
UNIT 10 COMMON FOREIGN AND SECURITY POLICY (CFSP)

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10.0 INTRODUCTION

The emergence of the European Union (EU) as an international civilian power, rivaling even the stature of the United States and before its formal dissolution in December, 1991 the Soviet Union has been a factor of momentous significance in international relations over the past three decades. Ever since its inception on 1 January 1958 the European Community as it was known then has acted as the focal point in the rise of Western Europe from the ravages of the Second World War. As the largest trading bloc in the world, the Community became an economic competitor of the United States and Japan even as it expanded itself successively from the original six to the present twenty five member states, established a large free trade area with the remaining member states of the European Free Trade Association (EFTA), concluded and later extended association agreements with more than fifty states in Africa, Caribbean and the Pacific, and established a system of concessionary relations with other states of the Third World. In other words, the EU has established itself as a major power center with a decisive say in the management of the economic and commercial relations among the nations of the world.

10.1 OBJECTIVES

After going through this unit, you will be able to understand:

- what prevented the emergence of a full structure of foreign policy co-operation among the member states of the then European Community (EC) from the very inception;
- the nature and contours of European Political Co-operation;
- how the EPC evolved into the CFSP;
- the nature, objectives and mechanism of the CFSP; and
- the nature, objectives and mechanism of the European Security and Defence Policy.

10.2 ORIGIN AND EVOLUTION OF EUROPEAN POLITICAL CO-OPERATION

It is noteworthy that its undoubted economic stature has conferred on the European Union a political clout of very considerable dimension. The treaty of Rome, signed on 25 March 1957 by France, the Federal Republic of Germany, Italy, Belgium, the Netherlands and Luxembourg – the six original members which created the EC imparted an essentially economic character to it by providing for the creation of a customs union among the six with a set of **common** policies in the areas of agriculture, transport and commerce and common institutions to oversee the functioning of the Community. Explicitly political areas such as the foreign and defence policies of the member states were consciously kept out of the jurisdiction of the community in view of the developments in the early 1950s when an attempt to create a European Defence Community (EDC) foundered as a result of opposition from France. The principal reason for this failure was the unwillingness of sovereign states to allow advancement of European integration in a jealously guarded domain that was highly and patently political.

The issue of political co-operation among the member states was therefore kept outside the Treaty of Rome which provided the constitutional framework for the European community. However such co-operation on an inter-governmental basis became a cornerstone of the EC's functioning. The economic character conferred on the community by the founding fathers was designed to promote greater functional co-operation in areas where loss of national sovereignty was deemed less critical by the member states. On the other hand it was also expected that such functional co-operation would ultimately pave the way for greater political co-operation leading to further political integration within the community.

By the end of 1969 the basic parameters of the European Common Market had been made considerably free following the elimination of tariff **barriers** and the introduction of a common external tariff to be applied on goods entering the Community from non EC countries. The principal elements of a common member states to venture into a more ambitious terrain such as political co-operation which became a euphemism for the co-ordination of their foreign policies. In the following pages we discuss in some detail the evolution of a framework of co-operation in the field of foreign policy among the member states of the European Union beginning with the European Political Co-operation (EPC) and developing into the Common Foreign and Security Policy (CFSP) through the Maastricht and Nice Treaties. It shows how, in the process, a European Security and Defence Policy has also emerged.

The machinery of European Political Co-operation (EPC) originated in the early 1970s. It was a product of the European Community's internal institutional dynamics on the one hand and the compulsions for increasing co-ordination in their foreign policies on the part of the member states, on the other, to meet the challenges of international relations in an era that was witnessing not only a **détente** between the two super powers but also the emergence of other power centers such as China and Japan. The internal power struggle within the community between the Commission which is the bureaucratic apparatus of the EC/EU and the member states, represented in the institution of the Council of Ministers, regarding the pace of European integration paved the way for the emergence of the machinery of political co-operation which, prior to the Maastricht Treaty, acted as an instrument for foreign policy co-ordination.

The genesis of EPC can be traced to the Mague summit conference of the Heads of State and government of the EC member states which declared on 2 December 1969 that entering the final stage of the Common Market meant "paving the way for a United Europe capable of assuming its responsibilities in the world of tomorrow and of making a contribution commensurate with its traditions and its missions." In order to ensure "progress in the matter of political unification" the summit instructed the foreign ministers of the member states to produce a report in this respect which became the first in a series of such landmark documents that effectively set up the machinery of the EPC. These were: the Luxembourg Report of October 1970, the Copenhagen Report of July 1973 and the London Report of October 1981. While the Luxembourg Report essentially laid down the aims and methods of pragmatic co-operation in the sphere of foreign policy "to be achieved through continuous collaboration among the foreign ministers and the foreign services of the member states without any special bodies being set up" the Copenhagen Report introduced an element of procedural

formality by establishing "the basic obligation of the Member States to consult each other on all important foreign policy questions before adopting their own formal position." The London Report defined joint action as the goal of EPC and expressly mentioned for the first time the **political** aspects of security as a subject of co-operation.

The next milestone in the evolution of foreign policy co-ordination within the EPC was the Single European Act of 1987 whose principal objective was to provide a renewed spurt in the efforts of the Community towards a European Union in the early 1980s. In the field of political co-operation it was intended that the EPC machinery was to be further strengthened by means of intensified consultations for timely joint action by the member states, development of common positions, progressive development and definition of common principles and objectives and, most significantly, co-ordinations of positions of member states on the political and economic aspects of security.

While the search for an external identity for the European Community was given more concrete dimension through the Single European Act (SEA) which retained the legal separation between the EPC (inter-governmental) and the EC (supra-national) the real significance of the Act was that the principal elements in the procedure for political co-operation, as had been developed since 1970, were enshrined in an international treaty for the first time. The very first provision stated that Community members "shall endeavour jointly to formulate and implement a European foreign policy." The other striking feature of the Single Act was the formal incorporation of **security** co-operation, also for the first time, within the framework of EPC albeit the political and economic aspects of it i.e. the military dimension of security would continue to rest with NATO.

10.3 DEVELOPMENT OF CFSP

The CFSP pillar of the European Union came into existence in 1993 following the adoption of the Maastricht Treaty, known in official parlance as the Treaty on European Union (TEU). The backdrop of the Maastricht Treaty was the end of the cold war when the community was expecting to take on greater international responsibilities such as providing peace and security to Eastern Europe. As the community was poised to deepen integration in the wake of German re-unification the EPC was considered inadequate for the 'new world order' and the CFSP was created through the Maastricht Treaty as its replacement.

The CFSP's institutional structure is not very different from that of the EPC. The treaty spelt out its objective as "to assert its (EU) identity on the international scene, in particular through the implementation of a common defence policy." The CFSP is to be dealt with by "systematic co-operation" between member governments and "gradually implementing" joint action between them. It is to be subject to community institutions or brought within the treaty of Rome. In other words it would continue to be implemented on an inter-governmental basis though a provision was kept for a general constitutional review of the Maastricht Treaty in 1996 "to see whether the new inter-governmental co-operation in **foreign/security**....policy can be brought more under standard community rules" i.e. within the EC/EU's supranational framework. So far as the CFSP decision making is concerned the broad guidelines are set by the European Council and the foreign affairs ministerial council takes decisions to implement them. A Political Committee prepares the Council's work in respect of the CFSP items and the committee in turn is assisted by European Correspondents and CFSP working groups. The European Commission is fully involved in the decision-making process. The European parliament also provides inputs through recommendations though these need not be incorporated into decisions. The European Court of Justice does not have any jurisdiction over the CFSP process.

Since the CFSP is meant to be advancement over the EPC its decision-making provisions are intended to reflect this spirit. In order to help ensuring consistency of action by the community and CFSP pillars the **commission** has been empowered to propose actions, alongside the member states. Besides the strengthened commitments to the pursuit of a common international identity on the part of the member states another striking feature of the CFSP is the agreement on the greater use of a qualified majority voting (QMV) in the implementation of a joint action once the Council of Ministers decides by unanimity that "an **area** or matter covered by the foreign and security policy should be the subject of joint action." However QMV has never actually been used which is an indication that member states are not keen to relinquish unanimous voting over foreign policy issues. Another innovation is that while EPC had no budget (member states had to split

the costs) the CFSP activities, under the Maastricht Treaty can be funded through the community budget though it is tiny compared to other similar activities.

The CFSP is different from the EPC in another significant respect too. The TEU gives the EC/EU a role in defence for the first time. Since NATO was the organization responsible for defence the EPC never discussed these issues. In the 1980s as the Reagan Administration's hostility towards the Soviet bloc manifested itself through the second cold war some EC member states sought to develop West European co-operation in security and defence. The EPC was found to be inadequate for this purpose because of its limited jurisdiction and it was decided in 1984 to revive the Western European Union (WEU) as a forum which could discuss defence issues in the exclusive European framework. The WEU which had been formed in 1954 on the basis of a mutual defence treaty and which was dormant for much of the cold war gradually became associated with the EPC.

The end of the cold war transformed the defence-related security scenario in Europe with the American troops withdrawing from the region and the Europeans expected to contribute to international peacekeeping missions. It seemed therefore imperative that the CFSP should have a military dimension. However the problem seemed to be the relationship such a European defence structure should have with NATO since the latter's pre-eminent role in European security could not be jeopardized. Besides several member states were not in favour of turning the EU into an alliance by giving it a defence role. There seemed to be a consensus that defence could be discussed and the WEU could be the EU's defence arm. The Maastricht treaty provided that the union can request the WEU "to elaborate and implement decisions and actions of the Union which have defence implications". Such a provision created problems for the neutrals like Ireland who was joined by Austria, Finland and Sweden in 1995. The Danish public opinion too did not take kindly to the defence provision as it initially rejected the Maastricht treaty in a referendum in June 1992. Denmark was granted an opt-out from the defence provisions.

Other difficulties arose in the process of the WEU functioning as the defence arm of the EU. To begin with the WEU lacked capabilities in implementing decisions with defence implications. In a declaration adopted at Petersberg in June 1992 the WEU pronounced that it would engage only in humanitarian and rescue, peacekeeping and crisis management tasks (the Petersberg tasks) and not common defence. Since the member states of the WEU pledged forces only to carry out Petersberg tasks it lacked operational resources. This gap was sought to be bridged in June 1996 when NATO approved the concept of Combined Joint Task Forces (CJTFs) which could be led by WEU using NATO facilities and resources. Naturally such an arrangement proved to be impractical. The other problem related to the differing memberships in the EU, WEU and NATO. The WEU tried to solve this problem by creating several types of membership such as observers, associates and associate partners who could attend some WEU council meetings and participate in WEU missions. Consequently the WEU ended up with a very large family – 28 states which was not a very practical solution.

10.4 THE CFSP: FROM THE MAASTRICHT TREATY TO THE NICE TREATY

The CFSP entered into force with the Maastricht treaty in November 1993. Its record since then however remained mixed. While the desire to project an increasingly greater common international identity was reflected in the various constitutional milestones the actions in the field of foreign relations of some of the larger member states such as France and Britain often created the impression that they were unwilling or unable of both to abandon the legacy of their imperial past especially in regard to dealings with their former colonies. The union adopted many Joint Actions and Common Positions many of which indicated a long-term approach to international relations. The election processes in Russia and South Africa in their transition to democracies were monitored by EU observers; special envoys were sent to the Middle East and the Great lakes region of Africa to expedite the peace processes there. However the feeling still lingered that the EU's political clout was not matching its economic weight. It proved to be largely ineffective during the Bosnian war its most substantial contribution being administering the divided town of Mostar in Bosnia-Herzegovina. It was ultimately the United States which brought about the Dayton agreement leading to the

end of the Bosnian conflict. The EU' record in other crisis of the mid-1990s was also not very noteworthy. Like the rest of the international community the EU too was largely a bystander to the genocide in Rwanda and during the Kosovo crisis it was NATO's **firepower** that resolved the conflict.

The Amsterdam treaty of 1997 which came into force in 1999 sought to address the weaknesses of the CFSP through a substantial revision of its provisions. While the decision-making machinery remained much the same other improvements were agreed upon. Keeping the prospective enlargements in mind greater resort to QMV was now a necessity if CFSP was to function. Provision was also kept in the Amsterdam treaty for constructive abstention and the use of QMV when a common strategy is adopted. In order to make the EU more pro-active in response to international crises a Policy planning and Early **Warning** Unit within the Council Secretariat was set up. It was staffed by Commission, WEU and national officials. The Unit monitors developments of relevance to the CFSP, **provides** early warnings of crises and produces policy option papers. The most notable innovation of the Amsterdam treaty was the creation of the post of the High Representative for the CFSP to help formulate and implement policy decisions and head the Policy Unit. To give the CFSP more continuity in its international representation the High Representative participates in a new troika with the current and the incoming presidencies in association with the Commission. However the High Representative is still only a part of the system and not the system itself. He is certainly not the EU foreign minister. So far as the defence arrangements were concerned the Amsterdam treaty did not attempt any substantial reform of the Maastricht provisions. As the United Kingdom and the neutral states such as Ireland, Austria, Sweden and Finland objected to the merger the Petersberg tasks were incorporated in the treaty. The EU would obviously **have** to make use of the WEU to **carry** out these tasks.

The CFSP's output since the Amsterdam treaty coming into force has **continued** to grow. Notable actions agreed upon include three Common Strategies on Russia (June 1999), **Ukraine** (December 1999) and the Mediterranean (June 2000). However these were only broad statements of objectives, mere re-statements of what the EU was already doing. They only provide for a long-term focus which is worth little in rapidly changing situations. This is illustrated by the fact that the two areas where the EU has been very active-South-Eastern Europe and the Middle-East-have not been subjected to Common Strategies as these are volatile regions necessitating quick responses to fast moving situations.

More noteworthy has been the record of the High Representative and the Policy Unit. However they both suffer from a dearth of financial resources and personnel. The first High Representative Javier Solana who continues in office at the moment is a former Spanish foreign minister and NATO Secretary-General. He was appointed in October 1999 and is generally perceived to be a success due to his contributions to the Middle East peace process and a peaceful solution to the conflict in the Former Yugoslav Republic of Macedonia. Solana is certainly regarded as a 'face' for EU foreign policy.

10.5 EUROPEAN SECURITY AND DEFENCE POLICY

Despite considerable differences, especially between France and Britain with regard to NATO, security co-operation has ranked high in the thinking of the EC/EU member states since the 1980s. As already mentioned a concrete focus in this regard was brought into being in the Maastricht treaty which provided that the CFSP was "...to strengthen the security of the community and its member states in all ways; to preserve peace and strengthen international security..." As discussed earlier not much in this area could be achieved before the Amsterdam treaty due to the insistence of the UK and some other like-minded states that development of an EU defence dimension would seriously **undermine** the credibility and functioning of NATO which should continue to be the cornerstone of European defence. However in 1998 the British government changed its stance when Tony Blair, the British Prime Minister, signaled the change in the **St Malo** initiative with France, the other major military power in Western Europe. The **St Malo** declaration said that the EU must be willing and able to respond to international crises by undertaking autonomous action, backed up, where necessary, by credible military forces. However even this joint stand by the British and the French could not hide the differences in their visions. Britain favoured EU action only when NATO was unwilling or unable to act; France did not think that NATO had such a primary role. Notwithstanding such a fundamental difference the two countries seemed to agree to develop the EU's military capabilities.

The role of the neutral member states of the EU in this regard was noteworthy. These states had earlier expressed their lack of enthusiasm in a military dimension of the EU. However the turning point was the Kosovo crisis when the EU was marginalized due to its lack of military resources and NATO became the primary actor. The language of the St Malo declaration was repeated in the June 1999 Cologne Council and the famous 'headline goal' was set by the Welsinki European Council in December 1999 which said that by 2003 the EU must be able to deploy within sixty days, and sustain at least for one year, military forces of upto 50,000-60,000 persons capable of the full range of Petersberg tasks i.e. fulfill basically humanitarian missions. In November 2000 the member states agreed to specific commitments of personnel and in November 2001 the same with respect to equipment and other resources to meet the headline goals. However there are still major shortcomings.

It was felt that new bodies would have to be set up to provide political guidance and strategic direction to such operations. Three new bodies came up within the Council framework i.e. a Political and Security Committee (PSC), a Military Committee and a Military Staff, The PSC comprised the ambassadors from the member states who are permanent residents of Brussels and the Committee meets at least twice a week. Replacing effectively the earlier Political Committee the PSC helps formulate and implement common EU external policies, co-ordinates CFSP working groups and gives political direction to the development of the EU military capabilities. The PSC also strives to build strong relations with other community institutions located in Brussels such as the Commission, the High Representative and the Policy Unit. This has resulted in the 'Brusselization' of EU foreign policy indicating that foreign policy issues are more and more discussed, and decided, in Brussels. The member states' chiefs of defence or their military representatives sit in the Military Committee which gives military advice to the PSC. The Military Staff consists of 135 people and it provides early warning and strategic planning for the Petersberg tasks. It is also helping to identify gaps in the EU's military capabilities.

Since its functions have been largely overtaken by events the WEU has now ceased to exist as an organization and the defence dimension is now guided by a bilateral EU-NATO relationship. However the defence side of the common security and defence policy still remains relatively undeveloped as the neutral EU member states are not keen to turn the EU into an alliance. There are also concerns that the EU will duplicate NATO's resources and thus compete with it. The possibilities of such a competition do not however arise in the near future as the EU is dependent on NATO's resources to be able to carry out the Petersberg Tasks.

The Political and Security Committee was invested with a higher degree of authority by the Nice treaty of 2000 which provided for the possibility of the PSC to be authorized by the European Council to take appropriate decisions to exercise political control and strategic direction of a crisis management operation. Consequently the PSC's role in European Security and Defence Policy becomes even more prominent.

The decision-making procedure of the CFSP outlined above raises the question about the objectives the member states seek to achieve. The objectives set out in the Maastricht Treaty are somewhat vague and couched in generalized terms. These are:

- Safeguard the Union's common values, interests and independence
- Strengthen the security of the Union and its member states in all ways
- Preserve peace and strengthen international security
- Promote international co-operation and
- Develop and consolidate democracy and the rule of law, and respect for human rights.

In June 1992 the foreign ministers suggested six specific CFSP objectives:

- Strengthening democracy and respect for human and minority rights
- Encouraging regional co-operation
- Contributing to the prevention and settlement of conflicts
- Contributing to more effective, international co-ordination of emergency situations
- Strengthening international co-operation areas such as the fight against arms proliferation, terrorism and traffic in illicit drugs and
- Promoting good government

These objectives are also shared with the community pillar (supra-national). For instance promotion of regional co-operation has been a long-standing community objective. The Community has conducted dialogues with the regional groupings since the 1970s. Regional co-operation initiatives such as the Euro-Mediterranean partnership and the Pact for Stability in South-Eastern Europe were sponsored by the EU with such specific objective in mind. The EU's overall external policy also aims to promote human rights and democracy as enshrined in the agreements the Union has entered into with various countries and regional groupings located in different parts of the world.

In spite of its willingness to increasingly articulate common objectives the EU rarely prioritises them. There are any number of declarations, such as Common Strategies which list numerous objectives (such as the promotion of human rights and regional co-operation) however without any indications as to which are more important. Yet another serious problem in EU external policy-making is inconsistency in pursuit of its objectives. For instance in some cases the EU may reduce aid to third countries for human rights violations; in some other cases such violations are ignored if it is in the political, security or economic interests of one or more member states to continue uninterrupted relations. The fundamental question, therefore, that arises is that of the willingness of the member states to pursue a coherent, consistent common external policy.

As various experts on the subject argue the fundamental obstacle to the pursuit of a coherent, consistent common foreign and security policy are the member states themselves. The member states still seem to care more for their own foreign policies than a common policy for the Union. As it stands now the Union does not have any exclusive jurisdiction over foreign policy. Even when the member states agree to act collectively such action is neither mandatory nor is it always forthcoming. Long-standing observers of the European foreign policy process argue that the fundamental problem is that the member states hardly share extensive common interests and agreement on creating a more supranational foreign-policy making machinery as well as on common foreign policies within the current framework is tended to be blocked due to this 'logic of diversity'. Some observers even argue that common European interests can never be developed when there is no single European state. In the present set up the member states are at best linked by a weak sense of shared identity.

And yet it can hardly be denied that the logic of diversity could not prevent the member states from continuing to develop the mechanism for foreign policy co-operation or from acknowledging that they do have common interests and objectives and desire to pursue them collectively. Such a desire does not always result in common action since shared interests do not necessarily lead to agreement on policy. But there are pressures for collective action, which can result in common foreign policies.

10.6 RECENT DEVELOPMENTS

The European Council at Laeken (2001) confirmed that European crisis management forces were "ready for action". Two years later, the European Union took over the United Nations mission in Bosnia-Herzegovina (Police Mission), the NATO mission in Macedonia (called Operation "Concordia")- the first military mission of the ESDP) and the UN peace mission in Congo (known as "Operation Artemis") – the first EU crisis intervention outside Europe.

The treaty establishing a Constitution of Europe, which was signed in Rome by the 25 Member States of the European Union made the following proposals regarding the CFSP and ESDP:

- i) **creation of a new post of Union Minister for Foreign Affairs:** The Foreign Minister, among others, was to have the right of initiative and was to be responsible for the implementation of all decisions regarding the CFSP and ESDP. As the chairman of the Foreign Affairs Council, he was head of the CFSP and at the same time, in his capacity as Vice-President of the European Commission responsible for foreign relations and the coordination of all aspects of foreign affairs with the European Union. He was also to be accountable for the coordination of the EU member States' position in international organizations. He was to be made in-charge of a "European External Action Service", which combined the diplomatic services of the Council and the Commission in an uniform structure;

- ii) **Structured cooperation:** A procedure of structured cooperation was established between Member States who have previously fulfilled certain "high military capability criteria" and wish to enter into "more binding commitments". If other members fulfill the criteria, they could join in such structured cooperation.
- iii) **Enhanced cooperation** was introduced wherein it would be possible for a group of Member States to have closer cooperation in the area of mutual defence; and
- iv) **Establishment of a European Armaments, Research and Military Capabilities Agency** which was entrusted with the task of fulfilling a number of tasks such as information, analysis, support, coordination and proposals in order to enhance the operational capabilities of ESDP.

However, the ratification process of the Treaty on establishing a European Constitution could not be completed because an overwhelming majority rejected it in referenda in France (May 2005) and the Netherlands (June 2005). As a result, the above-mentioned provisions have not yet come into effect. Nevertheless, they represented a major reform of the CFSP structures.

Though the Treaty is unlikely to be revived as it was originally approved and we are now in a "reflection period, it does not imply that its institutional innovations are now over. For instance, it is possible that the European External Action Service may be established through an inter-institutional agreement. The European Defence Agency is already functioning independently of the Constitutional Treaty.

10.7 SUMMARY

In spite of initial reservations among the founding member states foreign policy cooperation in the European Union has come a long way since its inception as European political co-operation (EPC) in the early 1970s. Since then the Union has become an international actor of a very particular sort. Due to its occasional common policies, global network of economic and political ties and even its mere presence expectations have been generated of a proactive, strategic international role and a genuine influence on external developments from the EU. Its record however has been a mixed one. On some occasions these expectations have been fulfilled; but very often they have not been fulfilled especially in head-line grabbing crises. A standard response of the EU's member states has been to overcome these disappointments by continually reforming the mechanism for foreign policy co-operation—the EPC—was found to be inadequate. Hence its evolution into the CFSP which in turn became considerably more complex than its Maastricht treaty roots.

External relations is now guided by a process of constant interaction between the inter-governmental CFSP pillar and the supra-national community pillar. While it is undeniable that there has been a dramatic increase in the EU's external relations 'output' expectations that the EU will act decisively, consistently and influentially in international relations have not always been fulfilled. This may be due to the fact that the machinery for conducting external relations has become too complex; however the basic problem continues to be the willingness—rather the lack of it—to act collectively in international affairs. It is possible that more and more common policies will emerge in the days to come; however the member states may still interrupt its coherence and consistency in the name of national interests.

10.8 EXERCISES

- 1) Why was foreign and security policy not incorporated as a part of the Treaty of Rome?
- 2) What were the principal stages which led to the evolution of European Political Co-operation (EPC)?
- 3) Discuss briefly how the EPC was transformed into the CFSP through the Maastricht Treaty.
- 4) Discuss with reference to the post Maastricht developments in the CFSP process, the reforms introduced by the Amsterdam treaty and their impact on the process as a whole.
- 5) What were the factors that facilitated the development of the common European security and defense policy?

10.9 REFERENCES AND READINGS

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