed to still be wondering which path Syria would chose, now its preoccupations have radically changed. The protracted civil war that is in its third year has set aside Syria's foreign policy concerns and turned the outward-looking crusade against the common enemy of Israel into an inward-facing battle to suppress the revolution of the Syrian population, which struggles to obtain the demise of the Assad regime. For its part, the EU has changed front, opposing the regime and supporting the Syrian revolutionary front.

CHAPTER 5 - The EU's Foreign Policy in the Syrian Crisis

1. Introduction

After looking at the functioning of the CFSP and its most recent developments in chapter one, the specific framework of cooperation created between the EU and the Euro-Mediterranean region in chapter two, and the foreign policy of the al-Assad regime in chapter three, I will try and create a clearer picture of what role Europe may occupy in the Syrian civil war, which began in 2011 and which is now, in September 2013, at the brink of a critical turning point. Thus, without entering the complications of the various phases of the conflict, this chapter attempts to explicate Europe's stand.

Taking up from the last section of chapter three that looked at EU-Syrian relations, this chapter will first take a look at the mechanisms that have attempted to bridge relations between the two countries in the period prior to the conflict. In fact, even if the Association Agreement was still awaiting signature and ratification, other instruments of cooperation had been set up to help the Syrian Arabic Republic to go through the economic and political transition necessary to achieve the requisites needed to fully benefit from the ENP framework. The second section will then analyse the immediate response of the EU to the escalation of violence. Moreover, when it was clear that the violent repression of peaceful protests were not diminishing but intensifying, the EU transformed the instruments of cooperation assistance into ones principally of humanitarian aid in assistance to the population, since the number of refugees and displaced both in Syria and its surrounding region were exponentially growing. What is more, as had been warned by the EU restrictions and sanctions were placed on the regime to discourage the continuation of indiscriminate killings and violence. However, creating international political and economical isolation didn't seem to produce the desired deterring effects.

The third section of this chapter tries to clarify the plethora of actors present in Syrian territory. Bashar al-Assad held a firm stand in opposing external interference in favour of the opposition and reprimanding the Western states for not backing the regime, warning them that Islamic jihadism awaited the future of the region if his regime were to fall, constituting thus a threat also for Western states. An ulterior complication was created by the increasing number of actors composing the opposition front: in opposition to the regime was not only the more moderate Syrian National Coalition, but also other groups of rebels, many of which infiltrated by external actors of extremist Islamist origin. As analysed the fourth section, this confusion of combatants in Syria influenced significantly the debate in Europe on arming or not the rebel front since, if on the one hand there was the will to strengthen the moderate opposition in taking down the regime and putting an end to the bloodshed, on the other there was a widespread fear that arms could fall into the wrong hands and constitute a counterproductive move. The fear was that such a move could give further incentive for Russian and Iranian arming of the Regime, thus only encouraging the persistence of a permanent battlefield. In the midst of this debate was also the issue of the use of lethal chemical weapons, which

culminated in the extensive attack launched by the Assad regime the 21st of August 2013 on the periphery of Damascus, utilising sarin gas and killing roughly 1400 people of which 400 children. This will be dealt with in the fifth section of the chapter. Such indiscriminate use of chemical weapons was immediately condemned by the international community in particular the US, which deemed that such an action crossed a pre-established "red line" and therefore entailed intervention. Many countries, the UN, the EU and the Arab League retained this action to be a war crime and a crime against humanity, breaching the hundred year international pledge to not resort to the use of WMD, thus calling for strong actions. Thus, two fronts were rapidly built: on the one hand the states sustaining Obama's stand and his will to intervene military in Syria and on the other, the states that wanted to avoid intervention headed by Putin. A big middle-way group was still unsure, and in any case was not willing to consider intervention without a UN mandate. Russia seemed to find the loophole to avoid, at least for now, precipitation into military events. The result was an agreement in Geneva on the 14th of September 2013 between US Secretary of State Kerry and Russia's Foreign Minister Lavrov to requisite and to destroy all chemical arms in the Syrian regime's possession, this agreement entails the approval of a UN resolution, which is still being negotiated.

2. The Development of a Cooperation Framework

As seen in the previous chapter, cooperation between the EU and Syria began with the first Cooperation Agreement signed in 1977. This agreement was established between the European Economic Community and the Arabic Syrian Republic (European Commission, 2013). However, the development of cooperation never seemed to be able to go beyond an economic and trade nature. The EU has always upheld a rather cautious *modus operandi* in spurring political change and as argued by Cavatorta and Gomez Arana (Cavatorta & Gomez Arana, 2010): "the EU is very much aware of the [Syrian] national context and operates according to the assumption that Bashar and his ruling party are in fact a factor of domestic stability," (or at least they were). Thus, further assistance developed with Syria between 1996 and 2006 through the MEDA (Middle

Eastern Development Agreement) framework, maintained a prevalently economic and financial character. The MEDA is the principle instrument of economic and financial cooperation under the Euro-Mediterranean Partnership, developed within the Barcelona Process in 1995, of which Syria is a signatory state. It enables the EU to provide financial and technical assistance to countries in the Southern Mediterranean. During the period in which this mechanism was in place with Syria, more that than €235 million in financial assistance was allocated to the latter (European Commission, 2013). A number of priority sectors such as institutional strengthening, industrial modernisation, development of human resources, trade enhancement and the promotion of human rights and the rule of law were individuated and assistance concentrated on these (European Commission, 2013). The projects focused on reform, especially in the economic and administrative sphere, and were implemented in both the private and public sectors (European Commission, 2013). However, the high level of corruption and the clientelist structure of the Syrian regime contributed to destabilising an efficient implementation of assistance. Furthermore, it made it very complicated to execute effective monitoring.

Syria sought to further tighten its relationship with the EU as a result of its distancing from the US after the failed Peace agreements with Israel in the 1990s. What is more, another element that worked as an incentive for cooperation with Syria was related to security issues. The presence of UNIFIL[6] (United Nations Interim Force in Lebanon) force on the border between Lebanon and Israel other than incentivising regional stability and contributing to the protection of civil society and humanitarian aid also enhanced dialogue between Syria and the EU. This was because the troops deployed there were drawn from a number of European countries, mainly Italy and France, encouraging the EU to major dialogue to assure the safety of their soldiers (Ziadeh, 2011). Thus, a tedious five year negotiation period culminated in 2004, when the EU Commission and Syria initialled a draft EU-Syria Association Agreement aimed at developing a closer relationship that would grant an improved political dialogue,

[6] UNIFIL had been stationed in Southern Lebanon since 1978 to oversee the withdrawal of Israeli troops from the Lebanese territory, which finally took place 22 years later, in 2000. Furthermore, in the same year its presence has been essential after the eruption of conflicts between Israel and the Lebanese Hezbollah backed Syria.

relations of mutually beneficial trade and investments, and cooperation on economic, social and democratic reform.

Notwithstanding the attempt to find an agreement, the EU felt that the political circumstances at that time were not ripe, and the signature was put on hold (EEAS, 2013). In fact, the period between 2001 and 2004 was characterised by a balance of power in which the EU was the dominant player due to the international isolation of Syria, which however shifted to the advantage of Syria after 2005, when the regime had rediscovered a stronger regional position and thus "decided to postpone indefinitely the signature of the Association Agreement in view of the 'potentially destabilising effects' that some of its provisions could have on its economy" (Colombo, June 2011).

Hence, the relationship between the EU and Syria was tainted by difficulties and misunderstandings during the tediously long negotiations over the Association Agreement. After the establishment of the new ENP mechanism, developed in 2003 by the EU to improve the creation of more functional bilateral cooperation agreements with its neighbouring states, Syria was able to benefit also from some assistance under the ENPI (European Neighbourhood Policy Instrument). In fact, Syria is a signatory state of the ENP although it does not benefit from all of its "instruments and incentives, pending the entry into force of the Association Agreement" (EEAS, 2013). However, with the goal of creating the political conditions for the Agreement to eventually be approved in the context of the ENPI, a Country Strategy Paper (CSP) for the period 2007-2013 and a National Indicative Programme (NIP) over the period 2007-2010 were set up to implement the process of reform. Thus, in the Executive Summary three main priority areas of action are identified regarding the CSP 2007-2013 (ENPI, 2007):

> "1. Support for political and administrative reform, including modernisation of the administration, decentralisation, rule of law and respect for fundamental human rights.
>
> 2. Support for economic reform, including implementation of the Five-Year Plan, preparation for the Association Agreement and preparation for accession to the World Trade Organisation.

> 3. Support for social reform, including human resources development and measures to accompany the economic transition process."

Regarding the NIP 2007 – 2010, an overall amount of €130 million was earmarked (European Commission, 2013):

> "for supporting political and administrative (€30 million, 23%), economic (€50 million, 38%) and social (€40 million, 31%) reforms in the country. A further €10 million was allocated to support decentralisation through interest rate subsidies of the European Investment Bank (EIB) loans."

The 2004 draft agreement between the Commission and Syria was updated in late 2008, envisioning also reform of the Syrian customs and tariff and EU enlargement. The revised version was initialled on 14 December 2008, but it was never signed (EEAS, 2013). A second NIP aiming to contribute to Syria's domestic reform process was issued for the period 2011- 2013 which had planned "€129 million of assistance for the period" (European Commission, 2013). Similarly to the MEDA framework, monitoring progress of the country's reforms was not a simple task since no Country Progress Report is prepared for Syria as is done for the countries that benefit from an ENP Action Plan. However, even the ENPI operations were ultimately suspended due to the crisis that broke out in 2011 and the funds that it had disposed were reallocated to confront the repercussions of the conflict on the Syrian population (European Commission, 2013).

3. The EU's Response to the Syrian Crisis

3.1. Condemnation of Violence

The EU's acceptance of Bashar al-Assad's rule in the name of Syrian domestic stability has been overcome by the advent of the 2011 popular uprisings and consequent Syrian crisis, which has forced the EU to revise its previous approach. Colombo had noted at the outbreak of the uprising that (Colombo, June 2011):

> "A significant overhaul of the EU's foreign policies towards the Mediterranean should start with the clarification of the EU's position with regard to the Syrian transition."

The first acts of violence of the Syrian regime against the initially pacific popular protests were followed by HR Ashton's first declaration, speaking on behalf of the EU on the 22nd of March 2011. Here she underlined the EU's extreme concern for the situation in Syria and condemned "the violent repression, including through the use of live ammunition, of peaceful protests in various locations across Syria" (Ashton C. , 2011a). By calling on the Syrian authorities to refrain from the use of violence, exhorting them to listen to the legitimate aspirations of the Syrian people through an inclusive political dialogue and genuine reforms the EU gave its first signals of condemnation of the repressive approach of the Syrian regime (Ashton C. , 2011a). Furthermore, while condemning the violent repression in the city of Dara'a, for which the EU expected the Investigation Committee created by the Ministry of Interior to assure that those responsible would be held accountable, and while reminding the Syrian authorities of their obligation to respect their international commitments to human rights and fundamental freedoms, the EU had still not cut ties with the Syrian regime (Ashton C. , 2011a).

The EU had initially warned that noncompliance summed with protracted violence would have led to economic sanctions followed by the suspension of all EU cooperation with Syria (European Commission, 2013). Thus, when the escalation of violence and repression of the population continued growing exponentially, even after the lifting of the Emergency Law that didn't however seem to produce any practical effect, HR Ashton stated in the 18th of May 2011 declaration (Ashton, 2011b) that:

> "The EU expresses its grave concern about the situation unfolding in Syria and the deployment of military and security forces in a number of Syrian cities. It strongly condemns unacceptable violence against peaceful demonstrators, the increasing number of fatalities and calls on the Syrian security forces to exercise restraint instead of repression... In light of the continuing violence and in order to promote a democratic process, the EU has launched its internal procedures for an embargo on arms and equipment used for internal repression and will urgently consider further

> appropriate and targeted measures with the aim of achieving an immediate change of policy by the Syrian leadership. In addition, the EU will not take further steps with regard to taking forward the Association Agreement. The EU will review all aspects of its cooperation with the Syrian authorities including under the European Neighbourhood Policy Instrument."

Thus, on the one hand the EU progressively suspended its cooperation agreements with Syria and reallocated assistance provisions to provide humanitarian aid to the Syrian population and refugees, and on the other, it established restrictive measures on the Syrian regime.

One of the main elements that can assure a peaceful transition to democracy is an environment free from violence and intimidation. In the conditions in which Syria found itself, under the command of a regime that has demonstrated its unwillingness to leave its post, all EU measures aim at assisting the Syrian people to achieve their legitimate aspirations for a free, peaceful, pluralist and democratic Syria (EEAS, 2013). Congruently to this aim, the assistance measures previously accorded with the regime were redirected to humanitarian assistance.

3.2. Humanitarian Aid

The suspension of existing cooperation agreements began in May 2011 when the Foreign Affairs Council suspended the EU's bilateral cooperation with the regime, it's participation in regional programmes were suspended in September 2011 and in November 2011 also the loans and technical assistance of the EIB were suspended (European Commission, 2013). Moreover, it was stated that the EU would also block any "further steps with regard to the Association Agreement that had been negotiated with Syria" (EEAS, 2013).

The EU is the world's largest aid donor to the international response to the Syrian crisis (European Commission, 2013). The EU's support to the Syrian population was maintained through different instruments. First of all, a plan of humanitarian aid was

established. In this framework "The Directorate General for Humanitarian Aid (ECHO) of the European Commission has mobilized €265 million to date to support emergency assistance to the population affected by the Syrian crisis, both inside Syria and in neighbouring countries (Iraq, Jordan, Lebanon and Turkey)" (European Commission, 2013).

Second of all, the assistance that had been earmarked for Syria by the NIP within the ENPI framework was reallocated "to address the consequences of the Syrian crisis" and a series of Special Measures were also set up (European Commission, 2013):

> "these measures address the medium-term needs of the population (Education, vocational training, psycho-social support, support to livelihoods, etc) both in Syria and in the neighbouring countries hosting Syrian refugees."

Since the beginning of the conflict, a progressive escalation and intensification of violence has been inflicting high costs especially on the Syrian population and also on Palestinian refugees who, escaping the Palestinian-Israeli conflict had settled in Syrian territory. Thus, "in December 2011 the European Commission adopted a €10 million special measure" in favour of both (European Commission, 2013). Furthermore, "in June 2012, the European Commission adopted a €23 million special measure in favour of the Syrian population in Syria, Jordan and Lebanon" and in December of the same year it adopted a "€20.9 million special measure in favour of the Syrian refugees and host communities in Jordan and Lebanon" (European Commission, 2013). In April 2013, further "€30 million" were issued "in favour of the Syrian refugees and host communities in Lebanon" (European Commission, 2013). Kristalina Georgieva, EU Commissioner responsible for International Cooperation, Humanitarian Aid and Crisis Response has been particularly occupied with the growing number of people need due to the Syrian crisis. In her statement of the September 3d, 2013 she underlined that the refugees who had fled from Syria to neighbouring countries has reached the "appalling milestone of two million" and that "[m]ore than half of those refugees are children" (Georgieva, 2013)[7]. Since this enormous figure is the result of a doubled amount of refugees only since March 2013, the European Commission has further enlarged the scope of the aid and since the end of 2011 it has mobilized "€515 million in

[7] See map of Syria in Annex 1 for regional distribution of refugees.

humanitarian assistance for Syria and neighbouring countries" (European Commission, 2013). As it is possible to read on the official EU Commission website (European Commission, 2013):

> "A further €328 million has also been mobilised through other EU instruments (i.e. for education, support to host communities and local societies), bringing the total funding from the EU budget to €843 million. This includes the recent increase of €400 million through the Comprehensive Package, announced on 6 June."

Third of all, there are also other programmes from which the Syrian populations benefits, such as the Erasmus Mundus and TEMPUS programmes, which promote mobility of students and higher education institutions (European Commission, 2013). Lastly, €28 million in assistance to those affected by the Syrian crisis were mobilised by the Instrument for Stability (IfS), "a strategic tool designed to address a number of global security and development challenges in complement to geographic instruments," which since 2007 "replaces several instruments in the fields of drugs, mines, uprooted people, crisis management, rehabilitation and reconstruction" (European Commission, 2013).

Thus, the aid devoted to the Syria since the beginning of the crisis has been quite generous. What is more (European Commission, 2013):

> "[t]he EU Member States as well have provided over €493 million in humanitarian aid to Syrians affected by the conflict bring the total EU contribution to more than €1.3 billion."

3.3. Restrictive Measures

As far as the restrictive measures are concerned, Article 215 of the Treaty on the Functioning of the European Union (TFEU) provides the legal basis by which the EU may interrupt or reduce, in part or completely, "the Union's economic and financial relations with one or more third countries, where such restrictive measures are

necessary to achieve the objectives of the Common Foreign and Security Policy (CFSP)" (European Commission, 2013).

On the basis of this article, the restrictive measures on Syria entered into force on the 1st of June 2011, entailing first of all an embargo on arms and equipment that could be used for internal repression; second, targeted sanctions, comprehending a travel ban and asset freezing against those responsible for or associated with the repression (EEAS, 2013).

The restrictive measures and sanctions consist in an extensive list of prohibitions that comprises among others the "import of arms and related material from Syria; export restrictions on certain equipment, goods and technology that might be used for internal repression or for the manufacture or maintenance of such products"; "import ban on crude oil and petroleum products from Syria; ban on investment in the Syrian oil industry"; "ban on exports to Syria of key equipment and technology for the oil and gas industry"; that the "assets of the Syrian central bank within the EU be frozen and that it be prohibited to make funds or economic resources available, allowing however for legitimate trade to continue under strict conditions"; that "member states not give new grants and concessional loans to the Syrian government"; "freezing assets on 54 entities and 179 persons responsible for or associated with the violent repression against the civilian population in Syria or supporting or benefiting from the regime"; "export ban on equipment, technology or software primarily intended for monitoring or interception of the internet or telephone communications" and many others (EEAS, 2013).

Moreover, these restrictions have been amended a series of times during the crisis[8] with the intent to put further pressure on the regime to end the perpetration of violence, using whatever leverage it had to corner Syria into ending the civilian bloodbath. Thus, by depriving the regime of the financial revenues it receives from Europe, which it could use to continue its violent crackdown, the EU sought to assist as best as possible the Syrian people in achieving their legitimate aspirations of political reform (EEAS, 2011).

One of the factors that was hoped to be a strong deterring element was the EU ban on the import of Syrian crude oil since Syria exports more than 90% of its oil to EU

[8] The latest document containing restrictions on the Syrian Arabic Republic is the Council Decision 2013/255/CFSP (OJ L 147, 1.6.2013, p. 14), valid until 1.6.2014.

countries, constituting a large element of revenue (European Commission, 2013). However, notwithstanding the contribution to creating economic obstacles to the regime's income, the perpetration of violence has continued uninterrupted, also thanks to the support Syria receives from other countries such as Iran and Russia, and organisations such as Hezbollah. In response to the restrictive measures adopted by the EU towards Syria, the latter suspended its membership of and participation in the Union for the Mediterranean. Up until December 2012 the EU Delegation remained open but, seen the escalation of the conflict, scaling down for security reasons became inevitable (EEAS, 2013).

To better understand the stand taken by the EU in the Syrian crisis, it is important to identify the actors in Syria are. On the one hand, Bashar continues to send warnings to the international and regional community. On the other, the Syrian opposition forces are still characterised by organisational confusion. The hope is that the latter is able to regroup, since they represent the new interlocutors with which Europe and the international community in general would like to build a political solution to the civil war.

4. Actors in the Syrian conflict

4.1. Bashar al-Assad's stand

Bashar al-Assad during the conflict has held a very hard confrontational position and seems to continue to use the threat of external enemies to gain consensus among the section of the population that still backs the regime. As recalled by Sayigh, the Syrian President in an interview held in mid June aired on the state al-Ikhbariya television stated that the country faced "a choice between submitting a "new colonization" by the West or to the "dark" forces of extremist Islamism" (Sayigh, What does Bashar al-Assad Want?, 2013). Thus, it seems as though, as in the past, exploitation of a double enemy threat remains a strong point of the regimes public discourse, although now the

threat of Israel has been occupied by the threat of al-Qaeda, whose interferences he well knew would cause preoccupation also for Western countries. Thus, he continued by warning Europe and the United States of the price they would pay for weakening the Syrian state, since, Bashar believes, this will lead to the transformation of Syria into "a safe haven for jihadists from other Muslim countries" (Sayigh, What does Bashar al-Assad Want?, 2013). By using such terms of discussion his intentions are to point to the fact that the regime must not fail to regain control over the rebel occupied areas if it did not want to witness the end of Syria altogether (Sayigh, What does Bashar al-Assad Want?, 2013). Moreover, hiding behind Bashar's words was his firm expectation to resist until the May 2014 elections, and his further hope to use this as leverage in negotiations with the external actors currently against him; this position also reflected Assad's growing confidence that regime forces held their ground against the opposition's armed rebels and that they would be able to continue doing so seen the military gains of that period (Sayigh, What does Bashar al-Assad Want?, 2013).

However, Assad put aside requesting any form of dialogue, continuing to create doubt about the internal cohesion of the opposition instead, as in a series of interviews he gave to British, Turkish, and Syrian media starting in March where he continued to dismiss the opposition as a viable political opponent (Sayigh, What does Bashar al-Assad Want?, 2013). Putting down the opposition to gain support is not new in Bashar's strategic public appearances and it underlined on the one hand his solid intention to influence external actors and on the other to put pressure on the Syrian population. Thus, Assad's latest interviews make it clear that his sights are set firmly also on sending a domestic message: deliberately associating sectarian discourse with the Muslim Brotherhood, he reminded intentionally "his audience once again of the Islamist group's disastrous military adventure nearly four decades ago" (Sayigh, What does Bashar al-Assad Want?, 2013), namely the brutal repressions of the cities in Northern Syria of the 1980s that ultimately led to the outlawing of the Muslim Brotherhood.

The main goal of these messages was to buy time and manage the crisis, for his main aim does not actually appear to be continuing perpetually the fight on the battlefield, but rather to gain consensus in sight of the 2014 election, as his continuous reference to the fact that "only the people can decide whether a President remains in office or not"

seems to give away (Sayigh, What does Bashar al-Assad Want?, 2013). The lack of international interference over the past three years and the support received from Russia and Iran, had given Assad the confidence to detain a position of strength from which he intends to negotiate with the other international players that will be obliged to acknowledge his role; although this will not assure his ability to run in future presidential elections, it might not be so far from reality at least for what entails keeping him in the game until the end of the conflict, this also in light of the most recent events which will be addressed in the last section of this chapter.

4.2. The Syrian National Coalition

With the eruption of the crisis new opposition actors came onto the scene, and it became increasingly difficult for the international community to understand who the legitimate interlocutors were.

The most moderate force, which in the course of the conflict has been trying to organise a coherent structure for itself and to assert its legitimacy in the international arena as the exiled opposing force to Assad's regime is the Syrian National Coalition of the Revolutionary and Opposition Forces (National Coalition). The Syrian National Coalition, a coalition of opposition groups that emerged during the civil war and was founded in Doha, Qatar in November 2012 after days of negotiation, replacing the former Syrian National Council (SNC) that was regarded as ineffectual, partially because "it included few figures from within Syria and had little credibility with front-line fighters" (Arango, 2012). The SNC had been set up in Istanbul six months after the eruption of the uprising against the regime of Bashar in March of 2011, and was the biggest and most significant Syrian opposition group in exile until November 11, 2012, when it joined the broader National Coalition (Carnegie Middle East Centre, 2012)

As stated on the official website, the Coalition is comprised of a 114-member Parliamentary Assembly although not all seats are yet occupied. It "reflects the ethnic

and religious diversity that is a fundamental part of Syrian heritage; Coalition members include Shia and Sunni Muslims, Alawites, Christians, Kurds, Druze, Armenians, Assyrians, and Circassians," and their aim is to create a "democratic Syria free from Assad's tyranny" (Etilaf, 2013).

However, if on the one hand this new moderate force has gradually gained recognition as legitimate representative of the Syrian opposition from most of the international community, namely 120 states and organizations including United States, the European Union, the Arab League, and the Gulf Cooperation Council (Etilaf, 2013), on the other it has dealt with a number of internal disputes, disorganisation and a number of changes in leadership due to the incredibly difficult conditions in which it is forced to proceed summed with regional and international pressure.

Sheikh Ahmad Moaz al-Khatib, was elected as the leader of the National Coalition at its formation in November 2012. Chosen to head the newly formed "unity group aiming to topple Bashar al-Assad" (Atassi, 2012), al-Khatib was a prominent Syrian figure in Damascus: Imam, author and activist, this former engineer was one of the first Syrian religious figures to back the anti-regime revolution. Thus, he received strong support from the Syrian population. As Atassi reports in Aljazeera, when al-Khatib was elected Maha, an opposition activist in Homs gave expression to the all around sentiment by stating (Atassi, 2012):

> "[i]t's like a dose of optimism was injected into Syrians after he was announced as the head of the Syrian National Coalition... We finally have someone who truly represents us and represents the spirit of the revolution."

The new headquarters of the National coalition were established in Cairo, as Egypt declared to give its full support to the new opposition (Atassi, Syria opposition bloc makes Cairo its HQ, 2012). Other offices were based in France, Germany, Qatar, Turkey, the United Kingdom and the United States (Etilaf, 2013). On the European front, legitimacy was granted to the newly formed National Coalition by the European Union foreign ministers through a statement from the bloc's 27 ministers welcoming the November 11th 2012 formation, which proclaimed that "The EU considers them legitimate representatives of the aspirations of the Syrian people," and that "This

agreement represents a major step towards the necessary unity of the Syrian opposition" (Council of the European Union, 2012). France was the first of the European countries to recognise the new opposition-coalition, along with Turkey and several Arab countries from the Persian Gulf; it was followed shortly after by Italy (Aljazeera, 2012). Finally, Britain recognized the coalition as well on the 20th of November when UK foreign minister William Hague speaking to British MPs defined the Syrian National Coalition "the sole legitimate representative" of the Syrian people and adding that they were now a "credible" alternative to the Assad government (BBC News, 2012).

However, the domestic Syrian situation appeared slightly different, as reported by New York Times journalist Arango (Arango, 2012):

> "[W]ithin Syria, the coalition's legitimacy is being tested by some of the fighting groups, whose links to outside political leaders have been tenuous in the past. Several extremist Islamist groups fighting in Syria have said they reject the new Syrian opposition coalition, which was formed under the guidance of the United States, Turkey and gulf countries. The development underscored worries about the rising influence of religious fundamentalism amid the chaos of the bloody civil war in Syria."

Thus, the main hope of the newly formed coalition as it gained growing international recognition was to secure agreements from the Arab and reluctant Western countries to procure the rebels with heavier weapons to accelerate the fall Bahar's government (Arango, 2012). However, the precarious nature of the conflict was reflecting also on the internal balance of the moderate forces, and summed with international and regional pressure threatened the coalition's stability, ultimately pushing al-Khatib to leave his post. Thus, just as the National Coalition formally took up Syria's seat in the Arab League in the last week of March 2013, Moaz al-Khatib took a step back, assuming the role of chairman of the coalition, having announced his resignation only days before, as the role of provisional Prime Minister for the interim government was occupied by Ghassan Hitto (Sayigh, 2013). Al-Khitab however continued to stay in office for almost another month until confirming his resignation on April 21st 2013. Moreover, these instabilities created further insecurity also within the EU, feeding the divisions in the debate on arming or not arming the rebel forces.

Ghassan Hitto was a communications executive who resided in the United States for decades. He was elected as prime minister for rebel-held areas of Syria after winning a vote held in Istanbul on the 19th of March 2013, gaining 35 out of a possible 48 votes. Some have defined him as an expression of a "consensus candidate pleasing the opposition's Islamist and liberal factions," although other coalition members had withdrawn from the consultations before the vote could take place, reflecting the persistence of internal divisions within the opposition (Aljazeera, 2013).

Since his election, Hitto retained the most significant task of selecting a Minister of Defence capable of uniting the armed forces of the opposition under the umbrella of the provisional government: the main hope of the coalition members was that the new government would be able to unify the rebels fighting the Syrian regime's forces and offer assistance to Syrians inhabiting the rebel-held areas, "many of whom have been battered by the country's civil war and suffer acute shortages of food, electricity and medical services" (Aljazeera, 2013). This task was delegated to the Free Syrian Army, the armed opposition operating in Syria since the beginning of the Syrian civil war, composed of many defected Syrian Army Forces personnel and civilian volunteers and led by General Salim Idris, who in June 2013 claimed to be the leader of 80,000 fighters. Gaining recognition from the rebel factions on the ground was surely not a simple task, since a "patchwork of rebel groups and local councils have sought to fill the gap left by the government's withdrawal by organising security patrols, reopening bakeries and running courts and prisons" (Aljazeera, 2013).

Unfortunately, the attempt to form a provisional government for the rebel groups resulted yet again in failure, as Hitto left his post only four months after his election stating his inability to form an interim government (Pletts, 2013); resigning on July 8th 2013, only two days after secular dissident Ahmad Asi al-Jarba was chosen to lead the main opposition National Coalition, he left not only an empty seat but yet another transformation occurring within the opposition front. As underlined to Aljazeera by Fawaz Gerges, director of the Middle East Centre, "the Syrian National Coalition is being pulled and pushed in different directions by its regional and international patrons and powers" (Aljazeera, 2013). This produced many difficulties in maintaining leadership for the coalition, which was in any event trying to create more unity and

coherence. Moreover, the necessity of external political and economic aid not only to pursue their battle against the regime but also to continue their very existence, has allowed external actors to have a stronger voice in the matter of choosing their leaders. What is more, the lack of stability has been often reprimanded to the Western powers as a consequence of their lack of assistance, which in the opinion of the opposition has forced the Coalition to sacrifice some of their independence and cope with "imposed constraints" (Al-Jazeera, 2013). This was one of the reasons that had ultimately pushed former President of the Coalition Mouaz al-Khatib to resign, leaving his post empty for almost four months.

The empty post of al-Khatib was filled on the 6th of July 2013 by Ahmah Asi al-Jarba who was elected as new President for the Syrian National Coalition, after no candidate had gained more than 50 percent at the first vote and a run off was resorted to at the end of the Coalition's meetings in Istanbul (Al-Jazeera, 2013). Already in the lines of the National Coalition as representative of the Council of Revolutionary Tribe and veteran active member of the revolution and contester of the regime, al-Jarba had been a political prisoner, arrested by the *muktabarat* first in 1996 for two years and then again at the beginning of the revolts in 2011 (Etilaf, 2013). The newly elected president was presented since his first days in office with the same difficult task that had been on the shoulders of his predecessors: to unite the Syrian opposition front and bring under control the armed groups operating inside the country (Aljazeera, 2013). Before these talks had taken place, Najib Ghadbian, a representative of the Syrian National Coalition, explained in an interview on "Inside Syria" the approach of the majority of the Coalition to a political solution of the Syrian crisis (Ghadbian, 2013):

> "In principle I would say that the most politically oriented members of the coalition support a political solution and they see in Geneva 2, in fact, something positive - that is, if we are going to implement Geneva 1, which is creating a transitional government with full executive authority, to implement democratic transition in which people like Assad and his likes would have no place in that process."

Division within the opposition is something that cannot be afforded in the midst of such a cruel battle, for the Syrian regime is taking advantage of this stalled situation to regain

ground and "pro-Assad forces [are stepping] up their campaign against rebels in towns and cities like Homs" (Al-Jazeera, 2013).

The election of al-Jarba seems to confirm the strong regional interests since he confirms having relations with Qatar, Saudi Arabia, United Arab Emirates and other regional actors although he denies being as some have called him "Saudi Arabia's man" (Aljazeera - J. Bays, 2013). As for future transitional government formation, in an interview with James Bays al-Jarba did not exclude that members of the Assad regime may be accepted, as so long as they do not "have Syrian blood in their hands" (Aljazeera - J. Bays, 2013). He further underlined that the situation on the ground is complicated and defined Syria as under "foreign invasion" and a "battlefield open to all", by which he intended that not only rebels responding to the Free Syrian Army are opposing the regime, but on both fronts external actors are taking part in the battle (Aljazeera - J. Bays, 2013). However, he made a clear distinction between the two fronts: on the one hand the rebel forces affiliated with the National Coalition, that surely need of coordination but that do not have connections or control over external participation, among which he confirmed also the presence of extremist elements, especially in the Al-Nusra and Islamic State of Iraq and Levant forces; and on the other the forces of the Syrian regime, which on the contrary have explicitly and systematically allowed Hezbollah and Iranian forces to participate in strategic attacks against the Syrian population (al-Jarba, 2013). The new President of the National Syrian Coalition also asserted his will to create corridors of access to Western and UN humanitarian agencies that would allow aid to arrive to the Syrian population (al-Jarba, 2013).

The latest development within the Syrian National Coalition front occurred on September 14th 2013 when Ahmed Tumeh was elected as the new Prime Minister of an interim Government, filling the vacant space left by Hitto in July 2013. Former political prisoner Tumeh, described as a moderate Islamist, was given the assignment to choose a cabinet of 13 ministers, expectation that stems from a two day discussion between power brokers in the Arab and Western-backed coalition (Aljazeera, 2013). After his election Tumeh stated that the priority of his government will be to "restore stability in the liberated areas, improve their living conditions and provide security" (Aljazeera, 2013).

Although no official statement regarding the new formation of the Syrian National front has yet been made, the most desirable outcome for all parties would be for the Coalition to confirm participation in awaited Geneva II talks with the intent to find a political solution to the crisis and end the prolonged Syrian bloodshed. For this to occur, the constant statement brought forth by the opposition was that before being able to enter willingly a negotiation room, stronger wins had to occur on the battle field, as this would be the only way to gain political leverage on the regime, which would otherwise pursue incessantly the Syrian bloodshed. This entailed military help from the West since the Free Syrian Army forces are scarce and rudimentarily armed compared to the regime's Syrian Armed Forces. The US and European states were however very reluctant to abide, fearing that arms could fall into the hands of any of the plethora of extremist and jihadist groups that have gradually introduced themselves into the armed conflict. Furthermore, the difficulty in gathering information from the ground has made an even more difficult task to effectively understand the different fronts of the battlefield. Hence, before analysing the debate on arming or not arming the opposition, the next section will review a June 2013 estimation of the most prominent rebel groups present in the Syrian battlefield.

4.3. The Rebel Groups of the Armed Conflict

The previously mentioned Free Syrian Army is the Coalitions officially affiliated alliance on the battlefield. It is guided by General Salim Idris who is also the Chief of Staff of the Supreme Military Council (SMC), which was created in December 2012 (Lund, 2013). The FSA follows a secular-nationalist line and is considered to be the largest and the most organised rebel group present in Syria, counting 80,000 fighters, although some have their doubts of the actual control held over their actions by General Idris, believing that on the contrary the Army to be composed of Units that act fairly independently from a central command (al-Jarba, 2013). The pressure to make the FSA the military wing of the National Coalition came principally from Western and Gulf Arab nations who devolved a great amount of funding to the organization. This has

attracted many rebel commanders to the FSA, from other battalions of in the region. However, these commanders seem to maintain control over their own forces, and Idris has been seen as occupying effectively more the role of a spokesperson than that of a military commander (Lund, 2013). Thus, the urgent need to regroup under a single command the armed forces affiliated to the Syrian National Coalition.

The Syrian Islamic Liberation Front (SILF) was created in September 2012 and is an Islamist alliance formed around the very basic ideological principal that demanded more Islam and less Assad (Lund, 2013). Roughly 20 armed battalions are now included in this movement, among them powerful factions like Farouq and Tawhid. The SILF members joined the FSA in December 2012, and now make up the bulk of its fighting force: a representative of the SILF describes it as "the largest of the revolutionary coalitions," counting between 35,000 and 40,000 affiliated fighters (Lund, 2013).

Besides these organised movements, there are a number of militant factions, fighting alongside the rebel groups against the Assad regime. Associated with Homs since 2011, but also detaining a significant presence on the Syrian Turkish border is the Islamist-leaning Farouq Battalion. It has strong affiliations with FSA and SILF and is believed to count roughly 14,000 fighters (Lund, 2013).

Seemingly retaining a higher degree of internal cohesion and ideological homogeneity is the Syrian Islamic Front (SIF), a "hardline Salafist Alliance created in December 2012" led by Ahrar al-Sham (Lund, 2013). This group demands an Islamic state with shari'a law and has distanced itself not only from the FSA but has also held back from creating Jabhat al-Nusra's al-Qaeda connection. However, tightly affiliated to the SIF is the Islamic Ahrar al-Sham Movement, which has affiliates all over the country but retains its strongest hold over northern Syria, Idlib, Hama and Aleppo (Lund, 2013).

As also confirmed by the new National Coalition President al-Jarba, Islamic extremist groups affiliated with al-Qaeda are a growing presence on Syrian soil (al-Jarba, 2013). Jabhat al-Nusra, is the most entrenched group on Syrian soil: concentrated in the area of Raqqa it is believed to count around 5000 fighters led by Abu Mohammed al-Golani; there is also a number of Iraqi jihadist fighters of the Islamic State of Iraq movement. Al-Nusra emerged in January 2012 and was blacklisted by the US as a terrorist group in

the same year after a number of suicide bombings; it has cooperated with a number of other rebels on the ground, although it has refused any alliances (Lund, 2013).

Finally, the Kurdish presence in the north has represented another important front. The dominant Kurdish armed group is the YPG (Popular Protection Units), which occupies large portions of northern Syria since August 2012 (Lund, 2013). Its loyalty is tied to the PKK that has taken over most of the other Kurdish groups in Syria and it does not align with the Syrian opposition that it believes to be Islamist and under the influence of Turkey, which the PKK has contrasted for decades.[9]

Thus, the extremely confused scenario of the Syrian battlefield has negatively influenced the will of Western powers to arm the opposition. The debate on sending arms has been constant throughout the civil war, and has divided Europe into two opposing views, that of the UK and France against the official EU position and that of Germany and Italy.

5. Arming or Not-Arming the Opposition

Some member states such as the UK and France, in the course of the conflict have repeatedly pressured the EU to lift some of the arms restrictions, intending to respond to the request of assistance brought forth by the opposition forces. However, the EU and some of its member states have been reluctant to abide, fearing that a flow of weapons would only increase the bloodshed with the further risk that arms could fall into the wrong hands (Middle East Online, 2013). In fact, one of the most complicated aspects of this three year long civil war was that it progressively underwent significant transformation in its extent: since the initial pacific protests in Damascus and Deraa, the violence progressively escalated, transforming itself into extensive bloodshed on behalf of the regime; what is more, the internal divisions among the opposition have assumed a growing sectarian character, incentivised by the participation of a multitude of domestic and external actors, some of extremist and fundamentalist Islamic origin. The

[9] For a map of the distribution of the rebel forces in the Syrian territory see Annex 2.

implications of the continuation of the fighting is potentially catastrophic, since by the end of summer 2013 official sources had already estimated a death toll among Syrian Government forces, opposition forces, and civilians to have topped 100,000 (Central Intelligence Agency, 2013).

Moreover, the EU seems to not be able to come up with a clear stance on Syria. As recalled by Colombo (Colombo, The future of Syria and the Regional Arms Race, June 2013):

> "After a grueling 13 hours of talks in Brussels on May 27, 2013, the EU agreed to disagree on Syria, another clear example of its cacophony resulting in policy paralysis. While agreeing to wait until the expiration of the chances for a politically-negotiated solution to the crisis before sending any weapons to the opposition - possibly extending this deadline until August 1, 2013 - EU member states have limited themselves to not renewing the arms embargo on Syria, while maintaining the remainder of a far-reaching two-year package of sanctions against the Al-Assad regime. The chronic splits within the EU notwithstanding, it is not clear what this move is meant to achieve."

Thus, it appears as though the EU wanted to hold a cautious stand, while in any case sending a clear and strong message of disapproval of "the continued brutality and criminality" of the Assad regime, as stated by British Foreign Secretary William Hague (BBC News, 2013). The intent to set up Geneva talks expressed by US Secretary of State Kerry and Russian Foreign Minister Lavrov, and welcomed by Joint Special Representative for the UN and the Arab League on Syria Lakhdar Brahimi at the beginning of May 2013, represented an important step forward in finding a political solution but without a set date it seemed to put on hold indefinitely. As for Europe, besides asserting the will for political solution, no concrete alternative to arming the rebels was actually set forth, and the divide between the European countries continued to hold strong. On the one hand, Germany was consistent in proving its determination to not get caught up in a conflict that Berlin did not consider a strategic priority, and has thus resisted the arms embargo, ultimately deciding for Europe at whole, although not coming up with any different policy proposals (Speck, 2013). On the other hand, both Paris and London continued to push for an end to the EU weapons embargo, "wanting

to keep all options on the table, or at least to have a credible threat at their disposal in case the attempts to convene a peace conference fail" (Speck, 2013).

The main result of the split among the three major European powers was a sideline position, confirmed by statements of the CFSP's High Representative. For example, while debating the situation in Syria in the 3250th Council meeting on the 24th of June 2013, Ashton underlined "EU's belief that the crisis must be solved through a political process" (Council of the European Union, 2013). Hence, other than humanitarian aid, of which the EU is a leading contributor, no political solution was actually set forth and this ultimately coincided with inaction. As observed by Speck (Speck, 2013):

> "[E]ven on the diplomatic track, Europeans are observers rather than actors; the United States and Russia are calling the shots. Yet this is a region that the EU has defined as its neighborhood and that is, of course, of major interest for European powers in many other ways, too."

Thus, the stand held by the EU on the Syrian crisis underlined the paralyzing effects on EU's foreign policy of its institutional procedures: the European Union has self-marginalized itself "through the mechanisms emanating from the Lisbon treaty. Even the "big two" (France and the United Kingdom) do not matter much on their own, because the weakness of the EU system as a whole (which they engineered) prevents them from carrying the entire 27 with them" (Pierini, 2013). Moreover, this inability to act is precisely what Catherine Ashton is attempting to overcome, as proven by her personally written reform proposal for the EEAS.

6. Contemporary Context: the Effects of the 21st of August 2013

In the midst of what seemed to be a never ending stall in establishing a date for a Geneva peace conference on Syria, due also to the uncertainties of its participants (Regime and/or opposition), the Syrian crisis seemed to make less and less the headlines of newspapers and journals as in July 2013 further turmoil was occurring in region after the newly elected Egyptian President Morsi, member of the Muslim Brotherhood, was

ousted from his post and replaced by an new, strongly contested interim military government. However, in the meanwhile the number of displaced, refugees and regional migrants continued to grow exponentially, creating not few preoccupations for Syria's neighbouring states. Jordan, for example, hosts the Zaatari refugee camp at 5 km from the Jordan-Syrian border which counts more than 120,000 inhabitants and at the end of July 2013 was Jordan's fourth largest city (Doucet, 2013). In mid August 2013 a massive wave of refugees was also on the move towards the Kurdistan regions of northern Iraq, thanks to a new pontoon bridge crossing the Tigris from Syrian bank to the Iraqi province of Dohuk: the cause of the sudden growth in the migration flows in this area was not clear, as UNHCR spokesperson Adrian Edwards told reporters in Geneva (Beaumont, 2013). Moreover, Syrian refugee's are also starting to disembark on European shores through Sicily, which registered around 4,600 Syrian refugees arriving to its shores since the beginning of 2013, two thirds of which only in the month of August (UNHCR, 3013).

The latest turning point in Syria's infinite civil war came yet again at the expenses of civilians on the 21st of August, 2013 when in Ghouta in the periphery of Damascus a chemical attack allegedly perpetrated by Assad's regime killed more than 1,400 people with the use of sarin nerve gas. The first sources of the opposition declared that rockets with toxic agents had hit the eastern periphery of Damascus, where there is a rebel presence, comprising many women and children; shortly after Sham, the opposition news network reported that the nerve agent sarin had been used (Black, 2013). The initial numbers of deaths were quite confused, some reporting around 200 killed and others three times as much. For example, Al-Arabiya TV was told by the local rebel coordinating committees that 635 people had been killed (Black, 2013).

On the day of the attack New York Times reported that (Hubbard & Saad, 2013):

> "Amateur videos posted online showed men and children sprawled out on hospital beds and on tile floors, some not moving, while others were being treated by medics with hand-pump respirators."

Furthermore, as referred by "The Guardian" journalist Ian Back, Reuters reported what Bayan Baker, a nurse at Douma Emergency Collection facility, witnessed (Black, 2013):

> "Many of the casualties are women and children," and that "they arrived with their pupils dilated, cold limbs and foam in their mouths. The doctors say these are typical symptoms of nerve gas victims."

The Syrian Observatory for Human Rights as well, which follows the conflict from Britain through a network of contacts inside Syria, also reported the attacks on the suburbs of Zamalka, Ein Terma and Erbeen, all areas east of Damascus which have strong rebel presence (Black, 2013).

However, the sources of the images and testimonies were not verifiable immediately while the government of President Bashar al-Assad denied persistently using chemical weapons. Also SANA, the state news service denied that chemical weapons had been used and blamed the news outlets reporting the allegations of being "partners in the shedding of Syrian blood and supporting terrorism" (Hubbard & Saad, 2013).

After months of negotiations with the Syrian government, an investigation team led by Swedish scientist Åke Sellström had finally been sent to Syria by the United Nations and was to begin inspections regarding numerous allegations of chemical weapons use surfaced during the war only few days before the attack occurred, in particular inspecting three sites, including the village of Khan al-Assal near the northern city of Aleppo, where both sides accuse the other of a chemical attack on March 19th 2013 that killed dozens of people (Hubbard & Saad, 2013). However, the attention of the inspectors was diverted to the new attack as the international community called for an immediate UN presence there.

The issue of chemical weapon use assumed particular importance due to the statement made in 2012 by US President Obama that put the use of these weapons on the limit of a "red line" that if crossed would call for American military action (Hubbard & Saad, 2013). In the immediate aftermath of the attack an outbreak of diplomatic discussions stemmed from US officials, in particular Secretary of State Kerry discussing possible

new action against the Syrian government, a possibility that became more and more concrete in the days that followed.

UN secretary general, Ban Ki-moon, the day after the alleged use of chemical weapons "called on the Syrian government to allow inspectors access to the Damascus suburbs that came under attack and dispatched disarmament chief Angela Kane to Damascus to press for a UN investigation" (Roberts & Borger, 2013).

As Obama and Kerry struggled to get Congress and public opinion to back intervention the question of a UN mandate became increasingly central as memories of past Iraq invasion hovered over the heads of Americans and the international community as a whole.

In Europe as well, intervention in Syria or abstention from it became central to political debate, repositioning the member states once again along two fronts. French Foreign Minister Laurent Fabius immediately stated the necessity of a strong reaction by the international community if the regime was revealed to have been responsible for the massacre and, although he ruled out the deployment of foreign troops on the ground, he indicated the need of "a reaction that can take a form, I don't want to be more precise, of force," by which he suggested the possibility of western power air strikes (Roberts & Borger, 2013).

The UK declared that it would not rule out any option either in its response to the latest massacre. On the 22nd of August 2013, a British spokeswoman stated (Roberts & Borger, 2013):

> "Yesterday saw a serious escalation in the crisis in Syria. Our immediate priority is to verify the facts and ensure the UN team is granted access to investigate these latest reports. We believe a political solution is the best way to end the bloodshed. However, the prime minister and foreign secretary have said many times we cannot rule out any option, in accordance with international law, that might save innocent lives in Syria."

Ahmet Davutoğlu, Turkish Foreign Minister voiced his criticism to international inaction seen that the alleged gas attack crossed "all red lines," further denouncing the UN Security Council's inability to take a decision (Roberts & Borger, 2013).

On its part, the Security Council declared to be strongly concerned called for more "clarity" on the use of chemical weapons, which UN Secretary General Ban Ki-moon declared a crime of war and against humanity, while Russia and China urged for downsizing the strong approach invoked by the US, UK and France and 32 other governments that demanded that the UN investigative team already in Damascus be permitted immediate access to the site of the attack, and to be authorized greater autonomy by the Syrian government to carry out their inspections. (Roberts & Borger, 2013).

Thus two strong fronts were created: on one side the interventionist were led by the US with support the of France, UK, and regional actors such as the Arab League, Turkey, Israel, and Saudi Arabia; the other headed by non-interventionists Russia, China, and other regional supporters of the Syrian regime such as Iran, the Shi'a movement of Hezbollah and the new anti-Morsi Egyptian leaders. On his part, in an interview with the Izvestia daily, a pro-Kremlin newspaper, when asked what would be the consequences of a US military intervention Bashar al-Assad stated that "Failure awaits the United States as in all previous wars it has unleashed, starting with Vietnam and up to the present day" (Retours, in The Guardian, 2013).

It was British Prime Minister Cameron who first took charge of presenting a resolution that called for military intervention in Syria, which was discussed in a second Security Council meeting at the end of August 2013. After the meeting no comments were released by the permanent SC members although there were signs that a coalition of Western countries, including the United States, France and the UK, were nevertheless determined to move towards military action, while the UK however stated that it would have been "unthinkable" to take action if there had been strong opposition from the Security Council (Aljazeera, 2013).

As the UN inspectors began their enquiries in the last days of August 2013, the United States and Britain started lining up their naval forces for a possible attack on Syria, with

France right behind them (Dempsey, August 2013). Thus, as pointed out by Dempsey (Dempsey, August 2013):

> "With President Vladimir Putin remaining opposed to military intervention, the United States, Britain, and France seem determined to bypass the UN Security Council and establish their own coalition of the willing in order to launch military strikes against Syria."

However, the first signs of defiance came directly from the UK, as Cameron and his coalition government failed to pass the motion in the British Parliament that would have authorized military action against Syria in principle by 285 to 272 votes" on the 30th of August 2013 (Aljazeera, 2013). This reflected the overall sentiment of British public opinion that did not want to get entangled in the Syrian "dirty war," preoccupied that intervention would do more harm than good. What is more, some saw military action as a hypocritical move on Britain's behalf, since revelations had been made about authorizations of chemical exports to Syria from the UK itself (Dearden, 2013). Others such as London Mayor Boris Johnson sustained that the UK should look beyond the interests of Europe and rekindle its Commonwealth relationships, and reflect upon the international position and strategic interests of the country, directly connecting the question to the strong British debate on ending EU membership (Dominiczak, 2013).

French President Francois Hollande on the other hand did not seem preoccupied to search for Parliamentary approval and continued to demand for Bashar al-Assad's government to be punished for the alleged chemical attack, notwithstanding France's position of isolation after Britain's parliament voted against carrying out punitive strikes, and U.S. President Barack Obama's intention to seek Congress approval before any action (Retours, 2013). As President of France, Hollande is head of the army under French constitutional law and thus he is empowered to order an intervention, with the sole obligation of informing parliament within three days of it starting, leaving him quite an amount of freedom of action (Retours, 2013). Guigou, a veteran of the ruling Socialist Party, told France Info Radio that it was important for France to avoid inaction because this would send the wrong message to other "hardline leaders", namely that using chemical weapons against civilians was an act that could go unpunished (Retours, 2013). However, she underlined that France would not act alone: "France cannot act

alone. To give an intervention legality it would need to be carried out by a broad coalition" (Retours, 2013).

Germany remained quite on the sidelines of the debate. German chancellor Angela Merkel in the middle of her election campaign had no intention of exposing herself by taking one position or another. She was well aware that even though the German public was horrified by the Syrian use of chemical weapons it nonetheless had no any desire for military intervention and a poll commissioned by German magazine *Stern*, 69 percent stated that they would be contrary to a strike against Syria (Dempsey, August 2013). However, if she decided against joining the Western coalition, Germany would surely ruin its reputation with its Western allies, especially because "such disunity will further weaken NATO and Europe's defense ambitions", considering also the damage that had already been done to "Germany's reputation in NATO when Berlin abstained from the UN vote to impose a no-fly zone over Libya in March 2011" (Dempsey, August 2013).

The St Petersburg G20 meeting that took place on September 5-6 2013, although not on the official agenda, dealt massively with the Syrian question in sideline unofficial meetings. During the summit the divisions between the US and Russia, Syria's key ally, remained standing although the US President used all efforts to build his case for military intervention. Obama was determined to convince Russian President Vladimir Putin of the necessity of punitive strikes, although the latter as host of the G20 remained firm on keeping only questions regarding the economic global crisis on the agenda, leaving the Syrian debate to an informal dinner meeting (Aljazeera, 2013). The Russian President had earlier questioned the credibility of the accusations brought forth by the US and other Western states regarding the alleged use of chemical weapons on behalf of the Syrian regime, stating that congressional approval of intervention without a UN mandate would be considered as an "act of aggression" and further extending himself to define Kerry a "liar" for not having given due weight to the extensive of presence al-Qaeda in Syria, which represents a major player on the Syrian battlefield (Aljazeera, 2013). However, the end result was quite inconclusive and both parties seemed to hold their original stand.

In the midst of these divisions the EU's position was initially unclear, and an official position was released only after the G20 summit. Thus, following the informal meeting of EU Foreign Ministers in Vilnius on September 7th 2013 that saw the participation of the US secretary of state, John Kerry, High Representative Catherine Ashton issued a statement in which she defined the chemical weapons attack in Damascus a crime against humanity, attributing the responsibility almost surely to the Syrian government (The Guardian, 2013). She further stated that (Ashton, 7 September 2013, 2013):

> "In the face of this cynical use of chemical weapons, the international community cannot remain idle. A clear and strong response is crucial to make clear that such crimes are unacceptable and that there can be no impunity. We must prevent creating a dreadful precedent for the use of chemical weapons in Syria again, or elsewhere. The EU underscores at the same time the need to move forward with addressing the Syrian crisis through the UN process. We note the on-going UN investigation on the 21st of August attack and further investigations on other chemical weapons attacks carried out in this conflict. It hopes a preliminary report of this first investigation can be released as soon as possible and welcomes President Hollande's statement to wait for this report before any further action. The EU urges the UN Security Council to unite in its efforts to prevent any further chemical attack. To that effect, it encourages the UNSC to fulfil its responsibilities and take all initiatives to achieve this goal. The EU and its member states intend to play a full and active part in that context... Only a political solution that will result in a united, inclusive and democratic Syria can end the terrible bloodshed, grave violations of human rights and the far-reaching destruction of Syria. An encompassing diplomatic process leading to a political solution is now more urgent than ever. The initiative for a "Geneva II" peace conference must move ahead swiftly. The EU is ready to provide all support needed to achieve a political settlement and work with partners and international actors, particularly the United Nations."

Thus, a vague intention of a "clear and strong response" is all she was able to account for, whilst reasserting that only a political solution of the crisis could lead to the creation of a new democratic state. The statement was concluded by a renewal of the EU's commitment as the largest donor to provide aid to the victims of the Syrian crisis, and acknowledged the EU's readiness to participate in a program for recovery and

rehabilitation in order to rebuild Syria according to the needs of its people (Ashton, 2013).

As reported by “The Guardian”, three days earlier Vladimir Putin had “warned the US against launching military action in Syria, stating that Russia had "plans" on how it would react if such a scenario unfolded” (Roberts, Ackerman, & Siddique, 2013) These comments by the Russian president came while President Obama portrayed his plans for US military action as part of a broader strategy to topple Bashar al-Assad for the first time, and while the White House's campaign to win over sceptics in Congress gained momentum (Roberts, Ackerman, & Siddique, 2013).

In the days that follwed the G20 meeting, preoccupation rose as military action became a forseeable option. Although the outcome both of military action and inaction seemed not to be capable of creating a deal braking change, “if the conflict in Syria is to be resolved, it is important to go beyond the chemical attack issue and work through a political process that would end the war” as Carnegie’s Marwan Muasher explained in an interview on Bloomberg TV’s *In the Loop* (Muasher, 2013). As Muasher argued, a U.S. strike against Syria would constitute more of of a “face saving measure” rather than creating a real solution: “Let us remember than the chemical weapons issue is not the only issue on the table. There’s still a war going on with a 100,000 people killed” (Muasher, 2013).

As Western military intervention seemed to have become inveitable, Putin, picking up on a catch frase used by Kerry brought forth the suggestion of an agreement which entailed the requisition and destruction of all chemical weapons in hands of the Syrian regime. What is more, Syrian Foreign Minister Al-Muallem confirmed that there could be room for dialogue on the matter. In actual fact, Kerry’s statement had been sarcastic when he said that the only way for the US not to intervene would be if Syria had handed over all it’s chemical weapons within a week of time, meaning that it was not a viable option. However, Russia’s proposal was very serious, and Syrian President Bashar al-Assad, speaking on Russian television on the 13th of September 2013, confirmed his readiness to adhere to proposals to put Syria’s chemical weapons under international control. He underlined however the attribution of the merit of this agreement only to Russia, thanks to which the deal was considered to begin with, and which Bashar sees

as “the 'only country' that has the power to see through proposals”, in the meanwhile accusing the US government of being preoccupied only with “look[ing] like winners,” and not giving enough importance to setting up the plan (Retours, in The Guardian, 2013). Bashar further underlines that if an agreement is to take place, it will have to be established on a two way basis, and that “Syria will not be the only one signing the papers” (Retours, in The Guardian, 2013). On the other hand, al-Jarba, President of the National Syrian Coalition, now also has a role of crucial importance: if he wants to keep the Syrian opposition in the game as a credible political opponent to the regime, more coherence is necessary in order to be taken seriously in the hoped-for Geneva II talks. This will be a fundamental element to delineate what influence the Coalition may have in a future democratic Syria.

Thus, the proposal to destroy Syria’s chemical weapons was discussed in a three-day meeting in Geneva, from the 12th to the 13th of September, 2013, between US Secretary of State Kerry and Russian Foreign Minister Lavrov. The two counterparts on the sidelines of their summit, also met United Nations envoy Lakhdar Brahimi and pledged “to try to restart a stalled international peace process later this month” (Roberts, US and Russia offer revived hope of Syria peace talks, 2013). This revived hope throughout the international community for setting a date for Geneva II talks. However, both parties concurred that such political progress towards a transitional government could only occur as a consequence of the establishment of an agreement on how to ensure that the Syrian goverment hand over its chemical weapons to international control (Roberts, US and Russia offer revived hope of Syria peace talks, 2013).

The EU once again backed decisions for which it had not participated in the decision-making process. Thus, in her statement, HR Ashton asserted (Ashton C. , Statement by High Representative Catherine Ashton following the US-Russian agreement on chemical weapons in Syria 130914/01, 2013):

> “I welcome the agreement reached today between the United States and the Russian Federation to ensure the swift and secure destruction of Syria’s chemical weapons and programme. They are committed to finalising the details of this agreement and submitting a draft decision to the Executive Council of the Organisation for the Prohibition of Chemical Weapons (OPCW) in the next few

> days. This will set out detailed procedures for the expeditious destruction of materiel, the termination of the chemical weapons programme and a stringent verification process. I call on the UN Security Council to assume its responsibilities in agreeing swiftly on a resolution that will give further authority to the whole process."

Seen the economic, political and security interests the EU has in the Southern Mediterraean, an area which it defines as it's neighbourhood, it would be auspicable that the EU become capable of acting as an actor without whom decision-making in the region is not possible.

In the midst of this political breakthrough, the impatiantly awaited cofirmation from the UN inspectors that sarin gas had effectively been used on the 21st of August 2013 was made known (Sample, UN inspectors in Syria: under fire, in record time, sarin is confirmed, 2013):

> "In record time, under battlefield conditions, the team of scientists, doctors, interpreters and technicians, led by the Swedish chemical weapons expert åke Sellström, confirmed unequivocally that chemical weapons had been used. The incident ranks as the most significant confirmed use since Saddam Hussein used them against civilians in Halabja in 1988."

The main debate revolved around the intensity of the consequences that would fall upon the Syrian regime if it should not comply with the US-Russian agreement on the Syrian chemical weapons, US and France pushing for a tough UN resolution and trying to get Moscow on board. Thus, French Foreign Minister Fabius, before travelling to Moscow to persuade Putin to back a hard-line resolution stated that "it is clear that if the Syrians violate the commitments they have agreed to, then there will be penalties" (Weaver, 2013).

In his speech at the UN General Assembly on the 24th of September 2013 President Obama argued that US isolationism and disengagement in conflicts such as the Syrian one would represent the real "danger to the world," as it would create a "leadership vacuum" hard to overcome (Obama, 2013). Specifying the stand the US intended to take in the Syrian crisis, he underlined that "as a starting point the international

community must enforce the ban on chemical weapons" (Obama, TRANSCRIPT: Obama's U.N. General Assembly speech, 2013). "The ban against the use of chemical weapons, even in war" he continued, "has been agreed to by 98 percent of humanity" (Obama, TRANSCRIPT: Obama's U.N. General Assembly speech, 2013). Furthermore, the evidence that chemical weapons by means of advanced rockets were fired by the Syrian regime against the population was overwhelming in the results of the UN inspection reports, and denying the regime's responsibility, he said to the reunited UN General Assembly, would be an "insult to human reason and to the legitimacy of this institution" (Obama, TRANSCRIPT: Obama's U.N. General Assembly speech, 2013). Referring to the most recent talks with Russian President Putin in St. Petersburg, President Obama reaffirmed his preference to resort to a "diplomatic resolution of the issue" and continued (Obama, TRANSCRIPT: Obama's U.N. General Assembly speech, 2013):

"[I]n the past several weeks, the United States, Russia and our allies have reached an agreement to place Syria's chemical weapons under international control and then to destroy them…The Syrian government took a first step by giving an accounting of its stockpiles. Now, there must be a strong Security Council resolution to verify that the Assad regime is keeping its commitments. And there must be consequences if they fail to do so. If we cannot agree even on this, then it will show that the United Nations is incapable of enforcing the most basic of international laws."

This agreement on the destruction of chemical weapons, President Obama believed, should renew "larger diplomatic energy" to restore peace talks, with the final aim of reaching a political settlement for Syria, although a change in leadership will ultimately be left up to the Syrian people (Obama, TRANSCRIPT: Obama's U.N. General Assembly speech, 2013). Obama underlined the diversity of the present situation compared to the one of the cold war by stating that there is no "great game to be won, nor does America have any interest in Syria beyond the well being of its people, the stability of its neighbors, the elimination of chemical weapons and insuring that it does not become a safe haven for terrorists" (Obama, TRANSCRIPT: Obama's U.N. General Assembly speech, 2013). Thus, he further renewed America's commitment to send humanitarian aid to the Syrian population, pledging a further $340 million on top of the

over $1 billion committed already to this effort, and welcomed "the influence of all nations that can help bring about a peaceful resolution of Syria's civil war" urging the latter "to step up to meet humanitarian needs in Syria and surrounding countries" (Obama, TRANSCRIPT: Obama's U.N. General Assembly speech, 2013). Thus, he recognized that "no aid can take the place of a political resolution that gives the Syrian people a chance to rebuild their country, but it can help desperate people to survive (Obama, TRANSCRIPT: Obama's U.N. General Assembly speech, 2013).

Finally, the American President stated that "the situation in Syria mirrors the contradiction that has persisted in the region for decades", which on the one hand has condemned the US for meddling in the region and on the other for not acting enough in defence of the suffering Muslim populations (Obama, TRANSCRIPT: Obama's U.N. General Assembly speech, 2013). The main diplomatic goals that the American President set out to address in the region during the remainder of his term were thus the two crucial issues that have weighed on the Middle Eastern and North African region over the past decades namely, Iran's pursuit of nuclear weapons and the Arab-Israeli conflict (Obama, TRANSCRIPT: Obama's U.N. General Assembly speech, 2013). As Obama stated, "while these issues are not the cause of all the region's problems, they have been a major source of instability for far too long, and resolving them can help serve as a foundation for a broader peace" (Obama, TRANSCRIPT: Obama's U.N. General Assembly speech, 2013).

On the 26th of September 2013 the wording for the UN resolution was agreed on by the five permanent members of the Security Council – USA, Russia, China, France and Britain - that entailed a "binding and enforceable" resolution to eliminate Syria's stockpiles of chemical weapons. However, the agreement did not authorise the use of force in the case in which Syria does not comply (Borger, 2013). After the hastily set up talks between US Secretary of State, John Kerry, and his Russian counterpart, Sergei Lavrov, the document represents the first legally binding resolution on the Syrian conflict. Furthermore, the deal also comprised that Russia send troops to Syria to monitor the sites where chemical weapons are to be destroyed (Borger, 2013). Nonetheless, in order to reach the agreement, the US had to give up placing the wording of the resolution under chapter VII of the UN Charter, which would have allowed it to

be enforced through military action, and the resolution did not ascribe blame for the 21st of August chemical attack (Borger, 2013).

The Ambassadors of the five permanent members to the UN Security Council when speaking about the resolution announced that it was an outcome deemed a ground breaking event and said it was "historic and unprecedented" (The Guardian, Reuters, 2013). The statement further asserted that it represented "a breakthrough arrived at through hard-fought diplomacy. Just two weeks ago, no one thought this was in the vicinity of possible" (The Guardian, Reuters, 2013).

To date, September 28th 2013, the UN Security Council resolution requires that "Syria will have to destroy all its chemical weapons production facilities by November and dismantle all its poison gases and nerve agents by the middle of next year, under an accelerated timetable drawn up by the world's chemical weapons watchdog", the OPCW (Borger, Syria given November deadline to destroy all chemical weapons facilities, 2013). The governing council of latter agreed for a plan of disbarment starting on the 1st of October, 2013 when inspectors are planned to arrive in Syria to commence "the task of checking Syria's declared stockpile of chemical munitions, delivery systems and production facilities" (Borger, Syria given November deadline to destroy all chemical weapons facilities, 2013). OPCW director general Ahmet Uzumcu stated that "[t]his decision sends an unmistakable message that the international community is coming together to work for peace in Syria beginning with the elimination of chemical weapons in that country" (Borger, UN security council agrees wording of resolution on Syria chemical weapons, 2013). What remains to be seen is to what degree the EU will be capable of participating in the process.

7. Conclusions

The widespread reaction of Western states throughout the three-year Syrian crisis was to keep moderate distance as intervention was seen with hesitance by most, also due to past experiences such as Iraq and Lybia. Thus, the EU advocated for a political solution limiting its interventionism to sending humanitarian aid and posing restrictive measures and sanctions on the Syrian regime. It was furthermore a widespread feeling that international intervention would not serve to reduce the Syrian bloodshed, and was also a strategically disadvantageous option since it might worsen the already chaotic and critical situation, reversing conflict into the whole Levant region.

What is considered one of the most terrifying security issues of our times stems from years of Syrian internal repression and deprivation of basic needs of society in the name of a higher Arab calling to punish and combat the Israeli enemy to regain the lost territories of the Golan Heights, and to impede Western intervention in the region. As the conflict developed increasingly along sectarian lines, this divide was exploited by Bashar al-Assad in order to gain internal consensus and provoke fear in the West. By substituting the Israeli aggressor with the threat of Islamic jihadist invaders he warned that if the regime were to fall, it would certainly cause the end of Syria's existence altogether and create a threat in the region and for Western enemies. Even though the presence of al-Qaeda combatants is a reality in the Syrian battlefield, they are not the only actors, and the hope for the Syrian population is that the more moderate forces, namely the Syrian National Coalition, will be capable of regrouping their units and creating a stronger, more coherent front. Some have ascertained that the real interest of the West, in particular the US, is to not lose face, thus attributing the urgency to intervene militarily after the regime's chemical attack on Syrian population to the fear of losing a credible and prominent position on the international scene.

What becomes undeniable in this analysis is the marginal role maintained by EU, not being able to detain a strong position if not first advanced by other international actors,

namely the US. The internal divisions between Member States seems to ultimately tie the EU down, limiting Lady Ashton to “approve” and “welcome” the decisions of the two main global leaders in the Syrian conflict, namely the US and Russia.

CHAPTER 6 - Conclusion

Getting back to the initial question, is the EU capable of building an independent and coherent foreign and security policy in Syria, in the light of the analysis pursued in this research the answer for now may only be negative. If on the one hand impediments to the creation of strong political ties between Syria and the EU were due to the authoritarian nature of the al-Assad regime, on the other they also depended deeply on the lack of a coherent EU foreign and security policy framework. The diverse approaches of the different Member States, the lack of coherence within the institutions and the indecision in the way the Southern Mediterranean was ultimately perceived (within a Mediterranean partnership or as a neighbouring region), are all factors that contributed to impeding the consolidation of a consistent relationship of cooperation. What is more, in the face of the Syrian conflict, the EU must decide what role it aspires to occupy: if it perceives as more important being an internationally relevant security actor, along the lines of the US foreign policy of intervention, with the risk of creating a hostile front in the Southern Mediterranean; or if deems it to be more functional to assume the line of mediator with the final goal of creating a more secure and stable Mediterranean region, which is ultimately Europe's backyard. However, before even evaluating these considerations, the EU must first deal with the divisions between the various Member States and its institutional limitations in foreign and security policy, and Syria represents a case on point.

In the light of issues of geo-political, strategic and security nature the CFSP's legitimacy to act is still trumped by the will of the single Member State. The latter, while agreeing in EU meetings on the centrality of improving a unified EU front and recognising the essentiality of pooling and sharing to guarantee a higher degree of coherence and legitimacy, when faced with concrete security decision-making issues, such as the impelling Syrian question, are still not capable of overcoming the power-politics of the separate state system. France does not know how to let go of its colonial past, which ties it deeply to the Middle East and Syria, the UK cannot overlook its devotion to intervening alongside its historical partner, the US, and Germany seems to

be too preoccupied with its domestic politics to have any interest in taking part in the debacle.

Catherine Ashton has been much criticised for her lack of assertiveness as High Representative of the CFSP and Vice President of the Commission, but it appears as though she is kept on quite a short leash by EU Member States as far as her freedom to express important, game-changing positions in the Syrian context in concerned. During the Syrian crisis the over 100 statements released and the 21 sets of sanctions without any visible impact have been defined as "impotent hyperactivity" (Bond, 2013). What is more, if one looks at the intent of the reform of the ENP policy, it appears clear that its intentions were to reaffirm the importance of the Southern Mediterranean region for Europe, not only for economic and trade aims but also in order to create stronger common policies that would entail issues of stability and security. If the latter scenario is to be made possible, Member States must carry out a strong reality check of their actual willingness to cede parts of sovereignty in the field of foreign policy, in the name of creating a united and coherent single EU front capable of remaining a relevant player in global politics, and capable of taking action and asserting its role in areas of its direct interest such as Syria.

Perhaps for now the bilateral way is still the only viable option to construct durable relations in the region, in light of the extremely diverse characters of the states in the Southern Mediterranean region, which allows with extreme difficulty to create a unified plan of action and which depends often on the degree of democratisation of the political system. In any event, in the light of the CFSP reforms and the intent to improve the functionality of the EEAS, a more coherent EU line of action towards the Mediterranean seems also to be due, in order to overcome the state-system logic. The scarcity of coherence that persists within the CFSP creates a lack of legitimacy of the EU as a dominant international actor in the region, since the Member States are not willing to give up their different positions, and ultimately still show resistance to concrete financial contribution to build a stronger European defence mechanism.

What is more, seen the new functions and scopes gained by military action, namely security reinforcement for countries that lack it, recreating the conditions for democracy building and cooperating to assure human security, much pooling and sharing is needed.

It is probably too late for the EU to assert itself as a dominant mediating actor in the resolution of the Syrian crisis, this role has been already occupied by Russia, but the EU may still be in time to play a central role in the reconstruction of the country. As pointed out by Pierini, since the escalation of the Syrian conflict, the United Nations, the United States and Russia have been engaged in "protracted diplomatic efforts to resolve the Syrian crisis, while China and Europe [have been] relegated to the sidelines" (Pierini, 2013). But what seems to be important at this point, besides the "diplomatic choreographies," is where the EU will stand in the international effort to reconstruct Syria (Pierini, 2013):

> "The European Union is the unknown factor. It has been conspicuously absent so far from each and every phase of the core negotiations during the Syrian crisis. The EU's lack of influence on the political aspects of the Syrian crisis is not surprising given the way the Lisbon Treaty is translated into institutional arrangements. "Foreign policy" responsibilities are separate from "operational" issues, and there is no effective link between the European External Action Service, the EU's foreign policy arm, and the European Commission, its executive body. In this new context, the EU has a harder time generating relevant initiatives combining foreign policy positions with concrete actions on the ground… But helping with Syria's reconstruction is not about debating the virtues of the Lisbon Treaty. It is about concrete action in favor of desperate Syrian citizens. Syria requires more than just another EU foreign policy statement to be promptly archived. The European Union should act in a way worthy of its economic power and international responsibilities and develop a plan for post-conflict Syria."

Moreover, the events of the 21st of August 2013 that saw the indiscriminate use of chemical weapons on behalf of Bashar's regime against the Syrian population constituted the ultimate escalation of the conflict. The dominant role occupied by Russia as a mediator in reaching an agreement will surely strengthen its ties to the country, at least until the regime is able to resist the forces of the opposition, or until the 2014 elections. In June 2013 Ian Bond had observed that the only way to shake the confidence of the regime would have been by posing a credible threat of military strikes (Bond, 2013). Although he his previsions proved to be correct, then he had proposed this threat come from NATO and Middle Eastern power. Instead, it was once again the

US to pose this threat. However, if the agreement for the destruction of chemical weapons is approved and Western military action is able to be avoided, and moreover *if* the regime is finally deposed and judged as it should be for committing such appalling crimes against humanity by the ICC, then Europe may have another chance to assert its role in rebuilding Syria. This would be ultimately the only way to contribute to overcoming such an immense security disaster, which has produced millions of refugees that poured into the region and beyond, thousands of displaced that are without food, water, shelter and electricity and a country that has been destroyed by bombings, deprived of homes, schools, hospitals and institutions. Moreover, the EU has recognised the Syrian National Coalition as the legitimate political opposition in the country and they will surely need support in order to build political reform. Finally, Syrians will need to have a safe country to go back to, and the EU should take its place in the frontlines of this operation to attempt to reassert its role at home and abroad and in order not to lose completely the possibility of being a key player in the region's future.

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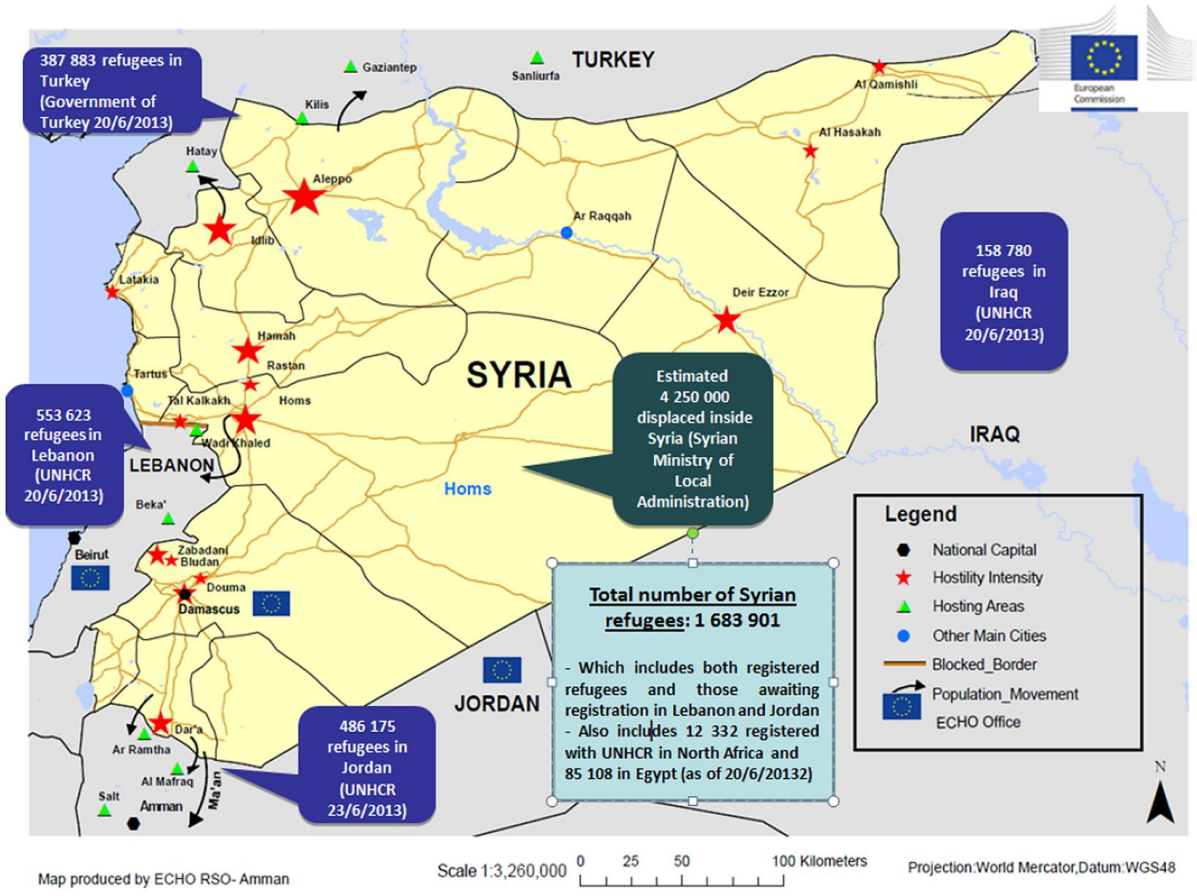
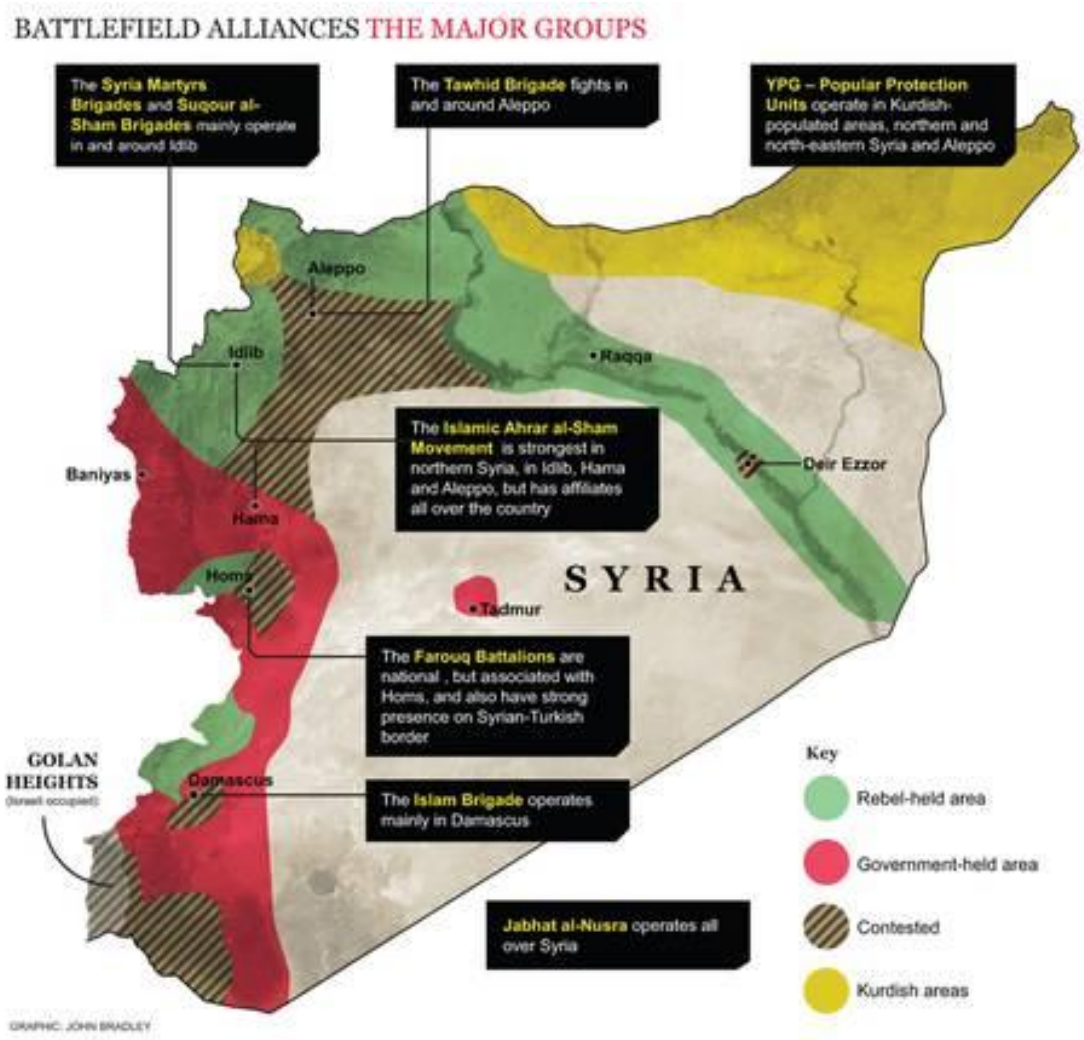
Annex 1



(European Commission, 2013).

Annex 2



(Bracley, 2013)**.**