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**Is the EU a global 'force for good' ?  
Four case studies in South Asia**

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## **Abstract**

### **Is the EU a global 'force for good' ? Four case studies in South Asia**

Thanks to its normative and civilian means to putatively promote global goods like democracy and human rights, peace and security, the EU has come to be recognised as a global 'force for good'. However, most of the studies done to verify the claim and description of the EU as the 'force for good' have been mainly done either in Eastern and South Eastern Europe or in the European neighbourhood, and rarely in South Asia. Intending to fill this void and analyse whether the EU is indeed a global 'force for good' i.e. beyond its neighbourhood, this thesis studied the role, intervention and impact of the EU for the promotion of democracy in Nepal (2002-08) and Pakistan (1999-2008) and management of conflict in India (2002) and Sri Lanka (2006-09). The research has shown that the normative power of the EU had little impact while the civilian means of power was either inconsistently applied or was largely ineffective. In Nepal, the EU's political and economic leverage was weak and inconsequential apart from the misplaced priority given to mitigation of conflict over democracy. It was India, which was the most influential external actor for democratisation of Nepal in 2008. In Pakistan, barring the first two years from mid-October 1999 till the '9/11', in spite of having considerable leverage the EU shepherded by the US prioritised the terrorism related security concerns over promotion of democracy. In case of ethnic conflict in India in 2002, EU's interventions were timid and even apologetic, restricted to utterance of some feeble notes of concern. And though both the EU and the US had almost similar level of intervention, it can be said that it was the latter which had more impact. In Sri Lanka, EU's efforts did not succeed to halt the violence. This was due to ineffectiveness of the EU's civilian means of power along with its failure to coordinate well with other like-minded actors like India and the US. China played deplorable but the most decisive role in the conflict. Based on the results of these four case studies in South Asia it can be said that the EU is not a global 'force for good'. This is so, not necessarily because the EU was pursuing its interests instead of promoting the good like democracy and security though this is partly true as was case in Pakistan and India but because the EU was/is not even a force in South Asia. The normative power of the EU was toothless while the civilian means of influence were largely ineffective when applied. The impact of the EU is limited its neighbourhood where the normative and civilian powers do work but hardly in countries of far-flung region like South Asia.

## Key issues

Force

Normative power

Civilian power

Global 'force for good'

Democracy, democratisation and democracy promotion

Conflict prevention, management and resolution

EU's policy, strategies and instruments for democracy promotion and conflict management

Royal authoritarianism in Nepal

Military dictatorship in Pakistan

Gujarat ethnic violence

Sri Lankan civil war

Role, intervention and impact of the EU for democracy promotion and conflict management in South Asia

Role, intervention and impact of other international actors like the US, China, the UK and India

Weaknesses of the EU as a global power

## Summary

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## List of abbreviations

ACP	African, Caribbean and Pacific
AfPak	Afghanistan and Pakistan
BJP	<i>Bhartiya Janata Party</i> (Indian People's Party)
BRIC	Brazil, Russia, India and China
CFSP	Common Foreign and Security Policy
COAS	Chief of Army Staff
CPN-M	Communist Party of Nepal-Maoist
DFQF	Duty Free, Quota Free
EBA	Everything But Arms
ECHO	European Community Humanitarian Office
EEC	European Economic Community
EIDHR	European Instrument for Democracy and Human Rights
ENPI	European Neighbourhood Partnership Agreement
ESS	European Security Strategy
EU	European Union
FYR of Macedonia	Former Yugoslav Republic of Macedonia
GoSL	Government of Sri Lanka
GSP	Generalized System of Preferences
GWOT	Global War on Terrorism
IfS	Instrument for Stability
LDC	Least Developed Country
LTTE	Liberation Tigers of Tamil Ealam
PM	Prime Minister
RSS	<i>Rashtriya Swayamsevak Sangh</i> (National Volunteer Organisation)
SL	Sri Lanka/Lankan
SPA	Seven Party Alliance
UK	United Kingdom
UN	United Nations
US	United States
USCIRF	United States Commission on International Religious Freedom
USD	United States Dollar
USSR	Union of Soviet Socialist Republics
WEU	Western European Union
WMD	Weapons of Mass Destruction

FIGURE 1: South Asia



Source: [www.maps.com](http://www.maps.com)

FIGURE 2: Overview of the missions and operations of the EU, July 2012



Source: European External Action Service; see at: <http://consilium.europa.eu/eeas/security-defence/eu-operations.aspx?lang=en>



# 1. Objective, clarifications and plan

## 1.1 Objective

The European Union (EU) has been called as Civilian, Normative, Ethical and even a Metrosexual Power<sup>1</sup>. These overwhelming positive theorisations of EU's strength and role have led to a general recognition of it as a global 'force for good'. But it has been equally analysed critically with negative remarks. The concept of the EU as a Civilian Power was rendered as a contradiction in terms<sup>2</sup>. Its conceptualisation as a Normative Power has been scathingly criticised and it was rather called a tragic actor<sup>3</sup>. It has been said that the goodness of Europe emanates from its weakness and not from its uniqueness<sup>4</sup>. However, a large number of these studies either testifying or dismissing the EU as a 'force for good' has been mainly done on Central and Eastern European countries or on countries in the European neighbourhood<sup>5</sup>. Except for few pieces, which do more of recommendations for than explanation of Union's promotion of good, rarely there has been any thorough assessment of the EU as a 'force for good' in South Asia<sup>6</sup> (see Figure 1). This dissertation intends to fill this gap in the literature on EU's external actions.

Arising from South Asia, there are quite a few questions, which deserve answer for a more global validation or rejection of the EU as a 'force for good'. Specific to and dealt in this thesis, for example, what role did the Union play to promote democracy in Nepal and Pakistan, two countries that have long endured retrograde kings and repressive military men? Did the EU actions have any real impact for democratisation in these two countries? Or again, how did the Union intervene to manage many ethnic conflicts in India or the brutal conflict between the Liberation Tigers of Tamil Ealam (LTTE) and the Government of Sri Lanka (GoSL)? Did the EU have any success in the management of conflicts in these two countries? These questions become all the more important because in cases of these far-flung countries the Union was/is neither having the 'golden carrot' of membership to offer, as was the case for countries in Central and Eastern Europe which helped the consolidation of democracy after the collapse of communist regimes in late 1980s; nor the danger of a spill-over of the conflict, as was the case during the 1990s wars in Balkans which pushed Europe to intervene and act though not very successfully. Removal of these two variables, attraction of membership for democratisation and risk of spill-over effect for conflict management, will make EU's analysis and description as a 'force for good' either more robust or will weaken it i.e. the European Union is indeed a global 'force for good' or rather its influence is limited to Europe and its neighbourhood. Moreover, since the Union has only normative and civilian instruments at its disposal to effectuate its whole range of foreign policy goals including democratisation and conflict management, it will be equally an evaluation of EU's civilian and normative powers for a more worldwide validity.

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<sup>1</sup> F. Duchêne, "Europe's Role in World Peace", in R. Mayne (ed.), *Europe Tomorrow: Sixteen Europeans Look Ahead*, London, Fontana, 1972, pp. 32-47; F. Duchêne, "The European Community and the Uncertainties of Interdependence", in M. Kohnstamm and W. Hager (eds.), *A Nation Writ Large? Foreign-Policy Problems before the European Community*, London, Macmillan, 1973, pp. 1-21; I. Manners, "Normative Power Europe: A Contradiction in Terms?", *Journal of Common Market Studies*, vol. 40, no. 2, 2002, pp. 235-258; Z. Laidi, *La norme sans la force: L'énigme de la puissance européenne*, Paris, Presses de Sciences Po, 2008, pp. 1-291; L. Aggestam, "Introduction: Ethical Power Europe", *International Affairs*, vol. 84, no. 1, 2008, pp. 1-11 and P. Khanna, "The Metrosexual Power", 1 July 2004, *Foreign Policy*, last accessed on 29 June 2012.

<sup>2</sup> H. Bull, "Civilian Power Europe: A Contradiction in Terms?", *Journal of Common Market Studies*, vol. 21, no. 2, 1982, pp. 149-164.

<sup>3</sup> A. Hyde-Price, "'Normative' power Europe: a realist critique", *Journal of European Public Policy*, vol. 13, no. 2, 2006, pp. 217-234 and A. Hyde-Price, "A 'tragic actor'? A realist perspective on 'ethical power Europe'", *International Affairs*, vol. 84, no. 1, 2008, pp. 29-44.

<sup>4</sup> R. Kagan, *Of Paradise and Power: America and Europe in the New World Order*, New York, Knopf, 2003, pp. 1-103.

<sup>5</sup> For example, see: E. Barbé and E. Johansson-Nogués, "The EU as a modest 'force for good': the European Neighbourhood Policy", *International Affairs*, vol. 84, no. 1, 2008, pp. 81-96 and R. Youngs, "Normative Dynamics and Strategic Interests in the EU's External Identity", *Journal of Common Market Studies*, vol. 42, no. 2, 2004, pp. 415-435.

<sup>6</sup> For example, see: S. Khatri, "The European Union's support for democracy building in South Asia: an overview", in *Democracy in Development: Global consultations on the EU's role in democracy building* in I. Wetterqvist (director), *International Institute for Democracy and Electoral Assistance*, Stockholm, 2009, pp. 93-106.

## 1.2 Clarifications

First, and as it will become clear, throughout the dissertation the words ‘force’ and ‘power’ have been used interchangeably meaning the same thing even though there is a slight difference in their meanings<sup>7</sup>. This is so because the popular sobriquet attached to the EU is ‘force for good’ which has been retained in the title of the thesis. However, the notion understood and investigated by the term is actually that of a ‘power for good’, which not only intends to promote good but actually promote it in an effective way.

Second, one may question, why the promotion of democracy and the management of conflict has been specifically chosen to study whether the EU is a ‘force for good’ or not? There are three reasons for this selection. First, democracy and security are universal public good with global demand<sup>8</sup>. Second, the Union claims to promote democracy, and prevent, manage and resolve conflicts through its foreign policy. Third, the four case countries of South Asia have long been blighted by authoritarian regimes (Nepal and Pakistan) and ethnic conflicts (India and Sri Lanka). Therefore, investigation and analysis of EU’s promotion of democracy in Nepal and Pakistan and its management of conflict in India and Sri Lanka make the right set to study whether the EU is indeed a global ‘force for good’ or not.

In case of India and Sri Lanka, the research is limited to conflict management without looking into EU’s conflict prevention and resolution efforts due to lack of space and because one of the conflict studied, 2002 ethnic riots in India, was minor and short lived. Moreover, the research has been restricted only to management of conflict to bring more clarity and succinctness to the result unlike generally in case of studies on conflict prevention or/to resolutions, which are generally too diffuse and long-term for concrete conclusion.

## 1.3 Plan

The thesis is divided in eight chapters including the present one. Since the dissertation studies whether the EU is a global ‘force for good’ or not, the second chapter enumerates the means of force (power), elaborates upon the two principal descriptions of the nature of EU’s force, namely, the concept of the EU as Civilian and Normative Power and finally discusses and coins a primary definition of a global ‘force for good’. The third chapter briefly explains and differentiates the concepts of democracy, democratisation and promotion of democracy, and conflict prevention, management and resolution along with an elaboration of EU’s policy, strategies and instruments for democracy promotion and conflict management which is needed as the following four chapters studies EU’s role, intervention and impact for promotion of democracy and management of conflict. The next four chapters deal with EU’s role and impact for promotion of democracy in Nepal (2002-08) and Pakistan (1999-2008), and EU’s intervention and impact for management of conflict in India (2002) and Sri Lanka (2006-09). An interdisciplinary and holistic approach has been adopted for the research therefore the diplomatic-political, commercial-economic and humanitarian-developmental aspects of EU’s role and intervention have been studied for the four cases. Moreover, the four chapters first briefly describe the democratic crises and ethnic conflicts which helps understand the context of EU’s role and intervention, and ends with studying the role, intervention and impact of other international actors like the United States (US), China, India and the United Kingdom (UK) which puts EU’s role, intervention and impact in comparative thus better analytical light. Eighth and the last chapter first summarises the result of the research that the EU is not a global ‘force for good’, and then explains the result elaborating upon the weaknesses of the EU as global force tinged with the Realist scholarship of power in international relations.

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<sup>7</sup> Force is generally considered as less coercive than power.

<sup>8</sup> Aggestam, *op. cit.*, p. 6.

## 2. Force, EU's force and a global 'force for good'

Using means of power ranging from hard military force to softer ones like public diplomacy, many international actors while carrying out their external relations try to promote good on the international stage. The impact they make depends on the overall means of power they have and how effectively these have been used. The first part of this chapter titled 'Force' briefly looks at different means of power a political entity can have at its disposal. The second part explains the nature of EU's force i.e. the concepts of Normative and Civilian Power Europe and how the Union purportedly makes a difference using its normative and civilian instruments. Since the term 'force for good' has been generally loosely used and lacks a clear definition, the third and final part of the chapter discusses and formulates a basic definition of a global 'force for good'.

### 2.1 Force

Force simply is power. It is "an ability to do things and control others, to get others to do what they otherwise would not"<sup>9</sup>. International actors have coercive means of power like military, economic and diplomatic capabilities<sup>10</sup>, and non-coercive ones like ideas, norms and values, which are basically 'power over [global public] opinion'<sup>11</sup>. Though taking a bit more time like non-coercive ones; progress and lead in science, technology, literature, cinema, music and sports, to name a few of the like, can also impart great power to a country through adoration and emulation by others<sup>12</sup>.

### 2.2 Nature of EU's force

#### 2.2.1 Normative power

Attempting to theorise the international role and impact of the EU – while criticising Hedley Bull's rendering of the Civilian Power Europe as a contradiction in terms<sup>13</sup> and taking a cue from Richard Rosecrance on normative achievements of Europe<sup>14</sup> – Ian Manners said that the EU is a hybrid polity with supranational forms of governance sprouting from a unique historical context which gives it its normative difference and capability without either the need of or even the willingness for use of coercive means of power<sup>15</sup>. The normative difference and capability of the Union stem from 1) normative ethics: the principles of liberty, democracy, rule of law, social justice, respect for human rights and other fundamental freedoms, and 2) hybrid polity: pooling of sovereignty, the principle of subsidiarity, two transnational and parallel legislatures (the European Parliament and the Council of the Ministers), and

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<sup>9</sup> J. S. Nye Jr., "Soft Power", *Foreign Policy*, no. 80, 1990, p. 154.

<sup>10</sup> Diplomacy can be used in either of the way, coercive or non-coercive. Open public damnation like George W. Bush's calling of Iran, Iraq and North Korea as an 'Axis of Evil' and behind the closed doors threat like US's ultimatum to Pakistan to be prepared to be bombed back to the Stone Age if the latter did not support the global 'war on terror' can be called as coercive diplomacy. Whereas, regular political dialogues and public diplomacy like Obama's yearly Nowruz greetings to Iranians are examples of non-coercive one.

<sup>11</sup> The 'power over opinion' can be said to be potent enough to find a mention as one of three main wellspring of a state's power (economic and military power being the other two) even by the Realist scholar Edward Hallett Carr as far as back before the Second World War; see E. H. Carr, *The Twenty Years' Crisis, 1919-1939: An Introduction to the Study of International Relations*, London, Macmillan, 1962 (2<sup>nd</sup> edition), p. 108 cited in Manners, *op. cit.*, p. 239.

<sup>12</sup> J. S. Nye Jr., *Soft Power: The Means to Success in World Politics*, New York, PublicAffairs, 2004, p. 5.

<sup>13</sup> Bull said that the concept of Civilian Power Europe was a contradiction in terms because "the power or influence exerted by the European Community and other such civilian actors was conditional upon a strategic environment provided by the military power of states, which they did not control"; see Bull, *op. cit.*, p. 151.

<sup>14</sup> Rosecrance wrote, "Europe's attainment is normative rather than empirical ... [*sic*]. It is perhaps a paradox to note that the continent which once ruled the world through the physical impositions of imperialism is now coming to set world standards in normative terms"; see R. Rosecrance, "The European Union: A New Type of International Actor", in J. Zielonka (ed.), *Paradoxes of European Foreign Policy*, The Hague: Kluwer Law International, p. 22.

<sup>15</sup> Manners, *op. cit.*, pp. 240-242.

independent executive and judiciary (the European Commission and the European Court of Justice)<sup>16</sup>. Thus, Manners declared, “[...] the most important factor shaping the international role of the EU is not what it does or what it says, but *what it is*” [normative ethics and hybrid polity] [emphasis added]<sup>17</sup>. The very idea of the EU as a *sui generis* post-Westphalian entity has been claimed as prescribing the world politics away from that based on the unit and centrality of State<sup>18</sup>. The Union is said to be changing the preferences of other actors through the force of its idea (*idée force*)<sup>19</sup>. It has been supposedly shaping the conceptions of ‘normal’ in international affairs and their conduct thanks to its ideational impact<sup>20</sup>.

Apart from the social constructivist conceptualisation of the EU as a Normative Power expounded by Manners, there exists a similar theorisation of the Union but based on rational institutionalism. Finding EU’s special preferences for norms expressed by its commitment to multilateral institutions within which the Union tries to increase the normative standards, Zaki Laidi observed the EU as a Normative Power<sup>21</sup>. Laidi finds three reasons for Europe’s special preferences for norms. First, it is the particular historical experience of European construction where norms, one after another, were established to better govern the relations between European states and tackle their problems, which they could not have solved individually. So, when the Europeans think about the global governance, they consider their own model best suited for it “since one always sees the world through the lenses of one’s own history”<sup>22</sup>. Second, in this globalised world where the world’s economic engine is moving towards the East/South, Europe is trying to promote its normative social preferences, for example, better labour and environmental standards lest that their absence or lower levels can impinge upon its interests<sup>23</sup>. The third argument of Laidi, which is incoherent with Manner’s concept of Normative Power, is Europe’s lack of hard power which could have helped it to impose its preferences on others if they were/would be reluctant to accept them by themselves<sup>24</sup>. Thus, the EU is a Normative Power also because it has been striving to establish a world order based on norms and buttressed by institutions.

The EU promotes good on the international stage using its ideas and norms. These direct towards rules, which constrain other actors who have accepted these norms and rules very much like economic and military power and obliges them not to break them<sup>25</sup>. The norm-breaker is named and shamed instead of being punished coercively.

### 2.2.2 Civilian power

It was Duchêne who first implied the EU (then the EEC) as a Civilian Power in the early 1970s. Pondering on Europe’s role to establish peace in a world engulfed in the Cold War and threatened by nuclear confrontation, Duchêne concluded, “Europe cannot be a major military power” thus it cannot resort to Realists’ means to achieve peace<sup>26</sup>. But if the balance of security is continuously “de-emphasized” without it getting altered, the Western Europe – and if allocated with resources and freed from the burden of military expenses – could become world’s first civilian centres of power thanks to its economic weight (the then 6 members of the EEC had a share of 1/5<sup>th</sup> in world production and that of 1/3<sup>rd</sup> in world trade)<sup>27</sup>. Writing a year later, he said that the nuclear impasse between the two superpowers of the time had actually lessened the leeway for the use of military power and rather

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<sup>16</sup> *Ibid.*; I. Manners, “The Normative Ethics of the European Union”, *International Affairs*, vol. 84, no. 1, 2008, pp. 45-60 and I. Manners and R. Whitman, “The ‘difference engine’: constructing and representing the international identity of the European Union”, *Journal of European Public Policy*, vol. 10, no. 3, 2003, pp. 380-404.

<sup>17</sup> Manners, *Normative Power Europe: A Contradiction in Terms?*, *op. cit.*, p. 252.

<sup>18</sup> *Ibid.* and I. Manners and R. Whitman, “Towards Identifying the International Identity of the European Union: A Framework for Analysis of the EU’s Network of Relations”, *Journal of European Integration*, vol. 21, no. 2, 1998, pp. 231-249.

<sup>19</sup> Manners, *Normative Power Europe: A Contradiction in Terms?*, *op. cit.*, p. 239.

<sup>20</sup> *Ibid.*, p. 253.

<sup>21</sup> Z. Laidi, “European Preferences and their Reception”, in Z. Laidi (ed.), *EU Foreign Policy in a Globalized World: Normative Power and Social Preferences*, Oxon, Routledge, 2008, pp. 4-5.

<sup>22</sup> *Ibid.*

<sup>23</sup> *Ibid.*

<sup>24</sup> *Ibid.*

<sup>25</sup> Laidi, *La norme sans la force: L’énigme de la puissance européenne*, *op. cit.*, p. 5.

<sup>26</sup> Duchêne, *Europe’s Role in World Peace*, *op. cit.*, p. 37.

<sup>27</sup> *Ibid.*, p. 43.

enhanced the scope of civilian forms of influence which primarily meant the economic leverage. In such a scenario the European Economic Community had particular opportunity to exert influence at the international stage. Even though relatively weak in military means, the Community had an interest and a role to play in civilising the ‘uncivil’ world outside its borders all this through effective use of the economic weight it possessed<sup>28</sup>.

The debate on the Civilian Power Europe after having raged for a while lied down but to resuscitate again in the early years of 2000s<sup>29</sup>. The contentious point was ostensible militarisation of the EU through creation the European Security and Defence Policy (see section 3.4.1)<sup>30</sup>. Citing this militarisation some scholars like Karen Smith said that the concept of Civilian Power Europe is dead and there is a need to move the debate beyond this characterisation of EU’s power<sup>31</sup>. However, there was a realisation and recognition of the normative content in the concept of the Civilian Power Europe. Quoting Duchêne – “the European Community must be a force for the international diffusion of civilian and normative standards<sup>32</sup>” – Stelios Stavridis forcefully states that the Civilian Power Europe is alive and relevant in spite of apparent militarisation of the European foreign policy<sup>33</sup>. His main point is that in earlier literature on the Civilian Power Europe, the focus has been overwhelmingly on the means i.e. the civilian instruments at the cost of near-total absence of the ends i.e. civilian values or rather normative ethics as discussed by Manners. He further suggests that to promote ethical values one may need military means. So, earlier the EU was a Civilian Power by default but now it will be so by design<sup>34</sup>. Other scholars like Henrik Larsen and Richard Whitman have similarly demonstrated that the military means acquired are embedded in the understanding of the EU primarily as a Civilian Power<sup>35</sup>.

The EU promotes good using its civilian instruments like bilateral and/or multilateral diplomacy, political conditionality in preferential trade access and development assistances, know-how support for reconstruction, development and institution building. However, the EU uses its civilian instruments coercively also like freezing the assets of and imposing the travel ban on the leaders and officials, economic embargoes on and international isolation of a country.

### 2.3 A global ‘force for good’

To begin, it can be said that a global ‘force for good’ is an international actor, which uses the whole array of its power for the promotion of public good like democracy and human rights, peace and security for everyone and throughout the world<sup>36</sup>. But even if the cultural relativists’ criticism regarding democracy and human rights are brushed aside, just questions about *reasons* and *means* for promotion of these global goods remain. Many a time promotion of good may be just a pursuit of the external actor’s strategic and commercial interests in the name of the good values being promoted. And similarly, the means adopted can actually do more bad than the good being advanced. International politics is replete with such examples. So, what are these reasons and means on which there are always questions being raised?

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<sup>28</sup> Duchêne, *The European Community and the Uncertainties of Interdependence*, *op. cit.*, pp. 19-21.

<sup>29</sup> See: K. Smith, “The End of Civilian Power EU: A Welcome Demise or Cause for Concern”, *The International Spectator*, vol. 35, no. 2, 2000, pp. 11-28; S. Stavridis, “Why ‘Militarising’ of the European Union is strengthening the concept of a ‘Civilian Power Europe’”, RSC No. 2001/17, EU Working Papers, *Robert Schuman Centre for Advanced Studies, European University Institute*, Florence (Italy), 2001, pp. 1-21; H. Larsen, “The EU: A Military Actor”, *Cooperation and Conflict*, vol. 37, no. 3, pp. 283-202; R. Whitman, “The Fall, and Rise, of Civilian Power Europe”, Paper presented at conference on *The European Union in International Affairs*, National Europe Centre, Australian National University, 3-4 July, 2002, pp. 1-28 and K. Smith, “Beyond the civilian power debate”, *Politique européenne*, no. 17, 2005, pp. 63-82.

<sup>30</sup> The December 1999 European Council meeting of Helsinki decided to equip the EU to perform the Petersberg tasks, declaring that by the year 2003 the EU will be able to deploy around 60,000 troops for one year, even though the Heads of States and Governments stated that this did not mean the creation of a European army; see Smith, *The End of Civilian Power EU: A Welcome Demise or Cause for Concern*, *op. cit.*, p. 12.

<sup>31</sup> Smith, *Beyond the civilian power debate*, *op. cit.*

<sup>32</sup> Duchêne, *The European Community and the Uncertainties of Interdependence*, *op. cit.*, p. 20.

<sup>33</sup> Stavridis, *op. cit.*

<sup>34</sup> *Ibid.*

<sup>35</sup> Larsen, *op. cit.*, p. 292 and Whitman, *The Fall, and Rise, of Civilian Power Europe*, *op. cit.*,

<sup>36</sup> Aggestam, *op. cit.*, p. 6.

International actors can be said to promote good for two opposite reasons, one altruistic other selfish. When motivated by purely altruistic reasons, countries promote good thanks to an honest concern for the welfare of others taking it as their responsibility<sup>37</sup>. When driven by only selfish reasons, countries (claim to) promote good for the well being of others but actually pursue their own interests, strategic and/or commercial. However, between these two contrasts, there is a 'win-win' reason whereby external actors can and do promote good while pursuing their interests at the same time<sup>38</sup>. For example, promoting democracy and managing conflict. Democratisation is not only good for the people of the country where it has been introduced but also for the democratic countries that have supported it. Democracy not only brings political accountability and economic efficiency thus general prosperity for the citizens but also makes it easier for external actors to deal with that country which now share the same values apart from achievement of overall global peace as has been demonstrated by Democratic Peace theory<sup>39</sup>. Similarly, management of conflict and cessation of violence is not only good for the civilians and combatants, who often brainwashed by fanciful and quixotic ideologies and agendas suffer, but also for external actors since violence and war can always spill over beyond their original theatre affecting other countries in form of massive flow of refugees and asylum-seekers along with the overall economic costs they impose on the international community<sup>40</sup>.

Regarding the means, above there was a description of coercive and non-coercive means of power, which can and are employed for promotion of good. It has been observed that Western cinema, music, fashion and consumerist lifestyle blossoming in an open political system became craving for people of former communist countries and thus one of the causes of their adoption of liberal democracy. On the other hand, Iraq was 'exported' democracy by the leader of the West, America, through invasion and military means in 2003. While the first case of ex-communist countries has been thoroughly applauded, latter case of Iraq has been rightly criticised. So, does this mean that good can and should be promoted only through non-coercive means and not through coercive ones especially military means? The answer is rather negative. Good can and should be promoted by all means possible. The US invasion of Iraq has been commented upon by scholars as more for acquisition of oil and purported fight against weapons of mass destruction (WMD) and terrorism than for democracy. In Iraq, even though the means may not have been wrong, the reasons were. The reasons were neither altruistic nor even 'win-win' but selfish pursuit of wealth and unintelligent quest for security.

Actually, the debate on a 'force for good' can be said to have started with the use of means for promotion of good. European non-military means though including the coercive ones like economic embargoes were considered good while American over-reliance on military means were branded as bad. However, it is not necessarily means, which should make an actor a 'force for good' or 'force for bad'<sup>41</sup>. It is again the reasons or the desired end-goals, which should be first analysed for declaration of an actor as a 'force for good' or otherwise. Otherwise, use of force in Libya last year for support of those demanding democracy or NATO's military strikes in the Balkans in the 1990s, which have been duly appreciated do not deserve them. Moreover, many times, military means are the only credible way of promoting good especially in the case of immediate need of cessation of violence, mass murders, crime against humanity and genocides. A 'force for good' is one, which uses all the means of power civil and military to promote good but for altruistic or at least for 'win-win' reasons and ends<sup>42</sup>.

There are two more points related to reason and means, which need to be dealt with. First is the subjectivity of the reason for promotion of good. The reasons provided for promotion of good by one external actor may be 'win-win' or even altruistic for itself and its allies but not for many other

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<sup>37</sup> *Ibid*, p. 8.

<sup>38</sup> *Ibid*. and C. Brown, "On Morality, Self-interest and Foreign Policy", *Government and Opposition*, vol. 37, no. 2, 2002, p. 183 and pp. 186-187.

<sup>39</sup> M. Light, "Exporting Democracy", in M. Light and K. Smith (eds.), *Ethics and Foreign Policy*, Cambridge, Cambridge University Press, 2001, pp. 87-91.

<sup>40</sup> M. Brown and R. Rosecrance, "The Case for Conflict Prevention", in M. Brown and R. Rosecrance (eds.), *The Costs of Conflict, Prevention and Cure in the Global Arena*, Maryland, Rowman and Littlefield Publishers, 1999, pp. 221-222.

<sup>41</sup> H. Sjrursen, "What kind of power?", *Journal of European Public Policy*, vol. 13, no. 2, 2006, pp. 171-172.

<sup>42</sup> Aggestam, *op. cit.*, p. 2.

international actors who can interpret it differently and as selfish instead of altruistic or even 'win-win'<sup>43</sup>. Moreover, "a policy based on good intentions [altruistic or 'win-win'] may very well neglect others' interests or values [altruistic or 'win-win'] or fail to give them due consideration"<sup>44</sup>. Therefore, a more inclusive criteria for decision of altruistic or 'win-win' reasons for promotion of good is the decision through international law and consensus in organisations like the United Nations (UN)<sup>45</sup>. Second point is of restraint on and even avoidance as much as possible of the use of coercive means of power be it military force or economic embargoes<sup>46</sup>. This will help reduce the collateral damages and harm to innocent civilians at whom the good being promoted is ultimately aimed at. A big reason for the de-legitimisation of US's Iraq war apart from insufficiency of altruistic or 'win-win' reasons and absence of consensual decision through international law and organisation (the UN) was unrestrained use of military force and death of many innocent civilians without forgetting the atrocities of Abu Ghraib and the like.

Before the definition for the global 'force for good' is coined, a last point related to the word 'global' should be elaborated. This is so because there are a good number of regional powers that do find reasons and have means to promote good in their neighbourhood but not on the global scale. So, the international actor, which aims to be a global 'force for good', should have a worldwide presence and interest and sufficient means of all kinds of power to effectively implement its ambition and strategy of promoting the good in all regions of the world.

Therefore, a global 'force for good' is an international actor which uses altruistic or at least 'win-win' reasons decided under international law and at international organisation to promote good globally using all means of power but coercive means of power especially the military force being used as a last resort.

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<sup>43</sup> Barbé and Johansson-Nogués, *op. cit.*, p. 83.

<sup>44</sup> E. Eriksen, "The EU—a cosmopolitan polity?", *Journal of European Public Policy*, vol. 13. no. 2, 2006, p. 252.

<sup>45</sup> *Ibid.*

However, even then the problem of subjectivity of reason will persist because, first, the international organisations like the United Nations are not very representative of the present day political weight of different international players. The five members of the permanent Security Council have much more power compared to the rest of members including newly emerging/emerged countries like India, Brazil or even Germany and Japan. Second and importantly, the example of Syria since the last year's rebellion for democracy has shown that how one or two members (Russia and China) of the Security Council can actually block the real need for conflict management.

<sup>46</sup> A. Bailes, "The EU and a 'better world': what role for the European Security and Defence Policy?", *International Affairs*, vol. 84, no. I, 2008, p. 124.

### 3. EU's policy, strategies and instruments for democracy promotion and conflict management

End of bipolarity and concomitant mitigation of struggle for strategic influence between the US and the USSR brought an understanding in the West including Europe that they need not any more support authoritarian and undemocratic partner regimes<sup>47</sup>. Henceforth, the US and the EU has prioritised the promotion of democracy in the conduct of their external affairs<sup>48</sup>. Doing so, in the last two decades, the EU has developed considerable policy, strategies and instruments for promotion of democracy beyond its border.

Given the bloody inter-state conflicts among the European countries before the integration and the peaceful and stable Europe that has flowered since 1950s, the European project is generally cited as the best way for and example of conflict prevention and resolution. And though the Balkans experience in 1990s was disappointing, the EU since then, under the aegis of European/Common Security and Defence Policy, has equally developed significant capabilities for the intra-state conflict management beyond its own territory.

And as the dissertation studies the role, intervention and impact of the EU for democracy promotion and conflict management it is imperative to discuss EU policy, strategies and instruments for the same, which will put the research in the right frame. Therefore, this chapter first discusses and distinguishes among democracy, democratisation and promotion of democracy, and then explains EU's policy, strategies and instruments for promotion of democracy. This will be followed by another discussion on and differentiation among the concepts of conflict prevention, management and resolution before an elaboration on EU's policy, strategies and instruments for conflict management.

#### 3.1 Democracy, democratisation and promotion of democracy

Democracy is a process of government formation through competitive election whereby the views and interests of the people are taken into account and articulated by the political parties outside and/or inside the government. This must guarantee voting equality, effective participation, enlightened understanding of policies undertaken including their alternatives and consequences, control of agenda and inclusion of adults among the citizens<sup>49</sup>. A good number of scholars add that along with regular and participative elections a real democracy should have unhindered civil and political liberties especially for various kinds of minorities generally ensured through an independent and robust civil society.

Whereas, democratisation is a three-step process whereby first, the undemocratic regime is put to an end, second, a democratic government is introduced in the given former authoritarian polity and third, this process of democratic government formation and governance is continued and deepened<sup>50</sup>. Therefore, democratisation is an on-going and even never-ending process aimed at increasing the quality of the democratic process and institutions<sup>51</sup>.

As for the promotion of democracy, it "is about creating the conditions that allow the principles of democracy to be put into practice"<sup>52</sup>. External actors generally with firm belief in democracy as a universal good generally support the civil society organisations, opposition political forces and even the political institutions in fragile countries for democratisation. Among those external actors promoting

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<sup>47</sup> R. Youngs, *The European Union and the Promotion of Democracy: Europe's Mediterranean and Asian Policies*, Oxford, Oxford University Press, 2001, p. 2 and 10.

<sup>48</sup> *Ibid.*

<sup>49</sup> R. Dahl, *On Democracy*, New Haven, Yale University Press, p. 37.

<sup>50</sup> S. Huntington, *The Third Wave: Democratization in the Late Twentieth Century*, Norman, University Of Oklahoma Press, 1991, p. 35.

<sup>51</sup> I. Wetterqvist, "Democracy in Development: Global Consultations on EU's Role in Democracy Building", *International Institute for Democracy and Electoral Assistance*, Stockholm, 2009, p. 17.

<sup>52</sup> *Ibid.*



democracy beyond their borders are mainly the US and hardly any less the EU though both of them have stark difference in their approach and strategies.

## 3.2 EU's policy, strategies and instruments for democracy promotion

### 3.2.1 EU's policy for democracy promotion: an evolutionary description

EU's democracy promotion policies can be traced back to late 1970's when the European Council meeting at Copenhagen in 1978 declared that "respect for and maintenance of representative democracy and human rights in each member-states are essential elements of membership of the European Communities"<sup>53</sup>. It was meant for the imminent membership of Greece, Portugal and Spain<sup>54</sup>. Promotion of democracy became a concrete plank of the European policy in 1991 when the Council and the member-states made democracy a condition for EU's development cooperation with third countries<sup>55</sup>. This democracy condition was later incorporated in EU's external affairs policies through the Maastricht Treaty. Stating the objective of EU's Common Foreign and Security Policy (CFSP), the Treaty reads, "the objectives of the Common Foreign and Security Policy shall be: "[...] to *develop and consolidate democracy* and the rule of law, and respect for human rights and fundamental freedoms" [emphasis added]<sup>56</sup>. Similarly the development policy of the Union during the Maastricht states that it "shall contribute to the general objective of *developing and consolidating democracy* and the rule of law, and to that of respecting human rights and fundamental freedoms" [emphasis added]<sup>57</sup>. The next and the most important time when the EU made democracy promotion though somewhat indirectly a part of its external conduct was during the Copenhagen European Council meeting in 1993. The meeting concluded that a country aspiring for the EU membership should have "[...] achieved stability of institutions guaranteeing democracy [...]"<sup>58</sup>. In 1995, the EU came up with a standard "human rights and democracy clause" for respect of democratic principles and fundamental human rights to be tucked in all of EU's bilateral trade agreements or any other association and cooperation agreement between the EU and third countries or with any other regional organisation<sup>59</sup>. Later in 2001, the Commission produced an important Communication on EU's role for promotion of democracy and human rights. The document titled *The European Union's Role in Promoting Human Rights and Democratization in Third Countries* stated that promotion of democracy and human rights should be mainstreamed with a priority in all of EU's policies, programs and projects in the field of external affairs, and without undermining their coherence<sup>60</sup>. The 2003 European Security Strategy (ESS), *A Secure Europe in a Better World*, says, "[t]he best protection for our [Europe's] security is a world of well-governed democratic states"<sup>61</sup>. Article 21 under the general provisions of the Union's external action of the Treaty on the European Union (TEU) from the Lisbon treaties says:

*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 [...]*<sup>62</sup> [emphasis added].

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<sup>53</sup> European Council, "At the European Council in Copenhagen, 7-8 April 1978", No. 3/1978, Copenhagen, 1978.

<sup>54</sup> K. Smith, "The Use of Political Conditionality in the EU's Relations with Third Countries: How Effective?", *European Foreign Affairs Review*, vol. 3, issue 2, 1998, p. 258.

<sup>55</sup> Youngs, *The European Union and the Promotion of Democracy: Europe's Mediterranean and Asian Policies*, op. cit., p. 355.

<sup>56</sup> European Union, "Treaty On The European Union", *Official Journal of the European Union*, C191, 29 July 1992, Art. J.1-2, TEU.

<sup>57</sup> *Ibid.*, Art. 130u-2, TEU.

<sup>58</sup> European Council, "European Council in Copenhagen: Conclusions of the Presidency", SN 180/1/93 REV 1, Copenhagen, 1993, p. 13.

<sup>59</sup> Youngs, *The European Union and the Promotion of Democracy: Europe's Mediterranean and Asian Policies*, op. cit. pp. 34-36.

<sup>60</sup> G. Crawford, "Evaluating European Union Promotion of Human Rights, Democracy and Good Governance: Towards a Participatory Approach", *Journal of International Development*, vol. 14, issue 6, 2002, p. 913.

<sup>61</sup> European Union, "A Secure Europe in a Better World: European Security Strategy", Brussels, 2003, p. 10.

<sup>62</sup> European Union, "Consolidated Versions of the Treaty on European Union and the Treaty on the functioning of the European Union", *Official Journal of the European Union*, C 115, 9 May 2008, Art. 21, TEU.

Similarly, Article 21 (2-b) of the TEU reads, “the Union shall define and pursue common policies and actions [...] *to consolidate and support democracy*, the rule of law, human rights [...]” [emphasis added]<sup>63</sup>. Therefore, one can conclude that through explicit mention in policy documents and the treaties, the EU attaches great importance to the promotion of democracy in third countries while carrying out its external relations with them.

### 3.2.2 EU's strategies and instruments for democracy promotion

#### 3.2.2.1 Strategies

The EU does not have any unified and coherent strategy for the promotion of democracy<sup>64</sup>. But these can be found by studying the same EU treaties, its international agreements and many policy documents. Unlike heavy-handed top-down American approach directed at political elite, the EU has a bottom-up way supporting the NGOs and civil society working for promotion of democracy and human rights. To categorise the European strategies more neatly, there are mainly three: 1) dialogue and socialisation 2) political conditionality, diplomatic pressures and use of punitive measures 3) financial assistance<sup>65</sup>.

The first strategy based on political dialogue and socialisation is premised on the logic of introducing the democratic vocabulary into authoritarian and undemocratic countries, even if the regimes pay only the lip service to democracy<sup>66</sup>. It is meant to embed the discourse on democratic norms in the target country, and then push for a shared common democratic identity, which is supposed to be done through a kind of peer pressure instead of threat or lure of material gain or loss<sup>67</sup>. For example, the EU conducts regular dialogue with China and Russia<sup>68</sup>.

The second strategy, which can be discerned in EU's approach, is that of tying of political conditionality in its agreements for trade and development aid with third countries. The political conditionality attached is the standard and essential clause for the respect of the democratic principles and human rights developed in 1995. If the contracted country fails to respect democratic principles and human rights, then there are specific provisions for the suspension of the agreement. Apart from suspension of preferential trade agreements like the Generalized System of Preferences (GSP) and development cooperation, the EU has used some coercive but civilian strategies to promote democracy or sometimes halt its reversal<sup>69</sup>. These are asset freeze of and travel ban on authoritarian leaders and officials, economic sanctions against the country and international isolation of the regime or junta deemed and declared undemocratic.

The third strategy is that of financial assistance mainly to the civil society organisations working for respect of human rights and democracy and sometimes for the reform of target country's political institutions like courts, parliaments and election commission<sup>70</sup>.

Last but not the least, there are two distinct features of the European strategy for promotion of democracy, which deserve a mention. First – though applicable only in Europe – is enlargement which has been almost unanimously accepted by the academicians as playing a role in the democratisation of the candidate countries or countries aspiring for the Union membership. Second, the European strategy

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<sup>63</sup> *Ibid.*, Art. 21-2.B, TEU.

<sup>64</sup> M. Konstantin Köhring, “Beyond ‘Venus and Mars’: Comparing Transatlantic Approaches to Democracy Promotion”, EU Diplomacy Papers, *College of Europe*, Bruges, 2007, p. 13.

<sup>65</sup> R. Youngs, “Is European Democracy promotion on the Wane”, Working Document No. 292, *Centre for European Policy Studies*, Brussels, 2008, p. 1.

<sup>66</sup> R. Youngs, “Democracy Promotion: the Case of the European Union Strategy”, Working Document No. 167, *Centre for European Policy Studies*, Brussels, 2001, p. 42.

<sup>67</sup> *Ibid.*, pp. 41-43.

<sup>68</sup> However, EU's yearly and half-yearly dialogue with China and Russia respectively is conducted more (or even exclusively) for human rights than for democracy.

<sup>69</sup> In reality, the EU has suspended its agreement only in a limited number of cases, mainly with weak and not so important African, Caribbean and Pacific countries, and only rarely in case of democratic failures; see Smith, *The Use of Political Conditionality in the EU's Relations with Third Countries: How Effective?*, *op. cit.* In case of agreement with China, the above-mentioned standard essential clause are not even included; See: F. Schimmelfennig, “Europeanization beyond Europe”, *Living Reviews in European Governance*, vol. 4, no. 3, 2009, p. 15.

<sup>70</sup> Youngs, *Democracy Promotion: The Case of the European Union Strategy*, *op. cit.* p. 6.

for democracy promotion does not include military means *à la* Uncle Sam as was on display in Iraq since 2003.

### 3.2.2.2 Instruments

Established on the initiative of the European Parliament in 1994, European Instrument for Democracy and Human Rights (EIDHR), a grouping-together of initiatives and funds, is a European instrument specifically for the global advancement of democracy (and human rights) through financial support to the EU election observation missions and international NGOs. The EIDHR had a fund of €1.104 billion for the multiannual financial framework of 2007-13<sup>71</sup>.

## 3.3 Conflict prevention, management and resolution

Conflict prevention is the adoption and implementation of steps that aim to stop the escalation of a non-violent dispute into armed conflicts and mass violence<sup>72</sup>. Conflict prevention can have two (and even more) approaches to it. A direct approach to conflict prevention includes use of coercive instruments like military threats, economic sanctions, dispatch of envoys to the parties in dispute. A structural approach is more diffuse and long-term. It tries to tackle the root cause of the dispute through political dialogue and reconciliation, economic aid and other social and legal instruments<sup>73</sup>.

Conflict (or crisis) management means simply limitation, mitigation and containment of a violent conflict<sup>74</sup>. A more clear definition of the same says that it is adoption of measures to contain the violence while it has already erupted along with efforts for settlement of the dispute<sup>75</sup>. Conflict/Crisis management is about change from destructive to constructive mode of interaction whereby the conflict can be resolved through political dialogue instead of violence<sup>76</sup>.

Conflict resolution like conflict prevention is diffuse and long-term. It is a root and branch transformation of the conflict or dispute leading to establishment of 'positive peace' and not mere absence of violence<sup>77</sup>. In effect, it attempts and measures against all sorts of violence: direct, structural and cultural<sup>78</sup>. Thus conflict resolution is building up of a long-term peace and not just immediate cessation of violence through force.

## 3.4 EU's policy, strategies and instruments for conflict management

### 3.4.1 EU's policy for conflict management: an evolutionary description

During the Cold War, the EU and its member-states used the loose intergovernmental approach of the European Political Coordination to reduce tensions and propose resolutions of conflicts<sup>79</sup>. Up till Maastricht, the EU had no real policy or capacity for the management of conflicts beyond its own territory. The failure of Europe to prevent and manage well the crisis, which broke out in the Balkans due to disintegration of Yugoslavia in 1991 and war in Bosnia and Herzegovina starting in 1992 made it clear to the European leaders that they need to move ahead of the paper security structures established through the treaty at Maastricht<sup>80</sup>.

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<sup>71</sup> European Commission (DG DevCo), "European Instrument for Democracy & Human Rights (EIDHR)", last accessed on 2 July 2012.

<sup>72</sup> S. Blockmans, "An Introduction to the Role of the EU in Crisis Management", in S. Blockmans (ed.), *The European Union and Crisis Management: Policy and Legal Aspects*, The Hague, T.M.C. Asser Press, 2008, p. 10 and E. Gross and A. Juncos, "Introduction", in E. Gross and A. Juncos (eds.), *EU Conflict Prevention and Crisis Management: Roles, Institutions and Policies*, London, Routledge, 2011, p. 6.

<sup>73</sup> N. Swanström and M. Weissmann, "Conflict, Conflict Prevention and Conflict Management and Beyond: A Conceptual Exploration", *Central Asia-Caucasus Institute*, Uppsala, 2005, pp. 19-23.

<sup>74</sup> F. Tanner, "Conflict Prevention and Conflict Resolution: Limits of Multilateralism", no. 839, *International Review of the Red Cross*, Geneva, 2000, last accessed on 2 July 2012.

<sup>75</sup> Blockmans, *op. cit.*, p. 10 and Gross and Juncos, *op. cit.*, p. 6.

<sup>76</sup> N. Swanström and M. Weissmann, *op. cit.*, pp. 23-24.

<sup>77</sup> J. Galtung, "An Editorial", *Journal of Peace Research*, vol. 1, no. 1, 1964, p. 2.

<sup>78</sup> J. Galtung, "Cultural Violence", *Journal of Peace Research*, vol. 27, no. 3, 1990, pp. 291-305.

<sup>79</sup> Gross and Juncos, *op. cit.*, p. 3.

<sup>80</sup> Blockmans, *op. cit.*, p. 10 and Gross and Juncos, *op. cit.*, p. 1.

So the Western European Union or WEU's Council of Ministers met on 19 June 1992 at Petersberg (near Bonn) to redefine its operational role to include the deployment of military units for humanitarian rescue, conflict prevention, crisis management and peacekeeping within the framework of the Organisation of Security and Cooperation in Europe (OSCE) or the United Nations<sup>81</sup>. On 3 June 1996, during NATO's Berlin Summit, the WEU made an agreement with the NATO to borrow its military assets and logistics to conduct crisis management operations on the behalf of the EU<sup>82</sup>. Later, the tasks defined and identified by the WEU were incorporated in EU's Amsterdam Treaty (Article 17-2, TEU), which explicitly meant that from now on the EU defined and formalised the type and scope of its future crisis management<sup>83</sup>.

However, the European failure during the Kosovo conflict in 1998 led to the St. Malo declaration by the UK and France on 4 December 1998 which helped in breaking the taboo for the acquisition of defence capabilities by the EU itself<sup>84</sup>. Thus, the 10-11 December 1998 European Council meeting at Vienna welcomed the spirit of the St. Malo and the 3-4 June 1999 European Council summit at Cologne defined a number of institutional and procedural steps for achieving the ambition of St. Malo<sup>85</sup>. The next European summit of Head of State and Governments at Helsinki on 10-11 December 1999 was very important because it approved the establishment of new political and military bodies along with creation of EU Rapid Reaction Force by 2003 to carry out the tasks decided at Petersberg in 1992<sup>86</sup>. Along with the military means decided before, the European Council summit of Santa Maria da Feira on 19-20 June 2000 was important for affirming the development of civilian means of crisis management mainly at the insistence of neutral and Nordic member-states<sup>87</sup>. Through the treaty at Nice in 2001, the EU formally took over the job of crisis management from the WEU<sup>88</sup>. The ESS penned by the former High Representative for CFSP Javier Solana talks at length about effective crisis management<sup>89</sup>. In the year 2004, the European Council Headline Goal 2010 was fixed, which led to the creation of a European Defence Agency, a Civil-Military Cell, a stand-by operation centre at Brussels and EU battle groups<sup>90</sup>.

Last but not the least, the EU has institutional agreements with many other international organisations like the NATO (Berlin Plus of 2003 building on the pre-existing agreement between the WEU and the

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After all, even the Treaty on the European Union of Maastricht said that the CFSP might lead to the framing of a common defence policy (Title V, Article J.4.1). Moreover, the WEU was recognised as “an integral part of the development of the Union” and as capable “to elaborate and implement decisions and actions of the Union which have defence implications” (Article J.4.2); see: P. Petrov, “Introducing Governance Arrangements for EU Conflict Prevention and Crisis Management Operations: A Historical Institutional Perspective”, in E. Gross and A. Juncos (eds.), *EU Conflict Prevention and Crisis Management: Roles, Institutions and Policies*, Oxon, Routledge, 2011, p. 56.

<sup>81</sup> Blockmans, *op. cit.*, p. 1.

<sup>82</sup> Petrov, *op. cit.*, p. 58.

<sup>83</sup> *Ibid.*

Through the same treaty at Amsterdam, the EU created the post of the High Representative of the CFSP who was also the Secretary-General of the Council Secretariat. This post for the first time occupied by Javier Solana was to be very pivotal in the EU conflict prevention, management and resolution role and strategies in the Balkans, for example, in the Former Yugoslav Republic of Macedonia with operation Concordia.

<sup>84</sup> The declaration emphasised that the European Union, in order to play its full role on the international stage, “must have the capacity for autonomous action, backed up by credible military forces, the means to decide to use them, and a readiness to do so, in order to respond to international crises”; see “Franco-British St. Malo Summit: Joint Declaration on European Defense”, 4 December 1998, *Atlantic-Community.Org*, last accessed on 2 August 2012.

<sup>85</sup> Petrov, *op. cit.*, pp. 60-61.

<sup>86</sup> *Ibid.*

The political and military bodies approved to be created at Helsinki was Political and Security Committee, the EU Military Committee, the Military Staff to be complemented by a new Situation Centre, and transfer of the two WEU bodies – Satellite Centre in Torrejon (Spain) and Institute for Security Studies (Paris) – to the EU; see *Ibid.*, p. 65.

<sup>87</sup> *Ibid.*, p. 61.

<sup>88</sup> S. Duke, “CESDP: Nice's Overtrumped Success?”, *European Foreign Affairs Review*, vol. 6, issue 2, 2001, p. 159.

<sup>89</sup> European Union, *A Secure Europe in a Better World: European Security Strategy*, *op. cit.*, p. 10-13

<sup>90</sup> Petrov, *op. cit.*, pp. 63-64.

NATO dating to 1996), the OSCE, the UN and the African Union for management of conflicts<sup>91</sup>. Therefore, after the disappointment of 1990s there was a rapid development of conflict management policy and structures by the EU from the late 1990s till the end of the next decade.

### 3.4.2 EU's strategies and instruments for conflict management

#### 3.4.2.1 Strategies

As in the case of democracy promotion, the EU has no unified strategy for the management of conflict. This is due to the fact that conflict management tasks are divided between different institutions of the Union. The Commission handles the jobs related with trade, humanitarian and developmental aspects while the Council deals with the deployment of the civilian and military units. So, the Commission is more focussed on the long-term conflict prevention and resolution than immediate and short-term cessation of the violence handled mainly by the Council<sup>92</sup>.

EU's conflict management strategies can be suitably classified on the basis of time period starting from short-term to medium- and long-term strategies<sup>93</sup>. Whenever a conflict could not be prevented and it breaks out then the European institutions but mainly the Council issues declarations and *démarches* condemning the violence, expressing concerns and urging the parties for ceasefire and reconciliation<sup>94</sup>. This is/ can be followed by immediate dispatch of leaders, high-level functionaries and special envoys for fact-finding on the ground and even political mediation<sup>95</sup>.

However, if the conflict does not halt then the EU uses both the positive and negative strategies. The positive strategy can include organisation of an international conference resulting in peace proposals<sup>96</sup>. The more coercive strategies like freezing of political dialogues and relations, imposition of economic sanctions, suspension of preferential market access (like the GSPs) and development cooperation have also been applied<sup>97</sup>. These coercive measures are supplemented by travel restrictions and asset freeze of the leaders considered aggressor and culpable<sup>98</sup>.

The long-term strategy includes deployment of civilian and military preventive units. These units comprise of civil police or military men deployed for restoring law and order, stopping the recurrence of violence, protecting the supply of humanitarian relief and the volunteers carrying out this task, helping the protection of the vulnerable groups like the internally displaced persons and refugees under attack<sup>99</sup>. The other long-term strategies and activities of conflict management by the EU include deployment of observers, disarmament and demobilisation, rehabilitation, reintegration, reconstruction, demining and disbursement of humanitarian and food aid<sup>100</sup>. Provision or suspension of preferential trade access and development assistance has also been used but these are useful more in case of prevention and resolution than in the management of conflict aimed at the immediate cessation of violence. Similarly, as in case of democracy promotion, the 'golden carrot' of membership has been/is being used. But the offer of

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<sup>91</sup> See: "Part II. Working with partners", in S. Blockmans, J. Wouters, T. Ruys (eds.), *The European Union and Peacebuilding: Policy and Legal Aspects*, The Hague, T.M.C. Asser, 2010 and "Part IV. Effective multilateralism", in S. Blockmans (ed.), *The European Union and Crisis Management: Policy and Legal Aspects*, *op. cit.*

<sup>92</sup> A. Courtier and S. Duke, "EU Peacebuilding: Concepts, Players and Instruments", in S. Blockmans, J. Wouters, T. Ruys (eds.), *The European Union and Peacebuilding: Policy and Legal Aspects*, The Hague, T.M.C. Asser, 2010, p. 43.

<sup>93</sup> In general, the terms short-, medium- and long-term strategies are used in case of the whole cycle of combating the conflict i.e. from prevention till resolution. For conflict prevention and resolution, the strategies are generally prescribed and described as long-term. For conflict management, these are short- to medium-term but generally not long-term since management demands quick actions to stop the violence immediately. However, due to lack of better words/terms, in this thesis all the terms, short-, medium- and long-term have been used to categorise EU conflict management strategies. So, these terms and strategies mentioned above are not intended for conflict prevention or management.

<sup>94</sup> J. Pérez, "EU Instruments for Conflict Prevention", in V. Kronenberger and J. Wouters (eds.), *The European Union and Conflict Prevention: Policy and Legal Aspects*, The Hague, T.M.C. Asser, 2004, p. 103.

<sup>95</sup> *Ibid.* p. 103 and 106.

<sup>96</sup> *Ibid.*, p. 97.

<sup>97</sup> Courtier and Duke, *op. cit.* p. 33.

<sup>98</sup> Pérez., *op. cit.* pp. 106-109.

<sup>99</sup> *Ibid.*, p. 100 and p. 110.

<sup>100</sup> *Ibid.*, p. 96.

membership can be used only in Europe and is effective more for prevention and resolution than management of conflict.

#### 3.4.2.2 Instruments

The EU has a specific Instrument for Stability (IfS) meant not only for management of the conflict but even for their prevention and resolution. This IfS having a budget of €2.062 billion for 2007-13 is the successor of Rapid Reaction Mechanism established in February 2001<sup>101</sup>. Even the EIDHR meant more for democracy and human rights have been used for management of conflicts. Furthermore, the EU has also been contributing money to regional funds for peace like the Africa Peace Fund<sup>102</sup>.

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<sup>101</sup> Courtier and S. Duke, *op. cit.*, p. 37 and European Commission (DG DevCo), “Instrument for Stability (IfS)”, last accessed on 20 July 2012.

<sup>102</sup> Courtier and S. Duke, *op. cit.*, p. 35.

## 4. EU's democracy promotion in Nepal

### 4.1 Introduction

Last decade has been of great political upheaval for Nepal. After the royal bloodbath on 1 June 2001, King Gyanendra, who acceded to the throne four days later, dismissed several Prime Ministers, imposed Emergency and denied fundamental freedoms before abdicating in April 2006 due to massive protests against his autocratic actions.

This chapter investigates EU's contribution for democratisation of this Himalayan country. Did the Union implement its policies, execute its strategies and use its instruments for promotion of democracy? Or, was it pursuing its strategic and commercial interests, if any, at the cost of democracy? Did the EU act as a 'force for good' in Nepal?

To look into all these questions, the first part briefly narrates the crisis of democracy from October 2002 when the popularly elected PM was first dismissed till the election of the Constituent Assembly in May 2008. Then, there will be an examination of the role played by and impact of the EU for promotion of democracy from three different perspectives, namely, diplomatic-political, commercial-economic and humanitarian-developmental. The third part briefly discusses the involvement of two other international actors, India and the US who were/are influential in Nepalese domestic politics. In the conclusion, there will be a more analytical assessment of EU's role for the eventual democratisation of Nepal in 2008.

### 4.2 Royal authoritarianism in Nepal (2002-2006)

Gyanendra, a constitutional monarch started demonstrating his absolutist character since 4 October 2002 when he first dismissed PM Sher Bahadur Deuba and took over the executive power<sup>103</sup>. King's authoritarian ways reached the zenith when he declared a state of Emergency on 1 February 2005 censoring media and telecommunications, detaining students and political leaders, curtailing civil liberties, suspending key parts of the constitution and appointing a 10 member Council of Ministers composed of loyal royalists with himself on the top, effectively establishing an autocratic rule<sup>104</sup>. The justification for his totalitarian actions was charges of venality among the political leaders, their incapacity to govern and maintain law and order against Maoist insurgency<sup>105</sup>.

Any discussion on the crisis of democracy and abolition of monarchy in Nepal cannot be complete without the Maoists (Communist Party of Nepal-Maoist, CPN-M) and the pivotal role they played towards these ends. All the political games played in Nepal especially since 2001 was three-cornered involving the King, the mainstream parliamentary parties and the Maoists. The Maoists who had declared a civil war against the monarchy and the mainstream political parties since 1996 had four concrete demands which were 1) a roundtable conference on Nepalese national political issues 2) for the formation of an interim government which will 3) call for the election of a Constituent Assembly which in turn will 4) write a new constitution<sup>106</sup>. Through establishment of a new constitution, the Maoists wanted to abolish the monarchy and declare Nepal as a federal republic<sup>107</sup>. Up till the direct seizure of power by Gyanendra on 1 February 2005, the Maoists were battling against both, the King and the mainstream parties. But following the royal coup, the Maoists allied with the seven parliamentary parties

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<sup>103</sup> D. Rhode, "Nepal King, Urging Elections, Dismisses Premier and Takes Power", *The New York Times*, 5 October 2002, last accessed on 26 June 2012.

<sup>104</sup> B. Bhattarai, "Monarch of Nepal Takes over Power in 'Coup'", 2 February 2005, *Financial Times*, p. 7 and "Nepal's Royal Coup: Making a Bad Situation Worse", Asia Report No. 91, *International Crisis Group*, Brussels, 2005, pp. 1-3.

<sup>105</sup> "This will only harden the Maoists' resolve", *The Guardian*, 4 February 2005, last accessed on 26 June 2012.

<sup>106</sup> International Crisis Group, *Nepal's Royal Coup: Making a Bad Situation Worse, op. cit.*, pp. 1-6.

<sup>107</sup> U. Ghimire, "Civil war in Nepal: What happened and what is happening?", *WOSY*, Kathmandu, 2010, pp. 19-21.

(who had an alliance among themselves known as Seven Party Alliance or the SPA) against the King on 22 November 2005 at New Delhi<sup>108</sup>.

In response to King's scheduling of a sham election of the municipalities on 8 February 2006, the SPA and the Maoists asked candidates, cadres and masses neither to contest nor to participate in the election and subsequently organising a massive 19-day protests from 6 April to 24 April 2006 which ultimately kneeled down the King, and following which he was stripped of his special powers and privileges<sup>109</sup>. The 1999 parliament, which was dissolved in 2002 four months before the sacking of Deuba, met again and formed an interim government concluding a Comprehensive Peace Accord with the Maoists on 21 November 2006 through which the Maoists formally ended their 10 year old civil war costing more than 13, 000 lives (more by Nepalese security forces than by the Maoists) and promulgated an interim parliament and constitution on 15 January 2007<sup>110</sup>. The interim constitution called for the election of a Constituent Assembly, which was held finally on 10 April 2008 giving the Maoists 220 seats out of total 601. In the very first meeting of the Assembly on 28 May 2008, Nepal was declared a republic, thus monarchy formally abolished<sup>111</sup>.

### 4.3 Role and impact of the EU

#### 4.3.1 Diplomatic and political aspect

Aimed to achieve peace, stability, democracy, human rights and prosperity, the EU first established relations with Nepal in 1973<sup>112</sup>. Following the Cooperation Agreement of 1996, a Joint Commission meeting bi-annually deals with all the issues of bilateral importance, and obviously those related to democracy<sup>113</sup>. Here below is an account of EU's role and impact for promotion of democracy through diplomatic and political channels from 2002-08. EU's declaratory foreign policy machine was expressing concerns and issuing condemnations on violations of democratic and human rights of Nepalese people but of little avail.

When Crown Prince Dipendra killed his whole family including his father King Birendra on 1 June 2001, the EU expressed its deep shock and condolences along with noting the importance of democracy and human rights for progress of Nepal, one of the least developed countries of the world<sup>114</sup>. But little did the Union know that what was in store for Nepal was exactly the opposite of what it had noted and hoped. As said above, EU statements and declarations were being printed thick and fast but largely worthless. But then applying the strategy of socialisation for promotion of democracy, in the mid-December (13-15) 2004, the EU for first time sent a troika of regional directors for a meeting with high-level representatives from Nepali government and civil society<sup>115</sup>. A press release issued 2 days later on 17 December demonstrates EU's strong preference for dialogue over violence for resolution of conflict, its "misgivings" against use of draconian law suppressing human rights in the name of fight against terror

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<sup>108</sup> "Nepal Rebels and Political Parties in Accord Aimed Against King", *The New York Times*, 24 November 2005, last accessed on 26 June 2012.

<sup>109</sup> B. Bhattarai, "Nepal Opposition Parties Call Strike", *Financial Times*, 23 January 2006, p. 11; J. Johnson, "Mass Boycott of Nepal Elections Hits King's Hopes", *Financial Times*, 9 February 2006, p. 8; J. Johnson, "Nepal's King Agrees to Bring Back Parliament", 25 April 2006, *Financial Times*, p. 11; J. Johnson, "Protesters Celebrate as King Restores Parliament", *Financial Times*, 26 April 2006, p. 9; J. Johnson, "Nepal King to Lose Control of Army", *Financial Times*, 18 May 2006, p. 9; J. Johnson, "Nepal's Sweeping Changes Curtails Power of a Dynasty", *Financial Times*, 19 May 2006, p. 6.

<sup>110</sup> "Nepal Fragile Peace Process", Asia Briefing No. 68, *International Crisis Group*, Brussels, 2007, p. 1 and "Nepal's parliament sits for first time in four years", *The Guardian*, 28 April 2006, last accessed on 26 June 2012.

<sup>111</sup> S. Sengupta, "Nepal Reborn as a Republic", *The New York Times*, 29 May 2008, last accessed on 26 June 2012.

<sup>112</sup> Delegation of the European Union to Nepal, "Political and economic relations", last accessed on 20 July 2012.

<sup>113</sup> Delegation of the European Union to Nepal, "EC-Nepal Cooperation Agreement", last accessed on 20 July 2012.

<sup>114</sup> European Union, "Declaration by the Presidency on behalf of the European Union on the events in Nepal", 9396/01 (Presse 224), P-111/01, Brussels, 8 June 2001.

<sup>115</sup> Council of the European Union, "Nepal: Visit by EU Troika of regional Directors, Kathmandu, 13-15 December 2004", 15924/04 (Presse 356), Brussels, 8 December 2004.



and concerns for internally displaced persons due to the civil war<sup>116</sup>. However, the same release equally betrays Union's lack of understanding of the causes of the civil war and positions, goals and strength of different parties involved especially the Maoists. Or, the EU neglected them. The troika on trip to Nepal had the main political aim of promoting multi-party democracy, under the framework of a constitutional monarchy whereby the King and the mainstream parliamentary parties will together govern the country<sup>117</sup>. However, the EU, at least up till 2004, mistook in not realising that the Maoists by then were equally powerful force as the mainstream parties and the King, both politically and militarily. Thus, the EU troika made an unreasonable strong call to the "CPN (M) [Maoists] to respond positively – without preconditions – to the invitation for dialogue". The EU was using verbal sticks against the Maoists without dangling any carrot as was done to the King<sup>118</sup>. Because of this insufficiency of proper insight into the real causes of conflict and lack of engagement with the Maoists, EU had little impact either for resolution of conflict or for promotion of democracy, again, at least up till 2004 and early 2005. In fact, the troika even failed to foresee the imminent seizure of power by the King just after 45 days on 1 February 2005. Two days later the Union did express its concern at the total capture of power by the King while adding the unacceptability and futility of the military solution of the conflict with the Maoists<sup>119</sup>. All developmental activities and the launch of new projects were also put on hold, which may have impacted the King as foreign aid accounts for 27% of total Nepalese expenditure and 50% of all developmental activities<sup>120</sup>. Subsequently in the year 2005 the Union hardened its stance on King's curtailment of freedom of expression and other democratic rights and calling upon the monarch to lift the Emergency, release the political prisoners and restore representative democracy<sup>121</sup>. However, EU's disfavour for the Maoists was again on display when it just "noted" the agreement reached between the SPA and the Maoists and with some apprehension, which would soon prove to be the death knell for the monarchy thus paving the way for subsequent restoration of democracy<sup>122</sup>.

Throughout the first fourth months of 2006 when the monarchy was rapidly and substantially uprooted, the EU, however, took laudable positions though a bit timidly and still wishing a place for the monarchy albeit just constitutional in the governance of Nepal. So, the Union strongly condemned the use of force by the King to suppress people's basic human rights while protesting against the sham election of municipal bodies on 8 February 2006 and rightly called the election as "step backward for democracy"<sup>123</sup>. However, in between the announcement by the King that "power would be returned to the people" on 21 April 2006 and his total capitulation on 24 April 2006, the EU was reportedly still trying to retain some place for monarchy in the Nepalese politics and government<sup>124</sup>. But soon realising the new political situation when the Maoists ended their civil war and started moving towards the multi-party democracy

<sup>116</sup> Council of the European Union, "Nepal: EU Troika, Press Release", 15858/04 (Presse 352), Kathmandu, 15 December 2004.

<sup>117</sup> *Ibid.*

<sup>118</sup> International Crisis Group, *Nepal's Royal Coup: Making a Bad Situation Worse*, *op. cit.*, p. 14.

<sup>119</sup> Council of the European Union, "Declaration by the Presidency on behalf of the European on the developments in Nepal", 5986/1/05 REV 1 (Presse 17), P 006/05, (OR. en), Brussels, 3 February 2005.

<sup>120</sup> *Ibid.* and R. Jain, "The European Union and Democracy Building in South Asia", *International Institute for Democracy and Electoral Assistance*, Stockholm, 2009, p. 10 and K. Hachhethu, "The European Union's Role in Democracy Building in Nepal", *International Institute for Democracy and Electoral Assistance*, Stockholm, 2009, p. 5.

<sup>121</sup> Council of the European Union, "Declaration by the European Union on the situation in Nepal", 6748 (Presse 41), P (16/05), 28 February 2005; Council of the European Union, "Declaration by the Presidency on behalf of the European Union on Nepal's media ordinance", 13840/1/05 REV 1 (Presse 279) P 120/05, 2005, Brussels, 10 November 2005 and Council of the European Union, "Declaration by the Presidency on behalf of the European Union in response to closure of Radio Sagamartha FM in Nepal", 15259/1/05 REV 1 (Presse 340), Brussels, 5 December 2005.

<sup>122</sup> Council of the European Union, "Declaration by the Presidency on behalf of the European Union in response to the statement of cease-fire by Chairman Prachanda CPN (M)", 11988/1/05 REV 1 (Presse 225), Brussels, 8 September 2005; Council of the European Union, "Declaration by the Presidency on behalf of the European Union on the agreement between the political parties and the Maoists in Nepal", 15133/1/05 REV 1 (Presse 330) P 135/05, Brussels, 5 December 2005 and "Nepal's New Alliance: The Mainstream Parties and the Maoists", Asia Report No. 106, *International Crisis Group*, Brussels, 2005, p. 23.

<sup>123</sup> "Nepal: Electing Chaos", Asia Report No. 111, *International Crisis Group*, Brussels, 2006, p. 1.

Javier Solana on 1 February 2006, the first anniversary of King's capture of power, also made a similar statement, see: European Union, "Statement by Javier SOLANA, EU High Representative for the CFSP, on Nepal", S036/06, Brussels, 1 February 2006.

<sup>124</sup> "Nepal: From People Power to Peace", Asia Report No. 115, *International Crisis Group*, Brussels, 2006, pp. 11-13.

along with the SPA, the Union was quite supportive of Nepalese efforts for a federal and democratic state<sup>125</sup>. Sending an election observation mission for the Constituent Assembly election held on 10 April 2008, the EU “warmly welcomed” the election which got overall positive remarks by EU’s mission<sup>126</sup>. This electoral assistance by the EU in the form of the observation mission has been said to help the consolidation of democracy<sup>127</sup>.

#### 4.3.2 Commercial and economic aspect

Without being much different in the past 6-8 years, in the year 2007-08 EU-Nepal trade stood at €161.5 million, with the EU importing goods worth €90 million<sup>128</sup>. But, since Nepal is a Least Developed Country (LDC), it automatically benefits from duty and quota free (DFQF) access to the European market through Everything But Arms (EBA) scheme. So the use of trade for promotion of democracy was not applicable in case of Nepal. And, even if the EU would have tried it, Gyanendra could have easily circumvented its impact – as was done by Sri Lankan President Mahinda Rajapaksa (see section 7.3.2) – because despite being Nepal’s second largest market, the percentage of goods imported by the EU stood around a modest 13% (€77-90 million) compared to the huge 57% (€1.59 billion) imported by India<sup>129</sup>.

#### 4.3.3 Humanitarian and developmental aspect

Since 2001, the DG ECHO has provided €65.3 million to Nepal<sup>130</sup>. However, the exact amount for support to people affected by conflict is not clear as a good amount of money was given for the Bhutanese refugees in Nepal and for people affected by natural disasters like drought and flood. Very importantly, unlike the development assistance, the humanitarian aid is always unconditional so it wouldn’t have had a direct impact for promotion of democracy. Though it is true that any humanitarian assistance do bring immediate stability to the country very important for democracy to prosper.

The EU and its member-states are the biggest provider of the development aid to Nepal<sup>131</sup>. However, as said in the section on diplomatic and political aspect, Union’s focus during the main study period of this research was conflict mitigation and not democracy promotion. EU’s Nepal strategy paper for 2002-2006 states conflict mitigation as one of the three important areas of Union’s development cooperation with Nepal<sup>132</sup>. So out of €70 million for 2002-2006, a €7-10 million was provided for conflict mitigation and protection of human rights<sup>133</sup>. There was little direct allocation of money for promotion of democracy. But for 2007-2013 around 35% of the total developmental money was allocated for human rights and democracy with peace building and consolidation of democracy as main priority instead of conflict mitigation as in case of 2002-2006<sup>134</sup>. All this money was given for support to local communities and civil society organisations and reform of the judicial system<sup>135</sup>. This reportedly had a certain impact. For example, the EU helped in the spread of monitoring of human rights thus contributing in reduction of

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<sup>125</sup> Council of the European Union, “Declaration by the Presidency on behalf of the European Union on the formation of the Interim Government of Nepal”, 8141/1/07 REV 1 (Presse 72) P 28/07, 4 April 2007.

<sup>126</sup> Council of the European Union, “Declaration by the Presidency on behalf of the European Union on the Constituents Assembly elections in Nepal”, 8476/1/08 Rev 1 (Presse 99), P/08/50, Brussels, 17 April 2008 and “Evaluation of the Commission of the European Union co-operation with Nepal”, Draft Final Report, Volume 1, *Development Researchers’ Network*, Rome, 2011, p. 21.

<sup>127</sup> *Ibid.*, pp. 20-21.

<sup>128</sup> European Commission (DG Trade), “Nepal: EU Bilateral Trade and Trade with the World”, Brussels, 21 March 2012.

<sup>129</sup> *Ibid.*

<sup>130</sup> European Commission (DG ECHO), “Nepal”, last accessed on 27 June 2012.

<sup>131</sup> Delegation of the European union to Nepal, “EU-Nepal Political and Economic Relations”, last accessed on 27 June 2012.

<sup>132</sup> European Commission, “Country Strategy Paper: Nepal, 2002-2006”, Brussels, 13 November 2003, pp. 25-26 and p. 29 and European Commission, “Country Strategy Paper: Nepal, 2007-2013”, Brussels, 2007, pp. 5-7.

<sup>133</sup> European Commission, “Country Strategy Paper: Nepal, 2002-2006”, *op. cit.*, p. 26 and European Commission, “National Indicative Programme: Nepal, 2002-2006”, Brussels, 13 November 2003, p. 24.

<sup>134</sup> European Commission, “Country Strategy Paper: Nepal, 2007-2013”, *op. cit.*, p. 27 and Hachhethu, *op. cit.* p. 7.

<sup>135</sup> Development Researchers’ Network, *Evaluation of the Commission of the European Union co-operation with Nepal*, *op. cit.*, p. 20 and p. 45.

their violations, and discriminations against women and vulnerable groups<sup>136</sup>. Similarly, it also helped improving the efficiency of the judiciary<sup>137</sup>. Overall, it can be said that EU's developmental assistance could have helped for respect of human rights and conflict mitigation but not necessarily for democracy promotion.

## 4.4 Role and impact of other international actors

### 4.4.1 India

Historically, India has the maximum influence in Nepalese internal affairs. It was no different this time either. Like the EU, it wanted at least a nominal place for the King in the Nepalese politics. So, from 1990 onwards, it adopted a 'two-pillar' (King and mainstream parties) policy. And again similar to the EU, India unreservedly condemned the Maoists for their violence while expressing its concerns for human rights breaches by the government forces. It was providing considerable military assistance to the Nepalese government against the Maoists though emphasising that there was no 'only military' solution<sup>138</sup>. However, India's position and approach changed fast after royal takeover on 1 February 2005. Annoyed, it snubbed the King by withdrawing from the 2005 SAARC (South Asian Association for Regional Cooperation) meeting in Dhaka to be attended by the King; and though continuing its development aid, it suspended the military assistance<sup>139</sup>. Later, India facilitated the momentous November 2005 agreement between the SPA and the Maoists at New Delhi, called the crackdown on people's protest before the sham municipal elections of 8 February 2006 as "regrettable" and questioned the credibility of the election boycotted by "one pillar" (the SPA)<sup>140</sup>. Two months later when the King cracked again on the People's Movement II starting from 06 April 2006, India "deplored" it, asking for national dialogue and reconciliation<sup>141</sup>. But angry at King's attempts to outplay her and the use of 'China card', it left the situation loose, letting the King capitulate and monarchy collapse. After the King's abdication, India adjusting to the new political reality unleashed aid for a number of developmental projects and welcomed the subsequent political developments up till the election of the Constituent Assembly<sup>142</sup>.

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<sup>136</sup> *Ibid.*

<sup>137</sup> *Ibid.*

<sup>138</sup> *Ibid.* and Ministry of External Affairs (India), "Summary of Agreements signed between India and Nepal during the visit of Prime Minister of Nepal Rt. Hon. Mr. Sher Bahadur Deuba to India, September 8-12, 2004", 9 September 2004, last accessed on 26 June 2012.

<sup>139</sup> Ministry of External Affairs (India), "Statement on Developments in Nepal", 1 February 2005, last accessed on 26 June 2012; "Nepal: Responding to the Royal Coup", Asia Briefing No. 36, Policy Briefing, *International Crisis Group*, Brussels, 2005, p. 6 and Ministry of External Affairs (India), "On the visit of External Affairs Minister Shri Natwar Singh to South Africa and working visit of Foreign Minister of Nepal to India", 7 March 2005, last accessed on 26 June 2012.

Though the Indian government released the supply of some non-lethal weapons in the pipeline after lifting of Emergency and release of several political party leaders and activists on 29 April 2005; see: Ministry of External Affairs (India), "Q. 1947 Arm Supply to Nepal", 11 August 2005, last accessed on 26 June 2012 and Ministry of External Affairs (India), "Media Interaction by Foreign Secretary Mr. Shyam Saran in Kathmandu, Nepal", 13 December 2005, last accessed on 26 June 2012.

<sup>140</sup> Ministry of External Affairs (India), "In response to a question on developments in Nepal", 19 January 2006, last accessed on 26 June 2012; Ministry of External Affairs (India), "Statement by Official Spokesperson on the municipal elections in Nepal on February 8", 9 February 2006, last accessed on 26 June 2012 and International Crisis Group, *Nepal's New Alliance: The Mainstream Parties and the Maoists*, *op. cit.* p. 15.

<sup>141</sup> Ministry of External Affairs (India), "In response to questions on developments in Nepal", 6 April 2006, last accessed on 26 June 2012 and Ministry of External Affairs (India), "Press Briefing by Foreign Secretary Shri Shyam Saran on Nepal", 22 April 2006, last accessed on 26 June 2012.

<sup>142</sup> Ministry of External Affairs (India), "On the visit of Prime Minister of Nepal Mr. Girija Prasad Koirala, statement on Sri Lanka and response to questions on media reports on a statement of Foreign Minister of Pakistan and that Pakistan was harassing Kashmiri leaders", 9 June 2006, last accessed on 26 June 2012; Ministry of External Affairs (India), "Statement by Official Spokesperson on the Comprehensive National Peace Agreement in Nepal", 21 November 2006, last accessed on 26 June 2012; Ministry of External Affairs (India), "On developments in Nepal", 16 January 2007, last accessed on 26 June 2012 and Ministry of External Affairs (India), "Statement by Official Spokesperson on CA elections in Nepal", 10 April 2008, last accessed on 26 June 2012.

#### 4.4.2 United States

Of all the external actors, the US had the most conservative policy and practice on the then Nepalese politics. It stridently criticised Maoists and opposed their accommodation in the political mainstream. Childishly, it banned the CPN-M (the Maoists) as a terrorist organisation<sup>143</sup>. Its reaction to the royal coup 1 February 2005 was quite subdued to the extent of being condoned, and the military help continued<sup>144</sup>. It opposed the historical agreement between the SPA and the Maoists<sup>145</sup>. However, following the royal surrender and abolition of monarchy, the US accepted the ground reality and established contacts with the Maoists and the new Nepalese government dominated by them.

#### 4.5 Conclusion

In the preceding sections, there was an assessment on suspension of democratic principles, the role and impact of the EU and other international actors for promotion of democracy in Nepal. So, did the EU act as a 'force for good'?

The answer to this question is complicated. First, in spite of all its policies, strategies and instruments for democracy promotion, the EU was just one of the many external actors each promoting their own agenda, conservative or progressive. So, the Union was not a 'force' in Nepalese internal politics as it lacked the political weight which another actor, India had<sup>146</sup>. Even though devoid of military clout and 'golden carrot' of membership, the EU do have a global influence mainly because of its 500 million and around €15 trillion big market and the preferential access it provides to the countries in developing world. As it has been shown in the preceding section 4.3.2, the EU imports relatively small share of Nepalese products, €90.8 million or 13% in total. So, EU's economic strength in Nepal due to import of Nepalese goods was avoidable. Moreover, being an LDC, Nepal enjoyed an automatic DFQF access for its goods in the European market through the EBA. On the contrary, India taking in a €1.59 billion or 57% of the total exports along with the fact that a big chunk of the basic commodities of Nepal is supplied through India made it the most influential economic actor or rather a force in the Nepalese domestic affairs. Indian strength in Nepal is also extended by the fact that hundreds of thousands Nepalese migrate to work in India without any requirement of visa or even a border check. To add more, thanks to geographic proximity, intense socio-political relationship and profound cultural similarity, India has always enjoyed an important place in the domestic affairs of Nepal.

However, even if the EU had enough strength in Nepal, it could not have acted as a 'force for good'. Not because it was pursuing its strategic and commercial interests at the cost of promotion of democracy. It is because the EU had misplaced priority in Nepal. Instead of promoting democracy, the EU made mitigation of conflict between the Maoists and the Nepalese government central to all its political and developmental initiatives<sup>147</sup>. A simple reading of declarations and press releases by the Council and various presidencies makes this point amply clear. And also, as it has been discussed before (section 4.3.3) EU's assistance in the field of democracy and human rights was meant for lowering of conflict and not direct promotion of democracy. One may argue that for a good functioning democracy, peace and stability are vital. But many a times, absence, suspension and violation of democratic rights become the sole reason of conflict as has been witnessed during the Arab Spring. Last year during Arab

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<sup>143</sup> Congressional Research Service (US), "Terrorism in South Asia", CRS Report for Congress, Washington, 13 December 2004, pp. 17-18.

In fact, much before the official declaration and ban on the Maoists, the then US First-Secretary of State, Collin Powell on a visit to Nepal in January 2002 said, "You have a Maoist insurgency that's trying to overthrow the government and this really is the kind of thing that we are fighting against throughout the world". A month later, the then Ambassador of the US to Nepal Michael Malinowski was more bland in his observation when he said, "Nepal is currently plagued with a terrorism that is shaking its very foundation as a nation. These terrorists, under the guise of Maoism or the so called 'people's war', are fundamentally the same as terrorists elsewhere"; see G. Leupp, "Imagining the Global Consequences of a Maoist Victory in Nepal", *Counterpunch*, California, 21 October 2002, last accessed on 28 June 2012.

<sup>144</sup> "Nepal: Beyond Royal Rule", Asia Briefing No. 41, Policy Briefing, *International Crisis Group*, Brussels, 2005, p. 12 and International Crisis Group, *Nepal: Responding to the Royal Coup*, *op. cit.*, p. 9.

<sup>145</sup> *Ibid.*

<sup>146</sup> International Crisis Group, *Nepal: Beyond Royal Rule*, *op. cit.*, p. 12.

<sup>147</sup> European Commission, "Country Strategy Paper: Nepal, 2002-2006", *op. cit.*, p. 25.

revolts, the EU understood this well enough, but not in case of Nepal. Instead of seriously engaging the Maoists, who wanted to abolish monarchy and were open to democracy (as it can be said with hindsight), the EU shrugged them off the due to their violent ways and its ideological dislike for Communism. On the other hand, even though paranoid on the suspected links between the Maoists and Naxalites (Indian Maoists) thus impacting its security<sup>148</sup>, India was flexible enough to engage with the Maoists and facilitated the key agreement between them and the SPA in November 2005 which turned out to be too costly for the King in just six months.

Therefore, though acting hesitatingly in the beginning and wanting to conserve the monarchy, India was the most potent external force for promotion of democracy in Nepal. As for the EU, it will be appropriate to state that it was just an actor for good but with misplaced priorities.

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<sup>148</sup> Maoist insurgency in the central and eastern parts of India is indeed a big security threat to the extent that the Indian PM once called it the biggest threat to Indian state; see: “Naxalism biggest threat to internal security: Manmohan”, *The Hindu*, 24 May 2010, last accessed on 20 July 2012.

## 5. EU's democracy promotion in Pakistan

### 5.1 Introduction

Last decade was equally of great political turmoil for Pakistan. After the coup on 13-14 October 1999, General Pervez Musharraf entrenched himself in power through decrees, him-serving oaths for the judiciary, arbitrary laws, co-option of political parties, imposition of Emergency and suspension of democratic rights of Pakistani people before being forced out in August 2008.

In this chapter there will be an examination of EU's contribution for eventual reintroduction of democracy in Pakistan in 2008. Did the Union implement its policies, execute its strategies and use its instruments for promotion of democracy? Or, was it pursuing its security interests at the cost of democracy? Did the EU act as a 'force for good' in Pakistan?

To find the answers of these questions, the first part briefly narrates the crisis of democracy from October 1999 when Musharraf made the coup dismissing the elected Prime Minister Nawaz Sharif up until August 2008 when he had to quit the presidency. Then, there will be an examination of the role played by and impact of the EU for promotion of democracy from three different perspectives, viz. diplomatic-political, commercial-economic and humanitarian-developmental. The third part briefly discusses the involvement of another external actor, the US, preponderant in the Pakistani internal affairs. The conclusion will do an analytical assessment of EU's performance for the promotion of democracy in Pakistan up till 2008.

### 5.2 Military dictatorship in Pakistan (1999-2008)

Accusing PM Sharif, of trying to "politicize the army, destabilize it and create dissension within its ranks", Musharraf orchestrated a coup d'état and booted him out on 13 October 1999<sup>149</sup>. The next day he declared a state of Emergency, suspended the parliament and the constitution, and issued a Provisional Constitutional Order, which made him the 'Chief Executive' of Pakistan<sup>150</sup>. In January 2000, Musharraf issued an 'Oath of Office (Judges) Order 2000', which had to be taken by all the judges of Pakistani higher courts. This oath effectively curtailed the independence of the judiciary and brought it under the 'Chief Executive'<sup>151</sup>. Later Musharraf dismissed President Rafiq Tarar and donned the presidency in June 2001 along with the military post of Chief of Army Staff (COAS), which was unconstitutional<sup>152</sup>. Before 10 October 2002 when the national elections were held, Musharraf came up with a raft of controversial and extra-constitutional orders to weaken the opposition parties and leaders, and to help those allied with him<sup>153</sup>. On 28 June 2002 came the *Political Parties (Amendment) Order 2002*, meant, on flimsy charges of crime and corruption, to explicitly prevent the two most popular opposition leaders, deposed PM Sharif and former PM Benazir Bhutto from participating in the elections<sup>154</sup>. The *Qualification to Hold Public Offices Order 2002* debarred those who have been PM and/or Chief Minister twice from holding the posts again, again targeted at Sharif and Bhutto<sup>155</sup>. Furthermore, the government used a National Accountability Bureau to harass prominent opposition leaders<sup>156</sup>. On 21 August 2002, the General issued an extra-constitutional Legal Framework Order, appropriating himself the power to dissolve the elected parliament, to appoint military officials, and to create a military dominated National

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<sup>149</sup> "Pakistan's new old rulers", *The Economist*, 14 October 1999, last accessed on 1 July 2012.

<sup>150</sup> *Ibid.*

<sup>151</sup> Supreme Court of Pakistan (Islamabad), "Oath of Office (Judges) Order, 2000 (1 of 2000) (Dated 25-1-2000)", 2000, last accessed 1 July 2012.

<sup>152</sup> Z. Khalid Maluka, "Reconstructing the Constitution for a COAS President: Pakistan, 1999-2002", in C. Baxter (ed.), *Pakistan on the Brink: Politics, Economics and Society*, Maryland, Lexington Books, 2004, pp. 61-62.

<sup>153</sup> I. Talbot, "Pakistan in 2002: Democracy, Terrorism, and Brinkmanship", *Asian Survey*, vol. 43, no. 1, 2003, p. 203.

<sup>154</sup> Z. Khalid Maluka, *op. cit.*, pp. 83-84.

<sup>155</sup> Supreme Court of Pakistan (Islamabad), "Qualification to Hold Public Offices Order 2002", 2002, last accessed on 1 July 2012.

<sup>156</sup> M. El-Khawas, "Musharraf and Pakistan: Democracy Postponed", *Mediterranean Quarterly*, vol. 20, no. 1, 2009, pp. 99-101.

Security Council to oversee the country's security policies, and even to monitor the process of democracy and governance in the country<sup>157</sup>. Not surprisingly the election, which had "serious flaws", brought military loyalists to power ensuring subservient parliament for the next five years<sup>158</sup>.

In 2007, after 7 years in power, when Musharraf announced his desire to continue as President for five more years, he was extremely unpopular with the Pakistani populace and political class alike<sup>159</sup>. But despite the constitutional illegality of holding two posts that of the President and the COAS at the same time, Musharraf on 6 October 2007 got himself re-elected as President from the same old Electoral College, which stamped his presidency in 2002. Though declared as President, Musharraf apprehensive that the court may declare his re-election as unconstitutional and illegal, again imposed an Emergency on 3 November 2007 and asked the judges to take another 'Oath of Office (Judges) Order, 2007', resubmitting the judiciary to himself. Having been validated again as President by the pliant judges, Musharraf lifted the Emergency and called for the parliamentary election. But unlike the year 2002, it was the Pakistan Peoples' Party (of ex-PM Bhutto and incumbent President Asif Zardari) and Pakistan Muslim League-Nawaz (party of former PM Sharif), which won the majority seats and not Musharraf's loyalists Muttahida Majlis-e-Amal and Pakistan Muslim League-Quaid. Though reluctant but weak and unpopular, Musharraf was forced to resign on 18 August 2008<sup>160</sup>.

### 5.3 Role and impact of the EU

#### 5.3.1 Diplomatic and political aspect

Diplomatic relations between the EU and Pakistan were first established in 1962 and were later upgraded through the Commercial Cooperation Agreement in 1976<sup>161</sup>. At present the relationship is based upon the third-generation Cooperation Agreement on Partnership and Development (2004) and is steered through a Joint Commission attended by political heads from both the sides<sup>162</sup>. Here below is a discussion on the role and impact of the EU for promotion of democracy in Pakistan during the rule of Musharraf.

Immediately after the military takeover on 13-14 October 1999, the European Council and the Council on General Affairs condemned the coup and asked Musharraf for a "speedy restoration of democratic civilian rule" within a "binding timetable<sup>163</sup>". However, finding no significant change in General's attitude and intention to restore democracy, the EU froze its diplomatic relations with the Islamic Republic of Pakistan for almost two years<sup>164</sup>. The annual political dialogues were cancelled, aid reduced and the new trade and cooperation agreement to be signed was suspended<sup>165</sup>.

But the European policy and approach towards Musharraf and Pakistan changed drastically after the '9/11' terrorist attack on America<sup>166</sup>. Musharraf was no more viewed as an authoritarian military dictator but rather an indispensable ally in the Global War on Terrorism (GWOT) thanks to his support to the West against the Al-Qaida and Taliban based in bordering Afghanistan. So with the focus almost exclusively on the fight against terrorism, the promotion of democracy was put on the backseat except some declaratory encouragements. In a couple of months after the '9/11', there was a flurry of visits by the European leaders like Poul Nielsen, Chris Patten, Guy Verhofstadt and Romano Prodi not only to

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<sup>157</sup> "Pakistan: Entire Election Process "Deeply Flawed"", *Human Rights Watch*, New York, 2002.

<sup>158</sup> European Union, "Pakistan: National and Provisional Assembly Election, 10 October 2002, European Union Election Observation Mission, Final Report", Brussels, 12 October 2002, p. 7.

<sup>159</sup> "A mess in Pakistan", *The Economist*, 9 August 2008, last accessed on 1 July 2012.

<sup>160</sup> "Exit the president", *The Economist*, 21 August 2008, last accessed on 1 July 2012 and El-Khawas, *op. cit.*, p. 114.

<sup>161</sup> Delegation of the European Union to Pakistan, "Political and Economic Relations", last accessed on 23 July 2012 and European Commission, "Country Strategy Paper: Pakistan, 2002-2006", Brussels, 2002, p. 8.

<sup>162</sup> Delegation of the European Union to Pakistan, "Chronology of Bilateral Relations", last accessed on 23 July 2012.

<sup>163</sup> European Council, "Declaration on Pakistan", 16.10), SN 164/2/99 Rev 2, (Or. EN), Tampere, 16 October 1999 and European Union, "2217th Council Meeting- General Affairs - Brussels, 15 November 1999", last accessed on 3 July 2012.

<sup>164</sup> *Ibid.* and S. Noor, "Pakistan-EU Relations", *Pakistan Institute for International Affairs*, vol. 61, no. 3, 2008, p. 23.

<sup>165</sup> Jain, *op. cit.*, p. 9.

<sup>166</sup> *Ibid.*

Pakistan but obviously Afghanistan too. The process of socialisation was stepped up but it is unlikely that it was meant more for promotion of democracy than fight against terrorism<sup>167</sup>. The Cooperation Agreement, which was suspended due to the military takeover, was signed soon on 24 November 2001 at Islamabad. Though, the Agreement did have the “essential elements” clause for “respect, protection and promotion of human rights and democratic principles”, but the highlight of the agreement was fight against terrorism<sup>168</sup>. Moreover, though the “essential elements” were not respected as it has been amply demonstrated in the previous section, the EU neither issued any show-cause notice nor started the consultation process as is required in Article 1 and 19 of the Cooperation Agreement<sup>169</sup>.

The EU called the 10 October 2002 election for the federal parliament a “step in the gradual transition to full democracy”<sup>170</sup> and election of Zafarullah Khan Jamali as PM on 22 November 2002 was termed as “transfer of power to a civilian administration”<sup>171</sup>. This was not totally true given all the malpractices done by Musharraf before the election. Moreover, EU’s own team sent for the observation of election concluded that the election process had “deep flaws” and “the powers that have been reserved to the President and the National Security Council raise serious questions as to whether or not this [transition to civil administration and restoration of full democracy] will happen”<sup>172</sup>.

The year 2007 and 2008 were very tumultuous for Pakistani politics and no less from the democracy point of view. So, EU’s declaratory foreign policy machine was in full swing in these two years. When Musharraf re-imposed Emergency, suspended the constitution and basic freedoms of the Pakistanis, quite expectedly, the Union did condemn them and expressed its concerns<sup>173</sup>. But the European response was limited to condemnations and concerns. No other strategies of democracy promotion like suspension of preferential trade access or development cooperation were tried. The robust response of year 1999-2001 when Musharraf first made the coup was absent.

However, what is praiseworthy was the fact that the EU until now dealing with Musharraf with soft hands realised his greed and games for power as the General was desperately trying to hang to power for five more years. Thus, the EU, at last and at least, asked Musharraf to step down from the post of Chief of Army Staff<sup>174</sup>. On the other hand, highly involved Solana expressed his concern on re-imposition of Emergency and rejected Musharraf’s bluff that Emergency was imperative to fight terrorism<sup>175</sup>. Later, visiting Pakistan on 21 January 2008, Solana sounded Musharraf to conduct a free and fair, peaceful and safe election if the latter wanted a strong EU-Pakistan partnership<sup>176</sup>.

Hoping that the election process will be free and fair, the EU again sent an election observation mission, but rather observed that it wasn’t the case<sup>177</sup>. The observation mission reported that “there were serious problems with the framework and conditions in which the elections were held”, so “the overall process

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<sup>167</sup> European Union, “Commissioner to visit Afghanistan and Pakistan”, IP/02/718, Brussels, 15 May 2002.

<sup>168</sup> European Union, “Joint Statement on the occasion of the signature of the EU-Pakistan Cooperation Agreement”, P/01/183, 14350/01, (Presse 435), Islamabad, 24 November 2001.

<sup>169</sup> Council of the European Union, “Council Decision of 29 April 2004 concerning the conclusion of the Cooperation Agreement between the European Community and the Islamic Republic of Pakistan”, *Official Journal of the European Union*, L 378/22, 23 December 2004, p. 24 and 29.

<sup>170</sup> European Union, “Declaration by the Presidency on behalf of the European Union on the General Elections in Pakistan”, P/02/155, 13081/02 (Presse 325), Brussels, 15 October 2002.

<sup>171</sup> European Union, “Declaration by the Presidency on behalf of the European Union on the election of new Prime Minister in Pakistan”, P/02/172, 14669/02, (Presse 366), Brussels, 22 November 2002.

<sup>172</sup> European Union, “Pakistan: National and Provisional Assembly election, 10 October 2002, European Union Election Observation Mission, Final Report”, *op. cit.*, p. 90.

<sup>173</sup> Council of the European Union, “Declaration by the Presidency on behalf of the European Union on imposition of emergency rule in Pakistan”, P/07/97, 14670/1/07 REV 1 (Presse 254), Brussels, 8 November 2007.

<sup>174</sup> *Ibid.*

<sup>175</sup> European Union, “Javier SOLANA, EU High Representative for the CFSP, voices concern at state of emergency in Pakistan”, S313/07, Brussels, 4 November 2007.

<sup>176</sup> European Union, “Javier SOLANA, EU High Representative for the CFSP, met President Musharraf of Pakistan”, S018/08, Brussels, 21 January 2008.

<sup>177</sup> Council of the European Union, “Declaration by the Presidency on behalf of the European Union on the general elections in Pakistan”, P/08/20, 6558/08 (Presse 42), Brussels, 15 February 2008.



fell short of a number of international standards for genuine democratic elections<sup>178</sup>. However, it has been noted that the very dispatch of an election observation mission by the EU “contributed to the general acceptance of the results in difficult circumstances, and resulted in increased public confidence in democracy in Pakistan”<sup>179</sup>.

### 5.3.2 Commercial and economic aspect

The EU is Pakistan’s biggest trade partner accounting for around 15% of its total trade<sup>180</sup>. From 2003-2007, the bilateral trade grew at a rate of 8% per annum and was at 1/5<sup>th</sup> of Pakistan’s global trade in 2007<sup>181</sup>. This shows that the EU had considerable economic leverage with Pakistan during the rule of Musharraf. However, except for the period from the coup till the ‘9/11’ when the European response was strict as the EU withheld the international financial institutions (IFI) lending programs for Pakistan<sup>182</sup>; Union’s democracy promotion efforts through economic instruments were just opposite of what they should have been. Following the ‘9/11’, sanctions imposed due to coup were not only removed but rather Pakistan was rewarded with economic benefits for becoming a frontline ally in the war against terrorism, and at the cost of democracy. It received preferential access for its products through a special GSP scheme meant for countries combating drug trafficking, which removed the duty from 7% to zero and increased the Pakistani quota for textiles – comprising 60% of its exports to the EU – by 15% bringing a benefit of up to €1 billion for Pakistan<sup>183</sup>.

### 5.3.3 Humanitarian and developmental aspect

In the last decade, Europe has contributed generously during the natural disasters in Pakistan. DG ECHO gave around €100 million while the total European contribution including the member-states was up to €600 million for the 2005 earthquake victims<sup>184</sup>. Similarly, the total European contribution during the 2010 flood was €423 million<sup>185</sup>. However, since the humanitarian assistance by the EU is always unconditional, these funds could not have directly contributed to the promotion of democracy. But again, any help during the natural calamities do bring political stability as it could have brought for Musharraf during the 2005 earthquake and as for the civilian government during the 2010 flood.

From 1976 till 2009, the EU has given a total €500 million as development aid to Pakistan<sup>186</sup>. But more than 2/3<sup>rd</sup> of this amount was given after the ‘9/11’ during the authoritarian rule of Musharraf thanks to his support for West’s war against terrorism. Immediately, for the year 2001-02, there was a steep rise in EU’s development assistance, which reached up to €100 million<sup>187</sup>. Out of €338.138 million donated in the period 2002-2006, a meagre sum of €5.043 million was given to spend on the thematic line of human rights<sup>188</sup>. For the year 2007-13, half of the total assistance meant for democracy and human rights has been given for the rights of minorities and women<sup>189</sup>. The other half has been allocated for programs to

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<sup>178</sup> European Union, “Islamic Republic of Pakistan: National And Provisional Assembly Election, 18 February 2008, European Union Election Observation Mission, Final Report”, Brussels, 16 April 2008, p. 3.

<sup>179</sup> N. Abbasi, “The EU and Democracy Building in Pakistan”, *International Institute for Democracy and Electoral Assistance*, Stockholm, 2009, p. 7.

<sup>180</sup> European Commission (DG Trade), “Pakistan: EU Bilateral Trade and Trade with the World”, Brussels, 21 March 2012.

<sup>181</sup> European Commission (DG Trade), “Countries: Pakistan”, last accessed on 30 July 2012.

<sup>182</sup> European Council, *Declaration on Pakistan*, *op. cit.*

<sup>183</sup> European Commission, “European Commission proposes comprehensive trade package for Pakistan”, IP/01/1426, Brussels, 16 October 2001.

<sup>184</sup> European Commission, “One year on: the European Commission response to the South Asian earthquake”, MEMO/06/366, Brussels, 6 October 2006.

<sup>185</sup> European Commission, “The Commission to provide shelter, food, water and healthcare to victims of Pakistan’s floods”, Press Release, 17 October 2011.

<sup>186</sup> B. Mikail, “Assessing Democracy Assistance: Pakistan”, Project Report for the Foundation for Future, *FRIDE*, Madrid, 2011, p. 5.

<sup>187</sup> European Union, “EU response to the 11 September: European Commission action”, 3 June 2002, Brussels, Memo/02/122.

<sup>188</sup> European Commission, “Country Strategy Paper: Pakistan, 2007-2013”, Brussels, 2007, p. 31.

<sup>189</sup> *Ibid.*, pp. 23-24.

strengthen the capacity of parliamentarians at the federal level<sup>190</sup>. Overall, the money provided through development assistance for democratisation may not have been enough – around €18 million for a time period of 8-10 years – to have a concrete impact.

## 5.4 Role and impact of other international actors

### 5.4.1 United States

If there is any external actor, which has the maximum influence in the domestic politics of Pakistan, it is the US. So the saying goes, nothing gets decided in Pakistan without the consent of Allah, Army and America<sup>191</sup>. But after the end of Soviet Union's war in Afghanistan throughout till late 1990s, Pakistan was neglected by the US. When Musharraf orchestrated the coup and captured the power in mid-October 1999, the Clinton administration imposed the routine economic sanctions with those related to the 1998 nuclear explosions already there. However, the political situation changed dramatically after the '9/11' terrorist attack. Threatened to be bombed back to the Stone Age by being against America if not with America, Musharraf made boon out of bane and soon became indispensable in the GWOT<sup>192</sup>. So the military and economic sanctions related to the 1998 explosions were immediately dropped on 22 September 2001 and those imposed due to the 1999 coup were continuously lifted till March 2008 as it was important for the "United States efforts to respond to, deter, or prevent acts of international terrorism"<sup>193</sup>. And, the American democracy promotion efforts were put on the backburner for the fight against the Al-Qaida who crisscrossed the Durand Line – the border between Afghanistan and Pakistan – and the Taliban based in Kabul<sup>194</sup>. Thus, instead of pressurising Musharraf to restore democracy, the US brought him diplomatic support, political protection and international legitimacy<sup>195</sup>. Once asked about the controversial extra-constitutional changes brought about by Musharraf before the 2002 parliamentary elections, Bush commented, "[...] my reaction about Musharraf, he's still tight with us on the war against terror, and that's what I appreciate [...]" adding importance of democracy only as an afterthought<sup>196</sup>. Up until the end when Musharraf was forced out in August 2008, the then Secretary of State Condoleezza Rice was expressing its "deep gratitude" for him<sup>197</sup>. Support to military dictator Musharraf was justified by presenting unlikely apocalyptic series of events like the terrorists seizing the nuclear weapons, radical Islamists coming to power and widespread instability<sup>198</sup>. So the more insecure Musharraf appeared, the more he was propped up<sup>199</sup>.

As politically so financially; instead of continuing with the sanctions, the US heaped Pakistan with aid. In the year 2001, US assistance to Pakistan was paltry 5 million United States Dollar (USD), excluding the food aid<sup>200</sup>. But once Pakistan became the frontline ally in the GWOT, for the period 2002-08, the US gave a whopping sum of 11.25 billion USD, out of which a trivial 17 million USD was meant for human right and democracy<sup>201</sup>. A majority aid of around 8.1 billion USD was for military-security purposes while 3.121 billion USD was donated for humanitarian relief, development and budget support<sup>202</sup>. However, 11.25 billion USD is just the publicly known amount; covert financial transfers can be as much

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<sup>190</sup> European Union, "Multiannual Indicative Programme 2007 – 2010: Pakistan", last accessed on 25 April 2012 and European Union, "Summary of EU-Pakistan Cooperation", November 2011, last accessed on 25 April 2012.

<sup>191</sup> Allah here signifies the of late Islamised opinion of Pakistani people and politicians alike.

<sup>192</sup> R. Hathaway, "Leverage and largesse: Pakistan's post-9/11 partnership with America", *Contemporary South Asia*, vol. 16, no. 1, 2008, p. 20 and O. Bennet-Jones, "US Policy Options Toward Pakistan: A Principled and Realistic Approach", Policy Analysis Brief, *The Stanley Foundation*, Muscatine (Iowa), 2008, p. 6.

<sup>193</sup> Congressional Research Service (US), "Pakistan-U.S. Relations", CRS Report for Congress, Washington, 25 August 2008, pp. 95-96.

<sup>194</sup> F. Ajami, "Pakistan and America", Policy Review No. 164, *Hoover Institution*, California, 2010/11, p. 34.

<sup>195</sup> Hathaway, *op. cit.*, p. 1.

<sup>196</sup> "Democracy as an Afterthought", 25 August 2002, *The Washington Post* in "Pakistan: Transition to Democracy?", Asia Report No. 40, *International Crisis Group*, Brussels, 2002, p. 32.

<sup>197</sup> Congressional Research Service (US), *Pakistan-U.S. Relations*, *op. cit.*, p. 17.

<sup>198</sup> "Winding Back Martial Law in Pakistan", Asia Briefing No. 70, *International Crisis Group*, Brussels, 2007, p. 9 and "Elections, Democracy and Stability in Pakistan", Asia Report No. 137, *International Crisis Group*, 2007, p. 20.

<sup>199</sup> Hathaway, *op. cit.*, p. 13.

<sup>200</sup> Congressional Research Service (US), *Pakistan-U.S. Relations*, *op. cit.*, p. 13.

<sup>201</sup> *Ibid.*, pp. 99-100.

<sup>202</sup> *Ibid.*

as another 10 billion USD<sup>203</sup>. Moreover, the US using its global clout got Pakistan grants, loans and debt-rescheduling agreements with other countries and international financial institutions<sup>204</sup>. In fact, the US aid to Pakistan has generally been very less to do with democracy, as it has been always higher during the military reigns than civilian governments<sup>205</sup>.

## 5.5 Conclusion

In the previous sections, there was a study of the suspension of democratic principles and the role and impact of the EU and the US for promotion of democracy in Pakistan during the time of Musharraf. So, did the EU act as a 'force for good'?

The answer to this question is rather not positive. Except during the two initial years from October 1999 till September 2001 when the EU was quite strict in dealing with the junta using measures like suspension of political relations and trade agreement, the two election observation missions sent in 2002 and 2008 and the socialisation strategy of continuous engagement and (but restrained) encouragement of the Pakistani leaders by their EU counterparts which may have had a slight impact in making the former understand the importance of democracy or at least democratic legitimacy; the EU prioritised combating perceived or real security threats over promotion of democracy. After the '9/11' for the next seven years up till 2008, combating the terrorist threats emanating from the AfPak region trumped over the promotion of democracy. However, this change in Union's priority can be understood because the security threats for the EU arising from the troubled and troublesome Afghanistan and Pakistan became very evident after the September 11 attack. So - limited to its neighbourhood prior to the '9/11'- the security-radius for the EU was extended up till southwest Asia to include Pakistan along with Afghanistan<sup>206</sup>. The security threats arising from the region were unconventional but real and huge. In fact, the terrorists did target the EU as two of its member-states Spain and the UK were attacked in 2004 and 2005 respectively. Combating this threat was bigger priority for the EU than promotion of democracy. But then, it has often been the case that if there is a conflict between security interests and democratic principles, the EU has always prioritised the former over the latter<sup>207</sup>.

However, this shift in priority from democracy to security was also due to influence of the US on the EU and its member-states. The EU has been shepherded by America on many foreign and security affairs playing the role of a junior partner with minor difference in policy and approach. It was no different this time either, in Pakistan and during the GWOT<sup>208</sup>. Given the geopolitical position of Pakistan, the US badly needed the former for political, operational, intelligence and logistical support<sup>209</sup>. Secular minded, relatively much more popular in late 2001 and fully backed by the Army, Musharraf had total control over Pakistan. This is why it is no surprise that former Deputy Secretary of State Richard Armitage once called Musharraf as "the right man in the right place at the right time"<sup>210</sup>. So, when and once the US put its weight behind Musharraf in spite of his undemocratic credentials, the Europeans obliged by the profound transatlantic relationship and the necessity of supporting the US in its hour of crisis marginalised their own agenda of democracy promotion in Pakistan, and Musharraf who was to be struggled against was treated with soft hands.

To conclude it can be said that the US was and still is the most powerful external force in Pakistan. But despite having considerable influence, neither America nor the EU acted as a 'force for good' to promote democracy. Instead they pursued their security interests.

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<sup>203</sup> Hathaway, *op. cit.*, p. 14 and Bennet-Jones, *op. cit.*, p. 2.

<sup>204</sup> International Crisis Group, *Pakistan: Transition to Democracy?*, *op. cit.*, p. 18 and Hathaway, *op. cit.*, p. 13.

<sup>205</sup> M. Ali, "US Foreign Aid to Pakistan and Democracy", *Pakistan Journal of Social Sciences*, vol. 29, no. 2, 2009, p. 247 and pp. 252-256.

<sup>206</sup> M. Knodt and S. Urdze, "Beyond carrots and sticks: Explaining the EU's external democracy promotion in countries beyond the neighbourhood", Paper presented at the SGIR 7th Pan-European International Relations Conference on IR, Stockholm, 9-11 September 2010, p. 10.

<sup>207</sup> *Ibid.* p. 8; G. R. Olsen, "Promotion of democracy as a foreign policy instrument of 'Europe': Limits to liberal idealism", *Democratization*, vol. 7, no. 2, 2000, p. 163 and Khatri, *op. cit.*, p. 97 and p. 104.

<sup>208</sup> Khatri, *op. cit.*, p. 97.

<sup>209</sup> Hathaway, *op. cit.*, p. 13.

<sup>210</sup> As cited in J. Kosterlitz, "Pakistan paradox", *National Journal*, vol. 36, no. 25, 2004, p. 1931.

## 6. EU's conflict management in India

### 6.1 Introduction

In the first half of 2002, in retaliation to the killing of 58 Hindu pilgrims, Gujarat (a western province of India) saw the worst form of communal strife between Hindu and Muslim communities. Like in any such conflicts, the minority community, the Muslims suffered the most at the hands of ethno-nationalist organisations losing many lives and properties of many more. The federal government at New Delhi acted almost as a dumb spectator while the provincial government has been implicated in the violence.

This chapter evaluates EU's intervention and impact for the management of this ethnic conflict in India in 2002. Did the Union implement its policies, execute its strategies and use its instruments for cessation of violence in Gujarat? Or, was it pursuing its strategic and commercial interests at the cost of death and destruction? Did the EU act as a 'force for good' in India during the 2002 communal riots of Gujarat?

To answer these questions, first there will be a short discussion on the carnage briefing about the loss of life and properties, and the role of federal and provincial governments. Then there will be an assessment of the intervention by and impact of the EU for the management of conflict from three different angles, namely, diplomatic-political, commercial-economic and humanitarian-developmental. The third part briefly studies the intervention of two other external actors the US and the UK. The conclusion will look into the main reasons for international community timid intervention to halt the conflict.

### 6.2 Ethnic conflict in India (2002)

On the morning of 27 February 2002, 58 Hindu pilgrims were burnt in a coach of the *Sabarmati Express* at the Godhra railway station of Gujarat while returning from Ayodhya, one of the holiest city of Hindu faith. According to the federal government instituted commission of enquiry the burning and death was an accident and not a pre-meditated attack on the devotees<sup>211</sup>. However, the ethno-nationalist *Bhartiya Janata Party* (BJP)<sup>212</sup> and its parent organisation the *Rashtriya Swayamsevak Sangh* (RSS)<sup>213</sup> arrived at just contrary conclusion and blamed the local Muslims for the burning without completion of proper and even formal enquiry. And from the next day, the killing of Muslims started all over Gujarat by the cadres of the RSS and its sister organisations. Within 3 months around 2000 people but mainly Muslims were killed<sup>214</sup>. Innocent people, young and old were burnt and stabbed to death. Like in any conflict, women became the prime target of violence and especially of sexual nature. As many as 200, 000 people got internally displaced<sup>215</sup>. The attack was not just on life but also on properties. There was a targeted looting and destruction of business and property of Muslims. Homes, shops and factories were first looted and then torched. According to an estimate Muslim community lost around €540<sup>216</sup> in the looting and destruction of their properties<sup>217</sup>.

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<sup>211</sup> "Indian train fire 'not mob attack'", *BBC*, 17 January 2005, last accessed on 30 June 2012 and VR K. Iyer et al., "Crime Against Humanity: An Inquiry into the Carnage in Gujarat, Findings and Recommendations", Volume II, *Citizen for Justice and Peace*, Mumbai, 2002, p. 17.

<sup>212</sup> *Bhartiya Janata Party* (Indian People's Party) is the second largest party in the Indian parliament thus also the main party of the opposition.

<sup>213</sup> *Rashtriya Swayamsevak Sangh* (National Volunteer Organisation) claims to be a 'cultural nationalist' organisation. But it is an ethno-nationalist socio-political group, which has been found of perpetrating violence against religious minorities like Muslims and Christians.

<sup>214</sup> K. M. Chenoy et al. "A Report To the Nation by An Independent Fact Finding Mission", *Outlook*, 11 April 2002, last accessed on 29 June 2012.

<sup>215</sup> K. M. Chenoy et al., *op. cit.*

<sup>216</sup> The figure €540 million has been arrived at by converting 38 billion of Indian National Rupee through the online currency calculator *xe.com* (<http://www.xe.com/>) without making any adjustment for inflation till 2012 from the year 2002 when the amount of loss was calculated and reported.

<sup>217</sup> V. R. K. Iyer et al., *op. cit.*, p. 44.

However, the provincial government failed to provide adequate and timely assistance to these people while denying access and protection to the NGO workers helping the victims<sup>218</sup>. Even, the disbursement of financial compensation for the dependents of those killed was to be done on religious and discriminatory basis, as it was announced initially<sup>219</sup>. While all this murder, loot and destruction was going on, the Indian government in New Delhi led by the BJP under the then Prime Minister Atal Bihari Vajpayee was just a mute spectator<sup>220</sup>. Had the PM mustered sufficient political will and courage, he could have stopped the violence by dismissing the provincial government. But it seems that the PM ended up actually justifying the riot by giving contradictory statements for easy political gains<sup>221</sup>. Another of his colleague the then Defence Minister during a debate on the issue in the federal parliament brazenly said “there is nothing new in the mayhem let loose in Gujarat [...]”<sup>222</sup>. Similarly, the Chief Minister of Gujarat, the then and still the executive head of the province, Narendra Modi even justified the retaliatory killings by saying that “every action has equal and opposite reaction”<sup>223</sup>. In fact, some key ministers from the provincial government actually planned on the night of 27 February 2002 on how to carry out the pogrom<sup>224</sup>. Another provincial minister is reported to have taken over the police control rooms in Ahmedabad, one of the cities worst hit by the riots, on the first day of the carnage giving orders to disregard the pleas of help from Muslims<sup>225</sup>. And not surprisingly, a good section of the administration and police of Gujarat instead of maintaining law and order and protecting the innocent people was hand in gloves with the rioters<sup>226</sup>.

### 6.3 Intervention and impact of the EU

#### 6.3.1 Diplomatic and political aspect

India was one of the first countries to establish diplomatic relations with the then European Economic Community in 1963<sup>227</sup>. The relationship between the two partners, managed through annual summits attended by the Indian PM and the President of the European Council and the Commission, intensified considerably in the 1990s and first half of 2000s leading to India being accorded the status of a “strategic partner” of the EU in 2004<sup>228</sup>. However, the EU who tires not waxing eloquent about democracy and human rights as the basis of their “strategic partnership” muttered just few words when massacre in Gujarat took place as if apologetic of its own actions. Even the little-worth declaratory foreign policy machine was off.

This is why even after close to 50 days since 27-28 February 2002 when the violence first started and hundreds of people were killed and thousands displaced along with properties of many more being looted and destroyed, the General Affairs Council in the press release of its meeting on 15 April just expressed concern at the carnage in only one line and calling it ‘sectarian’<sup>229</sup>. Though the conflict was sectarian in nature, the EU overlooked the complicity of the provincial government. Had the Union called it a state-abetted violence against the minorities, which it was as has been shown in the previous section, then it would have certainly shamed more the central and provincial governments thus compelling them to take more corrective measures, and without delay. On 23 April 2002, Spain the then holder of EU’s rotating presidency expressed Union’s concern on violence to the Indian ambassador to

<sup>218</sup> “We Have No Orders to Save You: State Participation and Complicity in Communal Violence in Gujarat”, *Human Rights Watch*, New York, 2002, p. 6 and 55.

<sup>219</sup> *Ibid.*, p. 7.

<sup>220</sup> V. R. K. Iyer et al., *op. cit.*, pp. 96-99.

<sup>221</sup> R. Bhushan, “His Second Phase”, *Outlook*, 29 April 2002, last accessed on 29 June 2012.

<sup>222</sup> V. R. K. Iyer et al., *op. cit.*, pp. 38-39.

<sup>223</sup> V. Subrahmaniam, “SIT: Modi tried to dilute the seriousness of the riot situations”, *The Hindu*, 4 February 2011, last accessed on 29 June 2012.

<sup>224</sup> V. R. K. Iyer et al., *op. cit.*, p. 18.

<sup>225</sup> *Human Rights Watch*, “We Have No Orders to Save You”, p. 5.

<sup>226</sup> V. R. K. Iyer et al., *op. cit.*

<sup>227</sup> C. Wagner, “The EU and India: a deepening partnership” in G. Grevi and Á. de Vasconcelos (eds.) *Partnerships for effective multilateralism EU relations with Brazil, China, India and Russia*, European Union Institute for Security Studies, Paris, 2008, p. 87.

<sup>228</sup> Delegation of the European Union to India, “Strategic Partnership”, last accessed on 18 July 2012.

<sup>229</sup> Council of the European Union, “2421<sup>st</sup> Meeting, General Affairs”, (7705/02, Presse 91), Luxembourg, 15 April 2002, p. 10.

Spain by issuing a *démarche*<sup>230</sup>. However, the *démarche* issued was oral and not written expression of Union's concern, which could have surely created more pressure and thus more impact. The impact would have been even more had the EU officials handed this *démarche* to the Indian diplomats to the EU in Brussels. But the EU didn't do anything except an oral and not so effective utterance of its concern. In fact, as per media reports, it seems that it was not India that came under pressure by the issuing of the *démarche* but rather the Union<sup>231</sup>! In a meeting with media, the then Spanish ambassador to India first avoided talking about the meeting in Madrid where the *démarche* was issued, but later said the Indian ambassador to Spain was just "acquainted" with the Union's position on Gujarat<sup>232</sup>. No wonder the officials from Indian ministry of external affairs brushed aside the *démarche* as mere "consultations"<sup>233</sup>.

However, by the end of April, EU's member-states embassies in India prepared a report on the violence and sent it to the Union. The report seen by the *Financial Times* clearly indicted the provincial government of ethnic cleansing of Muslims<sup>234</sup>. Moreover, the EU officials said that they would raise the issue with their Indian counterparts<sup>235</sup>. And it has been reported that the EU did express its concern on the violence, loss of life and property, and the need for urgent humanitarian relief in Gujarat on 2 May 2002 during a (routine) meeting between the Indian and EU troika officials<sup>236</sup>.

Later in mid-May 2002, the European Parliament passed a resolution condemning "in the strongest possible way all the sectarian violence in India"<sup>237</sup>. But the resolution stopped short of naming and shaming the provincial and federal governments even when the Gujarat government of Modi instead of protecting the people instigated and abetted the violence while the then federal Indian government of Vajpayee failed in its constitutional and moral responsibility of safeguarding the security of minorities. The resolution clearly fell short of many people's expectations then working for the protection and relief<sup>238</sup>. The European Parliament's 2002 annual report on human rights called upon the Commission and the Council to discuss the Gujarat riots with the Indian authorities through the channels of regular political dialogues<sup>239</sup>. However, the joint press statements issued after the summit meetings of the year 2002 and 2003 has no mention of any discussion on Gujarat conflict<sup>240</sup>.

But the biggest political intervention by the EU against the pogrom could be said to have come much later when some of the countries of the Union is said to have denied Modi diplomatic status, and visa to visit Europe<sup>241</sup>. It is not clear what immediate and discernible impact this denial of diplomatic status and visa had or will have for the betterment (rehabilitation and relief) of those victims of violence and loot. But it is certain that it strengthens the voice of victims and those non-state actors (various NGOs and members of civil society) who are fighting for justice. Moreover, and importantly, it also creates an international pressure on the political groups not to repeat the same in the future building up an opinion against violence and politics of hate.

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<sup>230</sup> Council of the European Union, *European Union Annual Report in Human Rights 2002*, Brussels, 2002, p. 121.

<sup>231</sup> P. Bidwai, "Getting delusional", *Frontline*, May 11-24, 2002, last accessed on 17 July 2012.

<sup>232</sup> *Ibid.*

<sup>233</sup> J. Malhotra, "Deconstructing a demarche", *The Indian Express*, 30 April 2002, last accessed on 17 July 2012.

<sup>234</sup> E. Fernandes, "Envoys says Gujarat killings are 'Genocide'", *Financial Times*, 27 April 2002, p. 7 and E. Fernandes, "Gujarat violence backed by the state, says EU report", *Financial Times*, 30 April 2002, p. 12.

<sup>235</sup> Fernandes, Edna, "EU tells India of Concern over Violence in Gujarat", *Financial Times*, 03 May 2002, p. 12 and "Concern Over Gujarat Riots", *EuroPolitics*, 03 May 2002, last accessed on 17 July 2012.

<sup>236</sup> *Ibid.*

<sup>237</sup> European Parliament, "On religious clashes in India", B5-287/02, Strasbourg, 13 May 2002.

<sup>238</sup> J. Racine, "European Union and South Asia: An Appraisal", *Institute of Regional Studies*, Islamabad, 2003, p. 19.

<sup>239</sup> European Parliament (Committee on Foreign Affairs, Human Rights and Common Security and Defence Policy), "Annual Report on human rights in the world in 2002 and European Union's human rights policy", A5-0274/2003, FINAL, Strasbourg, 16 July 2003, p. 23.

<sup>240</sup> European Union, "Joint Press Statement: 3<sup>rd</sup> EU-India Summit", 12994/02 (Presse 321, Copenhagen, 10 October 2002 and European Union, "Joint Press Statement: 4<sup>th</sup> EU-India Summit", 15378/03 (Presse 351), New Delhi, 29 November 2003.

<sup>241</sup> "Don't mention the massacre", *The Economist*, 06 December 2007, last accessed on 17 July 2012 and R. Puniyani, "Narendra Modi: Travails Of Travel Abroad", *CounterCurrents.Org*, 17 April 2010, last accessed on 17 July 2012.

### 6.3.2 Commercial and economic aspect

With a total of around €80 billion exchange in goods, the EU is India's biggest trading partner taking in approximately 1/5<sup>th</sup> of latter's total exports<sup>242</sup>. In 2002-03 when the ethnic conflict in Gujarat took place; at around €13.8 billion, India exported to the EU though only 1/3<sup>rd</sup> of what it exports now, the EU was still the biggest imports partner of India taking in over 20% of its exports<sup>243</sup>. This must have given the EU considerable leverage on India. Moreover, since 1971 when the GSP was first launched, India is beneficiary of the scheme<sup>244</sup>. Though India's export to the Union through the GSP in 2002-03 is unclear; on the basis of absence of any news in media or report on the EU websites, it can be stated that the EU made no use of GSP trade scheme conditional upon respect of human rights to pressurise the Indian authorities to rein in the violence. Therefore, it can be concluded that the EU did not use its trade instruments at all for management of 2002 Gujarat communal conflict.

### 6.3.3 Humanitarian and developmental aspect

Since 1996, DG ECHO has given India around €100 million as humanitarian assistance<sup>245</sup>. A quarter of this sum €24.5 million has been used for the relief of victims of conflict which includes civilian detainees and orphans in the northern province of Jammu and Kashmir (€17 million), victims of clashes between the Naxalites (Maoist guerrillas) and Indian security forces (€4.5 million) and Sri Lankan refugees in Tamil Nadu (€3 million)<sup>246</sup>. Though the exact amount donated for relief and rehabilitation of victims of Gujarat ethnic violence is not clear, ECHO's 2002 annual report do state about some food assistance for internally displaced people along with shelter and educational opportunities for women and children<sup>247</sup>. While it is improbable that this little help could have played a role in the cessation of violence, any help, small or big, is always precious for the victims.

For the period of 2002-06, the EU strategy paper for India mentions having financed development projects worth total of €225 million<sup>248</sup>. But the area of human rights and democratic governance assumed "politically sensitive" had no allocation of funds during the five-year period mentioned above and of interest for this research. While the delegation of the EU to India mentions that the Union has given over €5 million since the year 2000 for promotion of human rights specifically of children and indigenous people, there is no mention of allocation of fund for the Gujarat case<sup>249</sup>. In any case, the development assistance is always more helpful in long-term conflict prevention and resolution than immediate requirements of conflict management.

## 6.4 Intervention and impact of other international actors

### 6.4.1 United States

Much like the EU, the US, which generally speaks loudly on the violations of human rights, failed to "forthrightly and publicly to [*sic*] condemn the killings of Muslims in Gujarat"<sup>250</sup>. The subdued US reaction was there on display in spite of the fact that the Congress mandated US federal agency on international religious freedom, USCIRF<sup>251</sup>, exhorted the Department of State consecutively for two

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<sup>242</sup> European Commission (DG Trade), "India: EU Bilateral Trade and Trade with the World", Brussels, 21 March 2012.

<sup>243</sup> European Commission (DG Trade), "EU-India Trade", Brussels, 15 June 2012 and Ministry of Commerce and Industry (India), "Export: Region-wise", last accessed on 18 July 2012.

<sup>244</sup> G. Sachdeva, "India and the European Union: Broadening Strategic Partnership Beyond Economic Linkages", *International Studies*, vol. 45, no. 4, 2008, p. 344.

<sup>245</sup> European Commission (DG ECHO), "India", last accessed on 17 July 2012.

<sup>246</sup> *Ibid.*

<sup>247</sup> European Commission (DG ECHO), *Annual Report 2002*, Brussels, 2003, last accessed on 18 July 2012.

<sup>248</sup> European Commission, "Country Strategy Paper: India, 2002-2006", Brussels, 2002, p. 37.

<sup>249</sup> Delegation of the European Union to India, "Civil Society Dialogue", last accessed on 17 July 2012.

<sup>250</sup> US Commission on International Religious freedom, *Annual Report 2003*, Washington, 2003, p. 17.

<sup>251</sup> USCIRF stands for United States Commission on International Religious Freedom.

years 2003 and 2004 to put India under the category of ‘Countries of Particular Concern’<sup>252</sup>. However, the above mentioned agency’s annual report of 2003 says that the then US Deputy Secretary of State Richard Armitage did express his concern on the issue of religious freedom while on a trip South Asia<sup>253</sup>. Whether, Armitage raised the specific issue of Gujarat pogrom and justice is unknown. Again in the year 2010 and 2011, India was put under the ‘watch list’ by the same statutory body for the violence against the Christian community in 2008 and the lackadaisical measures taken by the Indian authorities to render justice to those who suffered the ethnic violence in 2002<sup>254</sup>. Three years after the carnage on 15 March 2005 John Conyers presented a resolution in the House of Representative “condemning the conduct of Chief Minister Narendra Modi for his actions to incite religious persecution and urging the United States to condemn all violations of religious freedom in India” which was further referred to Committee on International Relations<sup>255</sup>. Unfortunately, this resolution was never passed<sup>256</sup>.

Again much like the EU, though sensational but nonetheless important, the big intervention by the US came in the form of denial and revocation of Modi’s visa to US in 2005<sup>257</sup>. The US government reportedly denied him visa again in 2008<sup>258</sup>. Much more than the interdiction by the EU, this two times ban on Modi by a much more important strategic partner, the US, was big news in India which positively sensitised the Indian public and political class regarding the persistent ethnic killings, and building an opinion against their perpetrators.

#### 6.4.2 United Kingdom

The then UK Foreign Secretary Jack Straw speaking in the British parliament expressed his Government’s “deep concern about the deaths and injuries on both sides of the religious divide in Gujarat”<sup>259</sup>. The British annual report on human rights commended by Straw noted its concern saying, “[...] to date, there have been very few prosecutions and that many of those arrested have been released on bail”<sup>260</sup>. The same report added that the British government provided immediate relief assistance to the victims of the violence and funded a project to bring reconciliation among the communities<sup>261</sup>.

Immediately after US’s denial of visa to Modi in 2005, there were reports of him visiting the UK and subsequent pressure on the Great Britain to debar him. However, a spokesman of British High Commission in New Delhi said that, “we have a different system to the US and have no plans to follow suit”, pointing that Modi had already visited the UK in 2003<sup>262</sup>.

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<sup>252</sup> *Ibid.*, p. 30 and US Commission on International Religious freedom, *Annual Report 2004*, Washington, 2003, p. 81.

<sup>253</sup> US Commission on International Religious freedom, *Annual Report 2003*, *op. cit.*, p. 17.

<sup>254</sup> US Commission on International Religious freedom, *Annual Report 2010*, Washington, 2010, pp. 241-254 and US Commission on International Religious freedom, *Annual Report 2011*, Washington, 2011, pp. 243-260.

<sup>255</sup> House of Representatives (US), “Condemning the conduct of Chief Minister Narendra Modi for his actions to incite religious persecution and urging the United States to condemn all violations of religious freedom in India”, H.RES.156.IH, 109th Congress, Washington, 15 March 2005.

<sup>256</sup> Library of Congress (US), “Bill Summary & Status, 109th Congress (2005-2006), H.RES.156 , All Congressional Actions”, last accessed on 18 July 2012.

<sup>257</sup> H. Kumar, “U.S. Refuses Visa To Hindu Politician”, *The New York Times*, 19 March 2005, last accessed on 18 July 2012.

<sup>258</sup> However, in reality, apprehensive that he will be again denied the visa if he requested, it seems that Modi never applied for it. But in a letter answering the one written by US Congresswoman Betty McCollum, Department of State official Matthew Reynolds wrote, “we have thoroughly searched Department records and located no current non-immigrant [*sic*] visa application for Mr. Modi. However, should we receive an application, we assure you it will be adjudicated in strict accordance with the Immigration and Nationality Act (INA), including section 212(a)(2)(G) which states that “any alien who, while serving as foreign government official, was responsible for or directly carried out, at any time, particularly severe violations of religious freedom, as defined in section 3 of the International Religious Freedom Act of 1998 (22 U.S.C. 6402) is admissible”; see: “US State Department confirms Modi will not be given visa”, *Coalition Against Genocide*, Maryland (US), 28 August 2008, last accessed on 18 July 2012.

<sup>259</sup> M. Dubey, “The world’s reaction to Gujarat”, *The Hindu*, 14 May 2002, last accessed on 18 July 2012.

<sup>260</sup> Foreign and Commonwealth Office (the UK), *Annual Report on Human Rights 2003*, London, 2003, p. 206.

<sup>261</sup> *Ibid.*

<sup>262</sup> J. Johnson, “UK feels heat over Gujarat leader’s visit”, *Financial Times*, 22 March 2005, last accessed on 18 July 2012.



## 6.5 Conclusion

Above, there was a discussion on the 2002 ethnic conflict in Gujarat and the role of the Indian authorities, intervention and impact of the EU, the US and the UK to halt the violence, bring relief and justice to the victims. So, did the EU act as ‘force for good’ during the carnage? Did it do enough to deserve the sobriquet?

The answer is again in negative. Before there is an explanation of the conclusion, a small but significant point should be made. Compared to many cases of conflict including the one between the LTTE and the GoSL studied in next chapter, 2002 Gujarat violence was still not a major case. Though spread up to half-a-year, the violence was mostly sporadic and loss of life was restricted to a couple of thousand people. Many conflicts throughout the world including those in Nepal (1996-2006) and Sri Lanka (1983-2009) stretched up till and over a decade with death toll reaching many thousand.

However, the intervention on the part of world community including the EU was neither very timely nor very adequate. Why? First, in spite of all the deficiency and disability, India is still a functioning democracy guaranteeing basic human rights to its citizens. Though violence against minorities has always been present in the post-independence history of India, the Indian populace and polity takes it as aberration to be avoided and overcome. In spite of having 4/5<sup>th</sup> of the people from one single community, India is still a secular country with constitutional guarantee for the rights of minority communities. And the world believes in the genuineness of Indian democracy and guarantee of human and minority rights. For example, the same resolution of the European Parliament, which condemned the violence, pre-states that it is mindful that the Indian constitution secures and successive governments have committed themselves for protection of minority ethnic and religious rights along with an “open and vigorous” debate in the national parliament on this issue of ethnic violence in Gujarat<sup>263</sup>. Similarly, the US agency on religious freedom, the same year when it wanted India to be put in the category of ‘country of particular concern’, stated that India is a constitutional democracy with independent judiciary, vibrant civil society and free press<sup>264</sup>. Similar, remarks were expressed by the British 2003 annual report on human rights<sup>265</sup>.

Second reason for subdued reactions and intervention on the part of the EU and other countries can be the growing commercial importance of India for Western companies and multinationals. The burgeoning middle class consumers in the country has made big powers like the US, China, the UK, France, Germany and Russia land and court India. Last couple of years has seen the governments from the above-mentioned countries striking lucrative trade deals to sell life-comforting consumer goods to life-threatening military equipment<sup>266</sup>. The shift in economic ideology since the 1990s has equally been accompanied by change in foreign policy of India. Once a leader of Non-Aligned Movement and tilted towards the Communist camp, after the collapse of the USSR, India since last two decades has moved much closer to the West. This may be why, while even minor human rights violations by China or Russia gets well covered in the West whereas serious violations by India in Kashmir or other interior part are many a times under-reported and overlooked by the Western media and political class.

Lastly, a small but plausible argument is that the Gujarat conflict took place in early and mid-2002 when the West was totally engrossed with the GWOT – and India itself a regular victim of terrorism thus overwhelmingly supporting the GWOT – could have also been a reason for West’s neglect of the conflict<sup>267</sup>.

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<sup>263</sup> European Parliament, *On religious clashes in India*, *op. cit.*

<sup>264</sup> US Commission on International Religious freedom, *Annual Report 2003*, pp. 84-85.

<sup>265</sup> Foreign and Commonwealth Office (the UK), *Annual Report on Human Rights, 2003*, *op. cit.*, p. 206.

<sup>266</sup> The intense rivalry between European countries among themselves and with the US to win the contract worth 20 billion USD for high-tech aircrafts needed by the Indian defence ministry is the one of the most apt example recently; see: J. Boxell and J. Lamont, “A dogfight over Delhi”, *Financial Times*, 06 February 2012, last accessed on 2 August 2012.

<sup>267</sup> Dubey, *op. cit.*

To close the chapter, while keeping in mind that the violence in Gujarat was minor and short-lived and the Indian constitution provides liberty and protection of life for minorities, it can be said that the EU was not a 'force for good' as its intervention to stop the violence was insignificant.

## 7. EU's conflict management in Sri Lanka

### 7.1 Introduction

From 1983 to 2009 when the violent Tamil separatists (LTTE) were brutally defeated, Sri Lanka (SL) went through a devastating civil war between the LTTE and the Government of Sri Lanka (GoSL). The last phase of the war from 2006 up till mid-2009 caused death of 6, 261 government soldiers, 22, 000 LTTE cadres, and 40, 000 civilians along with displacement of 300, 000 persons<sup>268</sup>.

This chapter does an evaluation of EU's intervention and impact for conflict management from 2006 till 2009. Did the Union implement its policies, execute its strategies and use its instruments for management of conflict in Sri Lanka? Or, was it pursuing its strategic and commercial interests, if any, at the cost of death and destruction? Did the EU act as a 'force for good' in Sri Lanka?

To carry out this evaluation, first, there will be a discussion on the conflict since the beginning till the end i.e. why the conflict started and how it got over. Then, there will be an assessment of the intervention by and impact of the EU for the management of conflict from three different disciplinary viewpoints, viz. diplomatic-political, commercial-economic and humanitarian-developmental. The third part briefly studies the intervention of three other external actors namely China, India and the US. The conclusion will discuss the important reasons for failure of the EU and other international actors to resolve the conflict peacefully.

### 7.2 Civil war in Sri Lanka (2006-2009)

In Sri Lanka, Sinhalese (mostly Buddhist) at around 74% are the majority and Tamils (mostly Hindus) at around 18% are the main minority linguistic communities along with 7.6% Christians (mostly Catholic) and 7.5% Muslims<sup>269</sup>. Thus, it is a diverse country. Not handled correctly, this linguistic and religious mix turned explosive. The problem started with competitive Sinhalese ethno-nationalism between the mainstream political parties and its implementation by the successive governments, which did enough to marginalise and alienate the minority Tamils<sup>270</sup>. Finding the excuse of undoing the wrongs of the British period, the Sinhalese right wing got the Sinhala declared as the sole official language and Buddhism as the primary religion<sup>271</sup>. Meanwhile, discrimination in education and jobs and demonisation in press and media of Tamils went unabated along with violence and Sinhalese settlement in Tamil majority north and east Sri Lanka<sup>272</sup>.

It was in this reality of marginalisation and repression that the Tamil separatism took root. Vellupillai Prabhakaran founded the LTTE in 1976. In less than a decade after its establishment the LTTE was a formidable military organisation, and importantly, even captured almost total separatist political space<sup>273</sup>. Starting in 1983 when the LTTE killed 13 army personnel, Sri Lanka underwent a 26 year long civil war between the GoSL and the LTTE which ended in May 2009 when the latter was annihilated by the Sri Lankan military. Though the skirmishes between the two warring parties started from around July 2006 when the Norwegian brokered ceasefire of 2002 first faltered; the fourth and final Eelam War – as it is commonly referred as – really commenced in the new year of 2008 on 2 January after the Sri Lankan

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<sup>268</sup> N. DeVotta, "The Liberation Tigers of Tamil Eelam and the Lost Quest For Separatism in Sri Lanka", *Asian Survey*, vol. XLIX, no. 6, 2009, p. 1047; "War Crimes in Sri Lanka", Asia Report No. 191, *International Crisis Group*, Brussels, 2010, p. 3 and "Report of the Secretary-General's Panel of Experts on Accountability in Sri Lanka", *United Nations*, New York, 2011, p. 41.

<sup>269</sup> DeVotta, *op. cit.*, pp. 1024-1025.

<sup>270</sup> *Ibid.*, 1022.

<sup>271</sup> *Ibid.*, pp. 1024-1027.

<sup>272</sup> *Ibid.*

<sup>273</sup> C. Orjuela, "Domesticating Tigers: the LTTE and peacemaking in Sri Lanka", in B. Dayton and L. Kriesberg, (eds.), *Conflict Transformation and Peacebuilding: Moving from violence to sustainable peace*, Abingdon, Routledge, 2009, p. 261.

It is a well-known fact that the LTTE never tolerated any dissent against itself within the broader Tamil political movement, separatist or otherwise.

government's formal withdrawal from the 6 year old truce<sup>274</sup>. The War got considerably intensified within a year and especially since the beginning of 2009 before being won by the Sri Lankan state through ruthless military power in May 2009 after the killing of LTTE's supremo Prabhakaran.

The two warring parties but especially the Sri Lankan military were completely callous regarding the civilian casualties. While the LTTE used civilians caught in the crossfire as shield, forced-recruits and killed those trying to escape, the Sri Lankan government sensing an imminent victory in January 2009 went genocidal. The SL government encouraged thousands of civilians to move in the government declared 'No Fire Zones', and then heavily bombarded them<sup>275</sup>. It knowingly shelled hospitals and makeshift medical centres overflowing with wounded and sick people<sup>276</sup>. It intentionally obstructed the humanitarian assistance and even attacked it killing and injuring many<sup>277</sup>. Suspected to be the LTTE cadres, young Tamil men and children were abducted and even killed by the Sri Lankan paramilitary forces<sup>278</sup>. The LTTE leaders and combatants who negotiated a surrender and safety were summarily executed when having reached the army posts<sup>279</sup>. Therefore, apart from 6, 261 soldiers and 22, 000 LTTE cadres, around 40, 000 and 300, 000 civilians are said to have been killed and displaced internally respectively in the Ealam War IV<sup>280</sup>.

### 7.3 Intervention and impact of the EU

#### 7.3.1 Diplomatic and political aspect

Relationship between the EU and Sri Lanka dates back to the year 1975 when Commercial Co-operation Agreement was signed between the European Economic Community and government of Sri Lanka<sup>281</sup>. This was further upgraded in April 1995 through the conclusion of a third-generation agreement, the Co-operation Agreement on Partnership and Development<sup>282</sup>. Concerning the war between the LTTE and the GoSL, the EU was one of the four Co-Chairs of the 2003 Tokyo Donors Conference, which was supporting Norway's efforts for monitoring, management and resolution of the conflict. Hereunder is an account of EU's insufficient intervention and unsatisfactory impact for cessation of violence and management of conflict.

Throughout the year 2006 when the 2002 Ceasefire Agreement was first breached, the EU was dishing out statements and declarations as usual condemning the violence by both the parties (but more so of the non-state actor, the LTTE) asking them to resume talks, observe the ceasefire and let the Nordic countries led monitoring mission (SLMM<sup>283</sup>) oversee the truce which was unravelling fast<sup>284</sup>. The two parties did come to tables again on 22-23 February 2006 in Geneva but thanks to the efforts of Norway,

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<sup>274</sup> "Sri Lanka's Return to War: Limiting the Damage" Asia Report No. 146, *International Crisis Group*, Brussels, 2008, pp. 3-4.

<sup>275</sup> International Crisis Group, *War Crimes in Sri Lanka*, *op. cit.*, p. i.

<sup>276</sup> *Ibid.*

<sup>277</sup> *Ibid.*

<sup>278</sup> Department of State (US), "Report to Congress on Incidents During the Recent Conflicts in Sri Lanka", Washington, 2009, p. 47.

<sup>279</sup> *Ibid.* p. 46.

<sup>280</sup> Devotta, *op. cit.*, p. 1047; ICG, *op. cit.*, p. 3 and United Nations, *Report of the Secretary-General's Panel of Experts on Accountability in Sri Lanka*, *op. cit.*, p. 41.

<sup>281</sup> European Commission, "Country Strategy Paper: Sri Lanka, 2007-2013", Brussels, 2007, p. 13.

<sup>282</sup> *Ibid.*

<sup>283</sup> Following the Ceasefire Agreement between the GoSL and the LTTE in 2002, the SLMM or the Sri Lankan Monitoring Mission with members inducted mainly from Denmark, Finland, Iceland, Norway and Sweden was the body headquartered in Colombo to monitor the truce and enquire its violations, if reported.

<sup>284</sup> Council of the European Union, "Declaration by the Presidency on the behalf of the European Union on the Situation in Sri Lanka", 5510/1/06 REV1 (Presse 18), P 15/06, Brussels, 23 January 2006; Council of the European Union, "Declaration by the Presidency on the behalf of the European Union on the Situation in Sri Lanka", 8672/1/06 REV 01 (Presse 118), P63/06, Brussels, 27 April 2006 and Council of the European Union, "Declaration by the Presidency on behalf of the European Union on terrorist bombing in Sri Lanka", 10653/1/06 REV 1 (Presse 186), P 86/06, Brussels, 20 June 2006.

which was involved in the peaceful resolution of the conflict as early as 1997<sup>285</sup>. However, the talks proved ephemeral and the fighting continued<sup>286</sup>. Later, displeased by the LTTE's continuing violent activities, the EU banned the organisation in the middle of 2006<sup>287</sup>. This act of the Union was very significant for two reasons. First, it went into the same direction as the GoSL wanted i.e. delegitimisation of the LTTE as a terrorist organisation as was done by the ban imposed by the US in 1997 and India in 1992. Second, in spite of taking such a big political decision of banning one of the parties to the conflict as a terrorist organisation, the EU could not extract concessions on cessation or reduction of violence, or even on respect of human rights from the Sri Lankan government<sup>288</sup>. Furthermore and importantly, it must have been morally confusing for the Union as to why and how halt the war on savage terrorists as it was painted by the Rajapaksa regime and conceded by the EU thanks to the ban it imposed. Throughout the next year 2007, though sporadic, the violence nevertheless continued with no major reaction on the part of the EU.

When the GoSL formally withdrew from the six year old Ceasefire Agreement in the new year of 2008 and the SLMM terminated its job, the Union quite naturally expressed its regrets<sup>289</sup>. Two months later, in the middle of March (16-18) 2008, the EU sent a delegation of the presidency troika<sup>290</sup>. The delegation asked the Sri Lankan government for respect of human rights and redress of its violations, access for the Norwegian peace facilitator to the previously LTTE controlled areas captured by the government forces and permission for and non-hindrance in the work of international humanitarian organisations providing relief to those impacted by the fighting and violence<sup>291</sup>. But by then, the GoSL having taken a decisive military advantage over the LTTE was in little mood to do anything, which may undo its campaign. When the war intensified considerably and the Sri Lankan military were making advances and scoring victories, it may be said that the EU was reduced to a mere humanitarian assistance organisation with little political weight to stop the conflict and violence. The same routine issuance of appeals of restraints and prevention of collateral damages, and respect of international humanitarian laws continued<sup>292</sup>. Even then, the Union had considerable difficulties because of the Sri Lankan government's hostility towards foreign aid workers whose visas were delayed and authorisation denied<sup>293</sup>.

The Union sent another delegation of the presidency troika in mid-May (12-13) 2009 which quickly recognised that the conflict was about to get over within a week, resolved not through political negotiations but through military might and extermination of LTTE's top brass and cadres<sup>294</sup>.

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<sup>285</sup> J. Goodhand et al. "Pawns of Peace: Evaluation of Norwegian peace efforts in Sri Lanka, 1997-2009", Report 5/2011 – Evaluation, *Norwegian Agency for Development Cooperation*, Oslo, 2011, p. 3 and European Union, "Statement by Javier SOLANA, EU High Representative for the CFSP, on talks between the Government of Sri Lanka and the LTTE", S051/06, Brussels, 21 February 2006.

<sup>286</sup> Council of the European Union, "Declaration by the Presidency on the behalf of the European Union on the Situation in Sri Lanka", 8672/1/06 REV 01 (Presse 118), P63/06, Brussels, 27 April 2006.

<sup>287</sup> Council of the European Union, "Declaration by the Presidency on behalf of the European Union concerning listing of the LTTE as a terrorist organisation", 9962/06 (Presse 163), P 078/06, Brussels, 31 May 2006.

<sup>288</sup> C. Castillejo, "Sri Lanka: The failure of EU Human Rights Sanctions", Policy Brief No. 63, *FRIDE*, Madrid, 2011, p. 4.

<sup>289</sup> Council of the European Union, "Declaration by the Presidency on behalf of the European Union on the Government of Sri Lanka's decision to withdraw from the ceasefire agreement", 5055/1/08 REV 1 (Presse 5), Brussels, 8 January 2008.

<sup>290</sup> Council of the European Union, "EU Troika visit to Sri Lanka, 16-18 March 2008", 7761/08 (Presse 79), Brussels, 18 March 2008.

<sup>291</sup> *Ibid.*

<sup>292</sup> Council of the European Union, "Council Conclusions on Sri Lanka: 2925<sup>th</sup> General Affairs Council meeting", Brussels, 23 February 2009; Council of the European Union, "Declaration of the Presidency on the behalf of the European Union on Sri Lanka", 9122/1/09 REV 1 (Presse 102), P 46/09, Brussels, 27 April 2009 and Council of the European Union, "Council conclusions on Sri Lanka: 2939<sup>th</sup> External Relations Council Meeting", Luxembourg, 27 April 2009.

<sup>293</sup> "Sri Lanka Ignores Calls by Aid Groups for Better Access to War Refugees", *The New York Times*, 22 May 2009, last accessed on 2 August 2012.

<sup>294</sup> Council of the European Union, "EU Troika visit to Sri Lanka, 12-13 May 2009", 9867/09 (Presse 128), Brussels, 13 May 2009.

Unsuccessful at conflict management, after the formal end of war on 18-19 May 2009, EU's diplomatic-political efforts were naturally geared for long-term conflict resolution<sup>295</sup>.

However, realising that the GoSL did not keep its promise for respect of human rights and international humanitarian laws, the EU did try to incriminate the GoSL at the UN's Security Council and Human Rights Council but failed due to non-cooperation and hindrance by other countries like Cuba, China, Russia, Pakistan and even India among others<sup>296</sup>.

### 7.3.2 Commercial and economic aspect

The EU is the largest trading partner of Sri Lanka importing around 2/5<sup>th</sup> of the latter's exports<sup>297</sup>. After the devastating impact of the end-of-2004 tsunami, the Union decided to grant Sri Lanka the GSP+, the most favourable preferential access in the EU market for the developing countries<sup>298</sup>. However, after an investigation into reports of violations of human rights whose respect and observation is mandatory for the GSP+, the EU finally withdrew it on 15 August 2010<sup>299</sup>. The main question to ask is that did this withdrawal of the scheme have any impact in the conflict management? The answer is 'not really' because it was too late and too little. It was late because GSP+ was suspended when the conflict was already over a year ago. It was little because, if one goes by the trade data of 2008, the GSP+ helped Sri Lanka avoid a duty only of mere €78 million in a total export of €1.24 billion under the GSP+ and total export amounting around over €2 billion<sup>300</sup>. What would have really pinched the GoSL was suspension of GSP in totality. However, after the revocation of GSP+, the GSP was still maintained<sup>301</sup>. But far from the suspension of GSP, the EU had little political will even for the suspension of GSP+ as the EU was offering a six-month delay even in the implementation of revocation of GSP+, which Sri Lanka never bothered to even reply<sup>302</sup>. This Sri Lankan disdain towards the EU, the so-called Civilian Power, was because it managed to divert some of its European exports to China and India apart from the fact that the GoSL was hell-bent to get rid of the LTTE once and for all without getting obstructed by minor economic loss<sup>303</sup>.

### 7.3.3 Humanitarian and developmental aspect

The EU is Sri Lanka's largest contributor of humanitarian aid, having donated around €150 million since 1994<sup>304</sup>. Out of this total, a big chunk of €42 million was provided for the victims of 2004 tsunami<sup>305</sup>. During the four years from 2006-09, the study period of this chapter, EU's DG ECHO provided a total €60 million for relief against impacts of civil war and natural disasters<sup>306</sup>. The money was given to the UN bodies and international NGOs like the International Committee of the Red Cross and *Action contre*

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<sup>295</sup> Council of the European Union, "Council conclusions on Sri Lanka: 2942<sup>nd</sup> General Affairs Council meeting", Brussels, 18 May 2009 and Council of the European Union, "Council conclusions on Sri Lanka: 2971<sup>st</sup> External Relations Council meeting", Luxembourg, 27 October 2009.

<sup>296</sup> K. Smith, "The European Union at the Human Rights Council: speaking with one voice but having little influence", *Journal of European Public Policy*, vol. 17, no. 2, 2010, p. 234.

<sup>297</sup> European Commission (DG Trade), "Countries: Sri Lanka", last accessed on 12 July 2012.

<sup>298</sup> European Commission, "European Commission accelerates preferential trade measures to benefit tsunami-hit countries", IP/05/160, Brussels, 10 February 2005.

<sup>299</sup> European Commission (DG Trade), "EU temporarily withdraws GSP+ trade benefits from Sri Lanka", last accessed on 12 July 2012.

<sup>300</sup> European Commission, "Commission statement on Sri Lanka GSP+ report", Brussels, 19 October 2009 and European Commission (DG Trade), "Sri Lanka: EU Bilateral Trade and Trade with the World", Brussels, 17 March 2011.

<sup>301</sup> European Commission (DG Trade), *Countries: Sri Lanka*, *op. cit.*

<sup>302</sup> European Union, "EU regrets silence of Sri Lanka regarding preferential import regime", Brussels, 5 July 2010.

<sup>303</sup> C. L. Hogg, "Sri Lanka: Prospects for Reform and Reconciliation", Asia Programme Paper ASP PP 2011/06, *Chatham House*, London, 2011, p. 10.

<sup>304</sup> European Commission (DG ECHO), "Sri Lanka", last accessed on 12 July 2012.

<sup>305</sup> *Ibid.*

However, total sum given should be around €105 million as more money was donated later in the year 2006 for the reconstruction phase after the oceanic disaster struck at the end of year 2004; see: Delegation of the EU to Sri Lanka and the Maldives, "Post Tsunami Assistance", last accessed on 12 July 2012.

<sup>306</sup> European Commission (DG ECHO), *Annual Report 2009*, Brussels, 2010, p. 99.



*la faim* working to provide emergency relief and protection along with shelter, food, water and sanitation to the persons wounded, sick and over half-a-million internally displaced<sup>307</sup>. Money was donated also for 30, 000 war refugees who took shelter in the south Indian province of Tamil Nadu, the native land of Tamil people<sup>308</sup>. All this was help provided surmounting considerable interventions and restrictions by the GoSL<sup>309</sup>. However, as in the case of democracy promotion, humanitarian assistance play no direct role for conflict management but it certainly brings much needed support to the civilians who suffer immensely in case of any conflict including the being discussed presently.

In terms of developmental aid, though not the biggest donor, over the years the EU has provided above €388 million<sup>310</sup>. In the last decade the focus has been on conflict affected areas of north and east Sri Lanka with a sum of €36 million coming in 2009 through the Development Cooperation Instrument<sup>311</sup>. Moreover, during 2006-2009, the EU released money through its other schemes like Instrument for Stability (€8.15 million), Assistance for Uprooted People (€22 million) and EIDHR (€0.375 million)<sup>312</sup>. Since the development cooperation is more suitable for long-term resolution of conflict than immediate cessation, it will not be wrong to conclude that all this aid may not have had impact any different than those through the humanitarian assistance. Moreover and strangely enough, EU's developmental cooperation with Sri Lanka though based on respect for democratic principles and human rights do not have a suspension clause in case of their violation<sup>313</sup>. So the EU could not have used the stick of stopping the development aid.

## 7.4 Intervention and impact of other international actors

### 7.4.1 China

China played less known but one of the most significant roles in the Ealam War IV. To secure strategic and economic interests along with its long-held position of non-interference in internal affairs of other states, China provided military, economic and diplomatic support, which single-handedly tilted the balance in favour of the GoSL leading to military end of the conflict instead of its peaceful resolution<sup>314</sup>. Beijing gave military equipment like anti-aircraft guns, air surveillance radars and fighter jets among others, which played a central role in the Sri Lankan military vanquishing the rebel forces<sup>315</sup>. Not only this, China is said to have equally brought Pakistan on board, which increased its annual military assistance to Colombo up to 100 million USD along with training Sri Lankan air force in precision guided attacks and providing Chinese made small arms<sup>316</sup>. China also increased its aid by five fold since 2005 to reach over a billion, as it was 1.2 billion USD in 2009, and emerging as latter's largest donor with

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<sup>307</sup> European Commission (DG ECHO), "Accompanying document to the Annual Report 2006 from the Commission", SEC (2007), 1227, Brussels, 2007, pp. 43-44 and European Commission (DG ECHO), *Annual Report 2009, op. cit.*, p. 65.

<sup>308</sup> European Commission (DG ECHO), *Annual Report 2007*, Brussels, 2008, p. 78.

<sup>309</sup> *Ibid.* and European Commission (DG ECHO), *Annual Report 2009, op. cit.*, pp. 82-83 and European Commission (DG ECHO), *Annual Report 2007, op. cit.*, p. 78 and European Commission (DG ECHO), *Accompanying document to the Annual Report 2006 from the Commission, op. cit.*, p. 43.

<sup>310</sup> Delegation of the EU to Sri Lanka and the Maldives, "Development Co-operation", last accessed on 12 July 2012.

<sup>311</sup> *Ibid.*, and European Commission (DG ECHO), *Annual Report 2009, op. cit.*, p. 66

<sup>312</sup> European Commission, *Country Strategy Paper: Sri Lanka, 2007-2013, op. cit.*, p. 31

<sup>313</sup> "Annex 8: Thematic evaluation of the European Commission support to respect of Human Rights and Fundamental Freedoms (including solidarity with victims of repression)", *Consortium PARTICIP-ADE-DIE-DRN-ECDFM-ODI*, Brussels, 2011, p. 33.

<sup>314</sup> One of the main reasons for all the Chinese help to Sri Lanka is latter crucial location at centre of the Indian Ocean through where 62% of China's global trade and 90% of its imported energy pass through. To secure this passage of its goods and oil, China is building a 'String of Pearls' from Sittwe (Myanmar) to Gwadar (Pakistan) through Chittagong (Bangladesh) and Hambanota (Sri Lanka). Hambanota port which has started functioning since 2010 is not far from US naval base in Diego Garcia. See: R. Kaplan, *Monsoon: The Indian Ocean and the Future of American Power*, New York, Random House, 2010, p. 7.

<sup>315</sup> B. Chellaney, "China fuels Sri Lankan War", *The Japan Times Online*, 04 March 2009, last accessed on 16 July 2012 and S. Agrawal et al., "International Dimensions of the Sri Lankan Conflict", *Centre for Peace and Conflict Studies, University of St. Andrews*, St. Andrews (the UK), 2011, pp. 12-13.

<sup>316</sup> Chellaney, *op. cit.*

54% of total foreign money in the country<sup>317</sup>. Similarly, the economic exchange between the two countries increased from 256 million USD in 2000 to 1.1 billion USD in 2008<sup>318</sup>. Moreover and importantly, the Chinese along with Russia repeatedly shielded the Rajapaksa regime from being held accountable internationally for its war crimes. Warding off the condemnation of the GoSL in the UN Human Rights Council in Geneva on 26 April 2009, China, along with Russia, Pakistan and even India among others, got passed a resolution congratulating Sri Lanka for defeating “terrorism”<sup>319</sup>! Likewise, till and in the very end of the war, China almost managed that the grave human rights situation and violations was not even discussed in the Security Council; if discussed, there was no resolution, so that the Council could issue just a statement of concern<sup>320</sup>. So not surprisingly, when the war finally got over in mid-2009, a general of the Chinese army is said to have “expressed his satisfaction with the Sri Lankan Government’s military defeat of the LTTE”<sup>321</sup>.

#### 7.4.2 India and the United States

India and the US, the two other actors who mattered in the conflict because of their strategic interests in Sri Lanka and the Indian Ocean and their commitment to human rights were negatively affected – like the EU – due to the role played by China<sup>322</sup>. Trying to balance their interests with their commitment, India and the US did not do much to stop the war and restore peace. In fact, it can be said that they tacitly supported the GoSL committing crimes in the name of fighting terror<sup>323</sup>. Even though India declined to provide offensive weapons to Sri Lanka, it did provide defensive military equipment and logistical support, which proved essential for the Sri Lankan state’s victory over the LTTE<sup>324</sup>. By late 2008 when the war was in full swing, the Indian government had decided on a three-pronged strategy. First, to provide diplomatic and logistical support to the GoSL, second, to modestly pressurise the Sri Lankan government to minimise the collateral damage and third, to urge Colombo to give autonomy to the Tamil minorities in north and east of the county for peaceful resolution of the conflict<sup>325</sup>. The US had more or less similar strategy. It stopped its military aid to the country in 2008 due to Sri Lanka’s deteriorating human rights record<sup>326</sup>. However, the US gave confusing signals and statements supporting the GoSL in its supposed ‘war against terrorism’ and speaking against the violations of human rights at the same time without doing enough to stop the fighting<sup>327</sup>. The fear of losing Sri Lanka to China played a negative role in the intervention by the US and India leading to a reduction of efforts to halt the conflict<sup>328</sup>.

### 7.5 Conclusion

In the preceding sections of this chapter, there was a discussion on the conflict between the LTTE and the GoSL, intervention and impact of the EU, China, India and the US for its management and cessation of violence. As discussed in the section 7.3 and 7.4 and the fact that the conflict ended with the vengeful elimination of the LTTE, it is amply clear that it was not managed well neither by the EU nor by other

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<sup>317</sup> Kaplan, *op. cit.*, p. 195 and T. Wheeler, “China and conflict-affected states, Sri Lanka: Between principle and pragmatism”, *Saferworld*, London, 2012, p. 12.

<sup>318</sup> N. Samaranayake, “Are Sri Lanka’s relations with China deepening? An analysis of economic, military and diplomatic data”, *Asian Security*, vol. 7, issue 2, 2011, p. 124.

<sup>319</sup> R. Hariharan, “Sri Lanka After the War – Part II”, *South Asia Analysis Group*, 5 June 2009, last accessed on 16 July 2012.

<sup>320</sup> D. Blair, “Sri Lanka analysis: China emerges as key player in victory over Tamil Tigers”, *The Telegraph*, 18 May 2009, last accessed on 16 July 2012.

<sup>321</sup> As quoted in Wheeler, *op. cit.*, p. 20.

<sup>322</sup> According to an observer of Sri Lanka, while China “put the GoSL in a very strong negotiating position vis-à-vis the West, what was more important was that it also forced India to be less confrontational and interventionist. It can’t meddle as much now”; as cited in Wheeler, *op. cit.*, p. 30.

<sup>323</sup> “India and Sri Lanka After the LTTE”, Asia Report No. 206, *International Crisis Group*, Brussels, 2011, p. 6.

<sup>324</sup> S. Destradi, “India and Civil War in Sri Lanka: On the Failures of Regional Conflict Management in South Asia”, *German Institute of Global and Areas Studies*, Hamburg, 2010, p. 13.

<sup>325</sup> International Crisis Group, *India and Sri Lanka After the LTTE*, *op. cit.*, p. 5.

<sup>326</sup> Wheeler, *op. cit.*, pp. 7-8.

<sup>327</sup> *Ibid.*

<sup>328</sup> Committee on Foreign Relations (US Senate), “Sri Lanka: Recharting US Strategy After the War”, Washington, 2009, p. 13.



actors who wanted a peaceful resolution of the conflict. So the answer to the question posed in the beginning of the chapter, did the EU act as a 'force for good' in the Sri Lankan conflict, is not positive. Here, there will be an exploration of the reasons for EU's failure. The explanatory factors are many like the character of the two warring parties, weakness of the EU in the region and its failure to coordinate its actions well enough with other like-minded actors like India and the US, and the pivotal role played by China.

The basic reason for the military end of the conflict was the pig-headed nature of the LTTE and the GoSL led by Prabhakaran and Rajapaksa. It is important to note that the LTTE was primarily a ruthless military band that couldn't really evolve into a genuine political organisation like the Palestinian Liberation Organisation or Irish Republican Army. Prabhakaran was said to be "more at ease fighting in the battlefield than sitting around a negotiating table"<sup>329</sup>. He was adamant for a separate Tamil state. Similarly, Rajapaksa coming to power in November 2005 was not very enthusiastic towards peaceful political solution based on federalism initiated by his predecessor<sup>330</sup>. So in effect, in spite of the ceasefire and talks on, both the parties the LTTE and the GoSL had retained an appetite for military solution to the conflict<sup>331</sup>. Once the peace process derailed in 2006, there was no stopping of the war machines before 19 May 2009.

Secondly, despite being one of the Co-Chairs of the Tokyo Donor Conference, the EU was not very involved in the international peace process for Sri Lanka, which was led mainly by Norway since the beginning. This can be attributed to the fact that the EU neither has any strategic presence in Sri Lanka or in the Indian Ocean region nor it had any need of milieu-shaping as the location of conflict was too faraway from Europe so the chances of conflict spilling in its territory was almost negligible<sup>332</sup>. Thus there was a petering out of all EU's attempts for management of the conflict. Furthermore, lack of coordination with other like-minded actors did not help either<sup>333</sup>. While India behaved as 'once bitten twice shy' thanks to its devastating direct intervention of 1987 apart from genuine dislike of the LTTE by the ruling dispensation at New Delhi. On the other hand, the US sent contradictory signals by speaking against the violations of human rights and supporting Sri Lanka in its own 'war on terror' at the same time. In fact, a report rightly observed that much of the international community turned a blind eye to the continuous violations of the human rights by issuing just statements of condemnations and restraints but without doing enough to actually stop it<sup>334</sup>.

Last but not the least, the arrival of China in the conflict led to a geopolitical situation whereby India, Japan, the US and the EU who could have positively impacted on the conflict did not do so lest that Sri Lanka led by an already anti-Western Rajapaksa will jump over completely to the Chinese lap<sup>335</sup>. The hapless position of the West including the EU can be understood by a US report which states, "the United States cannot afford to "lose" Sri Lanka [to China]"<sup>336</sup>. The no-strings attached help from new friends of Sri Lanka especially China helped it ignore the demands of the countries in the West including the European Union<sup>337</sup>. The point that the GoSL was just not willing to listen to West anymore can be gauged by the fact that when a delegation led by David Miliband and Bernard Kouchner went to Sri Lanka at the very end of the conflict and asked for ceasefire, Rajapaksa curtly said, "We don't need lectures from Western representatives"<sup>338</sup>.

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<sup>329</sup> A. Lawson, "The Enigma of Prabhakaran", *BBC*, 18 May 2009, last accessed on 16 July 2012.

<sup>330</sup> S. Sengupta, "A Hawk Narrowly Wins Sri Lanka Elections", *The New York Times*, 19 November 2009, last accessed on 16 July 2012.

<sup>331</sup> C. Smith, "The Ealam endgame", *International Affairs* vol. 83, no. 1, 2007, p. 83.

<sup>332</sup> However, there is always a chance of war refugees flooding the calmer and stable place like the EU. But in this case, people fleeing from the conflict-afflicted Sri Lanka got distributed to many countries like India, US, Canada and Australia.

<sup>333</sup> Castillejo, *op. cit.*, p. 4 and A. Cacicedo, "Sri Lanka: What role for the EU?", ISS Opinion, *European Institute for Security Studies*, 2009, p. 2.

<sup>334</sup> International Crisis Group, *War Crimes in Sri Lanka*, *op. cit.*, p. ii.

<sup>335</sup> Cacicedo, *op. cit.*, p. 2 and M. Rajapaksa, (2005), "*Mahinda Chintana: Towards a New Sri Lanka*", Election Manifesto of Mahinda Rajapaksa, Colombo, 2005, pp. 30-36.

<sup>336</sup> Committee on Foreign Relations (US Senate), *op. cit.*, p. 3.

<sup>337</sup> Wheeler, *op. cit.*, p. 26.

<sup>338</sup> As cited in Wheeler, *op. cit.*, p. 6.

Therefore, to conclude it can be said that it was China, which was the real external force in the Sri Lankan conflict. Whereas, the fact that the EU even along with the US, Norway, Japan and India failed to mediate politically and stop the violence – far from employing its civilian and military units to reinforce the peace – rendered it as just an actor among many though for good as was clear by numerous good-willing statements and declarations it issued throughout the conflict.

## 8. Conclusion and explanation

### 8.1 Conclusion: the EU is not a global ‘force for good’

The EU and its leaders have on many occasions expressed their desire to be a ‘force for good’. For example, the 2003 European Security Strategy says, “[a]cting together, *the European Union and the United States can be a formidable force for good in the world*”<sup>339</sup> [emphasis added]. Similarly, former HR for CFSP Solana once speaking on the international role of the EU said, “[t]he rationale is double: to advance our interest and protect our citizens. But also, *I insist, to have Europe act as a force for good in the world*”<sup>340</sup> [emphasis added]. However, above in the last four chapters it has been shown that the desires of the Union and its leaders were unmet. Despite all the policy, strategies and instruments in place, the EU could not act as a ‘force for good’ in South Asia when it came to promote democracy in Nepal and Pakistan and stop the violence in India and Sri Lanka. The normative and civilian powers of the EU either failed or were largely ineffective.

In Nepal, the EU lacked sufficient economic and political power to effectuate its policy for democracy promotion apart from due to though good intentioned but misplaced priority for conflict mitigation over democracy. India was the external actor with strength, which was most decisive for eventual democratisation of Nepal in 2008. Whereas in Pakistan, the EU had considerable strength thanks to it being Pakistan’s biggest export market. However, excluding the first two years before the ‘9/11’, the EU guided by America put the promotion of democracy on the backburner for the fight against terrorism. As for the management of conflict, though the 2002 Gujarat ethnic violence was relatively minor and for short duration, the EU due to its growing economic interests and strategic closeness did not do more than some feeble noises of protests<sup>341</sup>. Whereas in Sri Lanka, in spite of devastating consequences of war, the EU could not do enough to stop the violence. This was partially due to the character of the warring parties but also due to absence of EU’s presence and interest in the country and the region, collective failure of like-minded actors to coordinate among themselves along with the deplorable but decisive role played by China.

Therefore the logical question arises why the EU did/could not do enough either to promote democracy or to halt the conflicts? Why did it fail as a ‘force for good’? There were a number of reasons for EU’s failure. They were different and many in four cases studied. But if these reasons are to be put in two words then these are inconsistency and ineffectiveness. Inconsistency in case Pakistan and India and ineffectiveness in case of Nepal and Sri Lanka. In Pakistan, political dialogues were used more for fight against terrorism than promotion of democracy. Instead of economic sanctions and pressures, Pakistan was rewarded for its support to the GWOT. Humanitarian and developmental assistance was ample but little for democracy. Similarly, in case of India, diplomatic and political actions were reduced to mere issuance of a *démarche*, preparation of a report on the violence by member-states embassies and passage of a timid resolution in the European Parliament. No economic sanction was imposed or even attempted. Aid came to provide food and shelter to victims but later as relief so of little use to save life.

If EU’s means of power were not applied sufficiently in Pakistan and India to promote democracy and stop the violence, these were too weak when applied to bring change either alone on their own (democratisation in Nepal) or even collectively with other like-minded actors (cessation of violence in Sri Lanka). With Nepal the EU was not having very intense political relations. A Joint Commission which

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<sup>339</sup> European Union, *A Secure Europe in a Better World: European Security Strategy*, *op. cit.*, p. 13.

<sup>340</sup> European Union (Speech by EU’s HR for CFSP Javier Solana), “Europe’s International Role”, Bratislava, 2005. Likewise expressing his views to combat negative effects of globalisation, the ex-HR wrote, “the peaceful unification of our continent has been our great achievement, and now our main challenge is to act as a credible force for good”<sup>340</sup> [emphasis added]; see: J. Solana, “Countering globalisation’s dark side”, *Europe’s World*, Autumn 2007, last accessed on 30 July 2012.

<sup>341</sup> The 2003 European Security Strategy, *A Secure Europe in a Better World*, first identified India as one of the strategic partner – note that it was immediately one year after the Gujarat state-abetted violence against Muslim minority – later declared so in 2004; see: European Union, *A Secure Europe in a Better World: European Security Strategy*, *op. cit.*, p. 14 and Delegation of the European Union to India, *Strategic Partnership*, *op. cit.*

met only once in two years discussed the whole range of issues with democracy being one of them<sup>342</sup>. Numerous statements and declarations were released but of little use. Dispatch of political delegation and high-level functionaries, which could have had more impact, was only one even though the crisis existed for at least four years before it, and that too meant mainly for conflict mitigation efforts<sup>343</sup>. Regarding the economic leverage, it was small and thus avoidable, as the EU was market for a modest 13% of Nepalese goods. Humanitarian and development aid were sent but the focus was more on conflict mitigation than direct promotion of democracy. In case of Sri Lanka, the EU may have been instrumental for the 2002 ceasefire and relative peace for few years as it was one of the Co-Chair of the Tokyo Donors Conference which was important for truce and its monitoring through the SLMM. However, the SLMM wound up when fierce fighting restarted in 2008. EU's statements and declarations abundant in number condemned the violence, asked for truce and peace but all in vain. Two political delegations were sent but had little impact. Very importantly, EU's ban on the LTTE as a terrorist organisation tilted the moral argument in favour of the GoSL and negatively impacted the management efforts. On the economic front, the suspension of GSP+ provision for Sri Lanka was little and late. While the humanitarian and developmental aid were considerable but unable to halt the conflict as these generally come later as relief and for rehabilitation.

However, a bigger reason can be skimmed from all the reasons discussed above, in the conclusions and during the main section of chapter describing and analysing EU's role, intervention and impact. The single biggest reason for EU's failure was rather the weakness of the EU as a force in South Asia. As was demonstrated through discussions on the role, intervention and impact of other international actors, it was always them who mattered the most or at least more than the EU, positively or negatively (see section 4.4, 5.4, 6.4 and 7.4). In case of Nepal though having similar position it was India, which was the decisive power for democratisation. In Pakistan, as always it was the US, which was the most influential while the EU was subjected to the role of a mere junior partner. In the case of ethnic conflict in India, though the EU and the US had almost the same level of intervention but still the latter had more impact because of it being more present and powerful in India. Finally in Sri Lanka, the role played by China not only marginalised the EU but even much influential India and America.

Therefore, it may not be wrong to conclude that the EU failed not as a 'force for good' but rather it failed as a force. It wanted to do good but could not do so especially in Nepal and Sri Lanka. In Pakistan and India, the EU did not use its power mainly for security and commercial reasons. However, even these two cases of EU's failure as a 'force for good' and not as a force itself need to be looked carefully. In Pakistan, EU steered by the US concentrated on the fight against terrorism at the expense of democracy. However, was/is the EU having enough courage and power to antagonise the world's only superpower, which is also the guarantor of its member-states security? This is a question to look into. But even when the EU did try to promote democracy in the first two years before the '9/11', did it succeed? No, the result was largely negative. And had the EU continued with the same, could it have succeeded? One cannot say. May be Musharraf could have circumvented the sanctions and survived the isolation as was done by Rajapaksa. The moot point is that in Pakistan the EU did not act independently. It was reduced to just a junior ally of the US due to its many structural weaknesses. In case of Gujarat violence too, the EU did not act sufficiently. But was the EU having enough will and strength to stand up against an emerging power? This is another question to look into. Whereas in two cases of Nepal and Sri Lanka, the weakness of the EU was evident. In Nepal, alone it would have failed to effectively promote democracy. It was India, which was most influential external actor for eventual democratisation. In Sri Lanka, the EU failed collectively with the US, India and the whole international community to halt the violence. It was China whose actions, though reprehensible, were decisive.

Therefore the bigger argument of this chapter and the larger result of the thesis is that the EU did not act as a 'force for good' not because it was inconsistent pursuing only its strategic and commercial interests (which is partly true) but because it was not an independent and credible force in the

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<sup>342</sup> See: Delegation of the European Union to Nepal, *Political and economic relations, op. cit.*; Delegation of the European Union to Nepal, *EC-Nepal Cooperation Agreement, op. cit.*; Delegation of the European Union to Pakistan, *Political and Economic Relations, op. cit.* and Delegation of the European Union to Pakistan, *Chronology of Bilateral Relations, op. cit.*

<sup>343</sup> Council of the European Union, *Nepal: Visit by EU Troika of regional Directors, Kathmandu, 13-15 December 2004, op. cit.*

subcontinent as even when it applied its means of power, these were ineffective. If the result was positive it was either due to internal factors<sup>344</sup> (Pakistan and even Nepal) or because of decisive role played by other external actors like India in case of democratisation of Nepal. If the result were negative, then it was either due to the overall weakness of the EU to act effectively or just lack of enough power to produce the positive result (Sri Lanka).

## 8.2 Explanation: because the EU is not a force in South Asia

What is a global force or power? It is an international actor, which has an ambition for and a strategy on the global scale<sup>345</sup>. Moreover, this international actor should have substantial means of power to effectuate its ambition and strategy<sup>346</sup>. Is the EU having them all? The apparent answer is, 'Yes', the EU has all it takes to be a global power.

### 8.2.1 EU's ambition, strategy and means of power: a cursory look

A decade ago, the former President of the European Commission Romano Prodi addressing the European Parliament said, “[a]re we clear that we want to build something that can aspire to be a world power? *In other words, not just a trading bloc but a political force, a power*”<sup>347</sup> [emphasis added]. Similarly, the EU has produced a much debated security strategy, *A Secure Europe in a Better World*, in 2003, and a report on its implementation in 2008<sup>348</sup>. As for means of power, it possesses a kind of normative power thanks to its normative ethics and hybrid polity and has substantial means of civilian power. It is the world's biggest provider of humanitarian aid (more than 50%) and development assistance (along with the member-states the EU provides more than half of the total official development aid)<sup>349</sup>. It is a single market and the biggest economy of the world at 18.54 trillion USD and 19.53% of the world GDP ahead of America at 15.49 trillion USD and 18.70% of the global output<sup>350</sup>. At €2.85 trillion and almost 1/5<sup>th</sup> of the annual global commerce, the EU is the biggest trader of the world ahead of the US and China<sup>351</sup>. The EU exerts its civilian power through conditionality clause for democracy and human rights in the development and trade relations, and especially the preferential ones like GSP/GSP+ and the Cotonou Agreement with African, Caribbean and Pacific countries. In terms of military power, the EU through the CSDP can since 2003 supposedly deploy up to 60, 000 troops along with 100 ships and 400 aircrafts within a notice of two months and to be sustainable up to one year to carry out “joint disarmament operations, humanitarian and rescue tasks, military advice and assistance tasks, conflict prevention and peace-keeping tasks, tasks of combat forces undertaken for crisis management, including peacekeeping and post-conflict stabilisation”, the so-called Petersberg Tasks<sup>352</sup>. Apart from these figures and data, if one is too believe scholars and pundits like Jeremy Rifkin, John McCormick and Mark Leonard then the

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<sup>344</sup> However, this point has not been discussed due to lack of space and it being out of scope of the original objective of the thesis.

<sup>345</sup> H. Maull, “Europe and the New Balance of Global Order”, *International Affairs*, vol. 81, no. 4, 2005, pp. 781.

<sup>346</sup> *Ibid.*

<sup>347</sup> As cited in A. Toje, “The European Union as a Small Power”, *Journal of Common Market Studies*, vol. 49, no. 1, 2011, p. 48.

Likewise, former President of France and that of 2002 Europe's Constitutional Convention Valéry Giscard d'Estaing had stated that "If we succeed, in 25 or 50 years Europe's role in the world will have changed. It will be respected and listened to, *not only as the economic power it already is, but as a political power which will talk on equal terms to the greatest powers on our planet*"<sup>347</sup> [emphasis added]; see Toje, *op. cit.*

<sup>348</sup> European Union, *A Secure Europe in a Better World: European Security Strategy*, *op. cit.* and European Union, “Report on the Implementation of the European Security Strategy: Providing Security in a Changing World”, Brussels, S407/08, 11 December 2008.

<sup>349</sup> European Commission (DG ECHO), “About ECHO”, last accessed on 7 August 2012 and “ODA by Recipient”, *Organisation for Economic Co-operation and Development (OECD)*, Paris, last accessed on 7 August 2012.

<sup>350</sup> “World Economic Outlook Database, September 2011”, *International Monetary Fund*, Washington, 2011.

<sup>351</sup> European Commission (DG EuroStat), “International trade in goods”, last accessed on 8 August 2012.

<sup>352</sup> A. Deighton, “The European Security and Defence Policy”, *Journal of Common Market Studies*, vol. 40, no.4, 2002, pp. 719-720.

European Vision is eclipsing the American Dream, the American power is in decline to be taken over by the European superpower and thus Europe will run the 21<sup>st</sup> century<sup>353</sup>.

### 8.2.2 EU's ambition, strategy and means of power: a closer look

#### 8.2.2.1 Ambition

However, a closer look at all that has been stated above actually reveals a different story. To start with the ambition of becoming a global power, it is not only limited to Prodi and Solana or the 2003 security strategy. Now and then, one can find some or other EU leaders making similar statements, or similar grand aim can be observed in many policy documents and declarations. But at best, these are just aspirations. Or at worst, more of rhetoric than ambition. These aspirations and rhetoric actually creates great demand for the EU as an international force to do and promote good<sup>354</sup>. And many a times this demand or popularity is mistaken as power<sup>355</sup> and then what follows is 'big hope - little result' phenomenon, if the famous concept of 'Capability-Expectations Gap' can be put differently<sup>356</sup>. Or to put it in yet another words, it is like speaking loudly, carrying small carrot and an all the more smaller stick contrary to what Robert Cooper would suggest, "speak softly and carry a big carrot"<sup>357</sup> and a stick too<sup>358</sup>.

#### 8.2.2.2 Strategy

How about the *A Secure Europe in a Better World*, the European security strategy of 2003? It is good that the EU has it. But was it meant to make the EU a real and powerful security actor? A Norwegian scholar, Asle Toje, believes otherwise. He says the European Security Strategy (ESS) was meant to mend EU's relations with the US, bridge the rift among the EU member-states and to give them an agreed platform for meaningful policies to be formulated in the future<sup>359</sup>. These objectives of the ESS were actually the crises faced by Europe after the US's unilateral invasion of Iraq in 2003<sup>360</sup>.

However, the ESS tells a lot about the nature of the EU as a security player. It asks the EU to become more active, more capable and more coherent to deal with terrorism, proliferation of the WMD, regional conflicts, state failure and organised crime through effective multilateralism. The nature of threats identified – terrorism, proliferation of the WMD, regional conflicts, state failure and organised crime instead of a country or a group of them – and the way to deal them – effective multilateralism i.e. under international law and through consensus and permission from the foremost international organisation the UN instead of unilateral actions – makes the EU appear like a moral and ethical actor, a 'force for good'. However, the irony is that the divided nature of international politics and UN Security Council actually many times blocks the consensus and denies permission for actions planned and needed even for altruistic reasons, for example, cessation of intra-state violence and saving of life even through coercive diplomacy while use of military being faraway option. Russian and Chinese opposition to interventions in Syria last year or during the 2004 genocide in Darfur are recent and prominent examples. Moreover, if unilateral action by an international actor like the US invasion of Iraq (2003) makes it unfit to be deemed as a 'force for good', then no action by other international actor especially in cases of war crimes, crime against humanity and genocides under the pretext of absence of consensus at and denial of permission

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<sup>353</sup> J. Rifkin, *The European Dream: How Europe's Vision of the Future is Quietly Eclipsing the American Dream*, Cambridge, Polity, 2004, pp. 1-434; J. McCormick, *The European Superpower*, Basingstoke, Palgrave Macmillan, 2007, pp. 1-212 and M. Leonard, *Why Europe Will Run the 21<sup>st</sup> Century*, New York, PublicAffairs, 2005, pp. 1-170.

<sup>354</sup> I. Krastev and M. Leonard, "New World Order: The Balance of Soft Power and the Rise of Herbivorous Powers", Policy Brief, *European Council on Foreign Relations*, London, 24 October 2007, p. 2.

<sup>355</sup> *Ibid.*, p. 4.

<sup>356</sup> C. Hill, "The Capability-Expectations Gap, or Conceptualizing Europe's External Role", *Journal of Common Market Studies*, vol. 31, no. 3, 1993, p. 317 and p. 306.

<sup>357</sup> R. Cooper, "Speak Softly and Carry a Big Carrot", DNAK Security Brief 4-2004, *The Norwegian Atlantic Committee*, Oslo, 2004, pp. 1-4.

<sup>358</sup> Though in the above-mentioned brief *Speak Softly and Carry a Big Carrot* Cooper doesn't seem to be suggesting on the negativity of force. But as this review (M. Rustin, "Review of The Breaking of Nations: Order and Chaos in the Twenty-First Century by Robert Cooper", *The Political Quarterly*, vol. 75, issue 2, pp. 196-197) suggests, he does talk about the usefulness of military means in his book: R. Cooper, *The Breaking of Nations: Order and Chaos in the Twenty-First Century*, New York, Atlantic Monthly Press, 2003, pp. 1-180.

<sup>359</sup> A. Toje, "The 2003 European Union Security Strategy: A Critical Appraisal", *European Foreign Affairs Review*, vol. 10, issue 1, 2005, p. 120.

<sup>360</sup> *Ibid.*, p. 119.

from the UN Security Council is a sign of its weakness, either military or moral or both of them. Actually, the effective multilateralism of the EU can also be read as a euphemism for ‘masterly inactivity’<sup>361</sup> as the more and more multipolar world of today with actors having varied and even opposed ideology and interests makes it difficult to reach consensus for effective action<sup>362</sup>. However, related to this and very importantly, the ESS says, “[w]e [the EU] need to develop a strategic culture that fosters early, rapid, and when necessary, robust intervention”<sup>363</sup>. But the strategic ambiguity, which was observed in the year 2000 when EU’s military capabilities were first developed, has continued throughout till today<sup>364</sup>. There is profound disagreement regarding when, where and for what reasons the EU should use its armed forces<sup>365</sup>.

### 8.2.2.3 Means of power

#### 8.2.2.3.1 Normative power

After having looked at the ambition and strategy, it is imperative to analyse the means of power, which the EU have. To start with the much hailed normative powers of the EU, it is unclear how does the EU by just being “what it is” (a hybrid polity based on normative ethics) exerts its impact. It is difficult to objectively assess and conclude that the normative power of the EU indeed has an impact<sup>366</sup>. But even if the norms have some impact, say for democratisation, it cannot be attributed only to the EU. Because it is not only the EU but also the US – with all the controversies and contradictions – which promotes democracy and also by being “what it is”: first and oldest democracy of the world. Moreover, in case of Nepal and Pakistan, the normative impact for democratisation is least attributable to the EU by the fact of it being faraway so either unknown or “un-understood”. On the other hand, the normative influence of the US and India can be credited more convincingly. America by the virtue of being most powerful and most advanced country on the earth is better known than the EU and is a bigger point of reference and adoration thus a model for emulation including in Nepal and Pakistan<sup>367</sup>. Similarly thanks to the geographical proximity, the common past for most part of the history and emerging as an economic powerhouse despite or due to being a democracy, India in spite of all its problems may have had a bigger normative impact for democratisation than the EU. After all, one always compares and learns first from those who are close and connected.

It is often said that the bloody European history until the Second World War and subsequent peaceful, stable and prosperous Europe thanks to the integration is the best example and way for the prevention and resolution of conflict. European integration indeed has a certain normative lessons for rest of the world and no less South Asia. The European example and way of achieving peace and prosperity through creation of a hybrid polity at the supranational level, one of the components of EU’s normative difference and capability according to Manners, can be the most effective way for prevention and resolution of inter-state conflicts. However, as far as management of intra-state conflicts through immediate cessation of violence are concerned, the normative impact of the EU thanks to its hybrid polity can be said to have near negligible impact. In cases of mass murders and war crimes, what is needed is coercive political mediation and forceful military deterrence against violence and killing. The idea of the so-called normative ethics and hybrid polity cannot have any impact on themselves. And so, such was the case in case of two conflicts of India and Sri Lanka, which has been studied.

To conclude this section on a more theoretical note, it can be said that the so-called normative power of Europe is more of an identity-building exercise for the EU vis-a-vis others<sup>368</sup>. And if the EU had a

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<sup>361</sup> The term ‘masterly inactivity’ has been borrowed from Toje, *The 2003 European Union Security Strategy: A Critical Appraisal*, *op. cit.*, p. 132.

<sup>362</sup> *Ibid.*, p. 130.

<sup>363</sup> European Union, *A Secure Europe in a Better World: European Security Strategy*, *op. cit.*, p. 11.

<sup>364</sup> F. Heisbourg, “Europe’s Strategic Ambition: The Limits of Ambiguity”, *Survival*, vol. 42, no. 2, 2000, pp. 5-15; Toje, *The 2003 European Union Security Strategy: A Critical Appraisal*, *op. cit.*, 132 and A. Menon, “Empowering paradise? The ESDP at ten”, *International Affairs*, vol. 85, no. 2, 2009, p. 245.

<sup>365</sup> Toje, *The 2003 European Union Security Strategy: A Critical Appraisal*, *op. cit.*, 122.

<sup>366</sup> Sjursen, *op. cit.*, pp. 171-172.

<sup>367</sup> Though the polls have regularly shown that America is extremely disliked by the Pakistani people. But this is not due to the democratic character of America but because of the GWOT and its negative impact on Pakistan, and a larger sense of betrayal and even exploitation of Pakistan by the US.

<sup>368</sup> T. Diez, “Constructing the Self and Changing Others: Reconsidering ‘Normative Power Europe’”, *Millennium: Journal of International Studies*, vol. 33, no. 3, 2005, pp. 613-636.

normative impact, say for abolition of capital punishment as has been demonstrated by Manners, it is because the member-states knew that this ethical concern of secondary importance delegated to and promoted by the EU will not affect their security or commercial interests<sup>369</sup>. This cultivates a good image for the Europe as a whole. But when the second-order ethical values clash with security and commercial interests as was case in Pakistan and India respectively then the interests trump over values<sup>370</sup>. Or, when the net security and/or commercial gain or loss from the promotion of good is less than inaction, then inaction is preferred or little action is taken just for the sake of saying that steps have been taken and things were tried, as was case in Nepal and Sri Lanka.

#### 8.2.2.3.2 Civilian power

As for the civilian means of powers are concerned, the EU has ample of them. But these civilian instruments are mainly effective, if really, “to the East of the European Union and on the borders of the Mediterranean” where the EU wants “to promote a ring of well governed countries”<sup>371</sup>. In its neighbourhood, the EU has invested considerably. On the political front, there was a Euro-Mediterranean Partnership since 1995 later rechristened as Union for Mediterranean in 2008 comprising 27 EU member-states and 16 Mediterranean countries<sup>372</sup>. There is also a separate European political framework, European Neighbourhood Policy since 2004 for 16 countries in its near abroad along with an Eastern Partnership comprising the EU and six countries in the Eastern Europe and Southern Caucasus<sup>373</sup>. On the economic front, the EU has very close relations with all the countries in its neighbourhood through the free trade agreements and accounting from 1/5<sup>th</sup> to 1/2 of these countries total trade<sup>374</sup>. Through MEDA<sup>375</sup> (over €5 billion for MEDA II, 2000-2006) and ENPI<sup>376</sup> (€12 billion for 2007-2013), the EU has given up to €20 billion to these countries as development aid<sup>377</sup>. But in spite of all efforts and investments, there is still an authoritarian Lukashenko entrenched in power since over 15 years, an intractable Yanukovich who has popped up again, an al-Assad killing his own people, and without forgetting that Muammar Gaddafi, Hosni Mubarak and Zine El Abidine Ben Ali were all there till very recently.

It will be a repetition to talk about the ineffectiveness of EU’s civilian means of power in the faraway South Asia, which has been already discussed briefly above in the section 8.1 and extensively during the last four chapters (see section 4.3, 5.3, 6.3 and 7.3). But again, there are few points, which need to be made. First, the civilian powers or to put it more aptly the economic leverage of other countries especially the rising BRIC<sup>378</sup> can either add to or chomp away those of the EU<sup>379</sup>. In case of Nepal, the economic influence of India added to EU’s efforts while in the Sri Lankan case, massive economic assistance by China curtailed heavily EU’s economic leverage. In case of Pakistan and during period studied in the thesis (1999-2008), the total money allocated through the humanitarian and development cooperation and the benefit through preferential trade access by the EU was not more than €2 billion. While the US’s

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<sup>369</sup> Hyde-Price, *Normative power Europe: a realist critique*, *op. cit.*, pp. 222-223.

<sup>370</sup> Smith, *The Use of Political Conditionality in the EU’s Relations with Third Countries: How Effective?*, *op. cit.*, pp. 273-274.

<sup>371</sup> European Union, *A Secure Europe in a Better World: European Security Strategy*, *op. cit.*, p. 8.

<sup>372</sup> European External Action Service, “Euro-Mediterranean Partnership (EUROMED)”, last accessed on 9 August 2012.

<sup>373</sup> European Commission, “European Neighbourhood Policy”, last accessed on 9 August 2012 and European External Action Service, “Eastern Partnership”, last accessed on 9 August 2012.

<sup>374</sup> See European Commission (DG Trade), “Bilateral Relations: statistics”, last accessed on 9 August 2012.

<sup>375</sup> MEDA is the short name for the “the cooperation measures designed to help Mediterranean non-member countries reform their economic and social structures and mitigate the social and environmental consequences of economic development”; see: European Union. “MEDA Programme”, last accessed on 9 August 2012. The term MEDA is derived from the French version of 1996 Council Regulation (EC) No 1488/96 on “**m**esures **d**'accompagnement financières et techniques (Meda) à la réforme des structures économiques et sociales dans le cadre du partenariat euro-méditerranéen”; or in English it is “financial and technical measures to accompany (MEDA) the reform of economic and social structures in the framework of the Euro-Mediterranean partnership”.

<sup>376</sup> ENPI stands for European Neighbourhood Partnership Instrument. It is the financial instrument of the European Neighbourhood Policy.

<sup>377</sup> European Union, *MEDA Programme*, *op. cit.* and European Commission (DG DevCo), “European Neighbourhood and Partnership Instrument”, last accessed on 9 August 2012.

<sup>378</sup> BRIC stands for Brazil, Russia, India and China.

<sup>379</sup> L. van Langenhove, “The EU as a Global Actor in a Multipolar World and Multilateral 2.0 Environment”, Egmont Paper No.36, *Royal Institute for International Relations*, Brussels, 2010, pp. 6-7.



total financial transfers add up over 20 billion USD. The important point to be noted is that the EU is not the only international player with economic clout. There is already US there and there are many more coming up like the BRIC. To add more, while the economic weight of the emerging “Rest” is increasing, that of the West including the EU is decreasing. Therefore it will be interesting to see in the future, whether the EU can match the economic strength of other powers that may not have either the same values or the same interests.

#### 8.2.2.3.3 Military power

Last but not least, here is a dissection of EU’s military capability and over a score of its missions and operations either finished or going on. Since the beginning till very recently, EU’s acquisition of military power has been commented upon as effective only to “save cats from trees”<sup>380</sup>, “hypothetical” and “failure”<sup>381</sup> and “having achieved little result”<sup>382</sup>. Not only the EU has failed to meet the targets set at the Helsinki European Council in 1999 but in fact the Headline Goal 2010 decided five years later in 2004 has downgraded those ambitions<sup>383</sup>.

And not surprisingly, out of total 27 EU missions conducted or being carried on, only 7-8 of them were/are military operations (see Figure 2). The rest were/are police, border, rule of law, monitoring, security sector reform, assistance and planning missions. The military missions were/are generally limited in time and space, and have been mostly applied in the European neighbourhood<sup>384</sup> or in Africa to avoid “trespassing on the interest spheres of more powerful actors”<sup>385</sup>. Moreover, these have been “unambitious [*sic*] in scope”<sup>386</sup>. For example, in the operations in the Democratic Republic of Congo (Operation Artemis, 2003 and EUFOR RD Congo, 2006) the EU is working with the UN, and in those in the FYR of Macedonia<sup>387</sup> (Operation Concordia) and in Bosnia-Herzegovina (EUFOR ALTHEA) the EU came for post-conflict stabilisation after the hard work of conflict management was already done by the NATO<sup>388</sup>. In fact, none of the EU military missions have been for core intra-state conflict management intervening in the middle of the violence through military means. This is so because the EU is neither having the capability nor it had even any aspiration to do so as was made clear by Solana way back in 2003 during a debate on the ESS<sup>389</sup>. EU’s military capabilities are limited to pre-crisis and post-crisis management<sup>390</sup>. This in spite of the fact that except collective defence which is still the duty of the NATO under America, the Petersberg Tasks includes everything including ‘non-article 5’ operations, which may involve the high end of the spectrum of violence<sup>391</sup>.

#### 8.2.2.4 Divided we stand, united we fall

The demise of the USSR led Warsaw Pact and little responsibility for its own security has left Europe with a ‘surplus security’<sup>392</sup>. This ‘surplus security’ is flowing out through the EU in the form of CSDP. When the Europeans living in their ‘paradise’<sup>393</sup> see the images sent and videos streaming of killings and

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<sup>380</sup> Lord Jopling cited in Minutes, Select Committee, House of Lords, 20 May 2002, column 566 in cited in Toje, *The 2003 European Union Security Strategy: A Critical Appraisal*, *op. cit.*, p. 118.

<sup>381</sup> N. Witney, “Re-energising Europe’s Security and Defence Policy”, Policy Paper, *European Council on Foreign Relations*, London, 2008, p. 5.

<sup>382</sup> “European Military Capabilities: Building Armed Forces for Modern Operations”, Strategic Dossier, *The International Institute for Strategic Studies*, London, 2008, p. 29 and Menon, *op. cit.*, 244.

<sup>383</sup> Menon, *op. cit.*, p. 233.

<sup>384</sup> *Ibid.*, *op. cit.*, pp. 243-245.

<sup>385</sup> A. Toje, *The European Union as a Small Power: After the Post-Cold War*, New York, Palgrave Macmillan, 2010, p. 208 cited in Menon, *op. cit.*, p. 244.

<sup>386</sup> Menon, *op. cit.*, p. 230.

<sup>387</sup> FYR of Macedonia stands for Former Yugoslav Republic of Macedonia.

<sup>388</sup> E. Gross, “EU Crisis Management in the Western Balkans”, in S. Blockmans (ed.), *The European Union and Crisis Management: Policy and Legal Aspects*, The Hague, T.M.C. Asser Press, 2008, p. 316-317.

<sup>389</sup> Toje, *The 2003 European Union Security Strategy: A Critical Appraisal*, *op. cit.*, p. 128.

<sup>390</sup> *Ibid.*, p. 132.

<sup>391</sup> S. Biscop, “Able and Willing? Assessing the EU’s Capacity for Military Action”, *European Foreign Affairs Review*, vol. 9, issue 4, 2004, p. 509.

<sup>392</sup> The term and idea of ‘surplus security’ has been borrowed from Bailes, *op. cit.*, p. 116.

<sup>393</sup> The description of Europe as ‘paradise’ is borrowed from Kagan, *Of Paradise and Power: America and Europe in the New World Order*, *op. cit.*

carnages from the ‘pre-modern’<sup>394</sup> world, their basic human compassion ‘to do something about/against it’ is triggered<sup>395</sup>. And if the force of trigger is enough, it puts pressure even on the governments<sup>396</sup>. But what is ignored is that the ‘surplus security’ is not sufficient to stop the violence and massacres apart from the perils of rather getting sucked in.

However, this insufficiency of ‘surplus security’ is not due to its limited availability with Europe. As it was evident last year, motivated member-states like France and the UK including others can still do a Libya relatively easily without the boots on the ground. The same two have made unilateral intervention in Sierra Leone (the UK) and Ivory Coast (France) in the recent past<sup>397</sup>. Up to 25 EU member-states have contributed 33, 441 troops in NATO’s International Security Assistance Force in Afghanistan<sup>398</sup>. The ‘new Europe’<sup>399</sup> along with US’s ‘special partner’ the Great Britain contributed to the invasion of Iraq in 2003. Contributions by European countries were also made to NATO’s operation in Balkans (the FYR of Macedonia, Bosnia-Herzegovina and Kosovo) and the UN forces in Croatia and Lebanon<sup>400</sup>. Overall, in the last 10-15 years, the EU member-states have deployed over 50, 000 troops abroad<sup>401</sup>. Spending 18-20% of world’s total military expenditure (two times more than that of the BRIC taken together) and having 1.86 million best-equipped active personnel, Europe is indeed the “the world’s second military power” as Andrew Moravcsik claimed<sup>402</sup>.

The insufficiency of ‘surplus security’ is due to its limited availability with the CSDP and the EU thanks to their very design and in-built weaknesses. The intergovernmental nature of the CSDP combined with different and even diverging foreign, security and defence policy, interest, traditions, goals and outlooks of the member-states blocks consensus and decisive actions<sup>403</sup>. Even though the EU has purportedly overcome its ‘Capability-Expectations Gap’ of the 1990s<sup>404</sup>, it has got stuck in a ‘Consensus-Expectations Gap’<sup>405</sup>. This gaps in EU’s capabilities are actually due to the virtue of “what it is” i.e. a hybrid but also a divided polity. Lack of political unity and scattered sovereignty creates incoherence and tension between/among the EU and the member-states, and stops them to effectively project power and promote good<sup>406</sup>.

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<sup>394</sup> The term ‘pre-modern’ is again borrowed, this time from R. Cooper, *The post-modern state and the world order*, London, Demos, 2000. pp. 1-43.

<sup>395</sup> See “Security and the pre-modern world”, in Cooper, *The post-modern state and the world order*, *op. cit.*

<sup>396</sup> *Ibid.*

<sup>397</sup> Menon, *op. cit.*, p. 243.

<sup>398</sup> European External Action Service, “EU Engagement in Afghanistan”, AFFGG//009, Brussels, 14 November 2011.

<sup>399</sup> The term ‘new Europe’ is understood to mean the Central and Eastern European countries and it was used by the former Defence Secretary of the US, Donald Rumsfeld before the US’s invasion of Iraq. In fact, the term was meant more to single out France and Germany – who opposed the invasion. – as ‘old Europe’ and ‘problem’; see: “Outrage at ‘old Europe’ remark”, *BBC*, 23 January 2003, last accessed on 14 August 2012.

<sup>400</sup> Menon, *op. cit.*, p. 243.

<sup>401</sup> B. Giegerich and W. Wallace, “Not Such a Soft Power: the External Deployment of European Forces”, *Survival*, vol. 46, no. 2, 2004, p. 169 and European Military Capabilities: Building Armed Forces for Modern Operations”, Strategic Dossier, *The International Institute for Strategic Studies*, London, 2008, p. 13.

<sup>402</sup> A. Moravcsik, “Europe: The Quiet Superpower”, *French Politics*, vol. 7, no. 3/4, 2009, pp. 408-409.

<sup>403</sup> Toje, *The European Union as a Small Power*, *op. cit.*, p. 52.

<sup>404</sup> Even though the original author of the concept Christopher Hill was not very satisfied five later when he re-analysed EU’s capabilities and expectations in 1998; see: C. Hill, “Closing the capabilities-expectations gap?”, in J. Peterson and H. Sjursen (eds.), *A Common Foreign Policy for Europe? Competing visions of the CFSP*, London, Routledge, 1998, p. 29.

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<sup>406</sup> J. Howorth, “The EU as a Global Actor: Grand Strategy for a Global Grand Bargain?”, *Journal of Common Market Studies*, vol. 48, no. 3, 2010, pp. 457-458.

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## REST and OTHERS

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