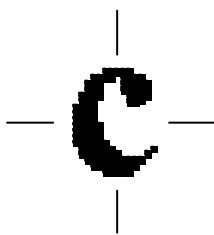


EU and US – security relations and the New Transatlantic Agenda

Two case studies

Dr Marianne van Leeuwen

January 1999



Desk top publishing by Kitty l'Ami

Netherlands Institute of
International Relations
'Clingendael'
Clingendael 7
2597 VH The Hague
Phonenumber 31 - 70 - 3245384
Telefax 31 - 70 - 3282002
P.O. Box 93080
2509 AB The Hague
E-mail: info@clingendael.nl
Website: <http://www.clingendael.nl>

© Netherlands Institute of International Relations *Clingendael*. All rights reserved. No part of this book may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise, without the prior written permission of the copyright holders. *Clingendael* Institute, P.O. Box 93080, 2509 AB The Hague, The Netherlands.

General introduction ¹

Although the practice of bilateral consultations and coordination between the United States and the European Community can be traced back to the 1970s, it acquired a new dimension from the 1990s onwards. The Transatlantic Declaration of 1990 and the agreement in 1995 on a New Transatlantic Agenda and Joint EU – US Action Plan, in particular, provided both sides of the Atlantic with a new framework for consultation and cooperation: the *Transatlantic dialogue*. Most important in this respect is the Transatlantic Agenda which envisaged regular meetings on different levels of official representation of both the United States and the European Union. The Agenda and Action Plan gave substance to this process of consultation by formulating a comprehensive set of projects for cooperation and coordination on a broad range of issues.

One of the specific aims of these documents is to strengthen ties between the United States and Western Europe in the field of foreign and security policy. This appears in particular from the first priority area of the New Transatlantic Agenda, which concerns: *Promoting peace and stability, democracy and development around the world*.

The aim of this paper is twofold. First, to assess to what extent the United States and European Union have coordinated their views and policies on foreign affairs and security issues. Secondly, to determine whether the instruments as agreed upon within the framework of the Transatlantic dialogue have really contributed to stronger and more effective collaboration on those issues between both sides of the Atlantic.

Those questions will be elaborated on the basis of two selected case studies:

- 1 The Middle East ‘peace process’, in particular the negotiations between Israel and the Palestinians.
- 2 The policies towards the so-called ‘rogue states’ Iran and Libya, in particular the use of economic sanctions.

Before surveying those cases, a brief overview of the reasons for strengthening bilateral collaboration between the EU and the United States is presented.

1) The author wishes to thank dr. Jan Q. Th. Rood and mrs. Henrike Karremans for their help in preparing this essay.

The need for strengthening relations between the EU and the United States

The perceived need to strengthen EU-US bilateral consultation must primarily be explained from the events that shook Europe at the end of the 1980s. The end of Soviet domination of Central and Eastern Europe as well as the collapse of the Soviet Union itself fundamentally changed the geostrategic realities which underpinned American foreign, security and defense policy after the Second World War. From the 1950s onwards, NATO and the presence of American troops on European soil were perceived as the clearest expressions of the unconditional American commitment to European security. Through its policy of extended nuclear deterrence the United States acted as the protector of Western Europe against the threat of Soviet aggression. The presence of a common enemy determined the Atlantic alliance's cohesion.

With the collapse of the Soviet Union, this situation has changed dramatically. In the absence of a direct threat to the territorial integrity and security of Western Europe, the American and Western-European security interests no longer coincide almost as a matter of course. The need for American strategic involvement in Europe has diminished. According to some observers, it is inevitable that United States' and European security interests diverge increasingly. In their view, this development will lead to a serious erosion of the Alliance's cohesion and may ultimately result in a metaphorical widening of the Atlantic. This view predominated in the aftermath of the collapse of the Berlin wall. Now, almost a decade later, some scholars still feel strongly that a growing apart of Europe and the United States remains a real option.

To the forces of Atlantic fragmentation should be added an increased fear that transatlantic economic relations may also become a source of intra-alliance friction and conflict. Here, too, the impact of the end of the Cold War should not be underestimated. During the period of bipolar confrontation the need to maintain political and military cohesion forced the Atlantic partners to try and avoid escalation of economic disagreements into security-related areas. However, for the Americans in particular, the end of the Cold War meant that there no longer existed any serious reason to subordinate their economic interests to their strategic objectives. The 'domestication' of America's foreign policy during the first years of the Clinton-administration seemed to prove this point. It created a real risk of economic frictions between the US and Europe as one of its main trading partners 'spilling over' into the security field.

On the European side especially, the fear increased that American security commitment might give way as a result of an alleged strategic re-orientation of American foreign policy from the Atlantic to the Pacific. The November 1993 statement of the then US Secretary of State Warren Christopher that 'no area of the world will be more important for American interests than the Asia-Pacific region', in particular, gave Europeans reason to assume that the United States was turning from a 'European power' into a 'Pacific power'. It seemed only too natural that America's strategic and economic focus would respond to the shift of the center of world economic activity from the Atlantic to the Asian area.

On the other hand, the post Cold War world appeared to have grown much more complicated, with unexpected security risks and new global challenges to the economy and the environment, and with an increased threat of international crime and terrorism. Therefore, despite all arguments about the importance of the Pacific, a strong feeling emerged in the United States that, in order to be able to deal with those 'new' issues, the country was in need of partners. And Europe, it seemed to many, was still America's most 'natural' ally.

Particularly in this context may the efforts to institutionalize bilateral EU-US relations be explained. Because of the risk of an unintended alienation and the need to meet the new challenges, a new institutional mechanism and a common agenda were called for, in order to maintain transatlantic cohesion, but most of all, in order to move beyond the stage of consultation to actual policy coordina-

tion. This need for a more equal division of labour applied specifically to the field in which the Western Europeans had been dependent for such a long time, i.e., security.

Expressing the wish to create a new common approach toward controlling and solving shared security risks, however, proved to be easier than implementing the idea, as the two case studies that follow may show.

Two case studies

Both the United States and the Member States of the European Community have major, long-standing interests in the Middle East. In many respects, these interests have been similar, or even identical. Yet, quite serious frictions have arisen between the transatlantic partners on the choice and use of instruments to safeguard or pursue those interests. In order to trace developments in the transatlantic relationship in this regard, two case studies are presented here: the Arab-Israeli conflict, in particular the Palestinian question; and the attempts at taming the rogue states Iran and Libya.

Case I: Transatlantic relations and the Palestinian question

The setting

The Arab-Israeli conflict has been on Europe's political agenda for a very long time. In fact, when in 1970 the EC ministers of foreign affairs decided to embark on a process of coordinating foreign policy-making under the formula of European Political Cooperation (EPC), the Arab-Israeli conflict was selected as the first issue to be tackled. During the 1970s and 1980s, foreign policy-making played a relatively marginal role in the European Community. Only the ratification of the Treaty of Maastricht in 1993 turned it into one of the three 'pillars' of integration and policy coordination within the European Union. The Middle East, and particularly the ill-fated peace process, however, still figure prominently on the European foreign policy agenda. What has not changed either is the existence of frictions between Europe and the United States on this particularly sensitive issue, even though the context has changed with the end of the Cold War.²

Broadly speaking, the United States has succeeded in taking control over diplomatic efforts to solve the Arab-Israeli conflict. Washington does not accept two captains on the bridge. It appreciates European involvement, but only in a supportive role, e.g. as financial sponsor and, when convenient, as a source of personnel and equipment for peace-keeping missions in the area. The Europeans, by contrast, have always held that the Union has an autonomous role to play. A number of European states, France in particular, have long traditions of involvement in the Middle East. The Arab (and

2) A short overview in Kenneth W. Stein, 'Transatlantische Partnerschaft im Nahen Osten?', in: *Internationale Politik* 9/1996, p. 33-39.

Turkish) parts of the Mediterranean are Europe's near abroad, rather than that of the United States. In this regard one only has to think of the effects this physical proximity has on migration patterns, or Europe's vulnerability to potential terrorist attacks, or attacks by medium range ballistic missiles.³ Furthermore, EU Member States do have major political and economic interests to defend and promote in the area. Considering the Middle East region as a whole, European economic interests are in fact greater than those of the United States.

As far as preferences of the countries of the Middle East are concerned, again no essential changes have occurred during the past three decades. From the start, Israel's Arab opponents have generally encouraged European diplomatic involvement as they hoped it would work to their advantage, as a counterweight to what they came to see as the pro-Israeli bias of the United States. For the very same reason, Israel's response to European efforts of involvement has traditionally been indifferent at best. Israeli representatives have accused Europe of sympathies to the Arab cause, which, they found, were motivated by strictly materialistic, indeed immoral reasons. Not surprisingly, Israel has consistently preferred the United States as initiator and conductor of negotiations.

The evolution of European policy⁴

The overall goal of the European Community with regard to the Middle East has been to promote its economic, political and security interests. Its policies were aimed at furthering regional stability and at securing access to important raw materials, oil in particular. In order to accomplish these goals, the EC planned to intensify economic interdependence to such a degree that no state in the region would risk good relations with the Community over a regional conflict. And the Community had a lot to offer, such as profitable economic relations with one of the richest and biggest importing markets in the world, as well as a large variety of aid and development programmes.⁵ Not surprisingly, association agreements were concluded with a large number of regional states, including Israel.⁶ At the same time, European Political Cooperation efforts became predominantly focused on the Arab-Israeli conflict, and especially on the Palestinian question.

Among the EC Member States differences in sympathies and policy preferences concerning the Arab-Israeli conflict used to be deeply embedded. At the time of the June 1967 War, one could say that members in the North (such as the Netherlands and the Federal Republic of Germany) were by and large more sympathetic to Israel, whereas Southern members (especially France) leaned toward Arab positions. With the passage of time, however, these differences faded although they did not disappear. From the 1970s onwards, Member States gradually converged upon support for the recognition of Palestinian political rights – without at any time questioning Israel's right to exist. The Palestinian side was perceived as becoming more and more reasonable and prepared to abandon its goal of destroying the State of Israel, while Israel's policies were increasingly considered as being too rigid, especially

3) Ghassan Salamé, 'Torn between the Atlantic and the Mediterranean: Europe and the Middle East in the post-Cold War era', in: *Middle East Journal* 48 (2), Spring 1994, p. 226-249; also Phebe Marr, 'The United States, Europe, and the Middle East: an uneasy triangle', in: *Middle East Journal* 48 (2), Spring 1994, p. 213.

4) For the following paragraph, I have used Philip Everts and Guido Walraven (eds), *The Politics of Persuasion. Implementation of Foreign Policy by the Netherlands*, Avebury: Aldershot, Brookfield USA, Hong Kong, Singapore, Sidney, 1989; *The Middle East and North Africa 1997*, Europa Publications, 1997, p. 224-226; Roy H. Ginsberg, *Foreign Policy Actions of the European Community. The Politics of Scale*, Lynne Rienner Publishers, Boulder, Adamantine Press, Ltd, London, 1989; Rosemary Hollis, 'Europe and the Middle East: power by stealth?', in: *International Affairs* 73 (1), January 1997, p. 15-30.

5) Ginsberg, p. 117-128.

6) *The Middle East and North Africa 1997*, Europa Books, London, 1997, p. 224.

after the installation in 1977 of the first right-wing cabinet under Menachem Begin. European criticisms particularly focused on the settlement policies of the Begin government.

The shift towards support for moderate⁷ Palestinian political demands was reflected in the official positions taken by the EC. In 1971, the so-called Schuman paper, adopted by the European ministers of foreign affairs, caused consternation. In spite of its classified status it was 'leaked' to the press. In the Schuman plan, secure borders for Israel were stipulated as well as Israeli withdrawal from the territories occupied in 1967, and an 'internationalization' of Jerusalem pending a permanent, negotiated solution for that city's status. Palestinian refugees should be allowed to return to their homesteads, and, if that was not possible, be compensated. At the time, these positions were considered highly provocative, even though the Schuman paper contained no explicit reference to Palestinian issues. Following the installation by Arab oil-producing countries of an embargo against a number of Western states – a step allegedly triggered by the reactions of some of those states to the October War of 1973 – the European Community, in its November statement, for the first time explicitly acknowledged the existence of 'legitimate Palestinian rights'. In 1977, a statement propagating the establishment of a Palestinian 'homeland' followed, while in 1980, in the EPC's most famous public pronouncement, the Venice Declaration, the Palestinian right to self-determination was acknowledged and participation by the Palestine Liberation Organization (PLO) in negotiations was advocated, all under reference to United Nations Security Council Resolutions 242 and 338. The PLO should be allowed to negotiate on an equal footing with other parties directly involved. The EC statement strongly criticized Israeli settlement policies in the Occupied Territories.

In other words, by the end of the 1970s, the EC Member States had come to the conclusion that Israel should evacuate the territories occupied in 1967; and that in those territories, a Palestinian state might be created, even if that would entail the rise to official political power of the PLO. Meanwhile, the shift was also illustrated by voting patterns of the EC Member States on relevant resolutions in the United Nations. The basic arguments of the Venice Declaration were repeated in a European statement of 1989 in response to the revolt (*intifada*) of the local Palestinian population in the Occupied Territories and Israeli policies to break that revolt. All through this period, the EC both explicitly and implicitly indicated its preference for the so-called comprehensive approach to a negotiated solution of the Arab-Israeli conflict as opposed to a bilateral, step-by-step approach as endorsed, with some notable successes, by the United States.⁸

Although all these EC statements caused considerable controversy, they did not develop into effective policies. In fact, the EC's efforts with regard to the Middle East have been maliciously but aptly likened to the role of the chorus in classical Greek tragedies.⁹ The 'on-again-off-again' Euro-Arab dialogue, initiated in 1973 and intermittently revived during the next decade, never materialized either. In 1991, a delegate of the European Community attended (rather than participated in) the Middle East Peace Conference in Madrid. European Members subsequently played a supportive diplomatic role by facilitating meetings of the multilateral working groups set up around various themes at the Madrid Conference.¹⁰ The United States assumed the role of mentor of the politically more sensitive bilateral negotiations, particularly those between Israel and the Palestinians. More

7) Moderation in this context means acceptance of a two state solution, that is, the establishment of a Palestinian State next to Israel, together with Palestinian recognition of Israel.

8) The intellectual father of this negotiating strategy was Henry Kissinger. Interestingly, he has meanwhile distanced himself from this approach. He now argues that the United States, instead of focusing on process should focus on reaching results. Kissinger now advocates the two state solution. See: Henry Kissinger, 'The Oslo Piecemeal Process', in: *Washington Post*, Sunday, August 24, 1997, p. C07.

9) F. Grünfeld, P.J. Knegtman, 'Europe and the Middle East conflict', in: Everts and Walraven, p. 190.

10) *DN:DOC/91/7*, Date: 1991-12-1, 'Conclusions of the Maastricht European Council (9 and 10 december 1991): (...) Declaration on the peace process in the Middle East (...)'.

recent EU attempts to upgrade its negotiating role, for instance by appointing a special envoy to the Middle East Peace Process (to date, Ambassador Miguel Angel Moratinos) have not been very successful.¹¹ The regional parties involved, including the PLO and Jordan, have demonstrated they are prepared to come to Washington for consultation even if the EU's special envoy does not attend, as occurred in October 1996, and again in October 1998.¹²

The EU has regularly commented upon developments in the peace process, condemning and deploring violence on both sides. It has repeatedly called upon Israel to cease all settlement building in the Occupied Territories (which in its view include East Jerusalem) for the duration of the negotiations. During the 1990s, it has even gone further than the United States' administration would dare to do, in attempting to persuade the Israeli government to accept PLO members as negotiating partners by threatening to suspend negotiations on the European-Israeli partnership agreement.¹³ The Oslo breakthrough in 1993, when official representatives of Israel and the PLO finally agreed on conducting direct negotiations, cleared the air between Brussels and Jerusalem. In spite of this, negotiations on the partnership agreement still proceeded far from smoothly. All in all, as far as the politics of the peace process are concerned, the EU's Greek chorus role has not basically changed.

After the Oslo breakthrough, the European Union committed a large amount of money to immediate humanitarian aid and the development of small businesses in Jericho and the Gaza Strip, in the hope of strengthening the peace process. More financial pledges were made for various purposes related to improving living conditions of Palestinians in the Occupied Territories as well as in the areas under the control of the Palestinian Authority, such as training and instruction of the Palestinian police and the development of a democratic political infrastructure.¹⁴ Also, since the Oslo Agreement of 1993, Southern European powers such as Greece and Spain as well as the Holy See have noticeably improved their relations with Israel, adjusting their traditionally reserved positions (as did a number of Arab states and the Gulf Cooperation Council). The European Union made it its policy to help terminate the economic boycott of Israel by Arab states.

Unfortunately, after its proudly heralded initiation and a few years of hope, the peace process broke down during the second half of the 1990s, as tensions between Israel and the Palestinians rose. The Arab world became increasingly and overtly sceptical and cynical about the fair and equitable implementation of the Oslo Accord. By 1998, many in the Western world, even within the United States administration, felt that the unwillingness of the Israeli government, now led by Benjamin Netanyahu, to even try to comply with the agreements on territorial transfers to the Palestinian authority agreed in the Oslo Accord, was largely to blame for the dangerous impasse. However, in this mid-term election year, the American President faced a real dilemma. He did not wish to be seen personally putting pressure on the Israeli side, nor to be associated too closely with a diplomatic endeavour which was already doomed. Yet, politically he could not afford inactivity either. Under these circumstances, the European Union's Presidency was allowed to host a meeting in London between the Israeli and Palestinian leaders and United States' Secretary of State Madeleine Albright, in order to try and refloat the negotiating engine. Predictably the London meetings came to nothing, thereby demonstrating once again the sorry state the peace process was in.¹⁵

In October 1998, the Americans made a more serious attempt, driven by an increased sense of urgency caused by regional developments. They invited Israeli and Palestinian representatives for

11) *DN: PRES/96/294*, Date: 1996-10-28.

12) Hollis, p.21. The 1998 meeting was not in Washington itself, but at the Wye River Plantation.

13) Hollis, p.19, 20.

14) Eg *DN: IP/93/810*, Date: 1993-09-29, 'EC support for the Middle East Peace Process'; *DN: IP/94/377*, Date: 1994-05-05, 'European Union helps to set up Palestinian police force'.

15) For some bitter but none the less convincing comments, see Robert Fisk, 'Middle East agrees: peace deal is dead', in: *The Independent*, May 5, 1998 and 'Middle East builds to a summer of hate', in: *The Independent*, June 2, 1998.

negotiations under U.S. auspices in order to revive the Oslo Accords. As venue the Americans chose the Wye River Plantation, where talks were held in virtual seclusion, creating an atmosphere comparable to the negotiations at Camp David at the end of the 1970s. When insurmountable differences of opinion between the regional negotiating partners threatened to lead to a stalemate, King Hussein of Jordan was invited to act as conciliator. No Europeans were considered for that role. In fact, they were conspicuously absent from the Wye River Plantation meetings altogether. The talks resulted in a memorandum which was greeted with both relief and a good deal of scepticism concerning the swift implementation of the agreement.

The evolution of US policy: Cold War prism and domestic factors

Only after the war of June 1967, the United States involvement in the Arab-Israeli conflict took shape. US policy since then has been motivated by two major factors, only one of which is still fully valid today.

First, the United States for a long time looked at the Arab-Israeli conflict through a Cold War prism. Since the June 1967 War, both superpowers were drawn into the conflict as patrons and providers of ever more sophisticated weapons to opposing regional parties. Whereas Israel – and Egypt since the middle of the 1970s – looked to Washington for support, the confrontation states, especially Syria (and the PLO), hoped to find it in Moscow. Neither superpower wished to see a regional outburst escalate into a direct military confrontation between themselves. Thus, while they contributed to increase regional firepower, they at the same time tried to restrain their regional clients. Both superpowers developed an interest in a diplomatic solution to the conflict, although in this area, too, they rivaled for the dominant position.

Only after the June 1967 War did international awareness of the Palestinian aspects of the conflict grow.¹⁶ After the October 1973 War, the Arab states formally recognized the political demands of the Palestinians and accepted the PLO, hitherto virtually known as a terrorist organization only, as the Palestinians' official representative. The United Nations quickly adopted this course. They were followed at a little distance and with some reservations by the European Community. The United States, in close consultation with Israel, went into the opposite direction, particularly with regard to the PLO which it formally excluded from any negotiations, however informal, until the organization would have complied with certain vital political conditions (i.e. recognition of Israel's right to exist; renunciation of terrorism). At one point, the U.S. Congress even went as far as to enact a law making it a criminal offense for United States officials to have contacts with PLO representatives. For a long time, the United States refrained from stating its preferences for a territorial solution, although it did subscribe to the principle of the inadmissibility of the acquisition of territory by force. In practice, during the 1970s and early 1980s, when the European Union came to adhere to the two state solution, the United States leaned towards the so-called Jordanian option. This implied the return of most of the territories occupied by Israel in 1967 to *de facto* Jordanian sovereignty, at the expense of Palestinian chances of autonomy or independent statehood. This scenario, unlike that of the two state solution, was by and large deemed worthy of consideration by Israeli governments.

Moscow supported the establishment of an independent Palestinian state and favoured the comprehensive approach aimed at reaching peace between Israel and its Arab opponents simultaneously. The United States, by contrast, came to adopt the course much preferred by its regional ally Israel. It invested much energy, patience, skill and money in an incremental diplomatic step-by-step

16) Marianne van Leeuwen, *Americans and the Palestinian question. The US public debate on Palestinian nationhood, 1973-1988*, Rodopi: Amsterdam, Atlanta 1993, p. 1-3; 8-11; 14, 15.

approach aimed at reaching agreements between Israel and one Arab opponent at a time, with the United States acting as sole mediator or peace broker. Obviously, the United States wished to prevent Moscow from playing any substantial diplomatic role, but it also did not tolerate European attempts at diplomatic intervention. It became particularly irritated with the European Community's adherence to the Palestinian cause, including a diplomatic role for the PLO, as well as with its emphatic recognition of the Palestinians' right of self-determination. In general, the United States disliked the European Community's efforts at prescribing the desirable outcome of negotiations. At various crucial stages in the negotiating process, the United States told the Community to mind its own business. This occurred at the time of the Camp David negotiations and the subsequent conclusion of formal peace between Israel and Egypt. It happened again during the preparations to and the political follow-up of the Madrid Peace Conference in 1991. The fact that it was Norway rather than the United States which facilitated a breakthrough by helping persuade Israel to deal directly with the PLO, was greeted with some satisfaction in several European capitals. Washington, however, quickly succeeded in regaining the initiative during the follow-up. The European Union, which had welcomed the breakthrough and the subsequent Israeli-Palestinian Declaration of Principles, once more had to settle for a supportive role.

The end of the Cold War and the demise of the Soviet Union was followed by a brief period of diplomatic cooperation between Washington and Moscow, as both superpowers presided over the Madrid Peace Conference in the fall of 1991, in the aftermath of their relatively successful diplomatic cooperation in terminating the Iraqi invasion of Kuwait. Formally, Russia, as successor state to the Soviet Union, had inherited the co-sponsor's position. There was no doubt, however, that Moscow's role as co-chairman of the peace process following the Madrid conference was that of junior partner at best.

With the end of the Cold War American fears of the Arab-Israeli conflict escalating into an armed superpower confrontation have disappeared. It is unlikely, however, that the United States will soon give up its role as peace broker in that conflict. For one thing, there still are important security arguments for the United States to remain involved. Another war in the Middle East might well affect oil exports to the United States and to its major allies. And even though, at least for the time being, a global nuclear war resulting from a local conflict is highly unlikely, a regional war escalating to the point that weapons of mass destruction are used, may not be discounted altogether. The nuclear tests performed by India and Pakistan in the spring of 1998 have once again emphasized this risk. Arguably, these tests have set an unfortunate precedent for the Middle East, and at least have made counter-proliferation policies for the area more difficult. It is plausible that the tests provide an extra motive for Israel to continue its – undeclared – nuclear weapons capability. They may well provide extra impetus for nuclearization projects in Iran and Iraq, and in the worst case even stimulate similar projects in various North African countries.¹⁷

If in another Arab-Israeli war unconventional weapons were to be used, this would be seen as a vital threat to America's national security. Not primarily because of oil access, but rather because the security of Israel has come to be considered an American national interest by many leading politicians.

Indeed, and this is the second major factor guiding United States' engagement in the Middle East, the continued US involvement in the negotiating process is to a large extent dictated by domestic factors. This is even more strikingly true now than it was during the Cold War. Among the numerous lobby organizations with an ethnic background active in Washington and throughout the US, the pro-Israeli lobby still stands out as the most successful. The American Israel Public Affairs Committee (AIPAC) has consistently pressed for United States' engagement in defending Israel's security, and in doing so, it has consistently and unconditionally supported the policies of the Israeli government in

17) These various motivations interconnect.

power, regardless of that government's ideologies and practices. It has made its influence felt, especially in Congress. The pro-Israeli lobby has even gained the reputation of being able to make or break politicians' careers.¹⁸ It is widely accepted that the lobby has had a major influence, at least on the definition of the parameters of US policies regarding the Arab-Israeli conflict. When, as has happened with some regularity over the years, an administration disagreed with certain Israeli policies, the pro-Israeli lobby in its opposition to the administration would invariably find Congress on its side. Under these circumstances, the most an administration could do by way of opposing the Israeli government's actions, has been to temporarily adopt a policy of inactivity, to refuse pressurizing Israel's opponents.

Not surprisingly, the pro-Israeli lobby has never favoured strong European involvement in negotiations, and it may be expected to continue to follow Jerusalem's preferences on this score. Indeed, this is one of the issues on which the American government, the pro-Israeli lobby and Jerusalem have always been unanimous.

The importance of these domestic parameters cannot easily be overestimated. They indeed constitute a major obstacle to European attempts to substantially influence American policy-making on the Arab-Israeli peace process.

In conclusion

Considering future developments two apparently contradictory visions appear to make intellectual sense. On the one hand, it has been argued that the European Union faces the choice of joining US initiatives or staying on the sidelines, now that, with the demise of the Soviet Union, the opportunity for the EU to play a balancing role between the superpowers has disappeared, as far as negotiations to end the Arab-Israeli conflict are concerned.¹⁹ On the other hand, given the fact that the risk of armed conflicts between Israel and its neighbours escalating in a military confrontation between the superpowers has become a fear of the past, and considering the major interests involved, EU Member States may feel that, if anything, they are entitled to a more important and independent role in the Middle East peace process.²⁰ This may result in a more assertive pursuit of European political goals in the area, provided, of course, that consensus on those goals can be achieved and maintained. In practice, the high politics of settling the Arab-Israeli conflict and other security-related issues are likely to continue to be dominated, for some time at least, by the United States.

The United States continues to have important interests at stake, in an international sense as well as in a domestic (electoral) sense. As for the European Union, even though it may be more likely to agree on the desirable contents of a comprehensive peace in the Middle East, and even though a consensus feeling may have developed that the Union is entitled to a larger political role in view of its financial support of the process, it is not likely to increase its direct influence on the political bilateral negotiations in the near future. Israel, one of the major regional parties directly involved, does not favour an independent European role, and neither does the United States. Finally, the Union will be unable, at least for the foreseeable future, to back up its political preferences with military power independent from the United States.

Case II: Transatlantic relations and rogues in the Middle East

18) Marianne van Leeuwen, 'Lobby's, Congress and American Middle East Policies', in: *Orient* 28 (2), June 1987, p.171-193.

19) Salamé, p. 231.

20) This view is defended persuasively enough in Hollis, p. 29.

Threat assessments

There are no major differences in European and American evaluations of Iran and Libya as 'rogue states', i.e. countries flouting norms and rules of generally accepted responsible international behaviour. In Europe as well as in the United States, decision-makers deeply distrust the ideological propensities of the Iranian and Libyan regimes. Both sides of the Atlantic share concerns about Iranian and Libyan support for extremist Islamic groups in the Middle East and beyond. Citizens and residents of various European countries and the United States have become victims of terrorist attacks initiated or stimulated by these rogues. European governments as well as Washington have expressed their serious concerns about Libyan and Iranian attempts at acquiring the capabilities to produce weapons of mass destruction. In Europe, no less than in the United States, the public and politicians reacted with indignation to the Iranian *fatwah* which condemned Salman Rushdie to death for writing an allegedly blasphemous book.

If anything, Member States of the European Union are more likely than Americans to become the scene of Libyan or Iranian hostile acts, simply because of the closer proximity and because borders are increasingly difficult to control. In that respect, they have, in fact, more reason to take severe countermeasures and, perhaps, to try and clear the way for fundamental political changes in Tripoli and Tehran.

Economically, too, the EU Member States are closer to Iran and Libya. Their dependence on oil from these countries, especially from Iran, is substantially larger than that of the United States. While Libya was never included in the Community's policy, adopted in the early 1970s, to conclude association agreements with non-European Mediterranean states, the EU was negotiating a cooperation agreement with Iran as late as 1992.²¹ Many European companies have traditional bilateral business relations with Iran and Libya. French and German firms, in particular, trade with Iran, while Italian companies do business with Libya. Although, in particular during the 1990s, European countries have imposed restrictions on exports of sensitive products or technologies to the two rogue states, they have refused to comply with American proposals (to be discussed below) to put the two rogues in full economic isolation, arguing that a 'critical dialogue' would be more effective in bringing about the political changes desired on both sides of the Atlantic. In May 1998, the EU reached a rapprochement with President Clinton on this issue, with the Union's promise of intensifying cooperation with the United States on relevant security policies, and with the President announcing that on these grounds he would be prepared to consider waiving the controversial legislation. When a German court found that the Iranian regime had to be held responsible for the assassination in Germany of two dissident Kurds, this led to widespread indignation among EU Member States. The 'critical dialogue' was suspended and ambassadors were temporarily withdrawn.

Nevertheless, major differences still exist between the EU and the United States concerning the choice of policy instruments to deal with the actual and potential dangers from the Middle Eastern rogues.

United States policy towards Iran

Of the two rogue states, Iran continues to be the most important for various reasons, amongst which its highly strategic geographical position, its position among the world's leading oil exporters, and its political influence in the Middle East region. After the Second World War, the United States set great

21) On EU relations with the Mediterranean: *The Middle East and North Africa 1997*, p. 224-226.

store by developing close relations with the Iranian monarchy.²² During the early 1950s, it even helped save the monarchy against a coup. The United States increased its involvement in the exploitation of the country's resources in oil and natural gas, and it provided Iran's armed forces with training and equipment, including highly advanced weapons systems. However close American relations with Iranian leaders may have been, by the end of the 1970s the Americans learned they counted for nothing. American officials (and not they alone) had fatally underestimated the growing lack of popularity of the Pahlavi dynasty, as well as the increasing popularity of the outlawed radical Islamic movement led by the exiled cleric Khomeiny. Hence the final breakdown of the shah's regime came as a surprise to Washington. The revolution shattered American-Iranian relations. Precisely because of the close ties between the shah and Washington, the Islamic regime now installed in Tehran execrated the United States and all it stood for. It orchestrated the hostage-taking of the staff of the American embassy in Tehran – resulting in a crisis that lasted for over a year and sealed the political fate of President Carter.

In addition to the direct confrontation over the hostage-taking, a number of other issues aggravated US-Iranian relations further still. The Iranian regime refused to recognize Israel's right to exist on ideological grounds. It tried to impede any form of Arab-Israeli rapprochement. Furthermore, it became one of the major supporters of international terrorism as perpetrated by radical Muslims; in particular, it supported Palestinian extremist groups such as Hamas and the Islamic Jihad who, also on ideological grounds, rejected any thought of peace with Israel. Tehran also actively supported and guided radical Islamic groups in Lebanon. As it was gradually thrown back into international isolation – in part because of its own policies – the Iranian regime set out to obtain advanced weapons systems. The United States soon began to suspect Iran of a desire to develop the capability to produce weapons of mass destruction, including nuclear weapons.

Ever since the hostage crisis, the United States and Iran figure prominently on each other's enemy lists. Diplomatic relations were severed immediately, and have not been restored in any form since. Commercial ties, however, were continued, though the United States authorities subjected these to increasingly strict limitations, aimed at preempting Iran's build-up of advanced arms²³, and quite possibly even at ousting the enemy regime. Various embargoes were installed unilaterally. Washington's persistent attempts at persuading its allies to join these embargoes, however, met with reluctance.

Developments came to a head in 1995. Early that year, a first version of an act aimed at isolating Iran economically in order to prevent its military buildup by dissuading American and foreign companies from trading with Iran, was introduced in Congress by Senator D'Amato and Representative King, both Republicans.²⁴ Just before the proposal was put forward, the American oil company *Conoco* had reached an agreement with Iran on the development of the Sirri oil field in the Persian Gulf. At the same time, it became clear that Moscow was involved in negotiations with Tehran on the construction of nuclear reactors for a power plant and possibly also the provision of enrichment technology. The Clinton administration responded by prohibiting, through Executive Order, the implementation of the Conoco deal and in general the supply of US goods, technology and services, the re-export of certain American-made goods and technologies by third parties, and new American investments in Iran. It then called upon its allies to follow suit. The response was not promising. European countries were neither prepared to further jeopardize their relations with one of the world's major providers of oil, nor to abandon lucrative oil-related contracts. The United States was facing a

22) For a concise overview of the issues: Kinka Gerke, *Unilateral strains on transatlantic relations: US sanctions against those who trade with Cuba, Iran and Libya, and their effects on the world trade regime*, PRIF Reports No. 47, Frankfurt am Main, April 1997.

23) The infamous Iran-Contra affair was an aberration from this rule.

24) *Congressional Quarterly Weekly Report*, Vol. 53 May 6, 1995, p. 1252; December 16, 1995, p. 3824; 23 December 1995, p. 3895; Vol. 54, June 15, 1996, 1699; June 22, 1996, p. 1775. *The Middle East and North Africa 1997*, 43d edition, Europa Publications Ltd, London 1996, p. 448.

difficult dilemma: its unilateral sanctions hardly produced any noticeable effects in Iran, while they obviously did hurt the interests of American companies who had to stand by and watch European competitors snatch tantalizing orders from under their noses. This had happened to *Conoco*, which canceled its agreement with Tehran only to see the French *Total SA* jump in and take over. Washington decided to resort to a highly controversial solution. If allies did not want to cooperate on a voluntary basis, the United States could try and force them to do so by adopting a secondary boycott of companies dealing with Iran.

United States policy toward Libya

The United States initially tried to accommodate the revolutionary Libyan regime when it came to power in 1969. It began to have second thoughts, however, after Libyan's oil policy caused a number of disagreements with the United States during the 1970s. Then, in 1979, Libyan demonstrators burned down the United States' embassy in Tripoli, in protest against American hospitality extended to the exiled shah of Iran. The ensuing deterioration in relations was further aggravated by conflicts about Libyan claims regarding international sea boundaries in the Gulf of Sidra, and growing anger in Washington with Colonel Quaddafi, because of his support for terrorism. Consequently, during the 1980s, the Reagan administration took a much firmer line. In 1981, an exercise of the United States Sixth fleet exacerbated the conflict over territorial boundaries in the Gulf of Sidra. A direct confrontation with the Libyan air force led to the Americans shooting down two Libyan military aircraft. President Reagan subsequently ordered American citizens out of Libya. In 1982, the Libyan diplomatic mission to Washington was closed. Libyan diplomats were expelled because of their alleged support for international terrorism. In the same year, the United States decided to ban all oil imports from Libya and to prohibit technology transfers to that country.

Late in 1985, the airports of Rome and Vienna were hit by terrorist attacks resulting in numerous casualties. Early in 1986, a discotheque in West Berlin patronized by American service personnel was bombed with similarly horrible results. In April 1986, the Reagan administration, convinced that Libya was behind these outrages either directly or through terrorists-for-hire like the Abu Nidal group, retaliated by launching air strikes against a number of targets in Libya. It should be noted here that most European countries denied the use of their facilities to the US military aircraft performing the raid. Only the British government, led at the time by President Reagan's friend Margaret Thatcher, complied with American requests for logistical support.

However, the United States and European countries were united in their outrage, when, in December 1988, Pan Am flight 103 exploded over the Scottish town of Lockerbie, killing nearly three hundred people, two-thirds of them American citizens. Joint British-American investigations concluded that two Libyan citizens were directly responsible. The Libyan government refused to comply when called upon to extradite these two, to reveal all available information on the case, and to pay an appropriate compensation to the victims' relatives. Libya also ignored United Nations Security Council Resolution 731, adopted in December 1991, which called upon Tripoli to cooperate with the requests.²⁵

25) In August 1998, the United States, Great Britain and the Netherlands agreed to offer Libya a way out. They proposed a trial of the two Libyan suspects by a Scottish court, under Scottish law, but to be held in the Netherlands. Libya accepted in principle but delayed its final decision on cooperation until a number of conditions would be met, especially regarding the country where the two would have to do their time after conviction. Halfway December 1998, no decision had yet been reached. See e.g. Douglas Jehl, 'Defiance Aside, Gadhafi Weighs a Lockerbie Deal', in: *International Herald Tribune*, November 2, 1998. Obviously, however, although two EU Member States were involved, this was not an EU matter.

The next phase in this tragedy coincided with increasingly alarming reports that Libya was trying to acquire the capability to produce chemical weapons on a large scale. In March 1992, the United States, Great Britain and France were instrumental in having the UN Security Council adopt Resolution 748, instituting mandatory sanctions as of April 15 against Libya for that country's continued lack of compliance with the requests contained in Resolution 731. It ordered an aviation and arms embargo, various curtailments on Libya's diplomatic corps, and a boycott of the national Libyan Airline Company. Libya was threatened with further measures in case it would persist in its defiance. As of December 1993, Libyan assets abroad would be partially frozen, and supplies of certain oil-related equipment would be banned. Yet, Libya refused to budge.

In 1995, President Clinton started a diplomatic initiative to impose a complete, worldwide trade and oil embargo against Libya. The American President, apart from his own convictions and inclinations, was guided by electoral considerations. During his first presidential campaign, Clinton had promised the American relatives of the Lockerbie victims that he would do everything in his power to bring the terrorists to trial. Considering the total lack of success in this matter, taking action on the issue of chemical weapons seemed imperative during his re-election campaign, especially since Democratic Senator Edward Kennedy had put the issue prominently on his agenda during his campaign for re-election to the Senate in the same year. In April 1996, the Clinton administration publicly warned Libya it would not allow the Libyan chemical weapons plant to become operative. It tried to obtain commitments from various Arab and European countries for diplomatic or even military support in case the United States deemed it imperative to take action against the regime in Tripoli. These American attempts got a very disappointing response. Given the United Nations failure to cooperate as well as the unwillingness of America's friends and allies to participate in drastic actions, the United States necessarily resorted to an attempt to enforce the proposed measures unilaterally. It threatened to install a boycott on companies which continued to do business with Libya.

The Iran and Libya Sanctions Act of 1996

Early in August 1996, President Clinton signed the Iran and Libya Sanctions Act, popularly known as the D'Amato Act.²⁶ This Act aims to install a secondary boycott on the two rogue states indicated in its title by forcing American trading partners to avoid significant trade with Iran and Libya. The proposals, as mentioned earlier, originated with Senator D'Amato. He was heavily supported by AIPAC, the official pro-Israeli lobbying organization. AIPAC had been concentrating on tackling the Iranian regime ever since the end of the Cold War. It had started a campaign to have a secondary boycott installed against Iran as early as 1995. While D'Amato had meant to concentrate on isolating Iran, his Democratic colleague Edward Kennedy, to the dismay of the President and many in Congress, had seen to it that Libya was included in the target list. Opponents of Libya's inclusion feared it would unnecessarily complicate managing the unavoidable negative reactions to the legislation from many major allies and trading partners. As they pointed out, there existed many more contracts between European firms and Libya than between European firms and Iran. The contracts with Libya, moreover, were already being implemented. Hence practical repercussions of the inclusion of Libya would be more serious than those of measures directed solely against Iran. Yet, electoral considerations – 1996 was a presidential election year – caused public pressure to prevail. In its explanatory preamble, the Act's measures were justified by reference to Iran's and Libya's persistent

26) The full title reads 'An Act to impose sanctions on persons making certain investments directly and significantly contributing to the enhancement of the ability of Iran or Libya to develop its petroleum resources, and on persons exporting certain items that enhance Libya's weapons or aviation capabilities or enhance Libya's ability to develop its petroleum resources, and for other purposes.' H 3107, 1996.

involvement in international terrorism, and their equally persistent attempts at acquiring weapons of mass destruction.

The 'Iran and Libya Sanctions Act of 1996' is subtle compared to the even more controversial Helms-Burton Act. The latter, also adopted and signed in 1996, is bluntly aimed at imposing a complete boycott against Cuba on all US trading partners, with the stated objective of turning Cuba into (Helms-Burton's version of) a democracy. Its punishments for violation threatened at companies from allied countries are severe: denial of entry into the United States for directors of targeted companies and their nearest blood relatives, and the provision of court procedures against such companies by injured American parties, in order to obtain damages.

'D'Amato', by contrast, is not comprehensive in its measures. It is, rather, primarily aimed at harming the rogue nations' oil revenues so that these will no longer suffice to finance weapons acquisitions and aggressive international behaviour in general. Foreign persons²⁷ spending more than \$ 40 million in investments that would contribute to the enhancement of Iran's or Libya's ability to develop new petroleum resources, are targeted for countermeasures. The Act urges the President to immediately commence diplomatic efforts to impose multilateral sanctions against Iran and Libya in order to achieve that those countries return to responsible international behaviour. It offers the President a choice of two or more from a menu of six penalties for persons unwilling to cooperate: (1) the refusal by the EXIM bank of guarantees, insurances, extensions of credit or participation therein; (2) exclusion from the import of specific goods or technologies; (3) exclusion from loans from United States financial institutions; (4) a choice of two prohibitions against a person that is a financial institution; (5) prohibition of procurement by the US government of any goods or services from the sanctioned person; and (6) restriction of imports with respect to a sanctioned person.

As usual, the Act allows the President the right to waiver under certain conditions.

European reactions to the D'Amato Act

The route the D'Amato proposal took through the various relevant Congressional committees was quite visible. Interested parties had ample opportunity to analyze the consequences. And indeed, they voiced their anger clearly enough. Still, it should be noted that no steps were taken by the Americans within the framework of the Transatlantic Dialogue to consult with the Europeans. From this perspective the adoption of the D'Amato Act presented the European Union, as well as other trading partners of the United States, with a *fait accompli*. The Union's reaction to the extraterritorial effects of the legislation contained in both the Helms Burton and the D'Amato Acts was furious and uncharacteristically united.

With respect to the Helms-Burton Act, the Union took some steps to obtain a World Trade Organization (WTO) ruling against the United States. The Union had a case, as the clause which denies CEOs from offending companies access to the United States was being implemented. Procedures were suspended pending US-EU consultations. By contrast, the Union did not try to involve the WTO with respect to the D'Amato Act. The Act was not yet implemented, and, moreover, its sanctions are more flexible and therefore, possibly, less demonstrably offensive.

In reaction to both Acts, however, the Union's Council in October 1996 did approve an anti-boycott law, a Regulation 'protecting against the effects of the extraterritorial application of legislation adopted by a third country'.

27) 'Person' is used here in the legal sense, indicating a human or institutional person responsible for certain actions.

A compromise?

In order to avert an economic confrontation between the two allies with potential spill-over effects to security areas, negotiations were intensified early in 1998, between representatives of the European Commission and the United States. In May 1998, at the EU-US summit in London, the results were proudly presented as a major breakthrough. The European Commission regarded the US-EU deal as a major victory. At the summit's concluding press conference Commission President Jacques Santer claimed:

'The European Union has opposed the United States sanctions laws on investments in Iran, Libya, and Cuba not only because we believe they are illegal, but also because they are counter-productive (...) The deal today means that European companies and businessmen can conduct their business without the threat of U.S. sanctions hanging over their heads. It's a deal that's good for European companies (...) It's a deal that is good for the European Union which has shown that it can act together, united in important foreign policy issues. And it is good for the transatlantic relationship which can now develop further, free of this longstanding dispute.' ²⁸

President Clinton offered a different view on who had gained and who had made concessions. He stressed that the EU had agreed to strengthen measures and to improve cooperation with the United States in the fight against terrorism and proliferation of weapons of mass destruction. He emphasized in particular that the Union had promised to enhance its cooperation with US non-proliferation and counter-terrorism policies aimed at Iran. The Union, he added, had also agreed to take diplomatic steps in Moscow in order to prevent the Russian sale of sensitive missile technology to Tehran. He finally noted that the Union was now prepared to take measures to deter investment in 'illegally expropriated property around the world, including, but not limited to Cuba'. ²⁹

The European Commission's presentation and its subsequent reporting in the newspapers almost seemed to suggest that the United States President had promised to change the two controversial Acts. That would obviously not be within his power. ³⁰ What President Clinton did promise was that he would make use of a possibility offered to him by the existing laws, that is, to waive implementation on the basis of arguments concerning the United States national security interests. He felt confident he could do so because the EU had offered him arguments to justify this decision before a critical Congress. After all, the Acts had been aimed at producing precisely the sort of steps the Union had now promised the President to take. According to the European Commission's staff, several key members of Congress had been carefully consulted about the deal and agreed to its contents. Supposedly, these key members must have included the main sponsors of the two Acts, Senators D'Amato and Helms. Their reactions to the London announcement, however, were extremely negative. ³¹ And in spite of President Clinton's request directed at Congress to await the outcome of the Union's talks in Moscow concerning the cessation of sensitive sales to Iran, both House and Senate nevertheless proceeded to adopt strict legislation in this matter. ³²

28) *White House Press Release*: Press Conference by President Bill Clinton, Prime Minister Tony Blair, and European Commission President Jacques Santer, Office of the Press Secretary, (Geneva, Switzerland), May 18, 1998.

29) See previous note.

30) Presidential waivers have been provided for in both the Helms-Burton and D'Amato Acts, on grounds of national security interests. Congress may override a waiver, however.

31) Tom Buerkle, 'U.S. and EU Make Peace Over Trade With Iran', in: *International Herald Tribune*, May 19, 1998. Senator Helms was quoted as saying: 'It will be a cold day in you-know-where [hell] before the EU convinces me to trade the binding restrictions in the Helms-Burton law for an agreement that legitimizes their theft of American property in Cuba'. See Dan Balz: 'U.S. Eases Stand on Cuba, Iran Sanctions', in: *Washington Post*, May 19, 1998.

32) Helen Dewar, 'House Joins Senate in Passing Bill on Russia-Iran Sanctions', in: *Washington Post*, June 10, 1998.

Evaluation of the present situation

Transatlantic consultations, and in particular those between the European Union and the United States, started to materialize only after substantial damage had already been done. Until very recently, these consultations were largely limited to the activities of a working group on the subject of how to deal with rogue states. In this working group, the United States and the Union reached an early stalemate, with neither side showing any willingness to alter its positions. Whereas the Union opted to consider the D'Amato and Helms-Burton Acts as essentially trade-related and therefore as violating WTO regulations, the United States interpreted the secondary sanctions as measures to defend national (and international) security, and therefore as falling outside the scope of WTO arrangements.

As a result of the Transatlantic Summit Meeting in May 1998, the sharpest edges of the fundamental differences on these issues may have been removed, at least for the time being. It is important, however, to remember that both the D'Amato and Helms-Burton Acts are still fully in force. The elections of November 1996 and 1998 did not provide the American President with sufficient Congressional support to moderate the extraterritorial effects of the controversial Acts. Republican majorities returned to both Houses of Congress, Senator Helms being among the electoral victors in 1996 (Senator D'Amato, by contrast, lost his bid for re-election in 1998). The Acts' sponsors are unlikely to give in easily to a second-term Democratic President trying to meddle with 'their' legislation during his very last years in office. It should also be noted that both Acts were initially adopted with bipartisan support.

On the other side of the Atlantic, a lack of substantive progress towards a European Common Foreign and Security Policy strikes the eye, the united reaction against the United States legislation on secondary sanctions being the ironical exception to the rule. A comprehensive and unified Union approach to rogue states who pose as serious a threat to the security of its Member States as it does to that of the United States, although highly desirable, still does not seem to be in the cards, in spite of the prospect of closer US-EU cooperation in the matter.

In conclusion

Goals

With regard to the Arab-Israeli conflict, American and European goals are characterized more by agreement than by disagreement. Since the Palestine Liberation Organization has been granted a leading role in negotiations, this is even more true than before. Both the United States and the European Union favour a final, negotiated settlement to the Arab-Israeli conflict. Both wish to see genuine peace, which would include Arab recognition of Israel and peaceful political and economic relations between Israel and its Middle East neighbours. There may, however, still be differences of opinion on the preferred final territorial solution to the Palestinian question. A number of EU Member States advocate the founding of an independent Palestinian state between Israel and Jordan, whereas the United States apparently chooses to back up the preferences of the Israeli body politic in this respect.

With regard to Iran and Libya, both the EU and the United States recognize the international threats currently emanating from those countries. They share a general distrust of the regimes in power; they agree that at least Iran is still sponsoring international terrorism; and they fear that both rogue states are actively pursuing the acquisition or production of weapons of mass destruction.

The conclusion is thus warranted that a solid basis for transatlantic policy-coordination in these areas does exist.³³

Means

There is considerably less reason for optimism concerning the means used and still likely to be used in order to achieve the shared goals. There still exists substantial rivalry between the United States and the European Union as far as a diplomatic role is concerned, with the Union in a structurally weaker position.

Worse than rivalry, there has been actual conflict over the use of economic sanctions, and particularly secondary sanctions, as a means to further common goals. Whereas the European Union

33) An American expert on sanctions, Ellen L. Frost, argues for a subordination of means to ends and a transatlantic focus on how to deal with rogue states, in: 'Umgang mit "Schurkenstaaten". US-Sanktionen und die transatlantische Beziehungen', in: *Internationale Politik* 52 (4), April 1997, p. 1-7.

has been angered by the extraterritorial effects of recent American legislation, the United States has frowned upon the (rare and relatively mild) use of economic pressure exerted by the Union on Israel.

Internal factors

Internal or domestic factors are essential in defining the parameters for policy coordination between the transatlantic partners. In the United States, both policies regarding the Arab-Israeli conflict and policies towards Iran and Libya are largely shaped by electoral considerations, in particular the wishes and political clout of special interest groups. Whether European points of view make sense or not is often of less importance than the fact that the Union cannot help American political candidates win (or lose) elections.

As for the European Union, it is still far from reaching the stage where comprehensive common foreign and security policies could be formulated and implemented. It is ironical that one of the rare instances of the very quick formulation of a common policy so far has been the European response to the Helms-Burton and D'Amato Acts – in other words, a case of confrontation rather than cooperation between the Union and the United States. In addition, the Union still lacks a military arm of its own to back up its political positions. These factors inevitably put it at a disadvantage compared to the United States.

Parameters for future transatlantic coordination

It is, finally, open to question whether the creation of more formal networks for transatlantic consultations will by itself stimulate coordination between the partners. It is easy enough to recognize the usefulness of such coordination, but one cannot ignore the fact that there is too much inequality between both sides of the Atlantic, and that, particularly within the United States, there are too many domestic factors at play.

Dr Marianne van Leeuwen is Deputy Director of Studies at the Netherlands Institute of International Relations Clingendael.