
The Future of the Common Foreign and Security Policy

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The European Union (EU) is facing one of the sternest challenges in its 50-year history. After the successful introduction of the euro, it is now preparing for its largest-ever enlargement, with ten more countries set to join the EU in 2004. A constitutional convention has been established which will prepare recommendations for the future institutional structure of Europe. These proposals will then be discussed at the next inter-governmental conference in 2004. One of the major sections of the convention's report will cover the Common Foreign and Security Policy (CFSP) that has been in operation for almost a decade. The convention will make recommendations for strengthening the CFSP and the European Security and Defense Policy (ESDP). This article examines the record of the CFSP in its first decade, considers proposals for change, and assesses its prospects for the next decade against a rapidly changing international security environment.

The Record

The CFSP could hardly have been launched at a less auspicious moment. As Yugoslavia disintegrated into civil war, there were some who forecast that "the hour of Europe" had arrived. But far from the EU being regarded as the strong actor that could bang heads together and bring peace to the warring factions in Yugoslavia, it was regarded as weak and divided, both in the Balkans and in Washington. The whole Balkan experience—and Kosovo in particular—was a

tough learning experience for the EU, but it did have some positive results. First, it demonstrated to Member States the futility of trying to pursue an independent policy in the Balkans (and elsewhere). After a messy 10-year involvement in the Balkans, the EU now has a common policy towards the region including foreign, trade, and development policies encompassed by the Stabilization and Association Agreements (SAAs). The EU has also developed common positions towards many other regions including Russia, Ukraine, and the Middle East. Second, the Kosovo experience led directly to the Anglo-French St. Malo proposals to establish ESDP. Third, the EU has learned to use a judicious mix of carrots and sticks to ensure the spread of its norms, whether political or economic, throughout the continent and now has an extensive web of agreements covering practically all its neighbors from Morocco to Russia.

The EU, however, has not been able to build a consensus in all areas. There have been disputes, for example, over how to respond to violations of human rights in third countries and how to deal with Iraq. But overall, the trend has been towards greater EU cohesion in its external policies towards the rest of the world. The same can be said for EU support for the multilateral institutions; the EU is the largest contributor to the UN budget, the largest provider of development assistance, and the strongest proponent of the WTO Doha Development Agenda. The EU has taken a leading role in supporting the Kyoto protocol, the International Criminal Court (ICC), and a range of arms control treaties, including the Comprehensive Test Ban Treaty (CTBT) that has been rejected by the United States. These developments have led to the EU playing an important leadership role on many global issues.

There has also been progress on the defense front. At the Cologne and Helsinki European Councils, decisions were made to ensure that the EU developed a 60,000-strong Rapid Reaction Force (RRF) by the end of 2003, capable of deployment within 60 days and sustainable in the field for a year. The RRF would essentially carry out the so-called Petersberg tasks (i.e. humanitarian and rescue tasks, peacekeeping, and crisis management including peacemaking) explicitly mentioned in the Treaty. The initial U.S. reservations on ESDP have diminished, if not disappeared, and there has been a good start to practical cooperation between the EU and NATO, especially in the Balkans.

Perhaps of equal importance, the EU has made impressive progress in establishing a range of instruments in the areas of conflict prevention and dealing with "failed states." The EU has established "headline goals" to provide police and civilian administration capability to assist in the reconstruction of states following conflict. The European Union Police Mission (EUPM), which took over in Bosnia from the UN in January 2003, has 5,000 officers ready, with the ability to deploy 1,000 within 30 days. There is also a 300-strong EU judicial "headline goal" in terms of providing judges for conflict-torn societies.

The Brussels Machinery

The CFSP machinery created at Maastricht, which was based largely on the previous European Political Cooperation structures, has always been overly bureaucratic. The creation of a separate inter-governmental “pillar” for CFSP also led to numerous squabbles over issues of competence. Another problem is the sheer number of actors involved in CFSP: the Member States, the Council, the High Representative, the Special Representatives, the Commission, and the Parliament, each with their own bureaucracies, interests, and ambitions. Some improvements have been made as a result of Amsterdam, notably Javier Solana’s appointment as High Representative and a new institution to guide and oil the CFSP machinery. While the political oversight via the European Council and the renamed General Affairs and External Relations Council remains unchanged, the motor running the CFSP has been greatly enhanced by the recent establishment of the Brussels-based Political and Security Committee (PSC), known more frequently by its French acronym (COPS). The PSC, which has a remit to cover all aspects of CFSP including defense issues, is the hub around which the CFSP revolves and since its creation there has been a greater urgency and an improved capacity to respond swiftly to crisis situations. Unlike the old Political Committee, composed of senior officials who traveled to Brussels once a month for meetings, the PSC is active on a daily basis.

Since Amsterdam, the Council’s role has increased, with Solana becoming an increasingly visible figure of European diplomacy. The Treaty was deliberately vague on the responsibilities of the High Representative, stating that he “shall assist the Presidency.” Inevitably in such a situation, much depends on the personality of the office-holder. Most observers consider the EU fortunate to have someone of Solana’s stature as the first “Mr. CFSP,” even if he sometimes ruffles Presidency feathers. Yet Solana operates with woefully inadequate resources, in terms of staff and money. The Council may decide policy, but it provides precious few resources for CFSP (the 2002 budget was a mere 30 million euro). It is the Commission that has the manpower, finance, and a shared right of initiative that, to the regret of many, has never been used. Despite the good relations between the two central figures (Solana and External Relations Commissioner Chris Patten), this situation inevitably leads to some tension and inefficiency in the operation of CFSP. The situation is further confused by the six-monthly rotating Presidency, each one often setting its own (national) priorities. When the Presidency was established, it was never intended to have an external representational role. Rather, its role was seen as organizing and chairing meetings. The devotion to unanimity is a further handicap to swift decision-making, and without change, the situation can only worsen after enlargement. The plethora of different legal bases for external action in the

fields of CFSP, development, trade, and monetary policy further complicates the picture, as does the fact that the EU itself has no clear legal personality.

Assessment

It is not easy to find accepted measures to judge the EU's performance in CFSP. Assessments will vary whether one is looking at the CFSP from the perspective of the Commission, Council, Parliament, the Member States, third countries or the general public. Bosnian and Kosovar Muslims may have very different views of the EU's role in the Balkans. Like other policy areas, the CFSP reflects the "multiple realities" that make up the EU. But given the sensitive nature of foreign and security policy, there are additional tensions between the Member States (not just between large and small), between the institutions, and between the CFSP machinery and the growing influence of the NGO world.

The CFSP is also a moving target. One week's failure to prevent the outbreak of conflict in Macedonia may lead to next week's success in arranging a cease-fire. Furthermore, many successes in the field of conflict prevention often pass unnoticed. As mentioned above, it is also difficult if not impossible to isolate the CFSP from other external policies of the EU. Projecting stability may be achieved as much by association agreements and the prospect of membership, liberal trade policies, and generous development assistance—contributing to improved living standards—than by any number of CFSP declarations, "joint actions," "common positions," or "common strategies."

Both Solana and Patten have been bullish about the recent record. According to Solana, the progress in the past three years, especially in the Balkans, "has been quite extraordinary." Patten agrees, arguing that "there has been a real change of gear" with foreign policy at last properly linked to the institutions which manage the instruments. But although these links now exist, many observers consider that there are still too many cooks in the kitchen. Turf disputes are not uncommon between the various actors involved in the EU's external affairs. Certainly, the European Council accepted in the Laeken declaration that there were several deficiencies in CFSP that should be remedied.

The Future

During the next decade the CFSP/ESDP will be operating in a difficult and changing security environment, facing new threats and having to deal with its major transatlantic partner still traumatized by 11 September 2001. A major factor affecting CFSP/ESDP will be the extent to which political and strategic differences between the EU and the United States can be bridged.

As regards reform proposals, there is no shortage of ideas to strengthen the CFSP; to make it more effective, coherent, and consistent; and to enhance the EU's role on the world stage. These ideas range from a full-scale "communitarisation" of foreign policy to a modest tinkering of the machinery. Many proposals can only be viewed as part of the wider debate on institutional issues now under discussion at the Convention. These include the proposal to have an elected President of the European Council and the question of a democratic mandate for the Commission.

One voice

A number of questions have already been posed by the Convention, including what lessons could be drawn from the relative effectiveness of the Community's external trade policy. The answer is not difficult. When the Union speaks with one voice in bilateral or multilateral trade negotiations, it is a powerful one, representing 350 million citizens with a combined GDP roughly similar to that of the United States. The Union could be as effective in other policy areas if it wanted to, simply by providing for a single representation. Reflecting on his own experience, Trade Commissioner Pascal Lamy has proposed that the Commission be given a

mandate to negotiate and represent the Union in all international economic fora. Despite the advent of the euro, there is still no EU seat or common EU voice at IMF or World Bank meetings. Indeed, the situation at these and

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other international economic meetings is extremely confusing in terms of "who speaks for the EU?" There is certainly a strong case for granting the Commission this role, but an interim solution would at least provide for more debate and prior consultation between Member States in advance of international meetings.

The long-term aim should be for the Commission to speak under a similar mandate in the CFSP field. Another interim solution might be for the High Representative—whose position may eventually be merged with that of the External Relations Commissioner—to speak and negotiate for the EU where there was an agreed policy or common strategy. Member States would thus continue to enjoy bilateral relations with third countries, but they would not discuss EU policy towards Russia, for example, in areas of agreed EU policy (e.g. energy and JHA).

Solana/Patten merger

The question of merging the Solana/Patten functions is one of the most discussed proposals to strengthen the CFSP and has been advocated by the European Commission and many think-tanks. Some argue that the merger should take place within the Council; others advocate a merger within the Commission. The main argument for such a merger is that it would improve coherence, consistency, and visibility—the United States would have Europe's telephone number. The argument against is that it would put too much power in the hands of one person (and lead to him further undermining the opportunities for national foreign ministers to shine). Much will depend on whether the Convention—and later the Intergovernmental Conference (IGC)—accepts the proposal for an augmented European Council with its own president for a two-and-a-half or five-year period. Clearly, this supremo would overshadow “Mr. CFSP” wherever he was located.

Increased cooperation

Meanwhile, there is considerable scope for Member States and Commission delegations to cooperate more effectively in third countries. Too often Member States—as well as major third countries—pay lip service to EU coordination and cooperation. Jointly, the EU and the Member States dispose by far the largest diplomatic machinery in the world. With over 2,000 diplomatic missions and more than 20,000 diplomats, the EU has ten times more missions and three times more personnel at its disposal than the United States. But as Solana has dryly remarked, it is not obvious that the EU is ten times more effective than the United States in foreign policy. For the foreseeable future, bilateral and EU foreign policy will continue to coexist, but there will be pressure—especially after enlargement—to increase sharing of premises and other facilities as well as more joint reporting. If foreign ministries do not ask the question, finance ministries will certainly ask why there needs to be 25 separate EU Member State missions—plus a Commission delegation—in countries x, y, and z, when the EU is supposed to operate a CFSP. With moves to establish a common EU judicial space, there could also be a common EU visa provided by a lead Member State in third countries.

There is also much that could be done to improve cooperation between Council and Commission, including sharing of facilities and resources. For example, a joint planning staff and a joint spokesman would make sense. Solana and Patten could also make joint appearances before the European Parliament. There should be increased sharing of intelligence and a greater exchange of diplomats and officials between the Member States and the EU institutions. The time is overdue for the establishment of a European diplomatic academy.

Increased budget

A major increase in the CFSP budget is also necessary if the EU is to make any progress towards fulfilling its global ambitions. The CFSP budget was a very modest 30 million euro in 2002. This needs to be tripled by 2005. At the same time, there needs to be clarity as to responsibility for different budget lines. Too much time is wasted on inter-institutional squabbles over financing of operations such as de-mining in the Balkans or paying for the police mission in Bosnia.

Reformed councils

For some time there have been calls to split the General Affairs Council (GAC) into two bodies, one being devoted solely to foreign and security policy. The Seville European Council agreed on a compromise whereby the GAC would be renamed General Affairs and External Relations Council (GAERC), thus allowing Member States to send two ministers to participate in the proceedings. It will take time to judge whether this leads to a real change in operating procedures. The EU certainly needs a forum for foreign (and defense) ministers to debate strategy and decide on policy. It is important that they can do this in a calm atmosphere without worrying about deputy prime ministers waiting in the back row to join the table for discussion on general affairs. The question of establishing a Defense Council remains open. At a minimum, there should be quarterly meetings of EU defense ministers (chaired by the High Representative) to monitor progress on ESDP, to decide on priorities, and, in joint meetings with their foreign minister colleagues, to debate strategic issues.

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Rotating presidency

There has been much debate about ending the semi-annual rotating presidency. At present, each presidency sets its own priorities, often in response to domestic concerns. The Swedes emphasize the Baltic region, the Belgians Africa, the Spanish Latin America, and so on. It is good that presidencies find the energy to organize meetings on these "priority" issues, but there are serious problems concerning lack of continuity and the resources now required to run the

presidency. The new very small member states will find it difficult, if not impossible, to cope with the increased burdens. Alternative solutions include an elected chair for two-and-a-half-years or team presidencies or allowing "Mr. CFSP" chair the external relations council. There are clear advantages in the latter formula, as Solana cannot be accused of pushing any national interest. Many Member States, however, remain to be convinced that abolition would necessarily improve policy making and representation.

Parliamentary oversight

It will be important to enlist the support of the European public—through the involvement of the European Parliament (EP) and national parliaments as well as the media and NGOs—for the goals of the CFSP. This should involve not only a greater role for the European Parliament, but perhaps a semi-annual debate held simultaneously in all national parliaments on the CFSP's goals and achievements. This could be based on a short report by Solana/Patten and would ensure that each Member State's foreign minister was actively involved in explaining and defending the CFSP. There might also be regular forums for discussions on CFSP aims with NGOs. At present, they tend to lobby, often noisily, on single issues. If they were confronted with the full range of problems facing the CFSP, it might help them better understand the limitations of CFSP.

ESDP

Most analysts agree that it is imperative for the EU's credibility that the headline goal targets for ESDP are met. Failure to do so would seriously undermine the EU's nascent pretensions on the world stage. The EU cannot escape taking on the responsibilities set out in the Petersberg Tasks (i.e. humanitarian operations, peacekeeping, and peace enforcement). If there is to be no substantial increase in defense budgets then there should be far more emphasis on sharing between Member States to mitigate the damage caused by ever more limited defense resources. Abolishing the treaty protection of national arms industries is an essential and long overdue move. One complicating issue is the U.S. proposal for a NATO rapid response force, agreed at the NATO summit in Prague in November 2002. Although the NATO force would operate at the high end of the spectrum and the EU's RRF at the lower end, it remains to be seen how the two forces would interact. It also remains to be seen how NATO will cope with its own enlargement and to what extent its leading member is prepared to use the Alliance in a serious manner. The reluctance to use NATO after 11 September, despite the first-ever invocation of Article 5, has given many European members food for thought.

CFSP and Enlargement

On the surface it should be more difficult to reach common positions in an enlarged EU with 25 Member States. What are the common interests of Finland, Cyprus, Estonia, and Slovenia? But the candidate countries have already been "shadowing" CFSP for a number of years and there were no problems uncovered in the accession negotiations concerning the CFSP chapter. The candidates have consultation rights and are involved in a number of policy debates. To date they have expressed very few divergent views to the Member States. Clearly, they will bring considerable experience with their eastern neighbors to the EU table, and this could lead to closer relations between the EU and Russia and Ukraine. At the same time, some of the candidates make no secret of their strong pro-U.S. stance. In one case, this has led to a breaking of ranks with the EU, when Romania bowed to U.S. pressure and signed a bilateral accord on the ICC. An enlarged EU of 25 Member States is likely to lead to renewed debate about the EU's role and position in all international organizations.

Implications for the United States

For many years, the United States has encouraged the EU to speak with one voice on external affairs. Yet when the EU does manage to speak with one voice, it often delivers a message that the United States does not wish to hear. There have always been EU-U.S. disputes, from chicken wars to gas pipelines, but they were never allowed to escalate out of hand during the Cold War. Without the Cold War glue, the number of disputes, covering political, economic, social, and trade issues, has steadily increased. These range from divergent views on the Middle East and climate change to steel tariffs and the death penalty. What is clear is that when the EU and the United States take different stances, as occurred in the Balkans in the early 1990s, little is achieved. But when they do act together, as is the case more recently in the Balkans, they are highly effective partners. It will require some considerable political skill, however, to ensure that the partnership elements prevail over the dispute elements in the next decade. Much will depend on whether the United States accepts EU insistence on working through and strengthening international institutions. Much will also depend on whether the EU delivers on its stated headline goals for ESDP.

Conclusion

The EU has developed steadily as an international actor during the past decade. Much has been achieved, but arguably, the record could have been better with strengthened institutions. Of course, foreign policy remains a sensitive area and

Member States are keen to retain their *amour propre*. Foreign ministries are also reluctant to negotiate themselves into oblivion while there remain unanswered questions about legitimacy and significant differences of foreign policy culture, experiences, and expectations within the Member States. At the end of the day, CFSP depends on the political will of its Member States, and there are inevitable limitations in the conduct of foreign policy in a Union that wishes to retain the independence and identity of its member states. In some important areas, the EU finds itself hamstrung, but these areas are becoming fewer as the Member States come to accept the advantages of working together. The national obsessions of some Member States may indeed have beneficial effects for the EU. The Union would never have paid so much attention to East Timor, for example, without the forceful prodding of Portugal over the years.

The task of the institutions is to make it easier for the Member States to integrate their efforts and then to promote common policies more effectively. It is unlikely, given the sensitivities of Member States, that one should expect significant changes to the treaty provisions for CFSP. Most Member States appear comfortable with present arrangements, although there are several who recognize the importance of changes in the external representation front in light of enlargement. These changes, if agreed upon, are likely to be incremental in nature. 