
The European Council and crisis management



IN-DEPTH ANALYSIS

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In-Depth Analysis

Abstract

Since it became an institution in December 2009, the European Council has not only had to fulfil its core mandate as defined by the EU Treaties, but in addition has had to engage in crisis management on numerous occasions. Europe was (and is still) facing crises of a very different nature; ranging from the sovereign debt crisis to foreign policy crises – such as in Ukraine and Libya – and the on-going migration crisis.

This in-depth analysis by the European Council Oversight Unit of the European Parliamentary Research Service (EPRS) examines the role played by the European Council and its President in managing crises. It also looks at the similarities and differences in the measures agreed upon by EU Heads of State or Government. Three policy areas which have faced major crises, within the past five years, are analysed in detail.

This paper concludes that no uniform approach has developed at European Council level for managing crises. Each of them has different causes, is based on distinct problems and arose in specific circumstances. At the same time the findings indicate that the European Council has faced comparable challenges during the various crises and goes through similar phases when responding to them.

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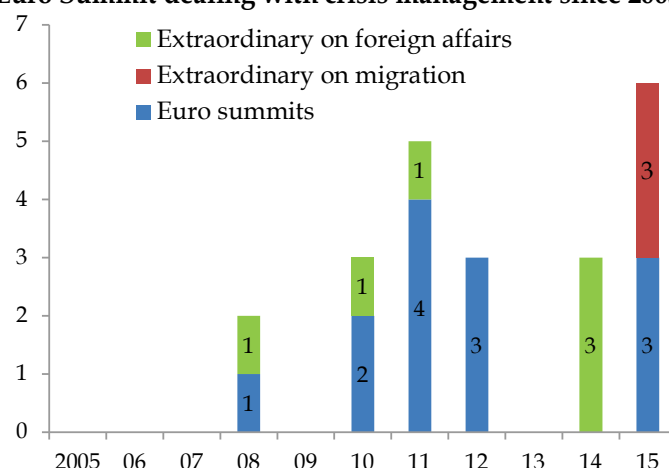
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Introduction

Since the entry into force of the Lisbon Treaty in December 2009, the EU has gone through a number of major crises each of a very distinct nature, ranging from the sovereign debt crisis to foreign policy crises (Libya, Syria and Ukraine), and the ongoing migration crisis. In response, the [European Council, and its President](#),¹ have not only had to fulfil their core mandate – which is to provide the Union with the necessary impetus for its development and to define [its] general political directions and priorities' (Article 15(1) TEU) and to 'identify the Union's strategic interest' and 'define the principles and general guidelines' (Article 26 TEU) under the Foreign and Security Policy – but have also had to engage constantly in crisis management.

The increasing number of extraordinary European Council meetings and Euro Summits in recent years illustrates both the significant multiplication of crises with which the EU has had to deal, and the European Council's growing role in crisis management, especially compared to the pre-Lisbon period (Figure 1). These exceptional meetings reveal the urgent need for policy responses from the top EU institution to deal with unexpected crises. The European Council's agenda has shifted away from the earlier 'potpourri' of different issues to a single, specific topic capturing the leaders' attention. Some experts even see the European Council turning into a 'quasi-permanent forum for crisis management'.²

Figure 1: Number of extraordinary meetings of the European Council and Euro Summit dealing with crisis management since 2005³



Source: EPRS.

This paper considers the role played by the European Council in managing crises, as well as the measures adopted to counter their effects and bring stability. Three policy areas, which have faced major crises over the past five years, are analysed in detail.

The first was the sovereign debt crisis, which erupted in early 2010 in the aftermath of the 2008 global financial crisis. As the integrity of the euro area was at stake, the European Council had to intervene

¹ The specific functions of the President, assigned by the Treaty, are to chair and drive forward the work of the European Council, to ensure the preparation and continuity of its work, and to endeavour to facilitate cohesion and consensus within it (Article 15(6) TEU).

² Desmond Dinan (2013), *The Post-Lisbon European Council Presidency: An Interim Assessment*, *West European Politics*, 36:6, 1256-1273.

³ Libya and Syria were also considered in two out of three extraordinary meetings on migration in 2015.

quickly to safeguard financial stability and became a kind of '*[gouvernement économique](#)*'. From early 2010 to summer 2012, EU leaders – and in particular euro-area leaders – took a series of far-reaching decisions in order to address a systemic crisis that revealed flaws in the initial design of Economic and Monetary Union (EMU).

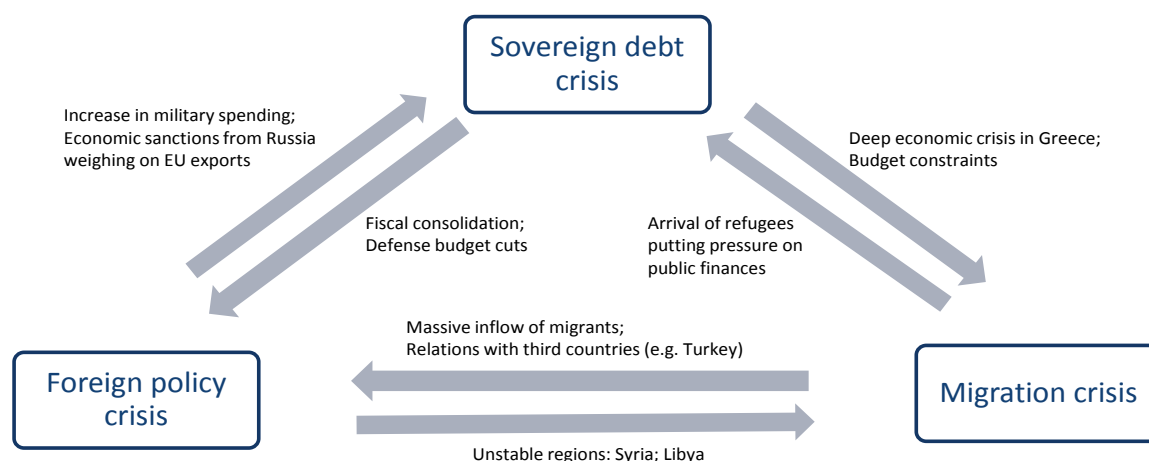
Second, the ongoing migration crisis occupied most of the European Council's work in 2015. The crisis required the European Council to hold several extraordinary meetings in order to address the influx of migrants to Europe, to preserve the integrity of the Schengen area and deal with the limitations of the current common migration policy.

Third, and although the management of crises related to foreign policy issues has historically been [high on the agenda](#) of the European Council, in the course of only a couple of years, the European Council has been faced with a series of crises – Libya, Syria and Ukraine – in the Union's immediate neighbourhood.

All the above-mentioned crises had an external destabilising factor (for example, the 2008 global financial crisis and the annexation of Crimea); however, the 'weight' of the external factor in each crisis differed. While the effects of the external-relations crises fall outside the EU, notwithstanding significant domestic consequences for the Union, the financial and migration crises are EU – or euro area – specific crises, although they also had (significant) external causes.

One can identify a substantial degree of interconnectedness between the three crises (sovereign debt, migration and foreign policy-related) outlined in this paper (Figure 2). The sovereign debt crisis led to sizeable fiscal consolidation measures with consequences on Member States' budgets, including, for example, further cuts on [defence spending](#). Similarly, economic sanctions imposed by Russia following the Ukrainian crisis had a negative effect on EU exports, causing a foreign-policy related crisis to have a negative influence on economic recovery. The massive inflows of migrants also have an impact on EU Member States' public finances, in particular in Greece, which has been experiencing a deep economic and financial crisis. In addition to these economic consequences, the migration crisis also led the EU and its Member States to foster cooperation with third countries on economic, foreign and security policies, most notably with Turkey. The migration crisis erupted due to the civil war in Syria, the rise of ISIL/Da'esh, and the instability of the whole region. Finally, external-relations crises may require an [increase in military spending by some EU Member States](#), which would in turn weigh negatively on public finances.

Figure 2: Interconnectedness of crises



Source: EPRS.

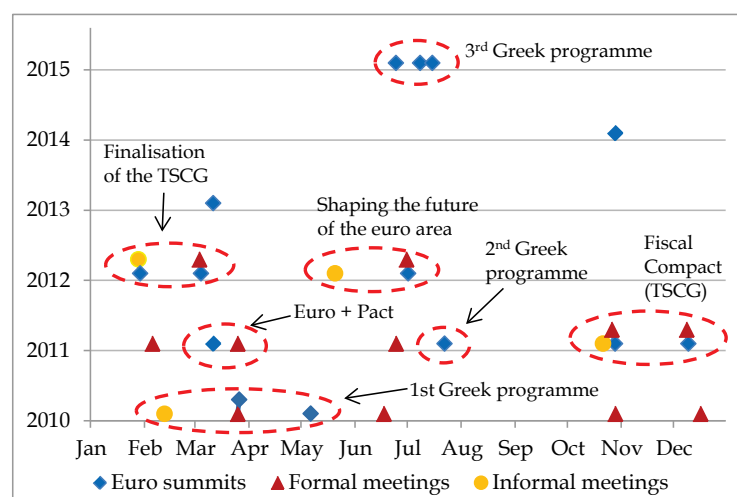
1. The sovereign debt crisis

1.1. Development of the crisis

Immediately prior to the onset of the sovereign debt crisis, the 2008 global financial crisis destabilised the global financial system. Prior to the bursting of the financial and real estate bubbles, big banks had grown to the extent that each had a significant weight in the financial system. Many banks were deemed to be 'too big to fail' and, as a result, had to be rescued by sovereigns with the aim of stabilising and restoring confidence in the financial system. Such large amounts of money being injected into the financial system led to a sharp deterioration in public finances – which had not been sound enough during the first decade following the euro's introduction, and which coincided with a period of rapid economic growth and the availability of cheap credit – and an increase in market funding costs for stressed euro-area sovereigns (regularly described as the 'vicious circle' between banks and sovereigns). In addition to the build-up of internal imbalances, the euro area's external competitiveness gradually eroded. As a result, public deficits and outstanding debts increased to record highs, and a few Member States ended up being cut-off from markets, as confidence in their ability to honour their debt gradually diminished. The 2008 global financial crisis developed into a sovereign-debt crisis, specific to the euro area, in early 2010, causing a deep economic and social impact across the EU. It also revealed flaws in the initial design of EMU.

Following the entry into force of the Lisbon Treaty, the European Council, and increasingly, the Euro Summit, met 'with unprecedented frequency'⁴ between 2010 and mid-2012 to address the sovereign debt crisis. The first meetings were devoted to addressing the first 'Greek crisis'⁵ (Figure 3). From early 2010 onwards, Greece was no longer able to borrow on markets and to repay its debt – which had by then reached unsustainable levels – as interest rates were too high (Figure 4). Euro area leaders agreed to provide financial assistance to Greece, which materialised in May 2010 after the Eurogroup reached a deal on a 110 billion euro economic adjustment programme for Greece. The programme comprised bilateral loans from euro area peers and the IMF.

Figure 3: European Council sovereign debt crisis management



Source: EPRS

In response to the Greek debt crisis and amid heightened risks of contagion across the euro area, two temporary rescue mechanisms were established in May 2010 to provide financial assistance: the

⁴ Wessels, W. (2016), 'The European Council', Macmillan Education, London, p. 194.

⁵ Van Rompuy, H. (2014), 'Europe in the Storm', Davidsfonds Uitgeverij nv, Leuven, p. 33.

[European Financial Stabilisation Mechanism](#) (EFSM) and the [European Financial Stability Facility](#) (EFSF), the latter based on an intergovernmental treaty between euro-area Member States. These mechanisms were subsequently activated to rescue Ireland and Portugal in December 2010 and May 2011, respectively.

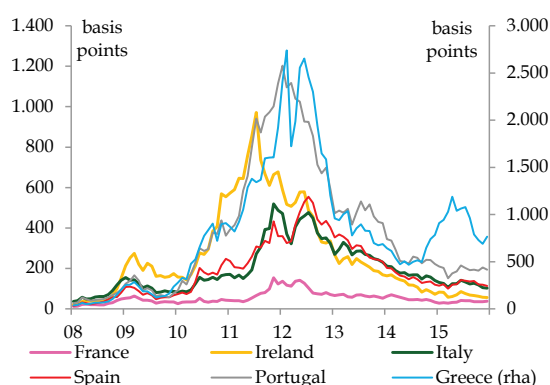
The European Council also [decided](#) to launch a Task Force led by its President, in March 2010, in order to reinforce the economic governance framework based on the Stability and Growth Pact (SGP), the weaknesses of which were identified as one of the root causes of the crisis. Given the high degree of interconnectedness between European economies, especially in the euro area, the Task Force's [report](#) – endorsed by the European Council in October 2010 – recommended greater fiscal discipline, wider economic coordination and surveillance and the establishment of a robust crisis-resolution framework for the euro area. In advance of the report's publication, the Commission had tabled a [proposal](#) (the *Six-Pack*) with similar provisions on a strengthened economic governance framework, including reform of the SGP. Subsequently, the *Two-Pack* was adopted under the ordinary legislative procedure. It further reinforced the surveillance mechanisms in the euro area, and ensured that the draft budgetary plans submitted by euro-area Member States would be monitored (see 1.2.2, p. 9).

Following up the Task Force report, the European Council supported the establishment of a permanent crisis resolution mechanism. President Herman Van Rompuy was invited to 'undertake consultations with the members of the European Council on a limited treaty change required to that effect'. In December 2010, EU leaders endorsed the creation of the European Stability Mechanism (ESM) – that would become fully operational from 2013 onwards – through the amendment of Article 136 TFEU.

A new Task Force – again led by the European Council President – was set up after the [July 2011 Euro Summit](#) and prepared the report '[Ten measures to improve the governance of the euro area](#)'. This led to the adoption of a new intergovernmental agreement, the [Treaty on Stability, Coordination and Governance](#) (TSCG) in early 2012. It took that form mainly due to UK opposition to a further Treaty amendment. The TSCG aims to further strengthen fiscal discipline and improve economic policy surveillance and coordination.

However, the establishment of these rescue and crisis management mechanisms and macro-economic surveillance tools and rules – in addition to the unconventional monetary policy measures carried out by the ECB – proved to be insufficient to soothe markets and restore confidence, as interest rates remained very high in peripheral countries amid heightened default and contagion risks (Figure 4). Following the TSCG agreement, Greece was granted a second financial-assistance package worth 130 billion euro, including a restructuring of Greek debt held by the private sector. In June 2012, Spain became the fourth euro-area country to seek financial assistance (of up to 100 billion euro) to help recapitalise its at-risk banking sector.

Figure 4: Yield spreads over German 10-Year bonds (*Bunds*)



Source: Eurostat, EPRS.

Against this background, it became evident to the European Council that 'qualitative breakthrough' was required to address the flaws in the initial design of EMU and, as a matter of priority, fix the identified weaknesses in the euro area's financial framework. At the [June 2012 European Council meeting](#), the European Council President, in close cooperation with the Presidents of the Commission, the Eurogroup and the ECB, presented a preliminary [version](#) of a report which had been requested at the May 2012 informal meeting of EU leaders. This report set out the main building blocks to achieve a strengthened EMU. Most notably, the report included an integrated financial framework, an integrated budgetary framework, an integrated economic policy framework and strengthened democratic legitimacy and accountability. At the [Euro Summit](#) of 29 June 2012 following the European Council meeting, the Heads of State or Government of the euro area committed to severing the negative feedback loop between banks and sovereigns in order to safeguard the financial stability of the euro area and protect taxpayers from bank failures. To that end, the establishment of a Single Supervisory Mechanism (SSM) for euro-area banks was agreed upon as a first step towards a fully fledged banking union. Equally, it was decided that the European Stability Mechanism (ESM) could directly recapitalise banks once the SSM became effective. The report also mentioned that common mechanisms to wind down banks and guarantee deposits should subsequently be established as part of an integrated financial framework. The final version of the [Four Presidents' report](#) 'Towards a Genuine EMU' – agreed by the December 2012 European Council – confirmed a specific time-bound roadmap for the achievement of a genuine EMU.

With the peak of the crisis and risks concerning the integrity of the euro area seen as having passed, euro-area policy-makers have increasingly focused on boosting public and private investment to further support growth and employment while maintaining sound public finances. For example, the European Council adopted a [Compact for Growth and Jobs](#) in June 2012. It also supported the [Investment Plan](#) launched by the Commission in 2014.

Nonetheless, more crises materialised after summer 2012 and again jeopardised the integrity of the euro area. Most notably, during summer 2015, a third financial assistance programme for Greece (worth 86 billion euro) was approved following a series of Euro Summits, and amid a significant bank run in Greece which led to the establishment of capital controls.

1.2. Assessing and analysing the European Council's management of the crisis and its underlying legacies

Issues of financial and economic policies were higher than usual on the agenda of the European Council during the crisis. This section seeks to examine and assess the challenges faced by the European Council and its management of the sovereign-debt crisis.

1.2.1. No toolbox available to address this systemic crisis

At the onset of the crisis, President Herman Van Rompuy found that 'there were no tools at all at hand'⁶ to address the situation and safeguard the stability of EMU. To fill that vacuum, a new crisis-management framework had to be established urgently. It not only included new instruments to improve economic governance and banking supervision and resolution, but also crisis-resolution mechanisms. Their aim is to identify, prevent and correct major failures and imbalances at the origin of potential idiosyncratic or systemic crises for EU economies. This led to a substantial overhaul of the EU's economic-governance system and the design of EMU with a view to improving efficiency.

⁶ Van Rompuy, H. (2014), p. 29.

1.2.2. Overhaul of the economic governance framework and the EMU setup

The financial and economic crisis revealed structural imbalances and shortcomings in the set-up of EMU. Against this background, the European Council had to recognise that strategic orientation was needed to overhaul the economic-governance system of the EU, notably by [requesting](#) that a Task Force on economic governance be formed, led by its President, in March 2010. The measures put forward in the final report published in October 2010 are in line with the Six-Pack that was adopted under the ordinary legislative procedure. It reinforces the preventive and corrective arm of the SGP and introduces multilateral surveillance at EU level. The [Six-Pack](#) also institutionalises the European Semester process which aims at better coordination of Member States' budgetary, economic and employment policies. In addition, the [Two-Pack](#) further strengthens euro-area economic coordination and integration, putting special emphasis on enhanced surveillance for countries experiencing financing difficulties, and ensuring the monitoring of draft budgetary plans submitted by euro-area Member States.

Alongside the Six- and Two-Packs, the European Council introduced further fiscal discipline by agreeing on the TSCG in early 2012. A new Task Force led by Herman Van Rompuy designed this intergovernmental agreement, which compels contracting parties to transpose into national law a balanced-budget rule, under the threat of financial sanctions being imposed by the Court of Justice of the EU (ECJ). The contracting parties face greater automaticity in the correction mechanism should they deviate significantly from the medium-term objective or their adjustment path towards it.

Additionally, new crisis resolution mechanisms (the EFSF, the EFSM and the ESM) were established in order to provide financial assistance to countries under financial stress. The ultimate goal was to stem financial contagion and safeguard the integrity of the euro area. That is why euro-area leaders also decided to upgrade those rescue mechanisms by boosting their robustness and credibility, namely by providing further 'firepower' and additional flexibility to intervene.

The European Council also committed to establishing a banking union, aiming to restore financial stability and confidence in the banking system and ultimately to foster economic growth. It has two core provisions: first, to ensure that there is sound and unbiased supervision of financial institutions through a common supervisory mechanism (the Single Supervisory Mechanism which has been up and running since November 2014) and, secondly, to ensure that failing banks be wound down swiftly and in an orderly manner so as to safeguard financial stability and protect taxpayers' money through a common resolution mechanism (the Single Resolution Mechanism, which has been fully operational since January 2016).

Lastly, note that two other intergovernmental agreements were adopted by euro-area leaders in the context of a strengthened EMU: (i) the Euro Plus Pact in March 2011, which aimed to improve economic policy coordination for competitiveness; and (ii) the Single Resolution Fund, which is the common safety net attached to the Single Resolution Mechanism within the framework of the banking union and whose resources will be drawn upon to resolve failing banks.

All in all, it turned out that, 'from crisis summit to crisis summit, [the European Council was] rewriting the core rules of the monetary union.'⁷ As an advocate of pragmatic solutions and given the urgency to act, the European Council and its President sometimes had to rely on the intergovernmental method to the detriment of the Community method, although this was not the objective. The episode of the TSCG negotiations, during which the United Kingdom's Prime Minister, David Cameron, threatened to veto any Treaty change, shows that the intergovernmental alternative was sometimes necessary.⁸

⁷ Van Rompuy, H. (2014), p. 35.

⁸ Dinan, 'Governance and Institutions: Impact of the Escalating Crisis', JCMS, 2012, Volume 50, Review, p.85.

1.2.3. Setting up a new institutional framework: Euro Summits

During the crisis, the holding of regular meetings between euro area leaders only – often joined by the ECB President – was a major institutional development, as they could further discuss shared issues and be in a position to take immediate and far-reaching decisions, such as financial assistance packages.⁹ The Euro Summit of 25 March 2010 illustrated the readiness of euro-area leaders to make a far-reaching ad-hoc decision and provide Greece with bilateral loans in order to safeguard financial stability, while buying some time to develop a more comprehensive crisis management framework. At the same time, meeting in a more limited group helped foster consensus among the countries most directly affected. According to the TSCG (Article 12), Euro Summits are to be held at least twice a year. However, that provision has been breached twice as only one meeting took place in 2013 and 2014, to discuss the strategic orientation of the euro area.

1.2.4. A strengthening of the role played by the European Council

Throughout the crisis, it gradually became clear that the role of the European Council was strengthened as 'the ultimate decision-maker'¹⁰ when there was a deadlock situation at Eurogroup or ECOFIN level. The Greek crisis of June-July 2015 illustrates this reinforced role: as the Eurogroup could not agree on a third financial assistance programme for Greece, President Tusk decided to convene three Euro Summits in a row between 22 June 2015 and 12 July 2015 in order to seek to unlock the situation and reach a final compromise between Greece and other euro-area countries. Herman Van Rompuy adds that the involvement of the Heads of State or Government was justified as (i) 'there was a lot of money at stake' and taxpayers' money had to be used as loans and guarantees thereby requiring far-reaching decisions to be taken; and (ii) 'in times of crisis the limits of institutions built on attributed competences. But when we enter uncharted territory and new rules have to be set, the European Council ... is well placed to play its part'.¹¹

In addition, the European Council plays a role within the framework of the European Semester. The spring European Council provides strategic guidance to the priorities for the semester cycle by [endorsing](#) the Annual Growth Survey. It also concludes the European Semester every year by endorsing the set of country-specific recommendations recommended by the Commission and subsequently adopted by the ECOFIN Council. In addition, the European Council President is always invited to participate in the 'European Parliamentary Weeks' bringing together representatives of the European Parliament and the national parliaments to discuss economic and fiscal issues, on the basis of Article 13 TSCG. In practice, Herman Van Rompuy attended all those inter-parliamentary conferences between 2012 and 2014, in contrast to Donald Tusk who did not attend in 2015.

1.2.5. The pivotal role of the President of the European Council and Euro Summit

The European Council President played a key role in managing the sovereign debt crisis, first and foremost, by convening European Council meetings and Euro Summits – sometimes informal – and setting an agenda that substantially focused on addressing the crisis. The first European Council President, Herman Van Rompuy, also steered decision-making on specific EMU-related issues through his creation and leadership of task forces, which provided him with 'direct oversight over EU finance ministers, the Commission, and ECB representatives'.¹² As mentioned above, this led to a strengthened economic governance framework (through the Six- and Two-Packs, TSCG, and Euro

⁹ Puetter, U. (2014), 'The European Council and the Council: new intergovernmentalism and institutional change', Oxford University Press, Oxford, p. 127.

¹⁰ Wessels, W. (2016), 'The European Council', Macmillan Education, London, p. 208.

¹¹ Van Rompuy, H. (2014), pp. 123-124.

¹² Uwe Puetter, U. (2014), p. 117.

Plus Pact) and the creation of a permanent rescue mechanism, the ESM, through a limited Treaty change. In addition, in May 2012, he '[engineered](#)' a mandate, to be given to him – in close cooperation with the Presidents of the Commission, the Eurogroup and the ECB – to draft a report setting out a longer-term vision for EMU. This report was at the origin of the decision to establish a banking union, a 'game-changer' in the crisis. Similarly, Donald Tusk was involved in the subsequent Five Presidents' report released in 2015.

Herman Van Rompuy also played a key role in securing an agreement on a bailout programme for Cyprus in 2013. He convened a meeting with the President of Cyprus, the heads of the Commission, the Eurogroup, the ECB and the IMF while keeping the Members of the European Council informed.¹³ Again, safeguarding the integrity of the euro area was the overriding goal.

1.2.6. Follow-up and implementation of commitments made at European Council/Euro Summit levels

Throughout the crisis and especially after its peak, the European Council regularly monitored the gradual establishment of both the new economic governance framework and Banking Union, in order to meet its commitments in response to the crisis. As it was the top priority on its agenda at the time, it often called on the relevant stakeholders (namely the Commission, the co-legislators, and the Eurogroup) to make swift progress, most notably with regard to the adoption of the Six- and Two-Packs and the establishment of the first pillars of Banking Union. In addition, EU leaders constantly called for the implementation of structural reforms to boost growth and jobs, alongside cutting high budget deficits, especially in peripheral countries facing market pressure.

1.3. European Parliament involvement and views

Although the advent of the crisis 'took the EP by surprise',¹⁴ and despite the more prominent role played by the European Council, Parliament sought to weigh as much as possible on the decision-making process of crisis-resolution measures adopted within the EU framework. Parliament was involved in several major responses to the crisis, including notably the Six- and Two-Packs and in the establishment of Banking Union. Moreover, the EP plays an important role within the framework of the European Semester, including through holding 'economic dialogues' and with the annual adoption of a resolution on the [Annual Growth Survey](#) (AGS).

On the other hand, the European Parliament had only limited involvement in the negotiation of intergovernmental agreements adopted outside the EU framework, although it usually held the right to be informed of any new developments. As a result, democratic legitimacy and accountability was substantially undermined. That is why the EP repeatedly voiced concerns about the increasing use of intergovernmental methods by the European Council, to the detriment of the Community method. In this respect, specific resolutions were passed, including on [rescue mechanisms](#), the [Euro Plus Pact](#), and the [ESM](#). Nonetheless, Herman Van Rompuy [argued](#) that 'often the choice is not between the Community method and the intergovernmental method, but between a coordinated European position and nothing at all.'

In contrast, the Parliament was invited to send three MEPs to negotiations on the TSCG, in addition to delegates from each contracting party and officials from the Council, the Commission and the ECB. The final version of the TSCG includes provisions moving in a direction allowing for more

¹³ Van Rompuy, H. (2014), pp. 128-129.

¹⁴ Van Rompuy, H. (2014), p. 126.

parliamentary control and with greater respect for upholding the Community method (see notably Articles 8(2), 12(5), 13 and 16) compared to the very first draft.¹⁵

The [Thyssen report](#) – drafted in response to the preliminary version of the Four Presidents' report of June 2012 – found it 'unacceptable' that Parliament was not involved in the drafting of the Four Presidents' report, while setting out the EP's views on the future of EMU. Nonetheless, the EP President was able to contribute to the drafting of the Five Presidents' report released in June 2015, which further set out a long-term vision for the currency union.

In addition, the EP carried out an assessment of the Troika's working methods and role in the bailout programmes during the crisis, through adopting two own-initiative [reports](#) in March 2014. The Troika (Commission, ECB, and IMF) was established following a decision by euro-area leaders in March 2010 to grant a financial assistance package to Greece, thereby also building on ECOFIN Council recommendations. Parliament [deplored](#) that the Troika failed to meet the high standards of democratic legitimacy at EU level, by displaying no transparency and democratic oversight, mainly due to its structure. It therefore demanded that the Eurogroup, the Council and the European Council assume full responsibility for the operations of the Troika.

In several of his opening speeches to European Council meetings, European Parliament President Martin Schulz also stressed that democratic legitimacy and scrutiny should be further reinforced in decision-making processes. He [felt that](#) Parliament's role was being undermined and reduced to 'rubberstamping agreements reached between governments in backrooms in Brussels'. The 2015 resolution, '[Review of the economic governance framework: stocktaking and challenges](#)', also called for further democratic accountability with regard to the economic governance framework, adding that the ESM and the TSCG should be included in Union primary law.

¹⁵ Notre Europe, 'The making of a new treaty: Six rounds of political bargaining', *Policy Brief*, No 32, 2012.

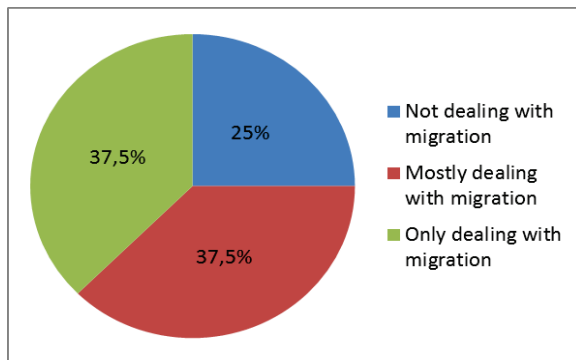
2. The migration crisis

2.1. The European Council's management of the migration crisis

2.1.1. Size and development of the migration crisis in 2015

The term 'European migrant crisis'¹⁶ has become widespread¹⁷ following the tragic event on [19 April 2015](#) when 800 people died off the coast of Libya while trying to reach Europe. Observers agree that the migration crisis is, in some respects, of unprecedented proportions compared to what the EU has collectively faced before.¹⁸ Both [German Chancellor Angela Merkel](#) and European Council President Donald Tusk have repeatedly [stated](#) that the refugee crisis 'is perhaps the biggest challenge Europe has faced for decades and it has the potential to change the European Union as we know it'. Former European Council President Herman Van Rompuy believes that 'the migration crisis is a more difficult one [to solve] than the eurozone crisis'. This argument is supported if one measures the severity of a European crisis by the number of meetings the European Council holds on the issue.

Figure 5: Number of European Council meetings in 2015 dealing with migration



Source: EPRS.

2015 saw a long series of crisis summits on migration. Six European Council meetings took place since April 2015, three of which were extraordinary meetings ([23 April 2015](#), [23 September 2015](#) and [12 November 2015](#)) dedicated only to migration, with the other three ([25-26 June 2015](#), [15-16 October 2015](#) and [17-18 December 2015](#)), focused to a great extent on migration.

Additionally, EU leaders discussed migration with leaders of third countries and strategic partners at the [High-level Conference on the Eastern Mediterranean – Western Balkans Route](#) on 8 October 2015, the [Valletta summit](#) on 11-12 November 2015 and the [EU-Turkey summit](#) on 29 November 2015.¹⁹

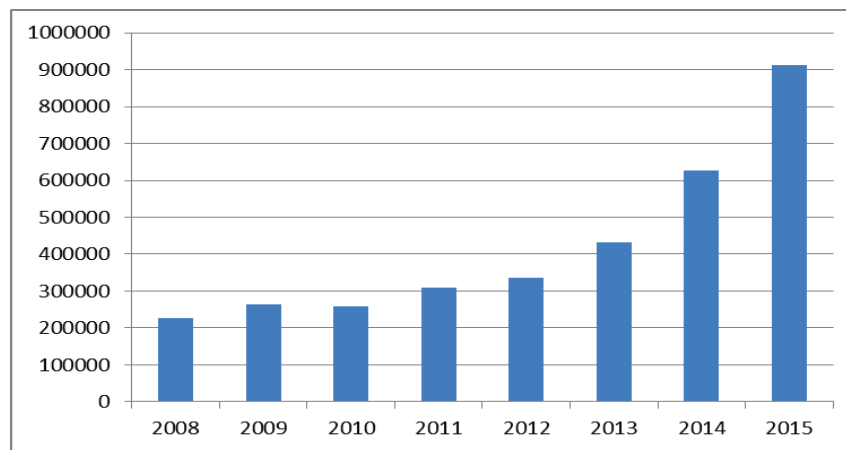
The magnitude of the migration crisis is represented in the sharp increase in asylum applications to the EU (See Figure 5). The increased numbers of people arriving in Europe have created an overwhelming situation for existing national and European administrative structures, which were mostly taken completely by surprise. This applies to the registration, processing and hosting of the migrants alike.

¹⁶ The term 'migration crisis' was used for the first and only time in European Council conclusions in those of the 23 September 2015 European Council.

¹⁷ However, many [trace the origin](#) of the crisis back to the 2011-2012 period, to the beginning of the conflicts in Syria as well as in Libya.

¹⁸ Eurocomment Preliminary Evaluation 2015/8.

¹⁹ Various other meetings on migration, including either the European Council President and/or the European Commission President with a group of EU Heads of State or Government also took place.

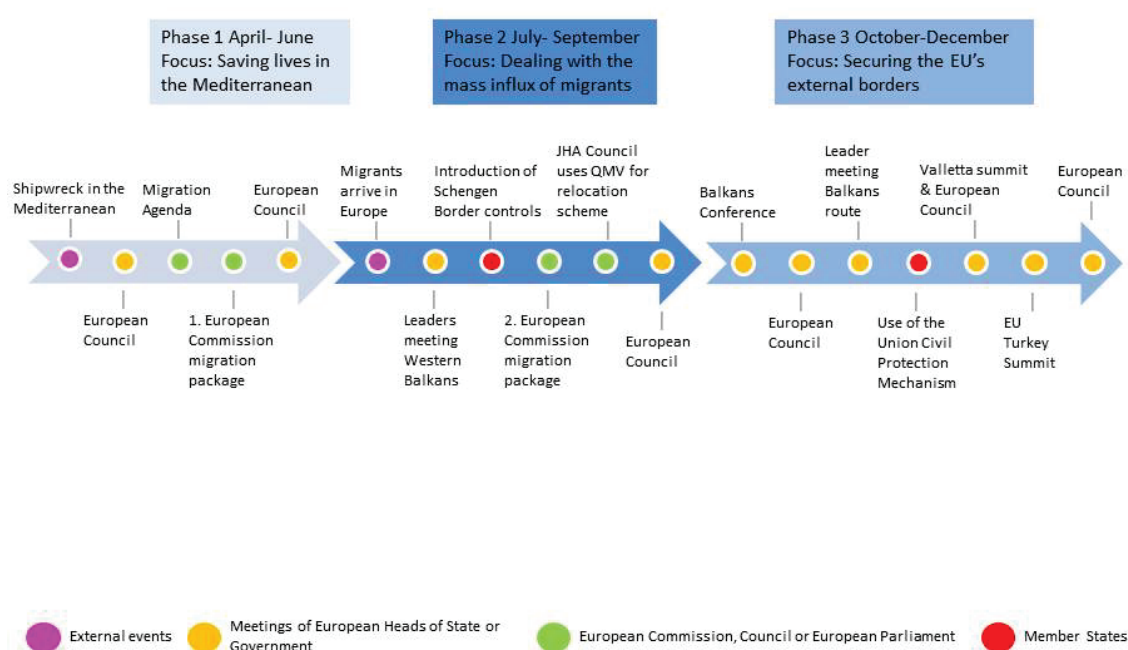
Figure 6: Total number of asylum applications in the EU²⁰

Source: Eurostat.

2.1.2. Activities of the European Council

So far the activities of the European Council on the migration crisis can be divided into three different phases (see Figure 6 and Annex II). Initially, the focus was clearly on 'saving lives' in the Mediterranean Sea. During this phase some of the more prominent commitments made by the European Council included increasing the financial resources for operations Triton and Poseidon; the objective to disrupt people-trafficking networks, including the destruction of traffickers' vessels; the pledge to provide frontline Member States with additional resources; the proposal to create relocation and resettlement schemes and the establishment of 'hotspots'. During the second phase, the focus shifted to dealing with the unprecedented number of migrants arriving in Europe, in particular via the [western Balkans route](#). The main commitments of the European Council during this period were to increase financial assistance to EU external-relations initiatives and United Nations programmes; make further commitments regarding the setting up of hotspots; reinforce dialogue and cooperation with Turkey; organise a conference on the western Balkans route; and also an attempt to ensure the correct implementation of existing rules and regulations (in particular, the Dublin and Schengen acquis). In the third phase, the focus shifted again to concentrate on protecting the EU's external borders. Consequently, the European Council's main decisions were to create an integrated border management system; strengthen Frontex's capacity through enhancing its mandate; consider the development of a European Border and Coast Guard System; and to continue to set up hotspots and ensure the rapid and full implementation of prior relocation and resettlement decisions.

²⁰ Eurostat data for asylum applications in 2015 so far covers only the Jan-Oct 2015 period. The UN refugee agency (UNHCR) provides data for the whole of 2015 indicating that [1 015 078](#) migrants arrived by sea. Similar figures are provided by the International Organization for Migration (IOM), showing that, of [the 1 121 662 migrants, including asylum-seekers, who have arrived in Europe by land and sea, 1 086 271 arrived by sea routes](#). This also shows that not all [migrants arriving in the EU are automatically also asylum-seekers](#). A migrant is only an asylum-seeker after they have applied for asylum. If asylum is granted the individual is then a refugee.

Figure 7: Key developments on migration in 2015

Source: EPRS.

In the European Parliament's plenary debate following the 16-17 December 2015 European Council, many political groups [observed](#) that the European Council Conclusions on migration strongly resembled previous conclusions made throughout 2015. The European Commission President, Jean-Claude Juncker, argued that this is normal and, indeed, necessary as some Member States did not implement the European Council's decisions. The European Council's Conclusions in 2013 and 2014 had already included many of the points found in the most recent European Council statement. At the European Council meeting on 24-25 October 2013, immediately following the Lampedusa tragedy, the Heads of State or Government had already stressed the need for 'the principle of solidarity and fair sharing of responsibility' and called for 'determined action ... to avoid that such human tragedies happen again'. At that time, the European Council underlined 'the importance of addressing [the] root causes of migration flows by enhancing cooperation with the countries of origin and transit, including through appropriate EU development support and an effective return policy' and called for 'the reinforcement of Frontex activities in the Mediterranean.'

2.2. The European Parliament's involvement in the migration crisis

Parliament has been putting forward [proposals](#), suggestions and recommendations to address the migration issue over recent years. These included numerous [calls](#) for a more holistic approach to asylum and migration policy as well as repeated requests for the creation of legal channels for EU entry.

In 2015, the European Parliament regularly utilised both the plenary debate with the European Council President²¹ and parliamentary resolutions to monitor and comment on the European Council's actions on the migration crisis. The debate on 29 April 2015 and the [Parliament's subsequent resolution](#) provide good examples of the European Parliament's mixed views on the European Council's performance in this policy area. While a majority of the Members of Parliament welcomed

²¹ 'The European Council President shall after each [meeting](#) of the European Council present a report to the European Parliament' (Article 15.(6d) TEU).

the convening of the special European Council on migration, many also considered the results not to be ambitious enough. Parliament has also criticised, on numerous occasions, the lack of implementation by the Member States of their financial commitments as part of the migration crisis. The [plenary debate on migration and refugees in Europe on 9 September 2015](#) and Parliament's [resolution](#) of 11 September stressed the fact that the 25-26 June 2015 European Council and the subsequent Justice and Home Affairs Council on 20 July 2015 had 'failed to produce an agreement on a binding redistribution mechanism for the relocation and resettlement of people, and instead settled for a voluntary mechanism'. In November 2015, Parliament President Martin Schulz [pointed out](#) that 'the European Parliament has again strongly voiced its disappointment that Member States time and again fail to follow up on their promises and pledges; while the European institutions deliver every step of the way'.

In addition to Parliament President Martin Schulz's [opening speeches](#) to European Council meetings, Parliament, in its 11 September 2015 [resolution](#), also aimed at influencing the discussions and conclusions of the European Council on migration. Many of its [priorities](#) were reflected in the European Council's Conclusions.

2.3. Examining the challenges

European Council President Donald Tusk repeatedly [stated](#) that 'Europe will need to deal with this challenge for many years to come' and that 'the situation will get even worse'. For the moment Europe is still in the eye of the storm concerning the migration crisis and this issue will feature prominently on the agenda of at least the next two European Council meetings, and, most likely, throughout the remainder of 2016. Consequently, it is too early to evaluate the results of the crisis and assess some of its long-term consequences for the EU (such as the relationship between Member States, the impact on the Schengen area, policy and institutional consequences and economic costs). At this stage one can only take stock of the challenges that the European Union/ European Council has had to face to date.

2.3.1. The European Council did not tackle the crisis early enough

[Some](#) analysts criticise the EU for not having responded to the humanitarian fall-out of the Syrian conflict in a timely manner. Arguing that Europe's response to the crisis has been disorderly from the beginning,²² they also acknowledge the remarkable speed and unexpected escalation of the crisis and the rapidly changing context within which the policy debate has taken place. These sentiments were confirmed in January 2016 when European Council President Donald Tusk [acknowledged](#) that the migration crisis is an 'unprecedented challenge and Europe as an organisation as well as the Member States, did not prepare enough to deal with this size of migration'.

2.3.2. Limitation of existing European tools and policies

In the [views](#) of [experts](#), there is a clear absence of a tool box at EU level to deal with the crisis.²³ Former European Council President Herman Van Rompuy [believes](#) that the refugee crisis highlighted the lack of instruments and processes available to deal with such extraordinary circumstances. This confirms European Council President Donald Tusk's [statement](#) early on during the crisis that he did 'not expect any quick-fix solutions to the root causes of migration, because there are none'. Consequently, some [experts](#) argue that the 'current *modus operandi* of the European institutions is ill equipped to respond in either a timely or comprehensive manner... to address the short- and long-term migration and asylum challenges.' Nevertheless, they believe that 'EU institutions are now

²² Eurocomment Preliminary Evaluation 2015/8.

²³ Eurocomment Pre-summit Briefing [2015/3](#).

taking critical steps to improve their mechanisms for responding both effectively and with a long-term vision.'

2.3.3. Finding a common European approach

One significant challenge for the European Council is to reach consensus on a common migration policy. To date, divergent national positions have led to Member States temporarily suspending the [Schengen rules](#), erecting physical barriers along national borders and not applying the [Dublin rules](#) on processing asylum applicants. Some [experts](#) believe that the inherent reluctance and inability of some Member States to participate in a redistribution scheme and share the burden reveals a deeper schism and highlights a fragmented Union. [They](#) argue that 'national interests have consistently trumped a common European response to this migrant influx.' A [constant reminder](#) by the European Council and its President during the migration crisis was the notion that solidarity goes hand in hand with responsibility. This was also the motto espoused by Herman Van Rompuy throughout the sovereign debt crisis.²⁴

2.3.4. Follow up and implementation of European Council decisions

The migration related decisions of the European Council in 2015 also led to substantial [activities of the other European institutions](#). Annex II shows that the majority of follow-up activities were in the hands of the Member States and/or the Commission. The relevant follow-up activities by the other EU institutions were [dealt with rapidly](#) and comprehensively. At the same time one can [observe](#) that Member States' implementation of European Council commitments has often been rather slow and limited. For example, Member States' response to the commitment made by the European Council to support the United Nations' World Food Programme with at least an additional billion euro of financial assistance [was so limited](#) that the next European Council meeting needed to remind them to deliver upon their pledge to provide additional personal and financial assistance. The call for implementation of European Council Conclusions has been a constant factor at recent European Council meetings. European Council President Donald Tusk [identified](#) a 'clear delivery deficit on many fronts, from hotspots and security screening in frontline countries to relocation and returns.'

2.3.5. Institutional design and the competences of the European Council

Linked to the lack of national implementation is the current institutional setup. For European Council President Donald Tusk, 'it is too easy to reach compromise in the European Council, as afterwards almost nobody is ready to implement the common decisions' and 'it is difficult [for the European Council] to discipline Member States'. For President Donald Tusk, the present crisis represents a critical moment in the political system of the EU. Another shortcoming is when decisions cannot be taken within the European Council or within the Treaty role assigned to it. According to former European Council President Herman Van Rompuy, 'in times of crisis the limits of institutions built on attributed competences are quickly reached.'²⁵ The solution is sometimes found outside the EU framework. When he used this approach during the sovereign-debt crisis, Van Rompuy justified it by asking rhetorically, 'what else could they have done when there was no unanimity in the European Council?' A similar situation emerged during the migration crisis. At the April 2015 European Council divergent opinions surfaced regarding mandatory quotas for the relocation of migrants. The European Council avoided a blockage because, since it was a specific legislative proposal, the decision could be taken in the Council using qualified majority voting (QMV) instead of facing the absence of unanimity in the European Council. A more recent alternative to circumvent blockages in the European Council is the use of 'mini summits' where a limited number of European Council members meet prior to European Council meetings (such as with the meeting on the Balkans route,

²⁴ Van Rompuy, H. (2014), pp.19-20.

²⁵ Van Rompuy, H. (2014), p. 124.

and the meeting with the Turkish Prime Minister) to achieve progress, where agreement cannot be reached with all European Council members. Furthermore, although the [primary role of the European Council](#) is strategic,²⁶ as outlined above, many of these recent commitments have been of a more operational nature.²⁷

2.3.6. The (pivotal) role of the European Council President

While the Treaty leaves some space for interpretation of the role of the European Council's President, it does specify that the President 'shall endeavour to facilitate cohesion and consensus within the European Council' (Article 15(6) TEU). The migration crisis confirms Herman Van Rompuy's view that one needs 'a climate that fosters decision-making' and it is the role of the European Council President to create these conditions.²⁸ In the opinion of experts,²⁹ European Council President Donald Tusk, after a certain adjustment period, established his authority and became increasingly active during the migration crisis. He used the – increasingly detailed – invitation letters for the European Council meetings to set the agenda and tone for discussions. For example, his aim for the 23 September 2015 European Council was to have an 'honest' discussion, thereby bridging the gaps between the different positions and also to 'focus on the overall approach to this crisis' rather than concentrate on specific controversial issues such as relocation quotas. While some argue that his authority has recently been called into question,³⁰ it is noteworthy to observe that the European Council in the latter part of 2015 also adopted the strategy he has been suggesting from the start, namely securing the EU's external borders.

²⁶ Article 68 TFEU: 'define the strategic guidelines for legislative and operational planning within the area of freedom, security and justice'.

²⁷ Eurocomment Preliminary Evaluation 2015/8.

²⁸ Van Rompuy, H. (2014), p. 116.

²⁹ Eurocomment Preliminary Evaluation 2015/8.

³⁰ Eurocomment Preliminary Evaluation 2015/9.

3. External crises

3.1. European Council and external crises management

3.1.1. Context and evolution of the external crises (2010-2015)

The past six years have fundamentally changed the security landscape in the European Union's neighbourhood, both to the south and to the east. The European Union has been confronted with a multitude of external crises, with the three most notable (Libya, Syria and Ukraine) attracting most of the attention of EU Heads of State or Government. All three crises are still unfolding and it therefore remains difficult to fully grasp their consequences for regional and international security for now.

To the south, the advent of the Arab Spring has led to [increased instability](#) in the Mediterranean and the Middle East rather than to a smooth process of democratisation. Starting in December 2010 in Tunisia, the Arab Spring revolutionary wave reached Egypt and Libya in February 2011. The situation in Libya deteriorated rapidly from an anti-Gaddafi uprising to civil war, and the regime was ultimately overturned in October 2011. Throughout 2011, the United Nations Security Council (UNSC) adopted [several resolutions](#) expressing its concern at the deterioration of the situation in the country, and allowed the [establishment of a no-fly zone](#) (NFZ). The enforcement of the no-fly zone was [initially led](#) by France and the United Kingdom, with support from the United States, and after some time, subsequently conducted through [NATO](#). The NFZ was [lifted](#) immediately after the fall of the Gaddafi regime, with the country entering a transition phase. Elections were held in July 2012, leading to the appointment of a new government in October 2012. Several [priorities](#) emerged, including capacity-building and security-sector reform. The lack of national unity, regional and tribal divisions, and the rise of ISIL/Da'esh led to the outbreak of a second civil war in May 2014. A UN-led process was implemented, aimed at facilitating dialogue between competing factions in Libyan society with a view to establishing a government of national unity, and this led to several [draft interim agreements](#) (July 2015 and [October 2015](#)). The [Libyan political agreement](#), backed by the UN, was signed in December 2015 in Skhirat and led to the nomination of Fayeze al-Sarraj as Prime-Minister designate. The initial optimism raised by the signature of the agreement progressively faded, as a government of national unity has yet to be formed after failure to approve it by the Tobruk parliament in [January 2016](#). To date, the Libyan crisis is responsible for nearly [half a million internally displaced persons](#) within the country alone. Furthermore, due to the lack of stability, Libya in 2015 became the [main country of transit](#) for refugees taking the Central Mediterranean route to reach Europe.

Like Libya, Syria faced a civil uprising by spring 2011. In Syria, this progressed to armed rebellion, which developed into full-blown civil war before the end of the year. Other [notable](#) events unfolding in Syria that year were the [launch](#) of the opposition group (the Syrian National Council), the country's [suspension](#) from the Arab League, the [United States'](#) and EU's repeated calls for President Assad's resignation, and the Russian and Chinese [veto](#) at the UNSC on a resolution condemning the Syrian government's use of violence against protestors.³¹ The intensification of the Syrian civil war in 2012 meant that by March 2013 there were [over 1 million Syrian refugees](#) fleeing the conflict, half of whom were children. The continuation of the conflict into 2014/2015, despite [several attempts](#) to find a political solution, resulted in [7.9 million internally displaced persons](#) and over [4.5 million persons](#) fleeing to neighbouring countries by early 2016. Experts [assessed](#) the Syrian crisis as the biggest humanitarian crisis since World War II, with significant [domestic implications](#) for the EU due to the exceptional and unprecedented influx of migrants. The steady rise and growth of ISIL/Da'esh in a [security vacuum](#) further deepened the humanitarian crisis. The November 2015 terrorist attacks in

³¹ The UNSC veto was the first of a [series](#), with three other resolutions being blocked by Russia and China between February 2012 and May 2014. However, this number remains relatively small, as the UNSC adopted [15 resolutions](#) on the situation in Syria between April 2012 and December 2015.

Paris spurred France to [increase](#) its military contribution to fighting ISIL/Da'esh in Syria. Following the [activation](#) of the mutual assistance clause by France, several other Member States have also confirmed that they will make a contribution, including Germany and the United Kingdom.

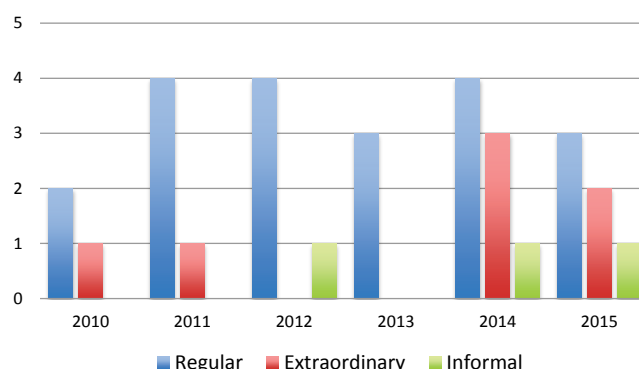
To the east, mass demonstrations in Kiev, the annexation of Crimea in March 2014, and the subsequent unrest in eastern Ukraine have spiralled into a conflict with both [domestic](#) and [external implications](#) for both Ukraine and the EU. The crisis began in November 2013 when Ukrainian leaders had to [choose](#) between signing an Association Agreement with the EU and joining a Customs Union with Russia. Following the decision of the then Ukrainian President, Viktor Yanukovich, [not to sign the Association Agreement with the EU](#) and instead favour a policy of rapprochement with Russia, protests intensified and led to clashes with the police in Kiev. On 20 February 2014, nearly 100 persons were reported dead and two days later, on 22 February 2014, President Yanukovich was forced to flee Kiev. A week later, pro-Russian forces seized government buildings in Simferopol, the capital of Crimea. On 18 March 2014, Russia annexed the Crimea and Sevastopol, which was [strongly condemned](#) by the international community. In eastern Ukraine, unrest increased in the Donbas region, leading to the first draft of the Minsk Protocol in September 2014. Drafted by the [Trilateral Contact Group on Ukraine](#) – Ukraine, Russia and the Organisation for Security and Co-operation in Europe (OSCE) – the [Minsk Protocol](#) consisted of 12 points, including inter alia an immediate bilateral ceasefire and OSCE supervisory action to ensure compliance with the ceasefire. However, the Minsk Protocol failed to be implemented and a new round of discussions took place on 11 February 2015 in Minsk under the [Normandy format](#) between Ukraine, Russia, France, and Germany.³² These talks resulted in the signing of the [Minsk II Agreement](#). The timeline to implement the Minsk II agreement was [extended](#) into 2016, following discussions held on 30 December 2015 between the four Normandy format countries.

3.1.2. European Council developments

Between 2010 and 2015, the European Council held 42 meetings, of which 30 discussed the Union's foreign policy in the format of regular (20), extraordinary (7) and informal (3) meetings. The European Council dealt with a wide range of regional policies (for example, the Eastern Partnership and the Southern Neighbourhood Partnership), country-specific policies (for example, Iran and Iraq) and policy approaches of a more thematic nature (for example, humanitarian aid).

The extraordinary and informal meetings addressed, as a matter of priority, three external crises, namely the Libyan, Syrian and Ukrainian crises. The extraordinary ([special](#)) European Council held in September 2010 is an exception. It was not organised in response to a crisis as the other extraordinary European Councils but dealt with the question of [strategic partnerships](#) in the context of the re-evaluation of the Union's foreign policy objectives following the entry into force of the Lisbon Treaty.

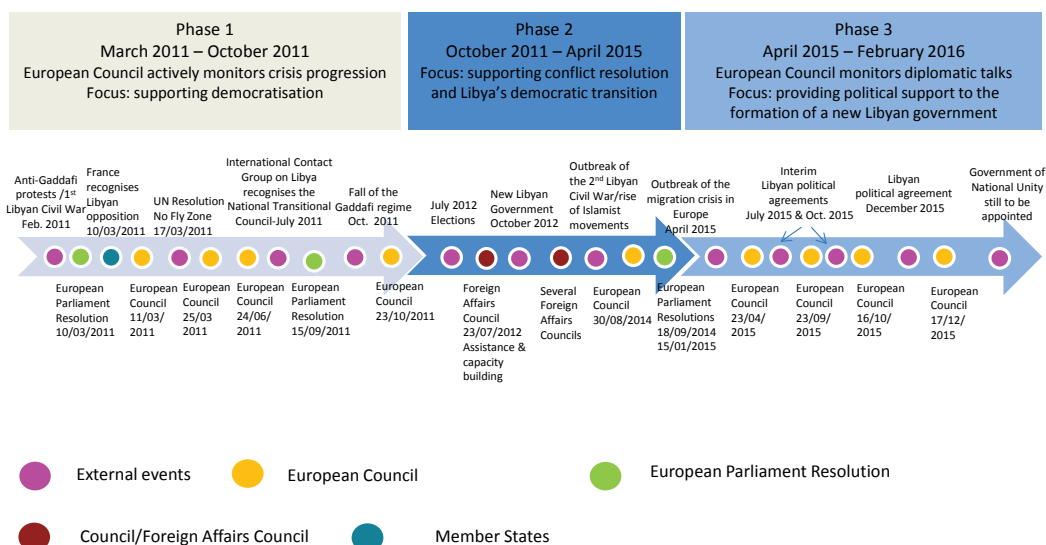
³² The Presidents of France, Ukraine and Russia and the German Chancellor met to discuss conflict resolution in Ukraine within the margins of the D-Day celebrations in Normandy in June 2014. The meetings organised since on the resolution of the Ukrainian conflict are known as the 'Normandy format'.

Figure 8: Number of European Council meetings on foreign policy by year

Source: EPRS.

The Libyan crisis

Since the beginning of the crisis, Libya has featured ten times in the European Council's Conclusions, subsequent to four meetings in 2011 (as a result of one extraordinary and three regular meetings), one in 2014 (extraordinary meeting) and six in 2015 (as a result of three regular, one informal and two extraordinary meetings). The European Council discussed the situation in Libya for the first time on [11 March 2011](#) at an extraordinary meeting. EU leaders called for a change of regime to allow the country to progress towards democratisation. They offered the EU's support in capacity-building as well as in providing economic assistance. They pointed to the growing humanitarian crisis emerging from the large number of displaced persons and called upon the international community – UN agencies, International Committee of the Red Cross and Red Crescent (ICRC) – to react rapidly to this situation as it unfolded. Before entering the European Council meeting, the Member States were [divided](#) over the recognition of the Libyan National Transition Council. By announcing the recognition of the Libyan National Transition Council a day before the meeting, [France](#) took its partners by surprise and pushed for an agreement *a minima* on the matter. The Conclusions outlined that the 'European Union welcomes and encourages the interim transitional national council based in Benghazi, which it considers a political interlocutor'. Italy was among the Member States that were particularly [concerned](#) about the migration flows it could face, due to its coast's proximity to Libya. Several months later, at the [June 2011](#) European Council, the Libyan National Transition Council was recognised 'as a representative of the aspirations of the Libyan people'.

Figure 9: Key developments in the Libyan crisis

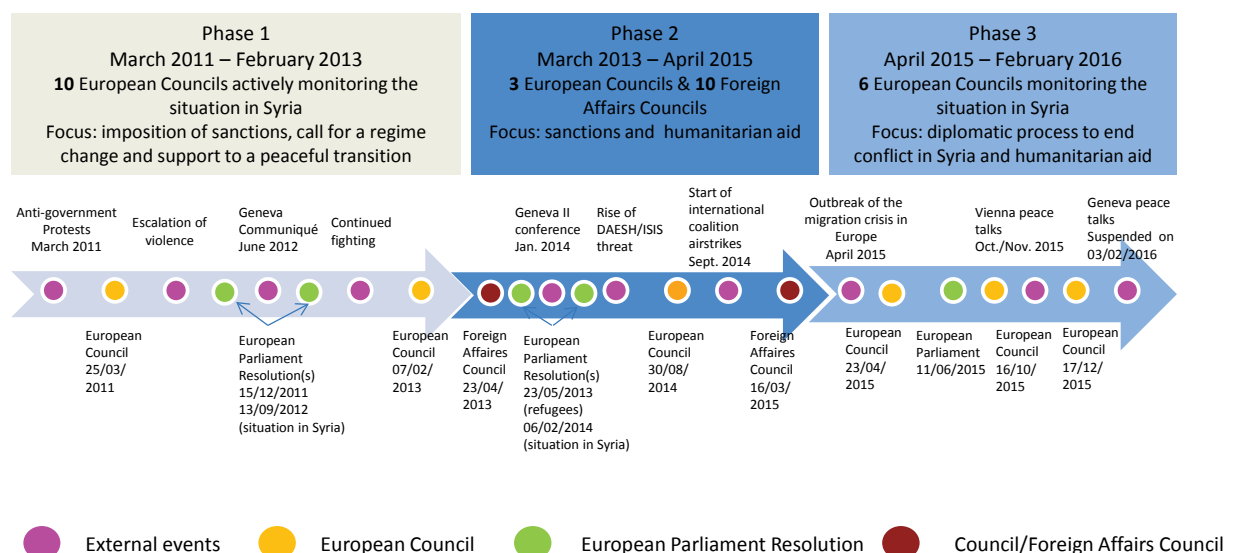
Source: EPRS.

The subsequent two (regular) European Councils held in 2012, in [March](#) and [June](#), monitored the outbreak of the civil war and the introduction of the no fly zone based on [UNSC resolution 1973](#). The [October 2011](#) meeting of the EU's leaders was the first of the post-Gaddafi era. They called for the formation of a new government, underlined their support for Libya's democratic transition and encouraged the organisation of free and fair elections. For nearly three years, until an extraordinary summit in August 2014, Libya was then absent from the European Council's agenda. However, the Foreign Affairs Ministers continued to follow the situation in the country regularly at Council level. The extraordinary European Council held on [30 August 2014](#) considered the situation in Libya in the context of the rise of ISIL/Da'esh. In 2015, the outbreak of the migration crisis again brought Libya back to the forefront of the European Council's agenda. [Five](#) (three regular, one extraordinary and one informal) European Council meetings in 2015 considered the situation in the country as part of the broader context of the migration crisis and its effect on the EU. Earlier, the [11 March 2011](#) European Council had already envisaged the long-term domestic impact of the Libyan crisis on the EU and its Member States when stating that '(t)he Member States most directly concerned by migratory movements require our concrete solidarity'. The most recent European Council meeting, in [December 2015](#), welcomed the signature of the [Libyan political agreement](#) and called for the appointment of a Government of National Accord.

The Syrian crisis

In recent years, the Syrian crisis has attracted the greatest share of the European Council's attention, with 19 of 42 meetings considering the situation in the country. Syria was first discussed at the [25 March 2011](#) European Council meeting. Ten (one informal and nine regular) of the subsequent 13 European Council meetings up to February 2013 also considered the situation in the country. Only three European Council meetings, two informal and one extraordinary, dedicated to the sovereign debt crisis, did not deal with the situation in Syria. In June 2012 the European Council issued a [planning document](#), defining a roadmap for the second term in office of President Herman van Rompuy. Syria was to remain a matter of 'immediate concern', which the European Council could at any time be called upon to discuss.

Figure 10: Key developments in the Syrian crisis



Source: EPRS.

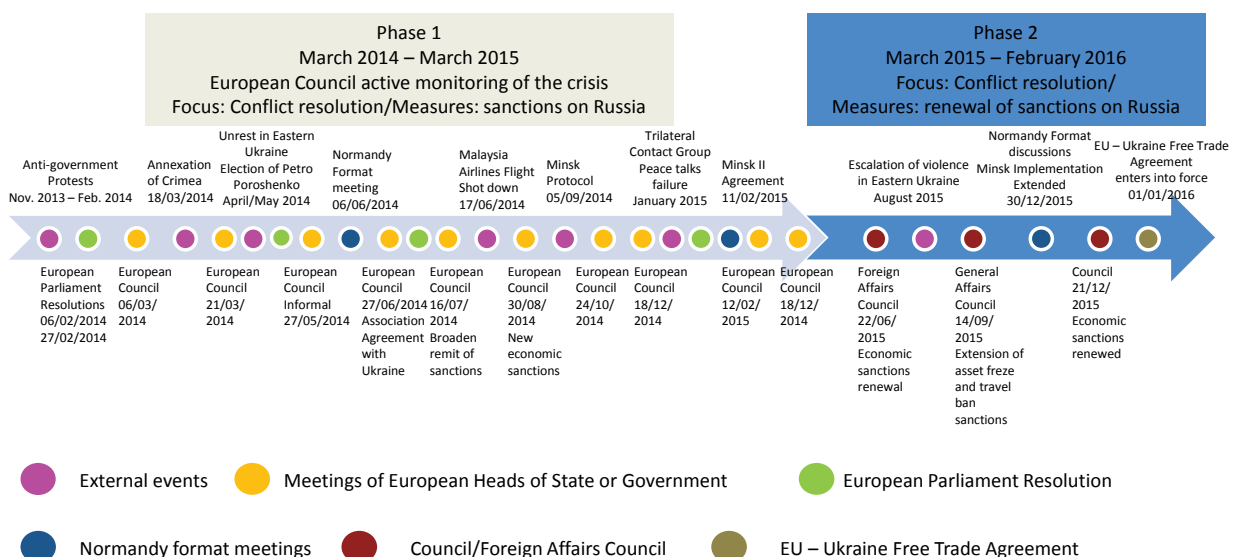
For two full years, between March 2011 and February 2013, EU leaders followed developments in Syria closely and repeatedly expressed their concern at the deteriorating situation, calling for an end to the violence and expressing their support for the Syrian opposition, and calling for regime change which would lead to democratic transformation of the country. The European Council systematically

endorsed the Foreign Affairs Council's conclusions. This first phase of active monitoring came to an end in February 2013, and, interestingly enough coincides with a change in approach to the Syrian situation. The European Council in [December 2012](#) not only endorsed the Foreign Affairs Council conclusions but also 'tasked' the Council 'to work on all options to support and help the opposition and to enable greater support for the protection of civilians'. No specific deadline was set for reporting on the implementation of this task, but the European Council underlined that it would 'continue to address the situation in Syria as a matter of priority'. At the [February 2013](#) meeting, Heads of State or Government reiterated their call, while adding that 'the Council will assess and review, if necessary, the sanctions regime on Syria at its next meeting ahead of its March deadline'. However, from February 2013 until April 2015, with the exception of [December 2013](#) (humanitarian aid), [June 2014](#) (migration) and the [30 August 2014](#) extraordinary meeting (fighting terrorism), Syria was absent from the European Council's agenda, although Foreign Affairs Ministers did continue to follow developments. Similarly to Libya, Syria returned to the European Council's agenda in August 2014 due to the rising threat posed by ISIL/Da'esh. In 2015, the European Council started to monitor developments in Syria closely again, as part of its approach to tackling the migration crisis. Syria was addressed in [five](#) European Council Conclusions in 2015 as a result of two extraordinary, one informal and two regular meetings. EU leaders were most concerned about the humanitarian situation resulting from the Syrian crisis, and pledged to provide aid and assistance. They also voiced concern over the military situation on the ground, its implications for regional security, as well as means to strengthen the fight against terrorism.

The Ukrainian crisis

Ukraine was the main subject discussed by the European Council at all [eight](#) meetings held in 2014. In addition to the four regular meetings, one informal and three extraordinary meetings were called to discuss the evolution of the situation in Ukraine and the EU's response. [Scholars](#) have argued that the Member States had to collectively face the 'geopolitical standoff' emerging from the Ukrainian crisis and that 'a joint response to a show of force' was needed. The main question was whether the Member States could set aside their individual interests and strategic ambitions (for example, economic interests) and collectively decide on a common European position vis-à-vis Russia. The Member States used economic sanctions, gradually introduced throughout 2014, to counter Russia's actions in Ukraine. [Experts](#) underline that Member States stood united despite their differing economic interests and the introduction of stringent counter-measures by Russia (for example, a ban on imports of agricultural products).

Figure 11: Key developments in the Ukrainian crisis



Source: EPRS.

The first two European Council meetings in 2015 – informal (February) and regular (March) – discussed Ukraine. At the [12 February 2015 informal European Council](#), held immediately after the signature, under the Normandy format, of the Minsk II Agreement, French President François Hollande and German Chancellor Angela Merkel presented the results of the Minsk II Agreement to their counterparts in Brussels. President Donald Tusk's [post-summit declaration](#) outlined the 'cautious support' offered to the agreement and said that 'words put down on paper must translate into real deeds'. The Normandy format provided, throughout 2015, the diplomatic framework to discuss conflict resolution in Ukraine. Analysts are [sceptical](#) of the conflict-resolution potential of the Normandy format, particularly as some Member States may feel their views are not represented.

3.2. European Parliament views

The European Parliament has closely monitored developments in Libya, Syria and Ukraine from the very beginnings of each crisis. It voted [five](#) resolutions on the situation in Libya between 2011 and 2015.³³ The first [resolution, adopted on 10 March 2011](#) ahead of the 11 March 2011 extraordinary European Council meeting, which was the first discussion at Heads of State or Government level, inter alia welcomed 'the convening of an extraordinary European Council on the developments in Libya and in the Southern Neighbourhood on 11 March 2011', condemned violence against the Libyan population, called for an asset freeze and for a coordinated EU response, both political and humanitarian. The European Parliament also called on the HR/VP to 'establish relations with the Interim Transitional National Council and to start the process of making them official, so as to encourage transition towards democracy, ensuring the involvement of a wide spectrum of representatives of the Libyan society and empower women and minorities in the transitional process' at a [moment](#) when Member States did not have a [commonly agreed position](#) on the recognition of the Libyan National Transition Council. The subsequent European Parliament resolutions on Libya were adopted at key moments, namely [September 2011](#), when regime change was about to materialise, [November 2012](#), when the newly elected government resulting from the July 2012 elections was sworn in, [September 2014](#), when it expressed support for the UN-backed political process aiming at the reconciliation of Libyan society and condemned the rise of terrorist groups endangering Libya's stability, and in [January 2015](#), condemning the escalation of violence, and calling for the continuation of the UN-led political process. The November 2012 and January 2015 resolutions are particularly relevant in the context of the outbreak of the migration crisis in 2015. In both cases, the European Parliament warned of the domestic implications for the EU arising from the massive influx of migrants, stating that 'Libya is a primary departure point for migrants attempting to reach Europe'.

The crisis in Syria attracted the most attention from the European Parliament, with over 15 resolutions adopted since 2011, considering the [political and security situation](#) in the country, the [situation of minorities](#), the situation at [cultural sites](#) (for example, [Palmyra](#)), [humanitarian aid and assistance](#), the EU's [action to counter terrorist activities](#) and the [implications](#) of the refugee crisis both for the EU and [countries neighbouring Syria](#). In one of its most recent resolutions dated [June 2015](#), the European Parliament expressed its support for the process aiming at a political solution to end the Syrian conflict, in agreement with the [Geneva Communiqué of 2012](#).

The European Parliament devoted particular attention to the Ukrainian crisis, adopting [eight](#) resolutions since March 2014 – six specifically addressing the situation in Ukraine and two considering Ukraine in the broader framework of the strategic military situation in the [Black Sea](#) and within the wider context of [EU-Russia](#) relations. Similarly to its response to the Libyan crisis, the first resolutions of the European Parliament on the situation in Ukraine were adopted on [6 February](#) and

³³ Eight other resolutions with a regional scope – European Neighbourhood Policy – or thematic scope – trade and investment – were adopted between 2011 and 2015 by the European Parliament. These resolutions contain references to developments occurring in both Libya and Syria.

[27 February 2014](#), ahead of the first discussions at European Council level on [6 March 2014](#). The two resolutions expressed support for democratisation and dialogue among the different parts of Ukrainian society. The latter resolution also recalled 'that the existing borders of Ukraine were guaranteed by the United States of America, the Russian Federation and the United Kingdom in the [Budapest Memorandum on Security Assurances](#)'. The four subsequent European Parliament resolutions corresponded to key moments in the Ukrainian crisis, namely the growing unrest in eastern Ukraine (April 2014 resolution), the signature of the [Association Agreement](#) in June 2014 (July 2014 resolution), the signature of the Minsk Protocol (September 2014 resolution), and the discussion of the Minsk II Agreement (January 2015 resolution). The [European Parliament resolution of April 2015](#) considered the situation in eastern Ukraine and 'urged Russia to immediately withdraw its presence in support of violent separatists and armed militias who have seized government buildings in Sloviansk, Donetsk and other cities, to cease all provocative actions designed to foment unrest and further destabilise the situation, to remove troops from the eastern border of Ukraine, and to work towards a peaceful resolution of the crisis by political and diplomatic means'. The European Parliament used its [July 2014 resolution](#) to urge 'the European Council to adopt a more coherent and firmer strategy – and to speak with one voice – vis-à-vis the Ukrainian crisis and the behaviour of the Russian Government, including on matters related to EU energy security; [and] deplores the fact that some Member States are showing disunity in this regard and a lack of EU solidarity'. The Member States' positions at the time were divided on the question of further imposing sanctions on Russia. [Scholars](#) argue that the downing of Malaysia Airlines Flight MH17 on 17 July 2014 over eastern Ukraine contributed to rebuilding solidarity, as Member States agreed to adopt further restrictive measures, the 'stage-3 sanctions', by the end of the summer of 2014.

3.3. Examining the challenges

The three external crises – Libya, Syria and Ukraine – to which the European Council has paid most attention since 2011, are still unfolding, which makes it difficult to fully assess their long-term implications for the EU. Nevertheless, based on the case studies examined, it is interesting to consider whether one can draw conclusions on similarities in the EU's approach to managing different external crises. It is worthwhile outlining how difficult reaching consensus can sometimes be; and interesting to compare the moment during the initial phase of a crisis at which the European Council becomes involved.

3.3.1. Similarities in the European Council's management of external crises

The three crises present similarities in the way in which the European Council has dealt with them. The European Council first entered a phase of active monitoring. That phase lasted nearly a year in the case of Libya and Ukraine, and two years in the case of Syria. This was followed by a second phase in which the European Council tended to 'delegate' the follow-up of the crisis to the Foreign Affairs Council. The length of this phase varies from one crisis to another. Libya was absent from the European Council's agenda for nearly three years, from October 2012 to August 2014. Syria was, with three exceptions in December 2013, June and August 2014, not present on the agenda of the European Council for a two-year period between February 2013 and April 2015. It is too early to confirm the pattern in the case of the Ukrainian crisis, which entered the second phase only a year ago, following the March 2015 summit. The third phase is when the European Council returns to actively monitoring the crisis. The situation in both Libya and Syria returned to the European Council's agenda in 2015, as a direct consequence of the unfolding migration crisis and its domestic political implications for the EU. Although domestic political concerns initially dominated, by the end of 2015 the European Council was again interested in the foreign-policy dimension of the two crises. EU leaders dedicated particular attention to considering humanitarian aid and assistance, and to monitoring the political processes with UN support to stabilise the two countries.

3.3.2. Timing of the European Council's involvement in a crisis

There is variation regarding the time elapsed from the moment an external crisis breaks out and the moment the European Council addresses it, usually within the framework of an extraordinary meeting. Out of the three crises examined, only the Syrian crisis was first addressed during a regular meeting ([25 March 2011 European Council](#)). The situation in Libya deteriorated in mid-February 2011 and the European Council considered the situation in the country on [11 March 2011](#), during an extraordinary meeting. Unrest in Syria was evident in mid-March, with the European Council first addressing the issue at the [25 March 2011](#) (regular) European Council. Protests in Kiev started in mid-November 2013 and the European Council first addressed the emerging Ukrainian crisis at its March 2014 extraordinary meeting. This is particularly striking as the [December 2013](#) Conclusions do not refer to protests in Kiev but emphasise 'the right of all sovereign States to make their own foreign policy decisions without undue external pressure', following the then Ukrainian government's U-turn on the signing of an EU association agreement.

3.3.3. Finding a common European approach

Harmonising the foreign policies of 28 Member States together with the EU institutions is most of the time [challenging](#). It requires enhanced coordination and communication, particularly during the preparatory phase leading up to a European Council meeting. The most commonly acknowledged role of the President of the European Council is to facilitate [consensus building](#). However, in practice, there are cases when one Member State may strive for a deal, independently of the positions of the others and without holding prior consultations with them. This was the case for France in 2011 when it unilaterally recognised the Libyan National Transition Council, calling for and obtaining an agreement, albeit an *a minima* agreement, within the European Council. Conversely, the early stages of the Ukrainian crisis represented a rare moment of solidarity when geopolitical considerations prevailed over the economic interests of individual Member States allowing for the establishment in unison of a first set of sanctions.

4. General analysis

The crises outlined above show that a common approach has not developed at European Council level for managing crises. As each crisis has different causes, is based on a different problem and is made up of specific, often unique, circumstances, each is dealt with differently. Whilst acknowledging the differences when comparing the various crises (namely sovereign debt and migration crises) one can still identify similar challenges the European Council faces as it goes through certain phases in responding to a crisis:

- ***Failure to anticipate the crisis***

Although a crisis normally comes with a certain element of surprise, the European Council seems to have failed on numerous occasions to adequately anticipate a crisis, even though some indicators pointed towards the development of a crisis. This might be for different reasons such as the lack of ownership/responsibility (namely, if the problem only concerns one Member State) or it could be because of the incapacity of the European Council to deal with more than one crisis at a time. More research is needed to assess whether, and how, more effective foresight capacity should be made available to the European Council.

- ***Lack of existing European tools to address the crisis and design flaws***

[Some](#) argue that both the euro area and the Schengen area were equipped with instruments that could cope only in normal circumstances but not in times of crisis. The absence of the necessary tools explains why certain crises became more difficult to overcome, both politically and operationally, than if the necessary tools and procedures had already existed.

- ***Agreeing on a common European approach***

Once the European Council addresses a crisis, the first challenge is to agree on whether European action is needed or if Member States can manage the situation (between) themselves. Once there is an agreement that a common European approach is indeed necessary, the next challenge is to identify and agree on what this common approach should look like. This is particularly challenging in a crisis situation, as during a crisis the different political positions based on either national interests or strongly held domestic preferences, already existent in the European Council in 'normal' times, are further amplified. Furthermore, crises do not affect all Member States in the same way, and they are therefore involved to varying degrees.

- ***From short-term to long-term strategy***

The analysis of the different examples identifies a certain pattern in European Council crisis management. The European Council tends first to concentrate its efforts on short-term initiatives to address immediate concerns. In a second stage the European Council shifts its attention to more long-term strategies which also aim to prevent such a crisis affecting the EU again so strongly.³⁴

- ***Use of alternative approaches***

The addition of more Member States and, as a consequence, the increase in the number of potentially diverging positions on an issue, seem to make it more and more difficult for the European Council to work according to the principle of consensus during times of crisis. As a consequence, the European Council on various occasions had to come up with alternative approaches. This entails, for instance, meetings with only limited participation of European Council members or solutions which are not applicable to all Member States (such as legislative opt-outs or setting up new structures at European level to operate outside the EU Treaty framework).

The specific role of the European Council President

The office and personality of the European Council President play a pivotal role in helping the European Council to manage crises. As shown in the different examples and as outlined by Herman Van Rompuy, the European Council President's role is to create trust and foster the right atmosphere to take common decisions. Both European Council Presidents to date took this to heart during the crises, for example by repeatedly calling for solidarity and responsibility between all Member States.

The European Parliament's influence

The European Parliament often anticipates crises and makes recommendations on the need for EU action. As some of the crises have been addressed outside the Treaty framework (for example, the sovereign debt crisis) through intergovernmental means, the role of the European Parliament was less extensive than in areas in which the Community method applies. This intergovernmental approach was taken because solving crises often requires a rapid response, often considered to be better provided through intergovernmental means than through the Community method. In any case, the European Parliament used the tools at its disposal – resolutions, plenary debates – to make its views on the European Council's management of these crises known. With the aim of enhancing its crises-foresight capacity, the European Parliament also [engages](#) in inter-institutional dialogue on medium and long-term trends affecting the EU.

³⁴ Van Rompuy, H. (2014), p. 41.

Annex I: Migration crisis timeline

Date 2015	Pertinent events
19 April	Shipwreck on the Mediterranean claimed more than 800 lives.
20 April	Foreign and Home Affairs Ministers agree on 10-point action plan proposed by the European Commission
23 April	Extraordinary European Council meeting
29 April	European Parliament resolution
13 May	European agenda on migration
27 May	European Commission presents first package of measures to address the migration crisis
25-26 June	European Council
Since September	Six EU Member States introduced Schengen internal border controls due to the migration crisis
09 September	European Commission's second package of proposals to address the refugee crisis
22 September	Justice and Home Affairs Ministers agree on the relocations scheme by qualified majority voting
23 September	Extraordinary European Council
8 October	High-level Conference on the Eastern Mediterranean – Western Balkans Route
15-16 October	European Council
22-26 October	Activation of the Union Civil Protection Mechanism by Slovenia and Croatia
25 October	Some EU leaders meet with Heads of State or Government from third countries to address the 'emergency situation' along the western Balkans route.
30 October	The Luxembourg Presidency triggered the Integrated Political Crisis Response (IPCR) arrangements on an 'information sharing mode'.
11-12 November	Valletta Summit with African countries
12 November	Informal / Extraordinary European Council
29 November	EU-Turkey summit
2-3 December	Slovakia and Hungary challenge the decision on the emergency relocation mechanism before the European Court of Justice
02 December	Greece activates the Union Civil Protection Mechanism and the Rapid Border Intervention Teams Mechanism
15 December	European Commission's package of proposals aimed at securing the EU's external borders and managing migration more effectively
17 December	Some EU Heads of State or Government meet with some EU representatives and the Turkish Prime Minister to discuss migration issues
17-18 December	European Council

Annex II: Overview of the different phases of the migration crisis, their relevant foci and relevant European Council decisions

Phase/Time period	European Council Focus	Main European Council decisions
1 April-June 2015	Saving lives in the Mediterranean	<ul style="list-style-type: none"> -Increase financial resources to operations Triton and Poseidon; -Disrupt traffickers' networks, including the destructing of their vessels; -Providing frontline Member States with additional resources; -Relocation and resettlement schemes; -Setting up hotspots;
2 July-September 2015	Dealing with the mass influx of migrants, Cooperation with countries of origin and transit, in particular regarding the western Balkans route.	<ul style="list-style-type: none"> -Increase financial assistance to EU external-relations initiatives and United Nation programmes; -Set up hotspots, -Reinforce the dialogue with Turkey at all levels, -Organise a conference on the Western Balkans route, Implementation of existing rules (e.g. Dublin and Schengen aquis)
3 October-December 2015	Securing the EU external Borders	<ul style="list-style-type: none"> -Work on an integrated border management system; - Strengthen Frontex and enhancing its mandate; -Consider the development of a European Border and Coast Guard System - Continuation of setting up hotspots -Rapid and full implementation of the relocation and resettlement decisions

Annex III: Selected European Council decisions on migration in 2015 and their follow-up

European Council	Main Request/ Commitment	Followed up by	Action taken
23/04/2015	Triple the budget for Triton and Poseidon	European Commission, European Parliament and Council	2015 Budget amendments
	Increase emergency aid to the frontline member states	European Commission, European Parliament and Council	2015 Budget amendments
	Organise a summit with African partners on migration	European Commission and Council presidency	Valletta conference took place
	Disrupt trafficking networks	Member States	Some individual initiatives
	Develop a more systemic and geographically comprehensive approach to migration	European Commission	Migration agenda
	Prepare for a possible CSDP mission	High Representative, Council	EUNAVFOR MED operation Sofia was launched on 22 June 2016
25-26/06/2015	Setting up hotspots	Member States, European agencies	Limited
	All Member States will participate in the relocation of 20 000 displaced persons from frontline Member States	European Commission, European Parliament, Council	Proposal on provisional measures in the area of international protection Proposal for a structured solidarity mechanism EP and Council adopted both proposals
		Member States	Less than 400 relocations have taken place
	Set out measures how Frontex will support frontline Member States on return	European Commission	Proposal for a "Return Handbook"; EU Action Plan on return
	Fully implement the Returns Directive	Member States	683 returns by end of December 2015
	Establishing an EU list of safe countries of origin	European Commission	Proposal for a common list of safe countries of origin
	High-level conference on the western Balkans route	European Commission and Council presidency	High-level conference on the western Balkans route

European Council	Main Request/ Commitment	Followed up by	Action taken
	EU money for refugees and Member States	EP, Commission and Council	budget adjustments in order to finance the migration measures
23/09/2015	Increased financing to external relations initiatives and United nations programmes	Member States	Limited follow up to the financial commitments
	Increase funding for the EU Regional Trust Fund for Syria and the Emergency Trust Fund for Africa	European Commission	Proposed 2016 Budget amendments
		Member States	Not all Member States have contributed to the full extent
	Setting up 'hotspots' to ensure the identification, registration, fingerprinting and reception of migrants	Member States	Slow in setting up the hotspots; slow in sending resources and personal
	Apply and implement existing rules, in particular the Dublin regulation and the Schengen <i>acquis</i>	Member States/ European Commission	European Commission's 40 infringement decisions adopted on 23 September 2015 against 19 Member States for failure to fully transpose and correctly implement the Common European Asylum System.
	Reinforce the dialogue with Turkey	European Commission	Draft action plan with Turkey
15/10/2015	Work towards the gradual establishment of an integrated management system for external borders	European Commission	
	Make full use of the existing Frontex mandate, including as regards the deployment of Rapid Border Intervention Teams (RABIT)	Member States, Frontex	RABITs have started to work in Greece
	Enhancing the Frontex mandate for a European Border and Coast Guard System	European Commission	Coast and Border Guard proposal

Further reading:

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This in-depth analysis by the European Council Oversight Unit of the European Parliamentary Research Service (EPRS) examines the role played by the European Council and its President in managing crises.

The paper concludes that no uniform approach has developed at European Council level for managing crises. Each of them has different causes, is based on distinct problems and arose in specific circumstances. At the same time the findings indicate that the European Council has faced comparable challenges during the various crises and its responses to them go through similar phases.

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