

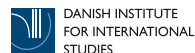


Think Global – Act European

The Contribution of 14 European Think Tanks to the Spanish, Belgian and Hungarian Trio Presidency of the European Union

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FOREIGN POLICY AND DEFENCE

More Coherence, more Normative Power: Key Elements in the Consolidation of CFSP / CSDP

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The foreign policy challenge is twofold and serious

The 1990s brought about the emergence not only of an institutional framework for a common European foreign policy, but also of a discourse that sought to define a specifically European approach to interacting with the world. At the same time, commentators also noted the – initially – ‘empty drawers’ of the new Common Foreign and Security Policy. It was the late 1990s and the new millennium that saw the broader CFSP framework really come to life in a series of institutional innovations beginning with the Amsterdam Treaty. Placing a skilful supranational entrepreneur (Javier Solana) with little formal power but great informal clout in a position to oversee and energise the process while streamlining decision-making and approving a flexible institution-building process in the second pillar led to a rapid expansion of capabilities. At the same time, these developments also contributed to a steep increase in the complexity of European external action. This, in turn, has understandably led many to deplore the lack of coherence and coordination between community and intergovernmental branches, which was seen as hampering both policy-making efficiency and contacts with third parties.

It follows from the above that the European Union today faces the daunting challenge of making its foreign policies more coherent if it is to increase its influence in its neighbourhood and in the world at large. This institutional dilemma is, however, compounded by a second dilemma: that of adapting its branches of external action to the changes in the international system and providing them with the appropriate procedures and guiding principles. This paper therefore urges European Union players, and especially the incoming Trio Presidency, to adopt a two-pronged approach to CFSP and CSDP. This approach would include making a concerted and sustained effort to facilitate and optimise the transition to

the new institutional structure, while also constructively contributing to the rethinking of the principled foundations of European foreign policy. Only through the buttressing of new offices and institutions and the consolidation of the ideational backbone of foreign policy will the Lisbon Treaty reforms pay the expected dividends. The alternative scenario, one of turf battles, dragged out transition and a foreign policy torn between particular interests, would seriously hurt CFSP and the Union as a whole.

Halfway to policy coherence: CFSP / CSDP and the ideational backbone in the ongoing reform process

The European Union is currently in the midst of reforming its institutional structure. With the ratification of the Lisbon Treaty, an extensive institutional overhaul is about to commence, yet in the case of CFSP / CSDP this is complemented by other strategic tasks, such as adopting a new European Security Strategy and planning for the next Headline Goal and Civilian Headline Goal. A number of changes are predetermined by the Treaty, yet it is clear that the upcoming period will be one of bargaining and working out compromises.

The “demise of the rotating Presidencies in External Relations,” as observed by Antonio Missiroli among others, has many commentators fearing various informal bargains among clubs of member states that would aim at ensuring visibility for the rotating presidency beyond the implementation of the Lisbon Treaty. Some degree of visibility and representation will (and should) of course remain for the rotating presidency, but it is of vital importance that efforts at securing this do not hamper the emerging foreign policy architecture. This means, for instance, that the new European External Action Service (EEAS) should be given unambiguous priority in representing the Union, and the Trio Presidency could, as has been proposed, ‘co-locate’ diplomats to its delegations. Obvious parallel structures, however, should be avoided.

Furthermore, the EEAS, as a key element of the new institutional structure, should be seen through to emerge as a balanced organisation in the end. The new High Representative (HR) is expected to submit a draft proposition in spring 2010, and it will thus fall upon the Spanish Trio member to launch its discussion and try to secure consensus among the member states.

The office of the HR is itself undergoing significant changes, and will be overseeing the External Action Service as well as presiding over the new Foreign Affairs Council. Also, the European Council is to be chaired by the new permanent President. This does not mean, however, that the Trio Presidency will have only the choice between trying to avoid complete eviction from CFSP through prevarication and obstruction, or politely bowing out of the foreign policy game. It will have to cooperate with the new HR, notably through Committee of Permanent Representatives (COREPER), since COREPER will continue to

deliberate on all issues of external relations that are nested in the community pillar or, after Lisbon, community dimension of policy-making. The situation of the General Affairs Council, strengthened as a horizontal coordinating body while divested of its foreign policy tasks, will not be dissimilar: it will also have to coordinate various policies that are linked with CFSP tasks and priorities. The frequent linkages in these areas have fuelled much discussion about ‘grey’ or inter-pillar areas of European external action and the lack of policy coherence in recent years. Through cooperation and support afforded in such areas, and by setting an example in unambiguously entrusting the High Representative with managing external relations, the Trio Presidency can do more for an efficient European Foreign Policy than any amount of retained influence could ever help to achieve.

In terms of the new institutional structure and the new set of roles needed to make it functional, an additional, more informal role should also be considered by the Trio Presidency. Much of European foreign and external security policy is being overseen by the High Representative and various *directoires* composed of interested and large member states. This is simultaneously an efficient and a *Realpolitik* arrangement, and it would be both overly idealistic and potentially unproductive to upset it. At the same time, in the long-term it will be imperative to establish complementary channels for all member states to feel included as ‘indirect players’ if massive disenchantment amongst the European public and smaller member states is to be avoided. This will require either the High Representative as chair of the Foreign Affairs Council or the new permanent President as chair of European Council meetings to assume the task of acting as liaison between *directoires* and member states. The Trio Presidency should push to direct attention to the need to include this among the duties of the new office-holders, and, at least for the transition period, will have to be involved in ensuring effective liaising in such areas.

Beyond the new offices and responsibilities, there are also a number of policy questions where the Treaty represents clear advances over previous conceptualisations. These include the emphasis on explicitly linking all branches of EU external action under the label of promoting good relations, sustainable development, trade liberalisation and democracy in one framework. The Treaty also introduces the concept of structured cooperation for CSDP which represents a grafting of the enhanced cooperation mechanism into the areas of security and defence, and formalises existing practices of *ad hoc* coalitions for participating in CSDP missions. These represent points where institutional reform is able to contribute to a more regulated and calculable operation of foreign policy.

At the same time, the Treaty text leaves a number of ongoing *ad hoc* institutionalisation processes unchanged and in some other sub-sectors it does not provide an answer to new challenges and dilemmas, simply because these are not institutional in character. What these areas require is a sustained thinking through of how existing and emerging instruments and resources can be used, and, perhaps even more fundamentally, what principles should be invoked in deciding upon their use.

One of the fundamental and problematic features of current European external action has become the overlapping of policy target regions. Accession and neighbourhood in the Western Balkans and in the East overlap today with important CFSP and CSDP tasks. This should not be perceived as a handicap, but capitalised upon to make EU influence more variegated and establish more interface points than would otherwise be possible. At the same time, the situation does call for a clarification of foci.

In this respect, it is tempting to conceive of CFSP as the proper incarnation of an emancipatory Normative Power Europe, a partner that provides assistance in times of crisis, yet has the important long-term goal of helping autonomous, peaceful and stable political structures to emerge in partner countries and regions. This idea represents a strong conceptual decoupling from conditionality-based enlargement and neighbourhood policies and redirects focus towards helping others, especially neighbours, to experience political entrepreneurship, responsibility and cooperation themselves – elite and societal skills that will be useful in the future, potentially during an eventual accession process.

The above implies adding emphasis to existing practices geared towards promoting stability, good governance and related capabilities, as well as functioning economies and societies. This additional point is the promotion of local and regional fora of dialogue at all levels and in various degrees of institutionalisation, in a manner that transcends borders and where, if applicable, neighbouring or otherwise involved member states, municipalities and / or Non-Governmental Organisations (NGOs) may sit next to partners as equals and sharing agenda-setting powers.

This would represent a return to the narrower idea of a Normative Power Europe where procedural norms are permitted to transpire or emerge through practice, as opposed to being prescribed in an itemised fashion. Importantly, such innovation neither prevents existing programmes from functioning in the future, nor does it undermine their rationale. It merely locates in the more permissive environment of CFSP an additional space of emancipation and cooperation that contributes to helping fashion regionally distinct communities of political partnership with a meaningfully broad notion of legitimate local difference.

Recent initiatives such as the relocation of the Regional Cooperation Council from Brussels to Sarajevo and the Baltic and Black Sea initiatives represent promising inroads into what might otherwise look like a desperate attempt at squaring a circle: exporting the EU model in a non-imperial fashion. It is this dimension of external action that could find a new permanent home in CFSP, if given the appropriate form and support and properly linked with the appropriate community portfolios, such as development and trade.

The question of how to formalise and thus render permanent this dimension of foreign policy leads one to the most pressing issue concerning the ideational backbone of European external action, and CFSP / CSDP in particular. The European Security Strategy was formulated in 2003 and its updating has been on the table since the initiative of the French Presidency.

It is high time to close this process (productively, of course), finishing the discussion which has already yielded a valuable report by the High Representative.

The imperative to conclude the process, however, must not overshadow the challenges and opportunities that need to be addressed in the future document. In particular, increased attention should be given to the civilian dimension of CSDP and even to some interlinked aspects more properly constituting CFSP affairs. Alternatively, a second Strategy Paper could be launched which would complement the revamped ESS. Either way, a more comprehensive set of strategic guidelines would be made available for the newly reinforced CFSP architecture, ensuring its functionality in practice and its legitimacy at the same time.

All players have at least a rough idea of what CFSP and CSDP have been about and all have some sense of where on occasion this idea has been insufficiently served by decisions and institutions. Helping these ideas to be updated and further specified will do a world of good, as they are one of the instruments that have a real effect on policy coherence and contribute to preventing both rumours about and instances of European foreign policy initiatives being hijacked by particular preferences. While institutional transition is of paramount importance, it is hardly less important to keep alive the process of defining the ideas that govern European external action.

Recommendations to the SBH Trio

As the above perhaps shows, it is very hard to talk about CFSP / CSDP in the present tense. The EU is moving from a period of intensive, but *ad hoc* growth towards a more consolidated structure. Currently, it is neither ‘there’, nor ‘here’, but under construction. In this delicate situation, facilitating agreement, brokering long-overdue deals such as accepting the new ESS, smoothing edges and actively searching to fill the residual permanent niches for the rotating Presidency is not a task that should be looked down upon or taken lightly. As a transitional Trio Presidency, the SBH team can make a unique contribution to a future, more coherent European external action. In this regard, a number of key items may be listed.

- Providing support to the new office-holders, especially the High Representative of the Union for Foreign Affairs and Security Policy (HRFASP), and foregoing any visibility or representational prerogatives that would hamper the efficiency of emerging Lisbon structures such as the EEAS.
- Developing a conscious attitude towards linkages in the institutional structure that are required for CFSP to function effectively and where the Trio Presidency will still have tasks and responsibilities. COREPER and the new General Affairs Council stand out in this respect.
- Helping procedural norms to emerge which ensure that small and medium member states can act as participants in CFSP / CSDP operations and not feel excluded from the processes.

- Preventing the institutional overhaul from overshadowing the importance of the ideational backbone of all branches of EU external action. Focusing on having the new European Security Strategy and the post-2010 Headline Goals accepted is eminently important.
- Promoting the idea of a second Strategy Paper, complementary to ESS, that would complement its scope by laying out the contours of normative foreign policy action.
- Making sure that CFSP focuses also on fostering an autochthonous political culture of coexistence and cooperation in partner regions that lays the groundwork for a future of stability and prosperity both outside and inside the EU. This involves daring to think about the EU as an entity which may act through its political identity, and prevent relations with neighbouring regions from becoming excessively determined by various conditionality schemes. In practice, this requires focusing on projects such as the Black Sea Initiative, the Regional Cooperation Council and the new Danube Strategy.