

## *Chapter Ten*

# **Human Rights and Democracy Promotion: EU Blows on an Uncertain Trumpet**

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*For if the trumpet give an uncertain sound, who shall prepare himself to the battle?*

I Corinthians 14:8

In the decades since 1973 and the first enlargement of the European Community, as it was then called, and up until the financial crisis of 2008, Europeans approached neighbors, potential new members and others around the world with something to offer: the lessons of a successful, attractive, and often inspiring project. A project that seemed to achieve a triumphal advance at the beginning of the 21st century with the peaceful reunification a continent hitherto divided by war and ideological conflict. This had been achieved on the basis of common values: democracy, human rights and the rule of law.

The concept of democracy promotion as such was not, initially, the basis of a conscious policy. As the European project became more ambitious such policies have been put in place, European institutions have developed their own terminology reflecting a view that they should be assisting the development and stabilization of democracy.

Twenty years after the apparent triumphs of the EU, the establishment of a single currency and the enlargement of the Union, these basic values face unexpectedly strong challenges from both inside the Union and in its neighborhood.

In the second decade of the 21st century the European idea is facing a crisis of confidence. The institutions of the EU do not seem to inspire even their own citizens. Whatever internal challenges the EU now faces in terms of populist challenges to EU membership, immigration, terrorism and the economy, these challenges can only be confronted and

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1. The views expressed in this paper are strictly personal and do not necessarily reflect those of the European Parliament.

resolved through democracy. Elections and referenda will decide how the EU goes forward. It does, however, already seem clear that the profound nature of the current crisis risks undermining the power of attraction of the EU as well as its ability to influence its region and build on the huge achievements of the last 70 years.

### **1973–1989: Steady Progress Based on Common Values**

On October 17th, 1989, Commission President Jacques Delors addressed the students of the College of Europe in the following terms:

The European Community, and the peoples and nations that it encompasses, will exist truly only if it has the means to defend its values and to apply them for the benefit of all, in short, to be generous. Let us be powerful enough to command respect and to promote our values of freedom and solidarity. In a world such as ours, there can be no other way.<sup>2</sup>

The promotion of these values had already been a growing element in the emerging structure of European foreign policy cooperation even in the 1970s. Indeed, perhaps the most convincing argument for Europe to show greater confidence in these values is provided by a measured and objective re-examination of the historical consequences of the Helsinki process of the 1970s. This was a triumph of ‘soft power’ achieved almost by accident in a Europe divided and, with many countries, dominated by outside powers. The USA and the USSR both in their own ways were committed to an extremely ‘realistic view’ of how to achieve stability in Europe. At the time, Europe (the Community then had only nine member states) was, just as now, deeply affected by an international economic crisis and the Community was at the time tinkering with its own very weak diplomatic machinery for ‘European Political Cooperation.’

In spite of this very low profile, compared, say, with NATO, it emerged that

Human rights became part of the trans-European agenda only through the initiative of the European Community, which intro-

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2. [http://www.cvce.eu/obj/address\\_given\\_by\\_jacques\\_delors\\_bruges\\_17\\_october\\_1989-en-5bbb1452-92c7-474ba7cf-a2d281898295.html](http://www.cvce.eu/obj/address_given_by_jacques_delors_bruges_17_october_1989-en-5bbb1452-92c7-474ba7cf-a2d281898295.html).

duced its first as a topic for substantive East-West cooperation, and later as a principle of relations among European States.<sup>3</sup>

If it was possible for the EC to achieve so much in the decades after 1975, there is no reason to be quite so pessimistic as to the potential of the modern EU to build on its achievements and in doing so to play its full part in enhancing respect for universal human rights.

A normative agenda was, therefore, part of a specific European contribution to East-West relations advanced at a time when the U.S. administration (Nixon and Kissinger) had little faith at all in multilateral diplomacy and showed little sign of any commitment to interpreting the advancement of human rights in their foreign policy. The EC was not only interested, at a minimum, in improving contacts among Europeans, but was also looking for a distinct identity as a basis for developing its international role.

In the 1980s the accession of Greece, Spain and Portugal followed inevitably from their overthrowing of fascist dictatorships. This marked another historic achievement for Europeans and European values.

The structures and the situation today may be relatively new, but Europe's presumption as an international actor are, therefore, not quite so new. Since the original creation of 'European Political Cooperation' in the 1970s, it has, however, been 40 years—quite a long time to realize something fairly obvious: that a European foreign policy without a structure to implement it had little chance of success. With the establishment in 2009 of the European External Action Service,<sup>3</sup> the establishment of such a structure made a major step forward.

### **1990–2008: From Hubris to Uncertainty**

By the beginning of the 1990s, the EC had not only recognized the need for deeper political integration but had digested a re-united Germany and initiated a process which would eventually lead to a fuller 'big bang' enlargement of the Union in 2004. In 1995, Sweden, Austria and Finland had joined the EU, having understood that following the end of the Cold War European integration it could no longer be dismissed as a

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3. Daniel C. Thomas, *The Helsinki Effect - International Norms, Human Rights and the Demise of Communism*, (New Jersey: Princeton University Press, 2001), pp 54-54.

divisive process, but was in fact the basis for a wider, stable union of democratic countries.

At the beginning of the 1990s, the EU established a set of criteria on which future applicants for membership would be judged. The Copenhagen criteria laid down that even before beginning accession negotiations, applicants for membership would have to establish democracy and the rule of law, with full multi-party elections and freedom of expression. Earlier enlargements had, more or less, taken this for granted, but in Copenhagen the basic principle was codified clearly.

The European flag was brandished in the cities of East Germany in the revolutionary atmosphere after 1989 just as it would be brandished in Kiev in the second decade of the 21st century. The European idea had become quite literally an alternative, sometimes revolutionary and always inspiring motive for those in Europe seeing their countries as part of a family of peoples united by a set of basic values. From the Balkans to the Caucasus, the idea continues to attract and inspire movements and leaders seeking stability, peace and prosperity in their countries and regions.

The current situation is, therefore, quite different from that in pre-1989 Central and Eastern Europe, whose communist rulers regularly faced verbal and political attacks for failing to accept the universal values to which they had signed up in 1948 and again in 1975 in the Helsinki process. As an ECFR paper (Dennison and Dworkin) in 2011 put it:

The world that the EU confronts at the beginning of the 21st century is, in many ways, a more realist one than could have been anticipated 20 years ago. The shift of political and economic power away from the West has curtailed the scope for international action to alter the internal arrangements of individual countries.

Even so, whilst sophistication and flexibility are undoubtedly necessary, the EU should not, as the authors put it, “lose faith in the universal appeal of such fundamental values as the right of all individuals to be free from oppression and to live under a regime that governs through their consent.”<sup>4</sup>

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4. Towards an EU Human Rights Strategy for a Post-Western World, ECFR/42, September 2010, p. 12.

The value of the European integration project and the potential of the EU as a normative or soft or ethical power is already the subject of vast academic literature, which will no doubt be extended to analyse the impact of the new structures established in the last few years.

### **New Challenges: Economic Crisis and Upheaval in the Neighbourhood**

It should, however, not be overlooked that the structures now put in place and the context since the financial crisis of 2008 and the beginning of the Arab revolutions in 2011 are quite new.

Dworkin and Dennison, again, have neatly summarised the new situation:

European leaders who had become used to seeing stability and political reform in the Arab world as opposing principles have been forced to re-think their approach ... to be effective the EU must develop a strategy that takes full account of the inherent complications of supporting universal values in a region where Europe cannot act as an unchallenged standard bearer.<sup>5</sup>

Richard Youngs of FRIDE has looked at the impact of the economic crisis on Europe's emerging foreign policy.<sup>6</sup> He looks at the potential consequences for Europe's political strength of an inevitable but relative economic decline and the institutionalization of a two-speed Europe as the Eurozone countries deepen their own integration (or at least the marginalization of Britain and some other countries). The EU's ability to provide external messages could, he argues, be compromised if the euro crisis and its management seem to undermine the idea of economic liberalization and good governance being somehow interlinked.

### **Resurgent Russia**

Events in Georgia in 2008 and Ukraine after 2013 confirmed the failure of the EU to establish a peaceful neighborhood. The president of

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5. Europe and the Arab Revolutions. A New Vision for Democracy and Human Rights, ECFR/42, November 2011, p. 1.

6. European Foreign Policy and the Economic Crisis: What Impact and How to Respond? FRIDE working paper no. 111, November 2011.

Russia seized on an unexpected opportunity to undermine a Union whose values he perceived as a threat to his regime and his regional predominance. The fact that European integration now faces strong domestic challenges even from extreme right movements should not lead authoritarian regimes around the world to feel secure in their rejection of these basic values.

### **After Kelety: Mass Influx of Refugees into the E.U.**

In the summer and autumn of 2015 it seemed as if a new historical phase was opening as the EU and its member states responded in a disjointed manner to the arrival of hundreds of thousands of refugees and migrants escaping war and oppression in the Middle East and North Africa. Images of refugees camped in a Budapest railway station and of dead bodies washing up on the beaches of southern Europe had as much impact on public opinion and politics as the events in Eastern Europe in 1989. On August 31, Chancellor Merkel, attempting to get a grip on an unravelling crisis, said that the refugee crisis facing Europe was testing the core ideals of universal rights at the heart of the European Union. It is far too soon to assess the impact of these dramatic events, but they do also confirm the domestic impact of failed European attempts to contribute to the peaceful evolution of North African and Middle Eastern countries.

### **Evolving Structures, Developing Policies**

The European Union remains committed, as stated in Article 21 of the Lisbon Treaty of 2007, to take the “principles which have inspired its own creation” as the guide for its “action on the international scene.” To live up to such an approach will, however, require much more than the creation of a new diplomatic machine, the development of the ability really to speak and act as a genuine Union in international organisations and in specific third countries, the adoption of new policy documents, guidelines and action programmes. It will, however, like the political and economic integration process itself, be precisely that: a process. Just as the EU developed as a *sui generis* political structure so a new type of international actor is taking shape. It will take time to develop and such a process so will inevitably face internal and external challenges.

The Union in 2003 had already adopted a European Security Strategy<sup>7</sup> calling for a more “capable” and “responsible” EU ready to take on new tasks including support for human rights as part of a wider conception of Europe’s mission in the world. Lisbeth Aggestam<sup>8</sup> has explained how the concept of Europe as a civilian power developed after the end of the Cold War into a more idealistic conception of ‘normative power Europe’.

Similarly a specific European Human Rights Policy is not exactly a new idea. In 2001 the Commission published a first communication on “The European Union’s role in promoting human rights and democratization in third countries.” At the end of 2011 an apparently similar document emerged with a significantly different title: “Human Rights and Democracy at the heart of EU external action—towards a more effective approach.”<sup>9</sup>

The 2011 communication began with an extraordinarily innocuous reference to the cataclysmic historical developments taking place while this contribution to policy development was being slowly drafted. It states: “The events of 2011 in the Middle East and North Africa show the central importance of human rights and democracy.”<sup>10</sup> Such a low-key reference to “events” almost echoes the efforts of the Chinese Communist Party to define what happened in Tiananmen Square in 1989 as an “incident.”

Whilst the dictators of North Africa and the Middle East were not unaware of the occasional criticisms they received from European countries or institutions (more often the Parliament than the Council or Commission) they had no reason to be troubled by them. With the exception of Syria, all the other countries of the region had stable institutionalized political and economic relations with the EU, including a low level ‘dialogue’ on human rights and, sometimes, limited opportunities for EU financing of democracy assistance projects or civil society activities. In the case of Tunisia, as well as Israel, human rights issues did not prevent the EU from actively considering even upgrading their bilateral relations. Some of the regimes like Algeria and Morocco were partially democratic; all were, to varying degrees, repressive. The dis-

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7. European Council, Brussels, 12 December 2003.

8. Lisbeth Aggestam: Ethical Power Europe? *International Affairs*, Vol. 84, no. 1, 2008, p. 2.

9. COM (20211) 886 final, 12.12.2012.

10. COM (20211) 886 final, 12.12.2012, p. 5.

cret approach to human rights taken by Europe in what is now, in effect, an earlier historical epoch ending with the revolution in Tunisia, makes it all the more difficult for the EU now to advance democracy in the context of reversal of the Arab spring. Regimes have been overthrown and their successors seem in no mood to accept the kind of conditionality implicit in EU aid offers based on the principle of 'more for more' and 'less for less'. In fact the EU had simply been too defensive about its own values and now it risks paying the price.

A reactive unambitious approach would contradict the ambitions of the Lisbon Treaty and fail to inspire confidence inside and outside of the EU. The ongoing Eurozone crisis had already undermined the EU's external image when the refugee crisis added an even more daunting threat to unity with governments at odds with one another and public opinion deeply divided. Devising an outward looking, forward-thinking regional could certainly help renew the EU's sense of purpose but earlier failures of vision, leadership and anticipation are having a potentially destructive effect.

After the Lisbon Treaty entered into force in 2009, the European Parliament led calls for a review of human rights policy generally calling for new structures and a coherent set of goals and policies. At the beginning of 2011, Parliament decided to launch its own examination of EU policies and actions to promote democracy. Parliament's rapporteur Veronique de Keyser MEP reflected the optimism of the moment:

Nobody imagined how much this topic would be pushed into the limelight by the events in Tunisia and Egypt, toppling two entrenched despots and making many more of their counterparts fear the power of the 'Arab street' and its rallying cry for 'dignity, bread and freedom.' Then, when speaking about democracy support in external relations in February, everything seemed to be set for a 'paradigm shift'...Too evidently had the EU's approach to the southern neighbourhood and other parts of the world been dominated by diplomatic Realpolitik, economic self-interest or the fear of instability....,

the Arab spring should be encouragement to really integrate democracy support into our external relations policies and development programming, to truly enable our EU delegations around the world to support democratic governance and human rights - which requires financial means and human resources and sometimes exerting pressure as to enhance the rule of law, foster independent



media and democratic institutions that can ‘deliver’ and keep each other in check. It should also mean that aid conditionality becomes practice rather than theory. (...)we must keep previous commitments and the political will to make our external policies overall more democracy-friendly. ...Building democracies in the Arab world and elsewhere will take many years but, if we make a long term commitment and keep it, chances of success have never been better.<sup>11</sup>

The context in which this commitment is to be met has become much more problematic. Certainly Europe should learn the lessons of failed attempts at accommodation with dictators on its southern borders and in living up to the objectives set for the EU in its basic treaties ensure its relevance as a political project for its citizens and its international partners in the years ahead.

Experience suggests that the development and rethinking of how best to use whatever ‘normative’ power the EU retains has to avoid two extremes. On the one hand the extreme of excessive self-importance or even hubris of the kind that was evident in the immediate period after the collapse of communism in the USSR. Avoiding this does not, however, mean adopting an excessively modest view of Europe’s achievements and potential in a way that avoids careful examination of how the EU goes about its business, as if there is no need to bother too much with the mechanisms since the potential outcome is, by definition, limited. That is the other extreme that should be avoided. Similarly, recognition of the genuine problem of ‘double standards’ should not involve a further debilitating excess of European self-criticism.

### **Leading by Example?**

In 1998 a number of academics presented a report on the potential of the EU to enhance its leadership on human rights by linking its external projection with its internal policies.

The irony is that the Union has, by virtue of its emphasis upon human rights in its relations with other states and its ringing endorsements of the universality and indivisibility of human rights highlighted the incongruity and indefensibility of combining an

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11. European Parliament: Office for the Promotion of Parliamentary Democracy, Newsletter, 2 June 2011.

active external policy stance with what in some areas comes close to an abdication of internal responsibility.<sup>12</sup>

Their basic insight that internal and external policies are ‘two sides of the same coin’ was recognised by Baroness Ashton in her own metaphor of ‘360 degree coherence.’ The difficulty the EU has had in handling the massive influx of refugees reflects on the one hand a consequence of failing to encourage peaceful democratic reform in its neighbourhood, as well as an inability to take a rights-based approach to immigration and asylum. The consequences have been among the elements contributing to anti-EU and anti-immigrant populism.

Achieving such coherence between external and internal policies will be an ongoing challenge. Meanwhile those who, in effect, oppose European values adopt attack as the best means of defense of their reactionary repressive policies at home. In December 2011 Russia published a report on the *Human Rights Situation in a Number of the World’s States*. This document even quotes prestigious international and American NGOs, which the Russian authorities normally ignore when their own actions are exposed.<sup>13</sup> Actions taken by the EU and its member states in such areas as asylum policy or counter-terrorism are often profoundly problematic, but to dismiss Europeans’ right to seek to extend the recognition of human rights around the world is merely self-serving rhetoric by regimes who maintain their power precisely by repression and elimination of opposition. Even those governments which do so have themselves signed up to the UDHR of 1948 and other texts that they do not respect in letter or in spirit. By 2015 the challengers to human rights and democracy seemed to be in the process of seizing the initiative in a more explicit fashion.

### **Downgrading the Importance of EU Human Rights Policy?**

After the 2014 European elections, Baroness Ashton was replaced by Federica Mogherini as the EU High Representative and Vice President of the Commission for foreign and security policy, and in July 2015, the EU revisited its human rights strategy and explicitly reaffirmed its

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12. ‘Leading by Example: A Human Rights Agenda for the European Union for the Year 2000’. <http://www.lue.lt/AEL/>.

13. Russia spoofs the Human Rights Report by Tyler Roylance, Freedom House Blog, and January 3rd 2012.

intention to keep human rights at the heart of the EU agenda.<sup>14</sup> Recognizing the context of widespread human rights violations the EU Council considered that “this Action Plan should enable the EU to meet the challenges through more focused action, systematic and coordinated use of instruments at its disposal...). The Action Plan adopted on the basis of this review contained 34 precise objectives under five headings:

- Boosting ownership of local actors such as parliaments, election management bodies, civil society
- Addressing human rights challenges including freedom of expression, promoting religious freedom, the rights of women and children, indigenous peoples, but also economic and social rights
- Ensuring a comprehensive human rights to conflicts and crises using the new EU Conflict Early Warning System
- Fostering better coherence and consistency addressing issues like migration, human trafficking, as well as the human rights aspects of trade and investment policies whilst pursuing a right based approach to development cooperation
- A more effective EU human rights and democracy support policy with local human rights country strategies based on consultation of civil society as well as public diplomacy

In spite of this apparently positive development, critics were quick to notice that the most recent document adopted and the structures put in place to implement it did not appear very convincing. As Richard Youngs put it,

While this action plan includes many admirable elements, it is strikingly low key compared with the more traditional security and defence reviews underway. Tellingly, many working on these new foreign policy strategies know nothing of the democracy and human rights strategy. This shows that the EU’s promise of cross-fertilization between different areas of external relation remains unfulfilled.

If the new action plan is to correct a widespread suspicion that democracy and human rights are decreasing in priority, the EU and its Member States will need to demonstrate stronger political will and define better tactics of democracy support.<sup>15</sup>

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14. Council of the European Union 20 July 2015.

15. Carnegie Europe, July 2015.

The point being made here is that while the European Union is reviewing its neighborhood policy, its approach to common defence and security, as well as dealing with major issues in relation to migration, trade and energy, it should constantly include reflection on the human rights aspect in these policies.

The growth of terrorism in the European Union with fears of the real threats coming from returning jihadist fighters has been noted in both the U.S. and Europe. Congressional discussions have taken place on the opportunities provided within a borderless space such as the Schengen area for EU citizens who happen also to be terrorists. The refugee crisis of 2015 is a potential threat to Schengen by itself. Europe and America face the common problem of maintaining balance between civil liberties and counter-terrorism measures. European political life does not as yet reflect the deep fear of major terrorist attacks that is apparent in the U.S. It is, however, all too likely that the kind of political polarization seen in America will extend to Europe.

European institutions have hitherto been committed to at least attempt to set some basic conditions to trade and aid agreements with third countries. Such conditionality has even been applied to agreements with the U.S. A most dramatic example of this came in the spring of 2010 when Parliament blocked a draft agreement concerning the tracking of terrorist finances via the SWIFT banking transfer system. This led many in Washington to wake up to Parliament's new powers under the Lisbon Treaty. This is the "assent procedure" whereby no agreement between the EU and a so-called third country can come into effect without a positive vote of over half of all MEPs, i.e. 'all' MEPs, not just those in the room at the time of a particular vote. Within weeks of the vote Vice President Biden was addressing the Parliament as a sign of renewed respect for its role. It also became clear after the negotiations for a Transatlantic Trade and Investment Partnership that such an agreement might fail to be ratified unless European concerns about US intelligence gathering in Europe were addressed.

In fact the U.S. and EU could try to do more together to ensure human rights conditionality. Egypt would be an excellent example for study as to how the West not only failed to engage effectively to promote democracy in Egypt but has now been obliged to recognize its impotence as a new military regime abuses human rights on a massive scale. The fact that Russia is ready to deepen cooperation with this regime only sharpens the dilemma.

The issues of enforcing labor rights and countering human trafficking regularly arise in discussions of trade agreements being negotiated by the US and the EU and common approaches could be developed. Certainly in relation to Europe's neighborhood the absence of effective common strategies is obvious. The current situation in relation to the Assad regime in Syria comes years after failed attempts to bring the country into some kind of relationship with the EU. Regrettably the EU developed a whole strategy for a Euro-Mediterranean Partnership without learning the lessons of the Helsinki process and insisting on a substantial human rights part of the package.

### **EEAS Structure—Potential for Trans-Atlantic Cooperation**

In 2010 when the EU agreed to the legislation establishing the EEAS it achieved an agreement that obliged Baroness Ashton to formally and explicitly commit herself to

Give high priority to the promotion of Human Rights and good governance around the globe and promote its mainstreaming into external policies, throughout the EEAS. There will be human rights and democracy structure at headquarters level as well as focal points in all relevant Union delegations with the task of monitoring the human rights situation and promoting an effective realisation of EU human rights policy goals.<sup>16</sup>

The European Parliament had insisted “that the decision on where to place human rights in the structure of the EEAS is of great importance” and requested “the setting up of a Human Rights and Democracy Directorate with the tasks of developing a robust EU human rights and democracy strategy.” The expectation was expressed that “this approach prevents human rights from being isolated and is the only way to ensure full compliance with the provisions of the Lisbon Treaty.”<sup>17</sup>

In 2011 such a Directorate was established; the fact that it was abolished in 2015 was much regretted by the European Parliament and NGOs. It remains to be seen whether this will really result in a downgrading of human rights in EU external relations.

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16. Statement by the HRVP to the European Parliament, July 7 2010.

17. EP resolution on Human Rights in the World 2009 and EU policy on the matter (paragraph 4), adopted on December 16th, 2010.

In July 2012 the High Representative appointed a special EU Special Representative on Human Rights.<sup>18</sup> A former Greek Foreign Minister and MEP, the mandate of Stavros Lambinidis, includes enhancing the Union's effectiveness, presence and visibility in protecting and promoting human rights in the world, notably by deepening Union cooperation and political dialogue with third countries, relevant partners, business, civil society, international and regional organisations; and through action in relevant international fora. Mr. Lambinidis regularly visits the U.S.

Within each EU delegation there is a dedicated official to monitor human rights and cooperation with U.S. embassies also takes place.

Like the U.S., the EU carries out human rights dialogues with governments around the world. Whilst it can be argued that any dialogue is better than no dialogue, the real impact of this instrument has often been challenged. With allies, most notably the U.S., dialogue is a framework in which arrangements can be discussed in relation to work together on common objectives. Issues where differences persist, e.g. the death penalty and Guantanamo, can also be addressed. Talking can, however, be a trap and engaging in a human rights dialogue with such countries as China, Russia and Iran has never seemed likely to produce significant reform as both EU and the U.S. seek to resist the authoritarian backlash in Europe's neighborhood they should always attempt common messaging towards the regimes they are dealing with and learn the lessons when they fail. European institutions, sometimes in cooperation with U.S. legislators and foundations, regularly observe elections in the OSCE area and take the opportunity to encourage countries to live up to their commitments flowing from the Helsinki process.

Looking at the failure of both to contribute to an irreversible establishment of democracy in Central Asia, one expert has written:

With each regional election, Western monitors are disappointed by lack of genuine choice and policy debate, while leaders claim dizzying numbers in the polls.... The ideas, values, and practices promoted by the U.S. and EU in Central Asia have been culturally insensitive, inconsistent, unimportant, and, therefore, lacking credibility for Central Asian governments and people. Western policy-makers and academics have developed a sophisticated understanding

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18. <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32014D0385&from=EN>.

of what democracy is about and this understanding emphasizes political pluralism, elections, and civic engagement, among other things. Yet, these ideas are largely divorced from how democracy and democratization are understood in Central Asia. The regional elites downgrade democracy to a lower priority than economic prosperity and security. Central Asian citizens perceive democracy as an empty ideological framework or a recipe for mayhem. These attitudes toward democracy have been bolstered by the fatigue and resentment of the Central Asian populations to the externally driven ideologies that have been a constant reality for the Central Asian societies subjected to Russian colonialism, Sovietization, and post-Soviet democratization.<sup>19</sup>

### **Democracy Promotion: A Distinctive European approach.**

The fact of different priorities perhaps reflecting different historical experiences may be illustrated by the initiative taken by Poland during its presidency for a European Endowment for Democracy. It was the European Parliament which in the 1990s insisted on a major “democracy” element in the assistance programmes originally just for Poland and Hungary (PHARE) which were put in place after the 1989 revolutions. Attempts over the years to abolish or hide away the EIDHR within other external assistance programmes have been regularly resisted by Parliament and those member states which insist that the EU should not be shy about its global ambitions in relation to democracy and human rights.

The timing and origin of the EED’s proposal also illustrates the fact that the post-Lisbon institutional structure of the EU is designed to strengthen the EU’s collective capacity whilst leaving much space for member states to advance their own ideas and interests. In the second part of 2011, Poland held the rotating Presidency of the EU and as a country whose own peaceful revolution in the 1980s had been profoundly influenced by outsiders responded with understandable emotion to the events of the Arab Spring which unfolded in the months leading up to the beginning of its Presidency. Even if the historical analogy may well turn out to be overstated, the reaction and thus the Polish initiative was logical and understandable. Poland’s underground “Soli-

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19. <http://www.demdigest.net/democracy-promoters-fault-central-asia/>.

darnosc” movement had benefitted from under-the-radar ‘democracy promotion’ assistance in particular from the U.S foundations. It is by no means clear that the transposition of the U.S. National Endowment for Democracy model to Europe will be feasible but the idea is indeed an inspiring one that cannot be dismissed. As explained in a European Parliament report,

The intention is to set up a semi-autonomous entity which could support democracy activists and democratic developments around the world in an un-bureaucratic way and which would not be directly associated with EU diplomacy on the European Commission.<sup>20</sup>

Two years later the 2014 Annual Report of the European Endowment for Democracy described its objectives, not in terms of promoting democracy as such but explained that:

In the face of closing spaces for democracy and freedom, the democracy support agenda has been brought back into the geopolitical game. EED focuses on local and grassroots needs, on the young fledgling and unsupported, who struggle to fight for democracy and reopen these free spaces.

The Polish initiative, the Ashton review, the regular demands by the European Parliament for a more coherent and courageous approach, the very active campaigning by NGOs in the Human Rights and Democracy Network in Brussels<sup>21</sup> all showed that in spite of the widely reported crisis of confidence in the European integration process there has always been pressure for Europe to enhance its profile in this field.

Two years after the EED was established, Richard Youngs took a positive view of its achievements.<sup>22</sup> He explains that with a budget of less than \$10 million it has achieved both a good profile and organizational flexibility and independence. The decision of its board to extend EED activities beyond the EU neighborhood reflects a conscious response to Russian soft power efforts to bolster support or minimize opposition to its hard power adventurism.

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20. Report by Alexander Graf Lambsdorff, EP Document A7-0061/2012.

21. [www.hrdn.eu](http://www.hrdn.eu).

22. <http://carnegieeurope.eu/strategieurope/?fa=61190>.



Others see a lack of substance in EU human rights and democracy promotion leading to a crisis in the whole exercise. Sonja Grimm analyses the strategy and highlights the strength of the challenge now to be faced by the authoritarian backlash. She writes that

Authoritarian incumbents have started to ‘push back’ liberalisation efforts, and to crackdown on domestic oppositional non-governmental organisation and popular uprisings, as well as international democracy promotion. Thereby, they spoil European democracy promotion efforts. Autocrats have learned techniques either to challenge the opposition and to undermine their legitimacy or to co-opt (and thereby muzzle) oppositional forces. Strategies of repression have successfully ridden out popular uprisings in a majority of countries affected by the Arab spring and the colour revolutions. Autocrats have started to include domestic elections in their policy mix. Although it seems to be a risky strategy that could potentially throw them out of office, many have succeeded in creating stability and even legitimacy for their authoritarian rule.<sup>23</sup>

The challenge of the EU in the years ahead will be to keep up the courage of the convictions that have carried European countries so far in the last 40 years. As mentioned at the beginning of this chapter, European leaders and institutions have never been completely at ease with the concept of ‘democracy promotion’. The many achievements referred to above have been the result of dialogue, assistance and the force of attraction rather than the outcome of a conscious proactive policy to promote and advance democracy as such. Even attempts to establish a ‘European consensus on democracy’ have not come to fruition. In this sense, it is fair to argue that what the EU aims to support is unclear.<sup>24</sup>

Various official documents mention a range of objectives: political reform, free elections, building of institutions, fighting corruption, supporting independence of the judiciary, sustaining civil society, as well as gender equality and free market economies. Europeans have particularly, since the 2003 Iraq invasion and its catastrophic consequences, been less willing to adopt the hubristic language of democracy promotion. This may be defined as the effort by governments, foundations and

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23. <http://www.demdigest.net/eu-democracy-promotion-crisis/>.

24. For more on this see *The Substance of EU Democracy Promotion* edited by Wetzel and Orbie Palgrave 2015.

NGOs to spread democracy as a political system. Europeans seem to prefer the concept of democracy assistance or support, namely, direct, positive measures to aid or advice on the establishment and strengthening of democratic systems. This can involve applying a principle of conditionality, not only towards countries seeking EU membership but also in relationships based on trade and financial assistance. Programs of support for civil society or the development of the capacity of parliaments to function effectively have been for Europeans key elements of this overall effort. In this sense, the term democracy promotion seems more ambitious, or perhaps intrusive; on the other hand, democracy assistance cannot or should not be seen as a half-hearted version of democracy promotion. It does, however, reflect, from a European perspective, a more realistic assessment of what can be achieved without military action or covert operations.

### **Challenges Ahead: Common Transatlantic Responses?**

In both America and Europe there are those who dismiss the others' contribution as reflecting double standards, special interests and differing views of the relationship between soft and hard power. The simplistic 'Mars vs. Venus' description of these differences is extremely unhelpful. A competitive approach is unhelpful, even if it is clear that different views on the justification for the U.S.-led military intervention in Iraq are always the air. Often the U.S. is impatient with Europe's preference for multilateral over bilateral approaches. In the Cold War era the U.S. was more comfortable with under-the-radar operations but with the advent of the EED this difference has also been diminished, at least in Europe's neighborhood. Contrary to some caricatures, the EU and its many of its member states in Albania, Bosnia and Macedonia as well as outside Europe in the Democratic Republic of Congo, Sierra Leone and Côté d'Ivoire. In relation to its European Neighborhood Policy Instrument the EU is somewhat more intrusive than similar U.S. actions.

Since 2003 the EU has been involved in over 20 missions within the framework of its European Security and Defense Policy. Such missions in Ukraine, the Caucasus and Palestine confirm that the EU can and does have a hard power contribution to offer. In all such missions offi-

cially are obliged to take into account human rights aspects and there is an element of coercion in EU actions in post-conflict situations.<sup>25</sup>

Engagement with unpleasant regimes is unavoidable for both Europe and America and no amount of academic study can produce a formula to avoid apparent double standards. Both Europe and America engage with rivals and ideological competitors. On each side of the Atlantic policies towards Arab dictators have not really been so different even if in relation to Iraq or Libya arguments over military action have raged. Indeed they rage within Europe and within the U.S. The U.S. tends to be more rhetorically outspoken than most European leaders who tend to shy away from explicit talk of democracy promotion.

### **Failure of Cooperative Engagement**

Since 2011 this failure has been all too apparent and even after such events as the beginning of a civil war in Syria both Europe and the U.S. have appeared unable to define any meaningful effective response. The rise of ISIS did not have the same mobilizing effect on public opinion as did the arrival in southern and Eastern Europe of hundreds of thousands of refugees. ‘Mars’ is not very strong in Washington or Brussels, in fact, leaving millions in the Arab countries feeling abandoned in the face of increasingly brutal oppression.

Differences between European and American approaches based on different emphases in relation to the concept of democracy promotion should therefore not be exaggerated. Both can be accused of double standards and both are prepared to use military force and sanctions to advance their goals. Often Europe is prepared for engagement as well as criticism of regimes violating human rights (Iran and Cuba). Relations with Egypt under the Al-Sisi presidency face both with the same dilemma. Both face the explicit challenge to universal values from China and Russia.

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25. For more on this see “Venus approaching Mars?” by Tanja Börzel and Thomas Risse in Amichai Magen, Thomas Risse and Michael A. McFaul, eds., *Promoting Democracy and the Rule of Law: American and European Strategies* (Hounsmills: Palgrave Macmillan, 2009).

Many critics point to the failure of Europe and America to foresee the events of the Arab Spring and advance the movements for change in the region, as if, somehow, external intervention to enforce change was a serious option. European efforts to engage Arab regimes before 2011 were ongoing, but the idea that the Euro-Mediterranean partnerships would be a modern version of the Helsinki process lacked a solid foundation. Europe can and does support those seeking political change, and can and does assist in the establishment of democratic institutions. But the initiation of the process depends on the peoples of the countries concerned. European institutions can and do criticize regimes which violate human rights, but the EU is in no position to enforce or initiate revolutionary change. Indeed, this is not what happened in Europe in the 1980s, and to imagine otherwise is to develop policies based on an illusion of power, which, if carried out, could prove counterproductive.

In short, without ‘people power’ on the spot, outside promotion or assistance for the development democracy is unlikely to achieve very much. In his second inaugural address in January 2005, President George W. Bush spoke of “the policy of the U,S, to seek and support the growth of democratic movements and institutions in every nation and culture, with the ultimate goal of ending tyranny in our world.” His successor abandoned this approach and it is unlikely that any EU or European national leader would make such a bold expression of intent. Indeed, the head of policy planning in the State Department in the early years of the George W. Bush presidency, Richard Haass, considered that it is neither desirable nor practical to make democracy promotion a foreign policy doctrine.”<sup>26</sup>

Whilst the instruments and agencies of American human rights and democracy promotion can provide models for European institutions, it is clear that the EU is not in any position even to imagine an approach based as Guillhot has put it on “the structural subordination of the field of human rights to the field of state power.” In Brussels there is certainly interaction between officials, parliamentarians, institutions, civil societies and organizations, but Europe has a more pluralistic environment than the U.S., and it is hard to imagine the development of what Guillhot describes as one in which “no real distinction is made between activists, movements for democracy and human rights, and Washington policy consultants.”<sup>27</sup> One

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26. *The Economist*, 21.106, p. 26.

27. Nicolas Guillhot, *The Democracy Makers*, (New York: Columbia University Press, 2005), p. 182.

can, however, observe in Europe a similar process of professionalization of democracy support; but for the foreseeable future, it seems likely that the high hopes of the early 1990s and the initial optimism after the Arab Spring began are unlikely to return. On the other hand, Europe is unlikely to fall victim to the wishful thinking that the movement towards democracy around the world is some kind of irreversible process. It may be that at a time of economic and political crisis, support for democracy has moved down Europe's external relations agenda.

An acceptance of the limits of Europe's power may still prove is a wiser basis for the development of a coherent policy than hubris based on a misreading of what really happened in Europe at the end of the Cold War. As John K. Glenn of the German Marshall Fund pointed out, at the beginning of the Obama presidency:

The experience of post-Communism compels advocates of democracy promotion to be modest, recognizing that democracy is never exported but always driven from within and, frequently fragile, subject to backsliding." International efforts to support democracy are best advanced through promotion of resources and expertise as new democracies build and sustain reform.<sup>28</sup>

As Europe struggles with the consequences of events in its neighborhood, the U.S. is choosing new leadership. Both face domestic divisions and confident rival powers with an alternative set of values. Modesty in the cause of democracy promotion should not, however, lead to the abandonment of a cause that inspires so many to look towards Europe and America as models of a better way of life.

Europe does sometimes blow a more uncertain trumpet than America but both face the same difficulty in getting heard in a world where others have their own melodies to offer.

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28. GMF Policy Brief: The Myth of Exporting Democracy: Lessons from Eastern Europe after 1989, 21.04.09.