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The EU's Foreign, Security, and Defence Policies

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✓ Reader's Guide

This chapter outlines key historical, institutional, and thematic developments within the EU's foreign, security, and defence policies. It argues that the EU has been an awkward foreign and security policy actor, unable to formulate a cohesive identity or credible capabilities with which to project itself on the world stage. This situation has arisen because of the post-Second World War pre-eminence of NATO (the North Atlantic Treaty Organization) as a security actor, binding US political, economic, and military capabilities into the Western European area, allowing, as a consequence, European governments to **freeride** on the USA. Since 1991 and the end of the Cold War both the EU and NATO have been seeking to position themselves in the spheres of foreign and security policy; the dawn of a new age of **asymmetric military threats** – currently terrorist attacks on public transport – is refocusing the EU's security efforts on 'homeland security' whilst simultaneously trying to promote stability in the world and assist in post-conflict reconstruction efforts where necessary. This dualism with NATO is a recent development and looks likely to shape the EU's security agenda until 2020.

Introduction

A decade and a half after the negotiators at the **Maastricht Intergovernmental Conference** (IGC) of 1992 confirmed that 'a common foreign and security policy is hereby established' (Article J, Treaty on European Union), the EU has not moved

very much closer towards a supranational foreign policy. With the EU being a Union of 25 countries and 456 million people, and having an economy now broadly comparable to that of the United States, the absence of a functioning EU foreign



CHRONOLOGY 15.1

Common Foreign and Security Policy

1947 – Dunkirk Treaty – an Anglo-French agreement on mutual defence.

1948 – Brussels Treaty Organization (BTO)–which promoted joint security between the UK, France, Belgium, the Netherlands, and Luxembourg.

1949 – North Atlantic Treaty Organization (NATO) founded.

1954 – West Germany and Italy join the BTO; it is renamed the Western European Union (WEU).

1962 – Failure of a French attempt, the Fouchet Plan, to develop closer political and military cooperation through an intergovernmental framework.

1970 – European Political Cooperation (EPC) instituted.

1986 – Single European Act (SEA) codifies the status of the EPC as part of the EC.

1992 – Maastricht Treaty establishes that CFSP is the successor to EPC.

1993 – The 'Eurocorps' was created. This was a small European army inaugurated by President Mitterrand and Chancellor Kohl.

1996 – The Amsterdam Treaty reinforces the Maastricht proposals in more specific terms and strengthens the position of the Commission in foreign and defence policy formation but without moving significantly from an intergovernmental framework.

1998 – (October) the Pörschach informal ministerial summit sees UK Prime Minister Blair outlining a general desire to be more positive on EU defence. (December) Anglo-French summit at Saint Malo, PM Blair and President Chirac agree to take positive and concrete steps to support the formulation of a common European defence initiative.

1999 – The Cologne European Council puts capabilities at the heart of the ESDP. The Capabilities Catalogue is created.

2001 – The Nice Treaty provided for the development of an EU military capacity, the creation of permanent political and military structures, and the incorporation into the Union of the crisis management functions of the WEU. (It entered into force on 1 February 2003.)

2002 – (February) An EC delegation began work in Afghanistan to support post-conflict reconstruction.

(May) The EU carried out the first ever practice crisis management exercise under the ESDP banner.

(December) The EU and NATO formalized the Berlin Plus arrangements that provide the EU with access to NATO assets.

2003 – (January) EU ministers approved the first action under ESDP, sending assistance to Former Yugoslav Republic of Macedonia (FYROM).

(March) US and UK forces invaded Iraq against the wishes of the French and German governments who say they will block a second UN Resolution.

(April) France, Belgium, Germany, and Luxembourg called for deeper cooperation on ESDP.

2004 – (March) Terrorists attacked commuter trains entering Madrid.

(June) The EU pledged €200m to support the reconstruction of Afghanistan.

2005 – (May) German and French governments affirmed that the Constitutional Treaty was an important milestone for the development of the EU's external identity.

(7 July) The London public transport system was attacked by four bombers.

(September) The EU states decided by a qualified majority to retain email and mobile phone communications for two years.

2006 – (January) The EU3 (UK, France, Germany) decided to end negotiations with Iran over its attempts to acquire advanced nuclear technologies.

policy confirms that while the EU is a 'civilian superpower', it is not a military one. However, whilst the Maastricht, Amsterdam, and Nice Treaties failed to reduce **intergovernmentalism** in foreign policy cooperation, governments have begun to bring the policy to Brussels to a greater extent than in the past. Yet the move towards a 'Brusselized' Common Foreign and Security Policy (CFSP) has been a slow and piecemeal process, one that is largely taking place outside of treaty-making IGCs.

This chapter presents an overview of historical and institutional developments in the fields of foreign policy, security, and defence. The chapter also analyses some of the main contemporary debates within the Common Foreign and Security Policy (CFSP) and the European Security and Defence Policy (ESDP), as well as issues that are relevant to the medium and long-term future of the policies.

Some history: European Political Cooperation (EPC)

The EU has a well-established reputation as a 'civilian superpower' (see Chapter 4). The first attempt at extending this responsibility to foreign affairs came with the establishment of **European Political Cooperation** (EPC). This was a product of the Luxembourg Report of 1970, later to be incorporated into the European Community (EC) by the 1987 Single European Act (SEA). Even within the 1987 regime, however, EPC was distinct from regular Community procedures. However, bringing EPC within the Treaty did indicate a willingness in the Union to draw external political relations closer to the activities of the Community.

EPC was principally a means of coordinating meetings between foreign ministers. Until 1987 it did not have its own institutions and it was managed by a *troika*, led by the country holding the EU **Presidency**. This was problematic as the Presidency (and the *troika*) changed every six months, with the result that there was limited scope for continuity and long-term planning, hindering EU efforts to formulate common positions (Fraser 1999).

The pre-and post-1987 EPC regimes were quite similar in that the Commission and the European Parliament remained subservient to the member states. The role of the Commission, which

was more extensive in economic negotiations, was also more substantial where its competence over trade matters impinged on the external relations function of EPC. Yet EPC was often criticized for being weak and lacking in substance (Nuttall 1992; Allen 2002), even if it did generate joint positions during the 1980s that gave some sense of a European world view. EPC's light-touch approach and its loose framing made it illequipped to project a common European vision at the end of the Cold War and this led to criticism that it was reactive. The absence of a common European response to the collapse of the Soviet Union was at least in part due to a lack of European foreign policy identity.

KEY POINTS

- EPC was a forerunner to the Common Foreign and Security Policy.
- Although EPC was able to secure opportunities for dialogue amongst the EC's members, it was frequently criticized for being reactive.
- EPC was unable to forge a common response to the end of communism and the collapse of the Soviet Union in the late 1980s and early 1990s.

The changing context of European foreign policy

By the 1990s the EU was well placed to play a leading role in the new economic world order. Although the Cold War organizations had lost their *raison d'être* with the fall of communism, they had kept the United States politically engaged in Europe. This was especially important because of the support that the USA could give to the newly independent states of Central and Eastern Europe as they began to reconstruct.

The collapse of the Soviet Union removed some significant barriers to the EU's eastern enlargement. It also allowed members of the **European Free Trade Association** (EFTA) (Sweden, Finland, Austria, Norway) to submit applications to join the EU as the need for a 'buffer zone' between Russia and 'the West' had been greatly reduced. The debate over whether to enlarge the Community immediately or to add first to the Community's **competencies** was resolved with a very European compromise which involved the extension of competencies, the reform of the EU institutions, a codification of foreign and

security policy *and*, in a much more measured way, preparations for enlargement.

A more developed form of foreign policy cooperation was made possible at this point because of the end of the Cold War. The USA saw in the demise of Soviet Union an opportunity to reap a 'peace dividend', to be achieved by limiting US involvement in mainland Europe. This would only be possible, however, if European governments were able to shoulder more of their own security burden. A European foreign policy would assist in this process.

KEY POINTS

- The EC was well placed to benefit from the end of the Cold War.
- The end of the Cold War opened the door to new opportunities for Europeans to develop their own foreign policy.

Common Foreign and Security Policy (CFSP)

The Maastricht European Council agreed a Common Foreign and Security Policy (CFSP), which was to form the second pillar (Pillar 2) of the new European Union. Pillar 2 was to be **intergovernmental**, involving very little input from the European Commission and European Parliament. Moreover, the CFSP's decision-making framework was to rest on a unanimous voting system in the EU Council, giving each government the ability to veto any policy initiative or operation. This was to be a

lowest common denominator policy, leading to policy outputs that were extremely conservative.

The CFSP sought to assist EU governments in formulating common foreign policy positions. However, problems arose as the policy was positioned outside of the Community pillar (Pillar 1), which dealt with external economic policy (see Chapter 14); and it was also divorced from immigration, asylum, terrorism, and trafficking issues dealt with in Pillar 3 (see Chapter 19). Some



KEY CONCEPTS AND TERMS 15.2

The intergovernmental institutional framework

The European council

The European Council (heads of government) meets at least once every six months to set priorities and agree on the big issues of the day, including CFSP and other external relations issues. The European Council lays down the guidelines for CFSP and adopts Common Strategies. *The EU Council (of Foreign Ministers)* meets at least monthly under the banner of the General Affairs Council. It makes decisions on external relations issues, including CFSP, possibly leading to Joint Actions and Common Positions.

The Council is supported by the Committee of Permanent Representatives (COREPER), composed of member states. These are ambassadors to the EU who meet at least once a week to prepare Council meetings and decisions, including those related to the General Affairs Council and CFSP. Anecdotal evidence from senior officials shows that COREPER plays a crucial role in organizing the work of CFSP and smoothing over policy disagreements. *Relex Counsellors* analyse the institutional, legal, and financial aspects of proposals made under the CFSP umbrella. The Counsellors prepare COREPER'S work on Joint Actions and try to ensure consistency across the three EU pillars. The *CFSP Working Groups* are staffed by experts from the member states and the Commission. They examine policy documents and options for the consideration of the various CFSP institutional bodies.

The Presidency

The Presidency is held by EU countries on a six-monthly basis and plays an important role within CFSP, as it sets the agenda for the political decision-making process. It provides the background administration for meetings and is

responsible for trying to resolve disagreements and difficulties on all policy issues. This is particularly important in relation to CFSP, as decisions are made unanimously and disagreements result in vetoes. The Presidency is assisted in its work by the Council Secretariat and, since the Amsterdam Treaty, by the Secretary-General/High Representative for CFSP.

The Policy Planning and Early Warning Unit

The Policy Planning and Early Warning Unit is based within the Council Secretariat and has a responsibility for monitoring and assessing international developments, as well as analysing emerging threats and crises. The Early Warning Unit's analytical role is important in so far as it provides the member states with the information they require to formulate a common foreign policy.

The Political and Security Committee

The Political and Security Committee (PSC or COPS) is central to CFSP and ESDP. It is the hub in organizing the EU's response to any crisis, and is composed of national representatives. The PSC prepares recommendations on how CFSP (and ESDP) should develop and also deals with the routine elements of these policies. In the event of a crisis, the PSC is the body that analyses the options open to members and manages the EU's approach to the crisis. A group of *European Correspondents* in all EU member states and within the Commission coordinate the day-to-day business of the CFSP and prepare the PSC meetings. The correspondents are also responsible for ensuring that CFSP business is included on the agendas of the General Affairs Council and European Councils. They liaise via the encrypted telex network known as Coreu (Correspondance européenne) which connects member states and the Commission.

coordination of European external policy across the three pillars was achieved by giving the Commission and the Parliament formal roles, later expanded upon. In Pillar 2, the Commission is 'associated with all aspects of the CFSP', and has an equal right of initiative with member governments. In Pillar 1, by contrast, the Commission has sole right of initiative. The European Parliament has to be 'kept informed' of policies and initiatives conducted under CFSP; and the European Court of Justice has

no role at all. These latter two institutions have been kept out of CFSP policy-making to ensure the pre-eminence of the member states in this policy area.

The enactment of the Treaty on European Union (TEU) at Maastricht provided three identifiable sources of external relations policy for the EU, binding the states and supranational institutions together. First are the member states, with their own foreign, defence, and security policies pursued independently of CFSP. Second is the coordinating

CFSP framework which places a responsibility on member states to 'inform and consult each other [on] matters of foreign and security policy', with the aim of increasing the international leverage they can exert by working together.

The EU Council is able to establish Common Positions (see below), as it has done in the case of the eradication of landmines. **Joint Actions** are a second instrument. These require a unanimous vote if they are to be approved; and a further unanimous vote to decide whether issues of implementation can be decided by a **qualified majority vote**. Joint Actions allow the EU to go beyond merely consulting on issues (as had been the case under the EPC framework), obliging member states to conform to the positions they adopt. The Commission's extensive

responsibilities over trade policy, and its large number of overseas representations, provide a third source of foreign policy stimuli in the EU.

The Maastricht Treaty also stated that the EU should work towards creating a common defence policy and eventually a common defence. This would later be used as the basis for developing a European Security and Defence Policy. In the meantime, the Treaty established a review procedure for CFSP. This began with the setting up of a **reflection group** of civil servants in 1996, and culminated in a new IGC, and another treaty revision which was approved at the Amsterdam European Council in June 1997.

At Amsterdam, the British and French governments disagreed over how the policy should develop. The British felt that the Yugoslav experience (see Box

BOX 15.3

The supranational institutions in CFSP and ESDP

The European Commission:

The strengthening of the Council with regard to CFSP has implications for the role of the Commission. A Declaration added to the Amsterdam Treaty outlined how the Commission proposed to reorganize its Directorates-General to bring external relations under the remit of one vice-president, rather than four commissioners, as was earlier the case. However, the Commission President, Romano Prodi, appointed in 1999, did not observe the Declaration and appointed four external relations commissioners with functional rather than geographic responsibilities. However, Prodi did appoint Chris Patten to a post responsible for coordinating external relations policy. Whilst Patten was not formally a Vice-President his role was intended to be of equivalent stature – that of a kind of Foreign Minister for the EU. The other three external relations portfolios covered trade, enlargement, and development. Since 2004 Commission President Barroso has held a generic foreign policy role as the lead official for the Commission.

Over the years there have been many criticisms of the Commission's role in CFSP, focusing particularly on the transparent nature of their procedures. There have been doubts about the quality of internal security in the Commission, with leaked information potentially endangering the safety of officials in the field (Dassu and Missoroli 2002). As a result of these criticisms, Javier Solana

has tried to shield the policy formulation apparatus of his section from the rest of the Commission, causing frictions in the EU's institutions.

In the Prodi Commission, Chris Patten was vocal in his complaint that the Council made foreign policy without reference to the bodies that would implement it (notably the Commission). He recognized an important gap in responsibility between the decision-makers and the implementers. Prodi's solution was to suggest that the High Representative be made Permanent Chair of the PSC (see Box 15.2) and a member of the Commission, to make the Commission's stakeholder role more prominent. Whilst the vast majority of EU 'business' impacts on the world outside of the EU and therefore has foreign and, tangentially, security implications, only those activities requiring the application of military force are generally included in the CFSP and ESDP frameworks. The crossover between these two types of activities is confusing and often paradoxical, making it look as though the EU's external relations are inconsistent or even incoherent.

The European Parliament

The European Parliament has no formal CFSP/ESDP role, but is regularly kept informed and is consulted on issues within these areas. Members of the European Parliament (MEPs) have been very active arranging debates, tabling questions, and putting pressure on national governments. Not surprisingly, perhaps, the Parliament is keen to have more foreign and security policy competencies.

15.4) confirmed that the EU was incapable of formulating a common foreign policy, whereas the French government argued that this demonstrated why such policy was necessary (Howarth 2000). Neither argued with the proposition that CFSP had achieved remarkably little in its first few years, however.

The Amsterdam Treaty was negotiated as the UK government changed hands in May 1997. While the new Labour government was elected on a pro-European platform (Forster 2002), the changeover came too late for the CFSP. Of the changes introduced, the introduction of **constructive abstention** was notable. This provision enabled fewer than one-third of member states to opt out of a '**Joint Action**' without vetoing it for the others.

Two further significant measures were agreed at Amsterdam. The first was the creation of the High Representative for the CFSP, a post which was combined with that of Secretary-General of the EU Council. The second was the creation of the Policy Planning and Early Warning Unit in the Council Secretariat (the 'Policy Unit'). When the ESDP was established by the Treaty of Nice (see below), the unit was expanded to incorporate officials from the newly created Military Staff (EUMS). These initiatives brought external foreign relations closer to Brussels, even if the member states were able to guarantee the use of intergovernmentalist working methods and, as a consequence, their continued pre-eminence over this policy field.



CASE STUDY 15.4

The EU and the Balkans

The Yugoslav civil war was an enormous wake-up call and a profound embarrassment for the EU. After Jacques Poos' rather optimistic statement that 'now is the hour of Europe', and the negotiations to codify CFSP, the EU's response to Yugoslavia in the period 1991–5 highlighted weaknesses within the EU foreign and security policies. In unilaterally recognizing Slovenian independence in June 1991, the German government hastened the crisis in the Balkans. This in turn led to the recognition of independence of Croatia and Macedonia (June 1991 and September 1991 respectively) and political moves to establish a sovereign Bosnia. These attempts to fracture the federation of Yugoslavia prompted a military response from the predominantly Serb Yugoslav National Army (JNA) under the civilian control of Slobodan Milosevic.

The EU's response to the genocide, displacement of populations, and imperial conquests has been widely condemned as inadequate (Bellamy 2002). The institutional historical memory of the First and Second World Wars and country allegiances to Croatia and Serbia partially guided EU governments in the early stages of the conflict. There was strong evidence that Croatian forces had been armed by Germany, and a great deal of captured Croatian material had been manufactured in Germany; whilst the French and British governments held historical allegiances with Serbia. This created problems early on in formulating a 'European' response. The need for unanimity in EU foreign

policy meant that statements and policies that blamed one side or the other in the conflict were politically untenable. These allegiances were less prominent after events such as the siege of Sarajevo in 1994 where a prevailing international norm of revulsion at the military action led to a more universal approach.

The United States played a very low-key role in the early stages of the civil war (1992–4), which further exposed the EU's inability to formulate a credible policy towards the conflict. For example, without being able to deploy a credible threat of military force, international agreements brokered with Milosevic were breached with impunity by the Serbs. It was only when the United States began to take an active role in brokering peace between the warring factions that the implied threat of the use of military force saw these agreements honoured.

Furthermore, the EU seemed obsessed with trying to deploy the levers of economic foreign policy to bring the conflict to a close. Economic sanctions on the one hand and infrastructural aid on the other were policies that the EU governments were able to agree on. However, both the sanctions regime, and the distribution of aid and infrastructural support were strongly criticized by practitioners and academics alike as having been ineffective (Keane 2004). However, economic foreign policy was a policy area where the EU was more confident and experienced, and in particular regarding economic aid, which had already been committed by the member states.

Finally, the Amsterdam Treaty also introduced a new instrument, the ‘**Common Strategy**’. This is decided unanimously by the European Council on the basis of a recommendation by the EU Council (of foreign ministers). Strategies are implemented by adopting Joint Actions and Common Positions which can be achieved through qualified majority votes in the Council, unless a member argues that the measure runs contrary to its core national interest – in which case it can exercise a veto. Thus far only one Strategy, on Russia, has been agreed.

KEY POINTS

- Maastricht established a Common Foreign and Security Policy, which was largely intergovernmental in character.
- The first tests of CFSP were far from impressive. The Amsterdam Treaty revisions sought to rectify some of the institutional problems, but failed to address the question of a European defence policy

European Security and Defence Policy (ESDP)

As already noted, the Maastricht Treaty did more than just set up the CFSP. It also foresaw EU cooperation in matters of defence. However, it was not until 1998 that an opportunity arose for pursuing further convergence in this area.

The St Malo process

The process which began at the port of St Malo in France in December 1998 opened the way for a new phase in European foreign policy cooperation, one which would involve the emergence of a defence policy, and the gradual militarization of the European Union. ‘The Saint Malo process’ was led by the UK and French governments. For the newly elected UK government, the initiative was to bring defence cooperation into the heart of their European programme, making it a symbol of the government’s pro-European leanings. From the UK perspective it was also an initiative which was designed to prevent the French, Italian, and Spanish governments from forcing military and security policy on to the agenda in a way that disadvantaged British interests (Dover 2005).

But St Malo also has to be seen in a more general political context. The main ‘European’ issue of the day was the development of the single currency,

which the UK government found impossible to support. Blair put out a call to his cabinet ministers to find policy areas in which the UK could further advance integration (Dover 2005). The Ministry of Defence (MoD) was the only department to reply to this call with a proposal for deepening European defence integration without undermining NATO’s role. The MoD proposal resulted in the Pörtlach Declaration of October 1998, in which Blair stated his desire to see closer European defence cooperation, and the St Malo Declaration of December 1998, which pledged Anglo-French cooperation on defence issues within an EU framework.

As the least transatlantic of any of the EU governments, and the keenest to see NATO scrapped at the end of the Cold War, the French were surprised to be approached by British officials seeking to advance an EU-based security solution (Howarth 2000). Getting the French government on board with plans for Europeanizing security was seen as crucial by the British, as the agreement at St Malo had to bring together both ends of the security spectrum – the proactive (French) and highly reactive (British).

The St Malo meeting and the texts it produced were the high water mark of Anglo-French cooperation. The agreements also demonstrated the influence of the ‘Big Three’, the UK, France, and

Germany, over large initiatives of this kind. The German government was seen as America's closest European ally in the late 1990s and it also had a post-war allegiance to NATO as it was on the front line of any potential clash between NATO and the Warsaw Pact countries. Convinced that ESDP was not intended to undermine the transatlantic alliance, the German government was happy to lend its support to the initiative. Agreement among these governments ensured that the policy would be successful.

After St Malo

Through several European Council meetings in Cologne (1999), Helsinki (1999), and Sintra (2000), the ESDP proposals were amended and adapted. Of particular note was the inclusion of what would become 'the **Petersberg tasks**' and a '**Headline goal**' for the EU – to be able to deploy 60,000 troops, in 60 days, sustainable for up to one year (Rutten 2002). Proposals such as these were transformed into a '**capabilities catalogue**', a pool of personnel, expertise, and military equipment pledged by

member governments, which could be used in EU-sponsored military actions. In explicitly connecting capabilities to the St Malo process, its British and French government sponsors aimed to make ESDP more than just a paper policy.

The ESDP is composed of three elements: military crisis management, civilian crisis management, and conflict prevention. In June 1999, the Cologne European Council placed crisis management and the capabilities required to deliver it at the heart of renewed efforts to strengthen the CFSP. Subsequent European Councils refocused efforts on the assets available to the EU, which would allow it to conduct autonomous actions, ranging from advanced policing, through conflict prevention, right up to peace enforcement operations.

British and French government negotiators expected the policy be fully functioning by 2003. However, governments have been unable to meet the relatively modest targets set out within the 'capabilities catalogue'. This has been in part due to internal pressures to spend money on more electorally attractive areas such as health and education, whilst foreign and security budgets have been consumed by



CASE STUDY 15.5

ESDP – the military and civilian dimensions

The military dimension

The military side of ESDP was introduced at Helsinki in 1999, and developed at the Nice 2001 European Council. Helsinki resulted in the so-called 'Headline Goal', whilst Nice provided the institutional structures that supported the policy, namely the Political and Security Committee (PSC), which is assisted by a politico-military working group, a committee for civilian aspects of crisis management, as well as the Military Committee (EUMC) and the Military Staff (EUMS).

The civilian dimension

The Feira (1999) and Gothenburg (2001) Councils developed the civilian element of ESDP, which aimed to fill the 'soft' security gaps left open by the international community. The Nice Council provided four institutional arrangements to fill these gaps, supplemented by a

civil-military relations committee to ensure that these interventions ran smoothly:

- Police cooperation: creating a capability to deploy 5,000 police, including 1,000 within 30 days, for tasks ranging from the training of local police to assisting military forces in restoring order.
- Rule of law: an ambition to be able to provide up to 200 judges, prosecutors, and other legal experts to areas in crisis.
- Civilian administration: providing officials to assist in the basic tasks of government administration, like establishing education, infrastructure, and elections.
- Civil protection: the ability to assist in humanitarian assistance at short notice – the EU to be capable, within three to seven hours, of providing two to three assessment teams as well as intervention teams consisting of up to 2,000 people.

the conflicts in Afghanistan and Iraq and by the implementation of anti-terrorist measures.

The emphasis on Petersberg-style military tasks has reinforced the EU's self-constructed soft-security identity, and has acted as a barrier to the formulation of EU responses that include the full range of military equipment – for example expeditionary warfare as in the US/UK invasion of Iraq in 2003. The inclusion of the Petersberg tasks in ESDP supports the view that ESDP is a product of the EU's inability to deal with peace keeping and peace-enforcement operations like those presented by the Yugoslav civil war, and a realization that the threats to the EU will come from non-state military actors in the medium to long term (Dover 2004; M. Smith 2001). The EU's experience in Yugoslavia demonstrated that it had neither adequate policy tools to deal with this kind of conflict, nor pan-European agreement on how it should act should similar circumstances present themselves again. Positively, the Yugoslav experience also showed the UK and France that they could work closely together without diplomatic conflict, something that was particularly important in the run-up to St Malo.

Civil wars and the consequences of failing states demand the sort of response the Petersberg tasks aim to deliver – humanitarian and rescue tasks; peacekeeping tasks; peace making; and crisis management. To give the EU an opportunity to address these scenarios effectively it was necessary to ensure that it had access to NATO assets. The negotiations to secure this access was one of the most important tasks at the periphery of the Nice European Council meeting in December 2001. The so-called 'Berlin-plus' arrangements were a key marker of whether the ESDP might function as an independent policy area, avoiding duplication with the institutions and assets of NATO and the UN. In this matter Turkey proved to be a considerable stumbling block to the EU being able to secure rights to these assets, as the Turkish government was keen to veto access to NATO equipment unless Turkey was allowed to join the EU. Turkish opposition was removed through intensive diplomacy by NATO and the British and American governments in December 2000.

KEY POINTS

- The agreement of the British and French governments at St Malo in December 1998 created an overwhelming momentum towards a common European security and defence policy.
- Some of the key negotiations that took place over ESDP concerned the relationship between the EU and NATO. A deal was finally secured in 2002.
- The negotiations resulted in the production of a 'capabilities catalogue'. As of early 2006 the capabilities catalogue had still to be fully 'populated'.

The Nice Treaty

The negotiations for ESDP were largely conducted outside formal EU negotiating frameworks so as to avoid the input of Commission officials and Members of the European Parliament (MEPs). They were bilaterally agreed between governments before the final signatures at the Nice European Council. The Cologne, Helsinki, and Sintra Councils had provided the opportunities, between St Malo in December 1998 and the Nice Treaty negotiations in December 2000, to conclude much of the detail of ESDP before it was codified at Nice. Therefore, the final negotiations were concluded quickly.

The Nice Treaty empowers the Commission to ensure that the EU's actions are consistent, and designed to meet the objectives laid down by national governments. This strategy aims to provide stability and to restore a political and economic environment conducive to peace in the affected region. It also brings EU foreign and security policy closer to Brussels, albeit within the very strict parameters of oversight and sequencing roles, reaffirming once again the primacy of the member governments.

The Nice Treaty also allowed the Council to use qualified majority voting (QMV) for decisions relating to internal matters, that is, institutional design or the adoption of Joint Actions. QMV was also to be used where the Council was to appoint a

Special Representative to a region in crisis. The Political Committee was replaced by a Political and Security Committee (PSC), with the High Representative chairing the PSC in place of a representative from the Presidency, once again suggesting a drift away from the national capitals to Brussels. Further evidence of this drift can be found in the role of the so-called CFSP 'ambassadors' who had previously travelled from capital to capital, but who after Nice were to be based in Brussels in semi-permanent session.

Despite these changes, the 'Brusselsization' of foreign and security policy has been taking place at an incredibly slow pace, with the majority of foreign and security activity in the Union controlled, as ever, by national governments. The Constitutional Treaty (see Chapter 4) sought to bring ESDP and CFSP even closer to Brussels within a 'new' policy named 'Common Security and Defence Policy'. It demanded that all member governments improve their military capabilities to meet the demands of the capabilities catalogue and the Union's international commitments. It reaffirmed the EU's commitment to a common European defence, although the right of individual governments to veto this and retain independent defence policies remained. An enhanced level of cooperation was established to improve pan-European defence procurement, with this being tied to the [Lisbon Agenda](#), which is a strategy for growth and employment. New provisions were also established to encourage solidarity between the member states in the event of crises. A cohesive European defence identity was also to have been assisted by the establishment of a 'Union Minister for Foreign Affairs', an individual responsible for ensuring the consistency of EU foreign policy. Unfortunately for those who drafted these provisions, the Constitutional Treaty stood and fell as a complete document, once the French and Dutch voted against the Treaty in their referenda in May/June 2005. However, the consensus seems to be that the foreign and security policy measures are likely to be resurrected outside of these moves to codify this constitutional framework.

Financing operational expenditure

Budgetary problems have long plagued the operation of foreign policy cooperation in the EU. The CFSP's overall budget for 2005 was estimated at €62.6 million or 1 per cent of the entire budget for external relations. This is a small amount considering the potential costs of crisis management. On the civilian side of CFSP pre-accession aid, cooperation, and humanitarian aid have eaten into the budget. One of the largest commitments in a Joint Action was for a policing presence in the Former Yugoslav Republic of Macedonia (FYROM) which ran to a cost of €15.9 million (December 2005).

The Maastricht Treaty stipulated that CFSP operations should be financed either from the Community budget or by the member states, depending on a complicated scale that is decided on a case-by-case basis. The Amsterdam Treaty changed this system to one where expenditure was routed from the Community budget – with the exceptions of military and defence operations, or if the Council unanimously decided otherwise. In these cases, member states can abstain, issue a formal declaration, and will not be obliged to contribute to this financing. These arrangements are still problematic because most operations cut across crisis management (EU) and military (member State) obligations, pulling finance from different sources, and further complicating the lines of financial responsibility.

The Global War on Terror (GWOT)

The 'Global War on Terror' (GWOT), as US President George W. Bush described his quest to eradicate people, groups, and governments whom his Administration designated as presenting a threat to liberty and the 'Western way of life', has presented the EU with a new set of security and justice issues. The GWOT is likely to remain the largest foreign and security challenge for the EU in the medium

and long term. It raises issues that cut across foreign and security policy as well as for the justice and home affairs sphere (see Chapter 19).

The GWOT has generated new domestic and external agendas. The domestic agenda has centred on immigration, policing, and intelligence, whilst the external agenda has focused on the expeditionary warfare efforts of the USA and its allies in Afghanistan and Iraq, and since 2003 the prospect of military action against North Korea and Iran, a situation which escalated significantly in 2005. The policy outputs generated as a result of the GWOT have caused lengthy political debate in the EU and amongst the Union's member governments. There are those who see pre-emptive military activity against states that sponsor terrorist organizations as imperative, whilst others argue that such action is highly problematic both legally and with regard to the quality of intelligence available to policy-makers. These debates have had serious implications for internal political harmony within the EU, with mistrust and rankling over security policy spilling over into ostensibly unconnected issues like agricultural reform and the Community budget.

The USA invaded Afghanistan after 'September 11' following the 'Taliban' government's refusal to hand Osama Bin Laden over for trial. The USA declared war on Afghanistan on the basis of Article 51 of the UN Charter: that of self-defence. Whilst the UN Security Council did not authorize the invasion, neither did it censure the USA or its allies for the attack, named Operation Enduring Freedom. After the removal of the Taliban from power nearly all the EU's member states provided military and logistical support to the UN and the NATO-controlled International Security Action Force (ISAF) efforts. This was an important show of solidarity with the USA, demonstrating the EU's keenness to move into an international niche which involves it acting to support high-end military operations financially, providing some military capabilities, and offering post-conflict reconstruction support (Den Boer and Monar 2002).

The invasion of Iraq and the subsequent removal of Saddam Hussein from power caused a significant

strain in relations between the EU member states and also between the EU and the USA. A war against Iraq had long been mooted by the so-called 'neo-conservatives' in the US Republican Party after the first 'Gulf War' in 1991, which had left Saddam Hussein in power. The '9/11' attacks provided a backdrop to a fresh attempt to remove Saddam, using the rationale that Iraq had supported terrorist groups financially and in terms of military equipment and training, with intent to attack 'Western' interests. These claims, fleshed out by the then US Secretary of State, Colin Powell, before the UN on 5 February 2003, and supported by the UK government, were contested and were later shown to be inaccurate.

Within the EU, the French and German governments were strongly opposed to military action against Iraq (Gaffney 2004). The French government, with its Permanent Membership of the UN Security Council, threatened to veto the US/UK attempt to secure a UN mandate for an invasion, because the action was premised on Iraq holding weapons of mass destruction, a claim the French government rejected and which has subsequently been proved to be correct. This meant that the military action was conducted without a second UN resolution. Moreover, the German Chancellor Gerhard Schröder made his anti-war stance a central plank of his re-election campaign in 2002, which some commentators argued helped him secure a further term in office (Peterson 2004a). The anti-war stance of Belgium, France, and Germany brought them into public disagreement with the USA, with the Secretary of State for Defence, Donald Rumsfeld, describing them as 'old' Europe (with overtones of defeatism), implying that the UK and the EU candidate states in Eastern and Central Europe were clearly 'new' Europe. French President Chirac further inflamed this situation by suggesting to 'new' Europe that they should remember their junior position within the Union and remain quiet, a suggestion that was greeted with dismay across Europe.

The effects of this diplomatic schism were seen almost immediately. The French and British

governments who had worked very closely together on EU security and defence matters between 1998 and 2000 immediately saw a dramatic deterioration in relations. President Chirac is even said to have ordered his staff not to assist UK diplomats in the further development of the ESDP.

Subsequently the EU has attempted to respond to threats to its security by constructing a European Security Strategy (December 2003), widely seen as a reply to the USA's National Security Strategy of 2002. This identifies key threats to the EU: terrorism; the proliferation of weapons of mass destruction; regional conflict; failed states; and organized crime, all of which fit into the general thrust of ESDP and its formulation between 1998 and 2000. Similarly the Commission tabled a proposal that there would be compulsory sharing of intelligence between national intelligence agencies. The latter was strongly rejected by the Head of the UK's domestic secret service (MI5) in September 2005. The Commission also proposed the mandatory logging of emails and mobile phone records to assist in policing terrorist threats. This was accepted by member states (on a qualified majority vote) in the same month, but may be subject to legal challenge.

The terrorist attacks in Madrid, which killed 176 people on 11 March 2004, and the coordinated bombings on three underground trains and a bus in London on 7 July 2005, with a follow-up attempt on 21 July 2005, have brought into sharp focus the threats that the EU faces in the post-Cold War era. The pre-eminent militarized threat facing the

EU and its member states is not from territorial attack – in the style of a classic Cold War confrontation on the German plains – but in the form of well-coordinated and planned multiple explosions, by small teams, using small devices placed in key locations. An interesting side effect of the pan-European attempts to confront 'terrorism' is that it has produced a deepening of European integration on areas beyond traditional conceptions of security. These have been pragmatic responses to the terrorist outrages. The ad hoc provision of intelligence-sharing rules, and closer police cooperation, have brought a greater number of security competencies under European scrutiny and have produced a greater day-to-day understanding between the police and justice officials of the different member states.

KEY POINTS

- The GWOT has refocused EU security efforts on to 'homeland security' and the efficacy of expeditionary warfare and 'regime change'.
- This has witnessed a large pan-European investment in technology-led measures, such as electronic intelligence (emails, phone calls, global positioning technology) and broader surveillance and control measures like improved identity cards and CCTV.
- These issues have had a dire effect on the internal harmony and political cohesion amongst the member states and the transatlantic alliance, spilling over into unrelated policy spheres like agriculture and finance.

Conclusion

The predominant role of the EU in trade is not matched by its role in foreign, security, and defence policies. Although these policies have developed substantially since the early 1990s, they are still very much under the control of national governments. The EU still conducts its foreign and security policy as extensions of national foreign policy. However,

there has been a substantial shift from national capitals to Brussels, a process known as 'Brusselsization'.

Despite some reluctance from certain governments, there has been a high demand for collective EU action in foreign and security policy since 1991 from both governments and groups within the

member states and from the Parliament and Commission. A common criticism of the EU is that it has not been able to generate sufficient capabilities to meet these demands and therefore has been an ineffective foreign policy actor. The key success of European policy has been the formulation of Joint Actions and Common Positions. However, neither of these produce radical or ambitious policies, but have been subject to the telltale EU traits of lowest common denominator policy-making.

Less successful have been Common Strategies that were introduced in 2000 and 2001 with papers on Russia, Ukraine, and the Mediterranean. These have achieved little and were criticized by Javier Solana (Norman 2001: 9), the EU's High Representative for Foreign Policy, as being a distraction from well-established policies on these countries and regions (Spencer 2001). Solana's complaints – particularly given that the Common Strategy towards Russia had failed to give the EU any leverage over Chechnya – resulted in the abandonment of the plan to draft a Common Strategy towards the Balkans. Solana's critique of these instruments was that as they are publicly available they have hamstrung Presidencies. He suggested that if the documents were not open to public scrutiny it would give member states greater leverage to act.

Since 1998 the EU's foreign and security policy agenda has been dominated by ESDP. This domination has caused the Commission to commit time and resources to prevent itself from being overwhelmed by a failing militarized external relations agenda. If a balance was restored between the ESDP agenda and the 'civilian' foreign external relations agendas then the Commission could play a larger working role in the EU's foreign and security policy profile.

Theoretically, the development of ESDP and CFSP has conformed closely to intergovernmentalist explanations of integration. The dominance of member states in the negotiation of these policies, and in their operational execution to the exclusion of the EU's central institutions, places foreign and security policy outside of 'functionalist' explanations of institutional spillover. For the most part ESDP provisions have

been developed bi- or tri-laterally between the British, French, and German governments and in the 1999–2000 period between the French and British governments negotiating with individual governments outside of any formal EU structure, thus keeping EU officials away from these negotiations (Dover 2004). This form of negotiation is particularly stark in foreign and security policy.

In sum, EU foreign, security, and defence policies have been a mixed bag of successes and failures. The notable successes have occurred through Joint Actions that have covered issues from landmines to marshalling accession countries through the enlargement process. The failures have been more notable – the response to the Yugoslav civil war has been widely analysed as a collective humiliation for the EU, attempts to draw up Common Strategies have been less than successful, and cohesion on the big security issues of the day, namely Iraq and GWOT, have also been lacking. Greater levels of cooperation between member states is likely to come with greater exposure to collective foreign policy responses and through a shared foreign policy vision, which can only come through greater levels of dialogue.

The EU is edging very slowly and incrementally towards a fully working set of foreign and security policies and associated instruments. The adaptations and amendments to the CFSP have not produced much useful output. The Commission still feels sidelined and unaccountable, the Council retains all foreign policy positions with a veto, and the utility of Common Strategies and Joint Actions is open to serious question. However, outside of issues of core sovereignty, including defence, the EU and its member states are showing a clear commitment to foreign and security policy and are doing good work with regard to development policy. In the context of the GWOT they are showing a willingness to work on Common Positions and Joint Actions inside and outside formal EU routes, with the working practices of the being CFSP and EU security policy in general directed increasingly towards Europeanized solutions to problems that affect all EU states.



QUESTIONS

1. To what extent does the EU's CFSP and/or ESDP threaten to undermine NATO?
2. Is a Europeanized foreign and security policy likely to strengthen the position of the member states in international affairs?
3. What are the main hindrances to a fully functional Common Foreign and Security Policy?
4. Has NATO found a post-Cold War security role and made CFSP and ESDP obsolete?
5. Is the EU destined to remain a 'soft-security' actor?
6. Did the terrorist attacks on Madrid and London in 2004 and 2005 change the European security environment? Should the EU's security efforts be now focused on 'homeland' security?
7. To what extent do the 'Big Three' (France, Germany, and the United Kingdom) dominate CFSP and ESDP, both in Treaty negotiations and in the everyday operation of policy?
8. Is it desirable for the European Commission and European Parliament to have greater powers over foreign, security, and defence policy?



GUIDE TO FURTHER READING

- Howarth J., and Keeler, J. T. S. *Defending Europe: The EU, NATO and The Quest for European Autonomy*, (Palgrave MacMillan: New York, 2003). Notable for its two concluding chapters – one sceptical, one positive – by Jolyon Howarth and Anand Menon, this book pulls together some very strong thinkers analysing EU defence policy and the relationship between the EU and NATO.
- Kagan, R. *Paradise and Power: America and Europe in the New World Order* (Atlantic Books: New York, 2004). This book has generated a great deal of academic commentary about the nature of the existing transatlantic alliance and the prospects for the future alliance. It provides a key to understanding how US-EU military efforts coexist.
- Keohane, D., and Brady, H., *Fighting Terrorism: The EU needs a strategy not a shopping list*, (London: Centre for European Reform, 2005), October, (http://www.cer.org.uk/pdf/briefing_terrorism_11oct05.pdf). One in a series of intelligent think-tank publications that demonstrate the sorts of debates currently taking place between government, practitioners, and think-tanks.
- Rees, W., and Aldrich, R. J. 'Contending cultures of counterterrorism: transatlantic divergence or convergence?', *International Affairs*, 81(5), 2005, pp. 905–923. An important work that analyses the different approaches taken by American and European governments to twenty-first century terrorist atrocities.
- Smith, H. *European Union Foreign Policy – What it is and What it does* (Pluto Press: London, 2002). An excellent, comprehensive analysis of the EU's foreign policy, written from a unique perspective and including an analysis of the relationship between the global north and south.



IMPORTANT WEBSITES

- http://europa.eu.int/comm/external_relations/ The EU's official external relations website.
- <http://www.osce.org/> The official website of the Organization for Security and Cooperation in Europe.

- <http://www.nato.int> The website of the North Atlantic Treaty Organization (NATO).
- <http://www.cer.org.uk/> The Centre for European Reform, based in London, publishes useful briefing papers, often on CFSP and ESDP-related issues.
- <http://www.eri.bham.ac.uk/> The European Research Institute – one of the UK's leading research centres on the European Union, which has a particular focus on European foreign policy research.



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