

LEADERSHIP IN TIMES OF CRISIS. AN ANALYSIS OF THE 2011 CRISIS IN LIBYA

Andrei MORARU

MA International Relations and European Integration, National School of Political Science and Public

Administration

Bucharest, Romania

E-mail: moraru.andrei91@gmail.com

The Libyan crisis has been regarded as a test for how the European Union (EU) manages conflicts in its immediate vicinity. United States (US) officials have said on occasion that the US is considering reducing its military presence in Europe and that European states should develop a framework for security cooperation. However, this poses many challenges. In Libya, EU states were unable to form a united front, which questions how similar crises will be answered in future.

The following paper assesses the EU leadership in the Libyan crisis. It outlines the EU's reaction to the Arab Spring. It then emphasizes the relationship between EU states, EU institutions and international organizations, namely the United Nations (UN) and North Atlantic Treaty Organization (NATO). Lastly, I discuss the key criticisms of the EU's response.

THE EU AND THE ARAB SPRING

The EU is an atypical political system and can be considered as the most innovative polity of the past five hundred years. It is argued that it escapes the logic of the Westphalian system and that its structure is more akin to that of a non-Westphalian entity due to its dual interpretation of sovereignty. Because the EU's imperative is not its own survival, for which it lacks in-built systems, it escapes the logic of anarchy and its most important consequence, namely the legitimate use of force. As such, any use of military force requires the approval of the member states and is conducted by the member states. Therein lies a crucial constraint on

the EU's ability to act on matters of foreign policy, namely the lack of unity of member states. Therefore it reacts slower to crises than would a Westphalian entity (Ungureanu 2015). The EU can be understood as a normative power rather than as a military one. It adheres to a mission based on principles such as sustainable peace, freedom, human rights, rule of law, equality, social solidarity and good governance (Manners 2008 quoted in Ungureanu 2015, 25). In order to be able to act militarily, the member states would need to reach a common understanding of the term *mission*, as well as a common understanding of the means to achieve it (Ungureanu 2015). Furthermore, it is argued that the way in which the EU chose to conduct its foreign policy during the Arab Spring is a consequence of the way in which it sees its foreign policy and the way in which it sees itself (Cucută 2015). The EU has positioned itself rather as a *civilian power* and its foreign policy is characterized by intensive transgovernmentalism (Giegerich 2015).

The EU's involvement in its Southern Neighbourhood and in the Middle East is problematic. The main issues that stifled EU action in the region are the different stances on policy of the EU's most significant members, the lack of a long-term strategy on managing the region's dynamism and the lack of incentives in terms of EU accession (Cucută 2015).

EU RESPONSE TO THE CRISIS IN LIBYA

The EU as a polity played a limited military role in Libya. The UN and NATO were the principal military actors. The United Kingdom and especially France led the military intervention with important support from the US, the so-called P3 format (Adler-Nissen and Pouliot 2014). Two UN resolutions, 1970 and 1973, proclaimed Responsibility to Protect¹ (R2P) (Eyal 2012) and validated the military intervention, despite international opposition, especially from Russia and China (Adler-Nissen and Pouliot 2014). The case of Libya is invoked by Russia when it argues against proclaiming R2P in Syria.

The United Kingdom and France demonstrated political and military leadership in Libya. The main reasons why this was possible were diplomatic ability in international negotiations

¹ If R2P was warranted and how it was implemented are subject to debate and criticism

within the UN and NATO; US support; and high unpopularity of Ghaddafi's regime (Adler-Nissen and Pouliot 2014). It proved strong political leadership and paved the way for further cooperation following the 2010 defence treaties between the two countries (Cameron, 2012). However, some member states openly disagreed with the fact that the UK and France shared their positions publicly without first discussing them within the EU (Lindström and Zetterlund 2012). A reason for this was that the French President wanted to push EU member states to take a stance (Fabrini 2014).

French and British diplomats quickly started to garner support in the UN for a decisive action on the Libya crisis several days after the conflict had begun. The UK established itself as the 'lead country', responsible with drafting Resolution 1970. France and the UK used it to build momentum for the second resolution, Resolution 1973. Together with the American delegation, they used the argument that without a no-fly zone, a proposal which initially came from Lebanon, they faced the risk of a new Bosnia-Herzegovina. Framing the negotiation in terms of them being defenders of the Libya people managed to convince uncertain or skeptic UN members. (Adler-Nissen and Pouliot 2014) These are some examples that show the influence exerted by France and Britain in the political negotiation within the UN.

Libya was seen at the time as the biggest post-Lisbon external challenge for the EU. Initially, France wanted to mobilize EU member states in order to put forward its own interests and opposed US leadership through NATO (Adler-Nissen & Pouliot 2014). French opposition to US hegemony is a recurrent theme on issues of EU foreign policy since it was first thought of (Giegerich 2015). Although Libya was seen as an 'ideal case scenario' for the CSDP, it was not considered as a framework for act. This led to the initial launch of parallel missions in Libya until it became obvious that the EU would be unable to take full control away from NATO. (Howorth 2014) EU states did not intervene militarily within the framework of the CSDP and decided to focus on civil protection, humanitarian aid, economic sanctions and visa bans instead (Brattberg 2011).

One day after Resolution 1973 had passed, the French government launched *Operation Harmattan*. It unilaterally intervened to enforce the no-fly zone and to use "all means

necessary” to protect civilian life in the town of Benghazi, the main rebel stronghold. It would be around ten days until this operation was merged into the Unified Protector Mission, the official NATO military mission. Furthermore, *Operation Ellamy* was the British military intervention, which also started ten days before NATO took over military command. This shows the French determination to prove its status as a military power and to act without much consultation with the EU polity but rather after intergovernmental negotiations. (Howorth 2014)

The HR/VP announced that the EU was against the use of violence on the same day as the UN sanctioned military intervention (Giegerich 2015). In contrast to other EU member states, namely the UK and France, the HR/VP cautiously opposed military intervention until the last minute. There was even a public confrontation between the HR/VP and the leaders of the aforementioned countries. Other leaders adopted a discourse which seemed to echo their close relationship with the Libyan leader, for example Italian Silvio Berlusconi’s claim that he did not call Gadhafi in order not to disturb him. EU member states grudgingly accepted military developments post-factum after rejecting them at first (Fabrini 2014). Poland and Germany were initially especially reluctant to military intervention. Germany actually abstained in the vote on Resolution 1973, which was seen as a major diplomatic event.

In terms of humanitarian intervention, the EU focused on civil protection, namely safe movement and evacuation of civilian population, and humanitarian assistance. It has a large range of crisis management instruments in the form of diplomatic measures, humanitarian assistance and civil protection, military and civilian operations, and migration- and trade-related activities. It is also the largest humanitarian and development aid donor. (Koenig 2011) Indeed, Catherine Ashton stressed that the role of the EU should focus on humanitarian issues. Although the EU has developed an impressive array of civilian crisis management tools, their results can be seen in the long run in terms of reconstruction and development of fragile states (Brattberg 2011). After the military intervention, the reconstruction specified under R2P was highly limited except for the role played by the EU. Since then, however, it has become a problem since the situation in Libya worsened with ISIL taking control of some

of the territory (CFR 2015). Therefore, the EU's results in reconstruction and development is questionable.

Immediately after hostilities began in Libya, the European Commission Directorate-General for Humanitarian Aid and Civil Protection launched on February 23rd two of its emergency instruments. These were the civil protection mechanism and humanitarian assistance. The civil protection mechanism facilitated collaboration between member states' consular organizations and led to successfully identifying and saving 5.800 EU citizens from the region. The EU launched the Frontex Joint Operation *Hermes* on February 20th to assist Italy in dealing with refugees coming from North Africa. (Koenig, 2011)

In terms of military intervention, most EU member states opposed military intervention although France pushed for EUFOR Libya, a military operation which never happened (Adler-Nissen 2014). It generated heated debate but it remained a symbolic gesture (Koenig 2011). Countries invoked different reasons for why they opposed first the no-fly zone and then military intervention. One German official said that the reason for the intervention was oil, while Poland said that what happens in Libya is an internal problem and it is not its concern. The Czech Parliament voted against the no-fly zone. Finland was against the use of force.

EUFOR Libya was meant to add a military dimension to the humanitarian assistance operations in Libya and it was agreed upon on April 1st 2011 (EEAS, no date), over a month after the revolution in Libya started. However, it was conditioned by an invitation from the UN Office for the Coordination of Humanitarian Affairs (OCHA), which never came. Thus, EUFOR Libya remained a symbolic initiative (Koenig 2011; Lindström and Zetterlund 2012). It would have been a 4-month operation under the political control of the Political and Security Committee, a permanent structure of the Council of the EU. It would have had a budget of 7.9 million euro and it would have been led by Rear Admiral Claudio Gaudiosi headquartered in Rome (European Council 2011). Not only was it conditioned by an invitation but also the negotiations about what form this mission would take were intense. On April 12th during the Foreign Affairs Council meeting, Sweden blocked the first stage in the

planning of the CSDP operation concerning the allocation and contribution of military assets (Fabrini 2014). As such, the lengthy negotiations yielded no tangible result.

However, some member states did contribute to the military effort. The majority of air strike sorties were undertaken by Europeans with invaluable US support in dismantling Libyan air defences and operations management (Jaffe & DeYoung 2011; Westervelt 2011; Quintana 2012). France and the UK were the EU member states that contributed most to the air strikes. After initially abstaining in the UNSC, Germany eventually had a limited military contribution. There was some support from Central and Southern European states as well but this was very limited due to political reasons and especially technical ones. (Quintana 2012)

CRITICISM OF EU RESPONSE

Some voices were more critical than others. Largely, the EU has been criticised for not addressing security concerns in its own ‘backyard’:

“The Libya crisis highlighted the EU’s lack of permanent planning structures, which, in turn, hinders advance planning and, ultimately, a quick response to crises. Within two weeks of the start of the crisis in Libya, NATO had reportedly prepared four possible operational plans, compared to the two months it took for the EU to reach the same planning stage.”

(Lindström and Zetterlund 2012, 53)

The main criticism is that member states had an un-coordinated and delayed response (Brattberg 2011). The Libyan case revealed the disunity on how and overall reluctance of European states to act militarily in their proximity (Clarke 2012). There was lack of coordination between member states and institutions and between the institutions themselves (Brattberg 2011). But it was lack of political will that paralyzed the CSDP and led to tension in the EU (Howorth 2014). EUFOR Libya represented the minimum role the EU member states wanted to play together in Libya (Koenig 2011). This lack of political trust and confidence keeps the CSDP and the CFSP weak (Lindström and Zetterlund 2012).

However, not all shortcoming can be attributed to member states. There were intra- and inter-institutional discrepancies that prevented EU institutions to speak with the same voice. The HR, the Commission President and the President of the European Council released separate statements (Brattberg 2011) and the content was not always the same. For example, European Council President Herman Van Rompuy said that the reason for military intervention was regime change whereas HR Ashton subsequently corrected this by saying that the reason was not regime change (Koenig 2011).

Most stakeholders blame the HR/VP and the EEAS, reflecting a capacities-expectations gap between what the HR/VP can do and what the institution is expected to do (Helwig 2013, 235). It is also argued that the HR/VP was the last to take an international stance or express support for military operations (Lindström et al. 2012). Friction between the numerous EU institutions involved led to confusion and inefficiency in the EEAS (Koenig 2011) and it is argued that the HR/EEAS could not do the job because the states did not decide what to do (Brattberg 2011). However, one cannot only blame lack of political coordination at state level or between the institutions. In a 2013 report on how to improve the EEAS, Lady Catherine Ashton herself identified 35 institutional misalignments within the institution itself (Giegerich 2015).

“It is not always easy to achieve this (n. red. – “a strong and well-coordinated response to foreign policy challenges”) since it requires the establishment of linkages between: related geographic or thematic topics; the work in different institutions, and even the different levels of discussion in the Council bodies (European Council, Ministerial Council formations, PSC, thematic working groups). At the same time, the Lisbon Treaty left CFSP intergovernmental and therefore subject to unanimity: in the absence of collective political will and agreement between Member States, this is a limiting factor on decision-making.”

Lady Catherine Ashton (2013, 7)

According to some, the EU’s response to the Libyan crisis was not generally weak or ineffective. Quickly delivering humanitarian aid and economic sanctions are positive points

(Koenig 2011). Largely, the economic sanctions concerned prohibition of procurement or sale of arms from and to Libya, inspections on Libyan vessels to prevent sale of crude oil, freezing funds and economic resources of target entities (European Commission 2015). For example, in order to cut Gadhafi's funding, the EU extended sanctions to the National Oil Corporation, which accounts for half the country's output (Canon et al. 2011) although Libya is the EU's 3rd largest exporter of oil (Zulaika 2015). Sanctions were not sufficient to unseat Gadhafi, which questions their effectiveness (Leenders 2014, 9-12) but they nonetheless show a common EU response. The depth of economic sanctions varied over time (European Commission 2015). Despite the fact that EU sanctions have been successfully implemented, the discussion on whether this type of instrument is truly effective is on-going.

These accomplishments are small in terms of consistency and coherence in the CFSP and CSDP. Unilateral actions or inactions, mutual accusations and ensuing tendencies of disintegration mainly account for the EU's perceived incoherence. The EU is seen as strong in terms of medium and long-term response in areas such as civilian protection and post-war reconstruction. However, it lacks coherence as a 'hard power' (Koenig 2011).

An intergovernmental approach to European foreign policy argues that action is heavily reliant on member states. When member states' interest diverged, the EU became incapacitated. The EU is a vehicle through which member states pursue their own national interests. It is unlikely that this situation will change because national security interests rarely change over time (Hix 2011). Moreover, member states strongly guard their sovereignty when it comes to the legitimate use of force and foreign policy. This makes it even more unlikely that they would wholeheartedly pool this sovereignty on matters of security and foreign policy even if they would find a *mission* to commonly adhere to.

From a supranational perspective, the design of decision-making in foreign and security policy has promoted some policy convergence between EU states. The institutional framework of the CFSP has led to joint action policy instruments and has played a role in the Balkans, in the Middle East and in Africa (Hix and Hoyland 2011). However, as infamous are the occasions when the EU has not played a role. Wrought with internal division and

especially incoherence between the three largest states in the EU: Germany, France and the UK, the EU's response in international crises has been chaotic (Dinan 2010). Indeed, the EU's role in Libya was as a soft power acting through mostly non-military policies especially on the civilian front (Peterson & Lavenex 2012).

CONCLUSION

Libya is symptomatic of the larger issue underpinning the EU, namely its nature. It is incorrect to compare the EU to existing political systems, such as the United States, in terms of decision-making efficiency (Menon 2008) because it escapes the Westphalian logic. Furthermore, member states continue to guard their monopoly on the legitimate use of force, which they associate very closely to national sovereignty. As such, the EU lacks the institutional design to respond militarily to crises that require a fast and centralized response. The leaderlessness of the EU in this field pertains to its large definition of what security is and to its in-built restraints (Menon 2008). Although the Treaty of Lisbon attempted to correct this problem of unity by empowering the HR/VP to speak with one voice, practice has shown that the underlying problem relating to nature has not been resolved.

The main reason why the EU was unable to deliver collective action is that structurally an intergovernmental approach cannot accomplish it. First, resource allocation of military assets was a significant problem under the current intergovernmental mechanism of voluntary cooperation. Second, the fact that domestic political interests focused in a core leadership 'duo' outside the framework of the EU discredited the EU framework. Third, the EU decision-making institutions for foreign policy are insufficient and inefficient. The HR has yielded little political power, whereas the Council President was side-lined as a political actor. Fourth, the attempts to correct organizational issues has led to further inconsistencies. The newly launched EEAS still faced numerous internal challenges. Fifth, decision-making lacked democratic accountability. The EP was informed of decisions already made (Fabriani 2014). However, although the EU failed to pass the test in Libya from a military point of view, it has demonstrated success in consensus building in other areas. Non-military i

nstruments were successfully mobilized, especially with regard to protecting civilians and to imposing sanctions.

All of the above shows that the EU as an innovative polity faces significant issues of an ontological nature. It is not the scope of this paper to suggest ways to mitigate these problems. However, it is well worth noting that whatever solutions are agreed upon in documents, such as the European Treaties, these must be upheld or avoided altogether. The EU's credibility as an international actor suffers each time member states circumvent their own agreements in the complex tide of political decision-making. It is difficult to imagine a normative actor being taken seriously when it cannot even respect its own norms. Therefore, one of the main lessons to be drawn from the Libyan crisis is that before it can build the military capacities to enforce whichever *mission* member states decide upon in the field of foreign and security policy, the EU requires an institutional response to its idiosyncrasies.

REFERENCE LIST

- Adler-Nissen, Rebecca and Pouliot, Vincent. 2014. "Power in Practice: Negotiating the International Intervention in Libya." *European Journal of International Relations* 20 (2014) 4: 889–911
- Ashton, Catherine. 2013. "EEAS Review." Accessed January 26th 2016. http://eeas.europa.eu/library/publications/2013/3/2013_eeas_review_en.pdf.
- Brattberg, Erik. 2011. "Opportunities lost, opportunities seized: the Libya crisis as Europe's perfect storm" (Bruxelles, European Policy Center, Policy Brief).
- Cameron, Alastair. 2012. "The Channel axis: France, the UK and NATO." In: *Short War, Long Shadow. The Political and Military Legacies of the 2011 Libya Campaign* by Adrian Johnson und Saqeb Mueen (London, RUSI Whitehall Report).
- Canon, Lista, Harris, David, Kelly Nicola and McNabb, Stephen. 2011. "EU and UK Sanctions on Libya: Latest Developments." *Norton Rose Fulbright*. Accessed on November 23rd 2015. <http://www.nortonrosefulbright.com/knowledge/publications/93322/eu-and-uk-sanctions-on-libya-latest-developments>.
- CFR (2015). "Political instability in Libya." Accessed November 23 2015. <http://www.cfr.org/global/global-conflict-tracker/p32137#!/?marker=14>.

Clarke, Michael. 2012. "The Making of Britain's Libya Strategy." In: *Short War, Long Shadow. The Political and Military Legacies of the 2011 Libya Campaign* by Adrian Johnson und Saqeb Mueen (London, RUSI Whitehall Report), <https://www.rusi.org/publications/whitehallreports/ref:O4F631FBA20DF9/>.

Cucută, Radu. 2015. "Uniunea Europeană și Primăvara Arabă. Limitele politicii externe ale Uniunii Europene [The European Union and the Arab Spring. The Limits of the European Union's Foreign Policy]." In *Europeanizarea Studii de Guvernare și Securitate [Europeanisation, Governing Studies and Security]*, coordinator by George Angheloiu, 198-212. București: C. H. Beck, 2015.

Dinan, Desmond. 2010. *Ever Closer Union – An introduction to European Integration*. 4th ed. Europe, Palgrave Macmillan. Pp. 545-565

EEAS (no date) "EUFOR Libya." Accessed November 23rd 2015. Site archived on January 1st, 2015. http://www.eeas.europa.eu/csdp/missions-and-operations/eufor-libya/index_en.htm.

European Commission (2015) "Restrictive Sanctions in Force." Accessed on November 21st 2015. http://eeas.europa.eu/cfsp/sanctions/docs/measures_en.pdf.

European Council (2011) COUNCIL DECISION 2011/210/CFSP of 1 April 2011 on a European Union military operation in support of humanitarian assistance operations in response to the crisis situation in Libya (EUFOR Libya). *Official Journal of the European Union*. Accessed November 16th 2015. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:089:0017:0020:en:PDF>.

Eyal, Jonathan. 2012. "The Responsibility to Protect: A Chance Missed." In *Short War, Long Shadow. The Political and Military Legacies of the 2011 Libya Campaign* by Adrian Johnson und Saqeb Mueen (London, RUSI Whitehall Report) <https://www.rusi.org/publications/whitehallreports/ref:O4F631FBA20DF9/>.

Fabrini, Sergion. 2014. "The European Union and the Libya crisis". *International Politics* 51.2: 177-195.

Giegerich, Fabian. 2015. "Foreign and Security Policy – Civilian Power Europe and American Leadership." In *Policy-making in the European Union* edited by Hellen Wallace, Mark. A. Pollack and Alasdair R. Young (7th edition), 436-463. Oxford, Oxford University Press.

Helwig, Niklas. 2013. "EU Foreign Policy and the High Representative's Capability-Expectations Gap: A Question of Political Will." *European Foreign Affairs Review*. 18 (2), 235–253.

Hix, Simon and Hoyland, Bjorn. 2011. *The Political System of the European Union*. 3rd edition. London: Palgrave Macmillan, 302-330, 2011.

Howorth, Jolyon. 2014. "Opération Harmattan' in Libya: a paradigm shift in French, European and transatlantic security arrangements?" *Journal of Transatlantic Studies*. 12(4): 405–17.

Jaffè, Greg & DeYoung, Karren. 2011. "NATO runs short on some munitions in Libya." *Washington Post*, April 15th. Accessed November 23rd, 2015. https://www.washingtonpost.com/world/nato-runs-short-on-some-munitions-in-libya/2011/04/15/AF307EID_story.html.

Koenig, Nicole. 2011. "The EU and the Libyan Crisis – In Quest of Coherence?" *The International Spectator*. 46 (4): 11–30.

Leenders, Leander. 2014. "EU Sanctions: A Relevant Foreign Policy Tool?" *College of Europe*. Accessed November 23rd 2015. <https://www.coleurope.eu/research-paper/eu-sanctions-relevant-foreign-policy-tool>.

- Lindström, Madelene and Zetterlund, Kristina. 2012. "Setting the stage for the military intervention in Libya - Decisions made and their implications for the EU and NATO" (Stockholm, Swedish Defense Research Agency FOI), available from: <http://www.foi.se/en/Search/Abstract/?rNo=FOI-R--3498--SE>.
- Menon, Anand. 2008. "Security Policy and the Logic of Leaderlessness." In *Leaderless Europe* edited by Jack Hayward. New York: Oxford University Press, 2008.
- Peterson, John and Lavenex, Sandra. 2012. "The EU as a Security Actor." In *The European Union – How does it work?* 3rd edition, edited by Bomberg, Elizabeth, Peterson, John and Corbett, Richard. Oxford: Oxford University Press, 185-202, 2012.
- Quintana, Elizabeth. 2012. "The War from the Air." In *Short War, Long Shadow. The Political and Military Legacies of the 2011 Libya Campaign* by Adrian Johnson und Saqeb Mueen (London, RUSI Whitehall Report), <https://www.rusi.org/publications/whitehallreports/ref:O4F631FBA20DF9/>.
- Ungurean, Radu-Sebastian. 2015. "Abordarea Securității Internaționale de către Uniunea Europeană: Specificul Puterii Normative Non-Westphalice și Responsabilitate Post-Imperială. [The European Union's Approach to International Security: The Particularity of the Non-Westphalian Normative Power and Post-Imperial Responsibility]." In *Europeanizarea Studii de Guvernare și Securitate* [Europeanisation, Governing Studies and Security], coordinated by George Angheloiu , 18-29. București: C. H. Beck, 2015.
- Westervelt, Eric. 2011. "NATO's intervention in Libya: A New Model?" *NPR*, September 13th. Accessed November 23rd, 2015. <http://www.npr.org/2011/09/12/140292920/natos-intervention-in-libya-a-new-model>.
- Zulaika, Claudia. 2015. "State of Play: The EU, the African Parties to the Cotonou Agreement and the ENP." In: *The Neighbours of the European Union's Neighbours: Diplomatic and Geopolitical Dimension beyond the European Neighbourhood Policy* edited by Gstöhl, Sieglinde and Lannon, Erwan. Surrey: Ashgate, 2015.