THE COMMON FOREIGN AND SECURITY POLICY: THE EUROPEAN UNION'S QUEST FOR BEING A COHERENT AND EFFECTIVE ACTOR IN GLOBAL POLITICS

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ABSTRACT

THE COMMON FOREIGN AND SECURITY POLICY: THE EUROPEAN UNION'S QUEST FOR BEING A COHERENT AND EFFECTIVE ACTOR IN GLOBAL POLITICS

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The objective of this thesis is to evaluate European States' efforts to develop a coherent and effective foreign and security policy in the context of historical evolution of the CFSP. In this thesis, European States' efforts to develop a coherent and effective foreign and security policy will be evaluated in three international political contexts. First period is Post World War II Period, second one is Post-Cold War Period and third one is Post September 11 Period. In the context of Post World War II period, European States' efforts to develop a coherent and effective foreign and security policy is shaped by the conditions of Cold War, Bipolar World and threat of Soviet expansionism towards Western Europe and characterized by the attempts such as European Defence Community, Fouchet Plan and European Political Cooperation. In the context of Post-Cold War period, European States' efforts to develop a coherent and effective foreign and security

policy were shaped by ex-Yugoslavian Conflict in early 90s which brought new security challenges such as ethnic conflicts and instability in the ex-Communist States in Central and Eastern Europe. EU's attempts were characterized by the CFSP which was launched by the Maastricht Treaty and the CESDP which emerged after Kosovo War with Saint Malo Declaration as defence dimension of the CFSP. In the context of Post September 11 period, European States' efforts to develop a coherent and effective foreign and security policy were shaped by global fight against international terrorism. EU's attempts were characterized by adoption of European Security Strategy which accepted international terrorism, organized crime and proliferation of weapons of mass destruction as key threats towards Europe and aimed at developing a coherent vision of strategic objectives, shared threat assessment for European States in order to prevent divisions among EU States in future international events. The main argument of this thesis is that in order to be an important and effective actor in global politics, EU Member States should act coherently and speak with one voice. Their influence on important international issues is greater if they act as a coherent actor rather than acting individually.

ÖZ

ORTAK DIŞ VE GÜVENLİK POLİTİKASI: AVRUPA BİRLİĞİ'NİN KÜRESEL SİYASETTE BİRLEŞİK VE ETKİN BİR AKTÖR OLMA ARAYIŞI

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Bu tezin amacı, AB'nin ODGP'nın tarihsel gelişimi içinde Avrupalı Devletlerin birleşik ve etkin bir dış ve güvenlik politikası geliştirme çabalarının değerlendirilmesidir. Bu çalışmada, Avrupa Devletlerin birleşik ve etkin bir dış ve güvenlik politikası geliştirme çabaları üç uluslararası siyasal çevrede ele alınmıştır. İlk dönem, İkinci Dünya Savaşı sonrası dönemi, ikincisi Soğuk Savaş Sonrası dönemi, üçüncüsü de 11 Eylül sonrası dönemi kapsar. İkinci Dünya Savaşı sonrası dönemde, Avrupalı Devletlerin birleşik ve etkin bir dış ve güvenlik politikası geliştirme çabaları Soğuk Savaş, iki kutuplu dünya koşulları ve Batı Avrupa'ya yönelik Sovyet yayılmacı tehdidiyle şekillenmiş ve bu dönemdeki çabalar Avrupa Savunma Topluluğu, Fouchet Planı ve Avrupa Siyasi İşbirliği ile karakterize olmuştur. Soğuk Savaş Sonrası dönemde, Avrupalı Devletlerin birleşik ve etkin bir dış ve güvenlik politikası geliştirme çabaları etnik çatışmalar ve Orta ve Doğu

Avrupa'daki eski Kommunist Devletlerdeki istikrarsızlık gibi yeni güvenlik tehditlerini ortaya çıkaran 1990'ların başında eski Yugoslavya'da yaşanan çatışma ile şekillenmiştir. AB'nin bu dönemdeki çabaları Maastricht Antlaşması ile ortaya çıkan ODGP ve Kosova Savaşı sonrasında Saint Malo Zirvesi ile ODGP'nın savunma boyutu olarak ortaya çıkan OAGSP ile karakterize olmuştur. 11 Eylül Sonrası dönemde, Avrupalı Devletlerin birleşik ve etkin bir dış ve güvenlik politikası geliştirme çabaları uluslararası terörizme yönelik küresel mücadele ile şekillenmiştir. 11 Eylül sonrası dönemde AB'nin çabaları, uluslararası terörizmi, örgütsel suçları ve kitle imha silahlarının yayılmasını Avrupa'ya yönelik anahtar tehditler olarak kabul eden ve AB Devletleri arasında gelecekteki olaylarda ortaya çıkabilecek bölünmeleri önlemek amacıyla Avrupa Devletleri için bütünleşik stratejik amaçlar vizyonu ve paylaşılan tehdit değerlendirmeleri geliştirmeyi amaçlayan Avrupa Güvenlik Stratejisi ile karakterize olur. Bu tezin temel argümanı, AB'nin küresel siyasette önemli ve etkin bir aktör olabilmesi için AB Devletleri birleşik bir aktör olarak hareket etmeli ve tek sesle konuşmalıdır. Eğer AB Devletleri bireysel olarak hareket etmek yerine birleşik bir aktör olarak hareket ederlerse, önemli uluslararası meseleler üzerindeki etkileri daha fazla olur.

Anahtar Kelimeler: Ortak Dış ve Güvenlik Politikası, Birleşiklik, Etkinlik, Ortak Avrupa Güvenlik ve Savunma Politikası, Dış ve Güvenlik Politikası Aktörü, Maastricht Antlaşması, Avrupa için Anayasa Oluşturan Antlaşma Taslağı, Avrupa Güvenlik Stratejisi.

To my mother and father

ACKNOWLEDGEMENTS

I hereby declare that all information in this document has been obtained and presented in accordance with academic rules and ethical conduct. I also declare that, as required by these rules and conduct, I have fully cited and referenced all material and results that are not original to this work.

Date: Signature:

TABLE OF CONTENTS

LIST OF ABBREVIATIONS

ACE	Allied Command Europe
CAP	Centrum für Angewandte Politikforschung
CDU	Christian Democratic Union
CESDP	Common European Security and Defence Policy
CFSP	Common Foreign and Security Policy
COREPER	Committee of Permanent Representatives
COREU	Correspondance Européene
CSCE	Conference on Security and Cooperation in Europe
EAEC	European Atomic Energy Community
EC	European Community
ECSC	European Coal and Steel Community
ECU	European Currency Unit
EDC	European Defence Community
EEC	European Economic Community
EMU	European Monetary Union
EP	European Parliament
EPC	European Political Cooperation
ESDP	European Security and Defence Policy
EU	European Union
EUMC	European Union Military Committee
EUMS	European Union Military Staff

IGC	Intergovernmental Conference
JHA	Justice and Home Affairs
NATO	North Atlantic Treaty Organization
OPEC	Organization of Petroleum Exporting Countries
OSCE	Organization of Security and Cooperation in Europe
PESC	Politique étrangère et de sécurité européenne
PPEWU	Policy Planning and Early Warning Unit
PSC	Political and Security Committee
QMV	Qualified Majority Voting
RRF	Rapid Reaction Force
SALT	Strategic Arms Limitation Talk
SEA	Single European Act
TEU	Treaty on European Union
UK	United Kingdom
UN	United Nations
US	United States
USSR	Union of Soviet Socialist Republics
WEU	Western European Union
WTO	World Trade Organization

CHAPTER 1

INTRODUCTION

European states' efforts to become a coherent and effective foreign and security policy actor in global politics have continued since the 1950s. During the Cold War, European states' early efforts to cooperate and act as a coherent actor in the areas of foreign and security policy did not succeed, because of their varying interests and approaches towards any form of cooperation whether supranational or intergovernmental. Moreover since they have regarded their foreign and security policy as an indivisible part of their national sovereignty, they have refrained from forming such a cooperation. During the Cold War, European Political Cooperation (EPC) which was initiated by Davignon Report achieved limited success in maintaining cooperation among the European Community (EC) states in foreign policy. EPC's main success was that EC states have gained the habit of cooperation in the areas of foreign and security policy by the EPC. EPC also facilitated the adoption of the Common Foreign and Security Policy (CFSP) by the European Union (EU) states and EPC became the predecessor of the CFSP, because most of practices and rules of the EPC was adopted by the CFSP.

During the early 1990s, the Cold War which shaped international politics since the early 1950s had ended and with the end of the Cold War, security perceptions and security environment in Europe had changed. This led to increase in European States' efforts to act as a coherent actor in their foreign and security policy.

The ethnic conflict that broke out in ex-Yugoslavia demonstrated that in the Post-Cold War Era, the main security challenges were not interstate conflicts, but intrastate conflicts. In the Post-Cold War Era, the Union of Soviet Socialist Republics (USSR) had no longer been the main threat towards European security. Instead, political and economic instability in the ex-communist countries in Central and Eastern Europe, ethnic and nationalist conflict, cross-border terrorism, massive immigration, destruction of environment, organized crime, spread of nuclear weapons and massive violation of human rights had emerged as main security threats towards European security.

In this new security environment, it was both externally and internally expected and demanded from the EC to play an active and effective role in global politics. However, during the two events which broke out in the early 1990s, the Gulf War and the Yugoslavian Conflict, EC States' failure to act as a coherent actor undermined their international credibility and effectiveness and this led to as Christopher Hill called 'capability and expectations gap' for the EC. These two events forced European States to accelarate their efforts to make the EU a coherent and effective security actor in global politics and eventually the CFSP was introduced by the Maastricht Treaty in 1993.

After three years operation of the CFSP, the need to reform of the CFSP emerged, because these years showed the inability of the CFSP to develop a coherent and effective foreign and security policy. Thus, in order to increase the coherence and effectiveness of foreign and security policy, the Treaty of Amsterdam brought several innovations such as the introduction of a new policy instrument, Common Strategy, introduction of post of High Representative for the CFSP, introduction of Policy Planning and Early Warning Unit.

2

Furthermore, the Kosovo War in 1998 demonstrated EU States' inability to respond a security challenge in their own backyard, the Balkans, and also showed their reliance on the United States's (US) military capabilities for crisis management and major shortfalls in European defence capabilities. After the Kosovo War, at Franco-British Saint Malo Summit in December 1998, with the Franco-British Joint Declaration on European Defence, Common European Security and Defence Policy (CESDP) was launched in order to strenghten the CFSP by adding it a defence dimension. Then, by the Nice Treaty in 2001, enhanced cooperation was extended to the CFSP.

Seven months after the signing of Nice Treaty, an important event happened and this event had changed the security perceptions and security environment in the world. On 11 September 2001, terrorists who belong to Al-Queda Terrorist network led by Osama Bin Laden by using hijacked air planes destroyed the World Trade Center in New York and a wing of the Pentagon in Washington and killed thousands of people.

After September 11 terrorist attacks against the US, the US initiated a 'war against terrorism' on a global scale. After September 11 terrorist attacks, a new security environment, security perceptions and security threats emerged; global terrorism, proliferation of weapons of mass destruction, failed states and organized crime were accepted as major security threats. Thus, the new security environment emerged after September 11 terrorist attacks affected the EU's CFSP. Furthermore, the need for a more coherent and effective foreign and security policy had increased in the new security environment.

In early 2003, when the US decided to extend its 'war against terrorism' to Iraq, diverging interests of EU States over Iraq led to divisions among them, as US

Secretary of Defence called 'Old Europe and New Europe'. Some EU members supported US operation in Iraq such as Spain, Italy, Potugal, the United Kingdom (UK) (New Europe) and some candidate countiries; some opposed it such as France, Germany, Belgium and Luxembourg (Old Europe) and these divisions among them prevented the adoption of a common position towards the Iraq Crisis. This undermined the EU's effectiveness as an important actor in global politics, because they could not influence US foreign policy and affect the course of events. Therefore, lack of coherence among them towards the Iraq Crisis undermined their effectiveness. As a result, Iraq Crisis once again showed that, in order to be an effective actor in global politics, the EU should develop a coherent foreign and security policy.

Despite divisions among EU Member States, Iraq Crisis had a positive impact. EU Member States' failure to act as a coherent actor during the Iraq Crisis led to the renewal of efforts to improve the CFSP and make it more coherent and effective. The Draft Treaty establishing a Constitution for Europe brought many innovations, in order to make the CFSP more coherent and effective such as the introduction of the post of EU Minister of Foreign Affairs, introduction of an elected and longer term Presidency of the European Council, introduction of a Mutual Solidarity Clause, extension of Petersberg Tasks and introduction of Structured Cooperation.

Moreover, in order to prevent divisions among the EU Member States in a possible crisis in the future and to make the EU a coherent and effective actor in foreign and security policy issues, EU foreign ministers requested from High Representative for the CFSP Javier Solana to prepare a European Security Strategy

which establishes a common European security concept and aims at developing a coherent vision of strategic objectives, shared threat assessment for European states.

The main argument of this thesis is that if EU States intend to make the EU an important and effective actor in global politics, they have to realize that they should act as a coherent actor and speak with one voice. Their influence on important international issues will be greater if they act as a coherent actor rather than acting individually and they should sacrifice their individual interests for the sake of common interests of the EU. EU states' solo diplomacy and their diverging voices undermined their effectiveness and international credibility as observed recently in Iraq Case and ex-Yugoslavian Conflict in early 90s.

This thesis aims at evaluating European states' efforts to develop a coherent and effective foreign and security policy in the context of historical evolution of the CFSP. While evaluating this, European states' efforts to develop a coherent and effective foreign and security policy will be examined in three different international political contexts. First period is Post World War II Period, second one is Post-Cold War Period and third one is a new and continuing period, Post September 11 Period.

In the context of Post World War II period, European states' efforts to cooperate in the areas of foreign and security policy have been shaped by the conditions of Cold War, Bipolar World and threat of Soviet expansionism towards Western Europe and characterized by the attempts such as European Defence Community, Fouchet Plan and European Political Cooperation.

In the context of Post-Cold War period, European states' efforts to cooperate in the areas of foreign and security policy have been shaped by ex-Yugoslavian Conflict in early 90s which brought new security challenges that are different from traditional security challenges. These were second generation sub-

national conflicts; interstate conflicts were replaced by intrastate conflicts and threat of Soviet expansionism towards Western Europe was replaced by ethnic conflicts and instability in the ex-Communist States in Central and Eastern Europe. EU's attempts were characterized by the CFSP which was launched by the Maastricht Treaty and the CESDP which emerged after Kosovo War with Saint Malo Declaration as defence dimension of the CFSP.

In the context of Post September 11, European states' efforts to cooperate in the areas of foreign and security policy have been shaped by global fight against international terrorism. In the Post September 11 Period, new security challenges emerged. These are third generation conflicts or the so-called transnational conflicts which are characterized by international terrorism, weapons of mass destruction and organized crime. EU's attempts were characterized by adoption of European Security Strategy which accepted international terrorism, failed states, organized crime and proliferation of weapons of mass destruction as key threats towards Europe and aimed at developing a coherent vision of strategic objectives, shared threat assessment for European states in order to prevent divisions among EU States in future international events.

This thesis is composed of seven chapters. After the introduction, the second chapter examines main concepts of Presence and Actorness, Consistency and Coherence, Capability-Expectations Gap and Politics of Scale which help us to conceptualize European Foreign Policy throughout the EU's quest for being an effective and coherent actor in global politics.

The third chapter discusses precursors of the CFSP that is the earlier efforts of European states to cooperate and act as a coherent actor in the area of foreign and security policy. In this chapter European Defence Community based on Pleven Plan,

Fouchet Plan and European Political Cooperation based on Davignon Report will also be discussed.

The fourth chapter examines the two important events, the Gulf War and the Yugoslavian Conflict, in which European states failed to act as a coherent and effective actor. Chapter four also examines the birth of the CFSP with the Maastricht Treaty.

The fifth chapter examines the reforms made in the CFSP to increase the coherence and effectiveness of the EU's foreign and security policy by the Treaty of Amsterdam and Nice Treaty. Chapter five also discusses defence dimension of the CFSP that is Common European Security and Defence Policy (CESDP) which was initiated by Franco-British Saint Malo Declaration.

The sixth chapter discusses future of the CFSP by focusing on EU's adaptation to the new security environment after September 11 terrorist attacks, EU's failure to act as a coherent actor in Iraq Crisis and its implications; proposed improvements to increase coherence and effectiveness of the CFSP by the Draft Treaty establishing a Constitution for Europe and the European Security Strategy which is a quest for shared threat assessment for EU States and coherent vision of strategic objectives to overcome lack of strategic vision of the EU.

The general method which is used in this study is qualitative research method. In this study, books, articles, working papers of research centers, Chaillot Papers, Adelphi Papers dealing with the subject, Founding Treaties of the European Union, Formal Declarations of the European Union and Presidency Conclusions of European Council of the European Union are used to support the argument of this study.

CHAPTER 2

CONCEPTUALISING EUROPEAN FOREIGN POLICY IN GLOBAL

POLITICS

In the evolution of the European Foreign Policy, different concepts are used in order to establish a conceptual framework for explaining European Foreign Policy. The concept of 'Presence' introduced by David Allen and Michael Smith, the concept of 'Actorness' introduced by Gunnar Sjostedt, the concepts of coherence and consistency, the concept of 'Capability-Expectations Gap' introduced by Christopher Hill and lastly 'Politics of Scale' introduced by Roy H. Ginsberg will be examined in order to establish a framework of analysis for this thesis.

2.1 Presence and Actorness

The concept of Presence was introduced by David Allen and Michael Smith. Allen and Smith's main argument was that Western Europe was neither a fully-fledged state-like actor nor a purely dependent phenomenon in the international arena; rather it was a variable and multidimensional presence playing an active role in some areas of international interaction and a less active one in others.[1] They also claimed that presence was a feature or quality of areas, of issue areas and of

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[1] David Allen and Michael Smith, "The European Union's Security Presence: Barrier, Facilitator, or Manager?", in Carolyn Rhodes (ed.), The European Union in the World Community (Boulder-Colorado: Lynne Riener Publishers, 1998), p. 48.

networks of activity, operating to influence the actions and expectations of participants.[2]

According to Allen and Smith, a particular presence is defined by a combination of factors: credentials and legitimacy, the capacity to act and mobilize resources, the place it occupies in the perceptions and expectations of policymakers.[3] For them, the EU's presence in international arena is significant although it has relatively few of credentials of a unified political actor; it has considerable structure, salience and legitimacy in international politics.[4] Allen and Smith claimed that the EU has the most tangible presence in the economic sphere, but in military sphere, the EU has an intangible but powerful presence.[5] They further asserted that on the issue of security, if the security is defined in narrow sense only including defence, the EU won't be in a position both to make its presence felt and take responsibility, but if the security is defined in broad sense including economic, social and political issues of security, the EU will be in a position both to make its presence felt and to take responsibility.[6]

Roy H. Ginsberg put forward that Allen and Smith introduced the concept of precence to explain the growing international salience of the EU and to avoid pitfalls of defining international activity of an actor that is not a state; presence refers to the capability of the EU to exert influence and to shape perceptions and

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[2] Ibid.

[3] Charlotte Bretherton and John Vogler, *The European Union as a Global Actor* (London: Routledge, 1999), p. 33.

[4] Roy H. Ginsberg, *The European Union in International Politics: Baptism By Fire* (USA: Rowman&Littlefield Publishers Inc., 2001), p. 46.

[5] Allen and Smith, op.cit., p. 48.

[6] Allen and Smith, op.cit., p. 62.

expectations of nonmembers and it doesn't suggest purposive international action, but rather is a result of internal processes and policies.[7]

Helene Sjursen also claimed that Allen and Smith have emphasized the difficulty in studying Western Europe's international role by using the notion of a foreign policy which is inseparable from the state-centric view of world politics and they introduced the concept of presence in order to study the impact of the EU in different policy areas of the international system and to show that the EU has considerable structure, salience and legitimacy in the process of international politics.[8]

The concept of Actorness was introduced by Gunnar Sjostedt. Christopher Hill, following Gunnar Sjostedt, elaborated the features of an international actor which are to be delimited from others and from its environment; to be autonomous in the sense of making its own laws and decisions and to possess certain structural prerequisites for action on international level, such as legal personality, a set of diplomatic agents and the capability to conduct negotiations with third parties.[9]

Bretherton and Vogler stated that Sjostedt first of all assumed that the EC meets two basic prerequisites of Actorness which are discernible from its environment and having a minimal degree of internal cohesion and this enabled him to conclude that the EU had a degree of autonomy necessary for it to be considered an international actor.[10] Joseph Jupille and James Caporaso claimed that having a

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[7] Ginsberg, op.cit., in note 4, p. 46.

[8] Helene Sjuersen, "Understanding The Common Foreign and Security Policy: Analytical Building Blocs", *ARENA Working Papers*, (WP 03/9). http://www.arena.uio.no, p. 10.

[9] Christopher Hill, "The Capability-Expectations Gap, or Concrptualizing Europe's International Role", *Journal of Common Market Studies* (Vol. 31, No.3, September 1993), p. 309.

[10] Bretherton and Vogler, op.cit., p. 37.

minimal degree of cohesion is the main criteria for Actorness which differentiates it from Presence.[11]

Apart from Sjostedt, Bretherton and Vogler elaborated five basic requirements for Actorness, they are

1. Shared commitment to a set of overarching values and principles.

2. The ability to identify policy priorities and to formulate coherent policies.

3. The ability effectively to negotiate with other actors in the international system.

4. The availability of and capacity to utilize policy instruments.

5. Domestic legitimation of decision process and priorities, relating to external policy.[12]

In addition, Joseph Jupille and James Caporaso proposed four criteria for assessing the EU's actor capacity in global politics: the first one is recognition which means acceptance of and interaction with the entity by others; the second one is authority which means legal competence to act; the third one is autonomy which means institutional distinctiveness and independence from other actors and the final one is cohesion which refers to the degree to which an entity is able to formulate and articulate internally consistent policy preferences.[13]

According to John Vogler, Actorness implies volition. It is a measure of unit's capacity to behave actively and deliberately in relation to other actors in the

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[11] Joseph Jupille and James A. Caporaso, "States, Agency and Rules: The European Union in Global Environment Politics", in Carolyn Rhodes (ed.), The European Union in the World Community (Boulder-Colorado: Lynne Riener Publishers, 1998), p. 218.

[12] Bretherton and Vogler, op.cit., p. 38.

[13] Jupille and Caporaso, op.cit., p. 214.

international system. Over the past decade, the EU showed an aspiration to enhance its status as a distinct actor. Declarations to this effects are numerous- from the stated objective of the EU to assert its identity on the international scene (Art. 2, Treaty on European Union (TEU)) to the Commission's ambitions, as articulated in Agenda 2000 – The Union must increase its influence on world affairs, promote values such as peace and security, democracy and human rights, provide aid for the least developed countries, defend its social model and establish its presence on world markets, prevent major damage to the environment and ensure sustainable growth with an optimum use of world resources. Collective action by the EU is an ever-increasing necessity. Europe's partners expect it to carry out fully its responsibilities. (Commission 1997, 27a)[14]

Vogler also claimed that the development of Actorness may be regarded as a process, involving the facets and interconnections between them – presence, opportunity and capability.

- Presence conceptualizes the relationship between the internal development of the EU and third party perceptions and expectations of the EU's role in world politics.

- Opportunity refers to factors in the external environment which enable or constrain purposive action.

- Capability refers to the capacity to formulate and implement external policy, both in developing a proactive policy agenda and in order to repond effectively to external expectations, demands and opportunities.

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[14] John Vogler, "In the Absence of the Hegemon: EU Actorness and the Global Climate Change Regime", Paper Presented to Conference on the European Union in International Affairs, 3-4 July 2002, National Europe Centre Paper No. 20.

According to Bretherton and Vogler, Actorness relates to the capacity to act and Presence is a function of being rather than action; Presence manifests itself through subtle forms of influence, but it also produces tangible impacts.[15] They also claimed that there is a relationship between Actorness and Presence, in that Actorness logically presupposes Presence, which is thus a precondition for Actorness and thus Presence may generate an active response from third parties which in turn produces demands for action by the EU.[16]

According to Ben Tonra, these two concepts were for deconstructing state-centric views of world politics by shifting the analysis away from 'how state-like the EU's foreign policy is' towards 'an analysis of EU's international presence and actorness' and these concepts are then used to link the internal workings of the EU-across functional policy areas-with its overall impact on the external environment.[17]

Karen E. Smith asserted that the EU has a considerable Presence in the internatioanl affairs and its internal policies affect other international actors, but the EU could not always translate its Presence into Actorness, or the ability to function actively and deliberately in relation to other actors in the international system.[18] Smith elaborated two reasons behind EU's inability to translate its Presence into Actorness: one of them is the complexity of the EU's decision-making machinery with three different pillars for making foreign policy decisions: the supranational EC pillar for decisions on trade and aid policy, the intergovernmental CFSP pillar for

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[15] Bretherton and Vogler, op.cit., p. 33.

[16] Bretherton and Vogler, op.cit., p. 33.

[17] Ben Tonra, "The European Union's Global Role", *FORNET Working Paper*, FORNET Working Group 1: Theories and Approaches to the CFSP London School of Economics, 7/8 November 2003.

[18] Karen E. Smith, "The European Union: A Distinctive Actor in International Relations", *The Brown Journal of International Affairs* (Vol. IX, Iss. 2, Winter/Spring 2003), p. 105.

political decisions and the intergovernmental Justice and Home Affairs (JHA) pillar for decisions on fighting international crime. The second one is that EU Member States should all agree that the EU should act in a given instance of international relations, but Member States don't always share common interests and this logic of diversity prevents the agreement on creating more supranational foreign policy-making machinery, as well as the making of common foreign policies within the current framework and this will prevent the EU to act coherently and effectively on the world stage.[19]

Helene Sjursen asserted that building on the concepts of Presence and Actorness, both Brian White and Christopher Hill have suggested that the EU is best seen as a system of external relations.[20]

Brian White applied a model of Foreign Policy Analysis which he identifies as a European foreign policy system composed of three different types of European foreign policy: Community foreign policy which refers to the foreign economic policy dimension of European foreign policy and includes Common Commercial Policy, trade and development relations with third countries; Union foreign policy which refers to political dimensions of European foreign policy and the CFSP; national foreign policy which refers to the separate foreign policies of Member States that have continued to exist and indeed to thrive in 1990s.[21]

Christopher Hill regarded the EU as a system of external relations. According to this, the Europeans represent a subsystem of the international system as a whole (perhaps the only functioning regional security arrangement in accordance

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[19] Ibid.

[20] Sjursen, op.cit., in note 8, p. 10.

[21] Brian White, *Understanding European Foreign Policy* (New York: Palgrave, 2001), pp.40-41.

14

with Chapter 8 of the United Nations (UN) Charter) and that they are a system which generates international relations -collectively, individually, economically, politically- rather than a clear-cut European foreign policy as such.[22]

According to Michael Smith, the EU can be accepted as having a part-formed foreign policy and he further argued that the CFSP/CESDP is a central element of this part-formed foreign policy in which a major part is also played by the economic diplomacy and foreign economic policy encapsulated in the activities of the EC as strictly defined.[23] He also emphasized the significance of interplay of member state interests and the demands of the European or global environments in explaining the shape of EU foreign policy.[24]

Michael Smith also conceptualized the EU's external policy-making as an evolving negotiated order. He also argued that within the administrative, institutional and political structures established over the life of the EU, there is a constant, rule-governed process of negotiation between actors, which produces policy positions and international policy outcomes.[25] Moreover, Smith claimed that this negotiated order that rests upon a rule-governed process of governance is very sensitive to external demands deriving from an increasingly globalized world.[26] Smith put forward that European foreign policy cannot be assumed as a recognizable form of a quasi-state foreign policy which might be identified by the modernist or statist terms rather

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[22] Hill, op.cit., in note 9, p. 322.

[23] Michael Smith, "The Framing of European Foreign and Security Policy: Towards a Post-modern Policy Framework?", *Journal of European Public Policy* (Vol. 10, No. 4, August 2003), p. 569.

[24] Ibid.

[25] Sjursen, op.cit., in note 8, pp. 10-11.

[26] Tonra, op.cit., in note 17.

European foreign policy is a kind of post-modern or post-sovereign or extra-national foreign policy in which the multi-perspectival nature of the European project combines with the complexities of a globalised world to render fruitless the quest for a real foreign policy based on modernist assumptions of territoriality, of central government control and of the deployment of hard policy instruments.[27]

2.2 Consistency and Coherence

According to Horst-Günter Krenzler and Henning C. Schneider, consistency means coordinated, coherent behavior based on agreement among the EU and its Member States, where comparable and compatible methods are used in pursuit of a single objective and result in an uncontradictory foreign policy.[28]

Simon Nuttall offered two different categorization for consistency. According to the first categorization, there are three levels of understanding of the concept: the banal, the benign and the malign.[29] The banal sense is the non-interference or contradiction between the policies adopted in two different pillars; the benign sense is known as interaction between the instruments of Community and policy objectives defined in the second pillar and the malign sense refers to the struggle for institutional power between two pillars – the question is that whether the representatives of the Member States in the second pillar should be able to give directives as regards EC external policies, and at its most base, the question as to which set of bureaucrats should decide.[30]

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[27] Smith, op.cit., in note 23, p. 569.

[28] Horst-Günter Krenzler and Henning C. Schneider, "The Question of Consistency", in Elfriede Regelsberger, Philippe de Schoutheete de Tervant and Wolfgang Wessels (eds.), Foreign Policy of the European Union, From EPC to CFSP and Beyond (Boulder-Colorado: Lynne Riener Publishers, 1997), p. 134.

[29] Simon Nuttall, "Consistency and the CFSP: A Categorization and its Consequences", London November 2001, p. 3.
[30] Ibid.

The second categorization of consistency includes, horizontal consistency which is to be consistency within the EU, between different policies of the EU, institutional consistency, which is the consistency between the two different bureaucratic apparatuses, intergovernmental and community and vertical consistency which is the consistency between the EU and national policies.[31]

Coherence means the action or fact of sticking together and remaining united in arguments. As a second meaning, it means the logical or clear interconnections or relation: consistency, congruity of substance, tenor, or general effect.[32] According to Krenzler and Schneider, coherence when applied to European Foreign Policy refers to coordinated behavior, based on agreement among the EU and its Member States, where comparable and compatible methods are used in pursuit of a single objective and result in an uncontradictory foreign policy.[33] Following Simon Nuttall's tripartite categorization of consistency, Abellan offered a tripartite categorization of coherence: horizontal coherence which refers to the coherence between different policies of the EU as well as the coherence within the EU and within the foreign policies of Member States; that is the relation between the intergovernmental CFSP and the supranational EC, vertical coherence which refers to the process of coherence between Member States and the EU and vice versa and institutional coherence which refers to the coherence between the two different bureaucratic apparatus, intergovernmental and communitarian.[34]

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[31] Ibid., pp. 3-4.

[32] Miguel Angel Medina Abellan, "The Coherence of the European Foreign Policy: a Real Barrier of an Academic Term", *Institut Universitari D'estudis Europeus Working Paper* (No. 27, September 2002), p. 3.

[33] Ibid., p. 4.

[34] Ibid., pp. 9-10-11.

The concepts of coherence and consistency aren't identical concepts, but they have different meanings, legal implications and different degrees of structure. In legal terms, consistency implies the absence of contradictions, being a static concept, however coherence refers to positive connections, being a matter of degree.[35] They have different degrees of stricture, a concept can be more or less coherent, but it cannot be more or less consistent, so it is either consistent or not; also in their mutual relationship, consistency might be a necessary, but never sufficient condition for coherence.[36] Also, according to Antonio Missiroli, consistency is more about compatibility and making good sense, the coherence is more about synergy and adding value.[37] However from a political perspective, the concepts of coherence and consistency don not vary significantly, because both of them point in the direction of coordinated activities with the objective of ensuring that the EU asserts its identity on international scene and speak with one voice.[38]

According to Pascal Gauttier, two concepts are mutually reinforcing, horizontal coherence involves both the absence of contradictions within the external activity in different areas of foreign policy (consistency) and the establishment of a synergy between these aspects (coherence).[39] He also asserted that combining the static concept of consistency with the idea of coherence, through which it is possible

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[35] Ibid., p. 3.

[36] Ibid., p. 3.

[37] Antonio Missiroli, "European Security Policy: The Challenge of Coherence", *European Foreign Affairs Review* (No. 6, 2001), p. 182.

[38] Abellan, op.cit., p. 4.

[39] Pascal Gauttier, "Horizontal Coherence and the External Competences of the European Union", *European Law Journal* (Vol.10, No. 1, January 2004), pp. 24-25.

to measure the level of synergy that has been reached, seems to furnish him with a relevant key to understand the question of European foreign policy as a whole.[40]

In the English version of the Maastricht Treaty, the term consistency was used in Article 3, whereas in all other languages the term coherence was used. Jörg Monar is the one who preferred to use the term coherence to assess and evaluate the European foreign policy critically. He writes the significance of unity and coherence as an important criterion for effective foreign policy in some cases, being the most important one the participation of the EU in international conferences and organizations.[41]

Jörg Monar regarded the consistency as the absence of contradictions between external actions taken in different areas and he thought that it does not necessarily bring more effective synergy in the sense of coherent and mutually reinforcing European foreign policy. Therefore, coherence has to find its corollary in interaction and when a policy is coherent and the interaction occurs accordingly that all outward distinguishing marks between economic and political external relation will fade away.[42] Thus, following Jörg Monar's evaluation, Abellan prefered to use the term coherence, because he thought that coherence refers to the fact that action in one sphere of European foreign policy needs to support action in another sphere and both must be interactive.[43] Furthermore, according to Abellan, the reason behind the use of the term coherence in all official versions of the Maastricht Treaty except the English version is that, in a legal sense decisions not meeting the demands of

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[40] Ibid., p. 25.

[41] Abellan, op.cit., in note 32, p. 3 and Simon Duke, "Consistency as an Issue in EU External Relations", *Working Paper* (European Institute of Public Administration, 1999/6), p. 3.

[42] Abellan, op.cit., pp. 3-4.

[43] Abellan, op.cit., p. 4.

consistency would run the risk of being invalidated, whereas the more flexible nature of coherence allows for a more balanced judgement, taking into account the obviously intended incremental approach towards a single European foreign policy.[44]

Antonio Missiroli claimed that consistency is a minimal requirement and coherence is a desirable plus and they are both criteria to assess the way in which the EU as an international actor projects itself externally. He also added that some compatibility and coordination among the Member States' foreign policies i.e. some degree of consistency has been achieved, but, synergy i.e. the ability to add value to and multiply the impact of all external policies by acting together that is coherence looks still far on the EU horizon.[45]

Thus, in this thesis, the quest for coherence in EU's foreign and security policy will be examined and following Jörg Monar's assessment, the coherence is accepted as a crucial criterion for an effective foreign and security policy. In this thesis, I will mainly focus on vertical coherence that is the coherence between Member States and the EU.

2.3 Capability-Expectations Gap

The concept of Capability-Expectations Gap was introduced by Christopher Hill. Capability-Expectations Gap is a significant approach to the study of the EU as an international actor.[46] According to Christopher Hill, the capabilities of the EU are not only conventional instruments of foreign policy. They are the use and threat of force, diplomacy, economic carrots and sticks, cultural influence and also the

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[44] Abellan, op.cit., p. 4.

[45] Missiroli, op.cit., p. 183.

[46] Tonra, op.cit., in note 17.

underlying resources of population, wealth, technology, human capital and political stability together with cohesiveness or the capacity to reach a collective decision and to stick to it. Expectations are those ambitions or demands of the EU's international behavior which derive from both inside and outside the EU.[47]

Hill divided his analysis into two parts. In the first part, he elaborated on the functions that the EC has performed until 1993 in the international system. These are the stabilising of Western Europe, managing world trade, principal voice of the developed world in relations with the South and providing a second western voice in international diplomacy. In the second part, he elaborated the conceivable future functions of the EC which are the replacement for the USSR in the global balance of power, a regional pacifier, a global intervenor, madiator of conflicts, bridge between rich and poor and joint supervisor of the world economy.[48]

In his article 'Closing Capabilities-Expectations Gap?', Hill elaborated on some of the expectations such as political pressures to grant membership of the EU to applicant states or to provide solutions to the problems of third countries; pressures for economic assistance in the form of aid, trade preferences or even access to the Single Market. The intellectual expectations are that the EU can resolve the problem of the nation-state; provide a new framework for European order or an alternative identity for the non-American West.[49]

According to Christopher Hill, these expectations pose a serious challenge to the actual capabilities of the EC in terms of its ability to agree its resources and the

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[47] Christopher Hill, "Closing the Capabilities-Expectations Gap?", in John Peterson and Helene Sjursen (eds.), A Common Foreign Policy for Europe?, Competing Visions of the CFSP (New York: Routledge, 1998), p. 23.

[48] Hill, op.cit., in note 9, pp. 310-311-312-313-314..

[49] Hill, op.cit., in note 47, p. 23.

instruments at its disposal. Furthermore, he claimed that the EC does not have the resources or the political instruments that can respond these demands and he called this as 'the Capability-Expectations Gap'. In his article, 'The Capabilities-Expectations Gap, or Conceptualizing Europe's International Role', Hill by looking at EC's performance in the Gulf War, the Uruguay Round and Yugoslavia, asserted that the EC is not an effective international actor, in terms of both its capacity to produce collective decisions and its impact on events.[50]

Hill also put forward that even after improvements brought by the Maastricht Treaty, there was still a large Capability-Expectations Gap, because a coherent system and full actorness are still far from realization. This fact has been ignored by Brussels and demendeur states. The EC not only in terms of substansive resources – money, arms, room for immigrants – but in terms of the ability to take decisions and hold to them, is still far from being able to fulfil the demands of those who want to see the EC in great power terms.[51]

In his article 'Closing Capabilities-Expectations Gap?', Hill evaluated the EU's success in performing Conceivable Future Functions for the EC. He stated that five years were not sufficient to be sure whether any of the functions is being persistently fulfiled. He quoted from Patrick Keating's case study of Somalia, that three of these functions are relevant to assessing the EU's role in global security. He also added that only the bridge between rich and poor function was being performed with any real effectiveness.[52] Hill further claimed that the function of conflict mediator is only being performed by the EU in conjunction with the UN,

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[50] Hill, op.cit., in note 9, p. 306.

[51] Hill, op.cit., in note 9, p. 318.

[52] Hill, op.cit., in note 47, p. 34.

Organization of Security and Cooperation in Europe (OSCE) and particularly the US, like in events in various parts of the Balkans. However, the function of global intervenor, along the lines which many called for in Bosnia, is still far out of reach. On the function of replacement for the USSR in the global balance of power, the EU is no equivalent to the USSR globally, but it has started to be the major presence in the old Warsaw Pact area, through the net of Europe Agreements and the positive encouragement it has given to the accession of the Central European States. Lastly on the function of joint supervisor of the world economy, the EU consolidates its position as an important player in the making of international trade agreements, with the conclusion of the Uruguay Round and the establishment of the World Trade Organization.[53]

In his article, 'The Capabilities-Expectations Gap, or Conceptualizing Europe's International Role', Hill claimed that the idea of Capability-Expectations Gap is a useful starting point. It enables Europeans to see that if the gap is to be closed, dangerous tension can be relieved in European foreign policy. In order to achieve this, either capabilities should be increased or expectations decreased. If capabilities are to be increased significantly, then an important political and constitutional leap will probably be necessary and lowering expectations means both lowering one's own ambitions in foreign policy and communicating the fact to outsiders. Therefore, the limits of European actorness and intention are clearly visible, only by this way, the widespread view of the EC as panacea, a cross between Father Christ and the Seventh Cavalry will end.[54] Furthermore, in his article 'Closing Capabilities-Expectations Gap?', Hill concluded that Capability-Expectations Gap is

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[53] Hill, op.cit., in note 47, pp. 34-35-36.

[54] Hill, op.cit., in note 9, pp. 321-322.

narrower than it was before even if capabilities have not significantly advanced, because if the EU could not meet the expectations, the expectations would be lowered back into line with capabilities.[55]

Fraser Cameron, after evaluating the EU's success in performing the functions enumerated by Hill, asserted that the EU has made substantial progress towards its aim of becoming a major, credible international actor and he further asserted that the EU has played significant global and regional role in areas such as trade (World Trade Organization (WTO)/Doha), environment (Kyoto) and development policy (Cotonou) whereas in the area of foreign and security policy, although the EU has played a more assertive global and regional role, the expectations of the EU citizens remain high and the EU's capabilities have only gradually improved.[56] Thus, Cameron concluded that ten years since the Maasticht Treaty, the capability-expectations gap has been narrowed but not closed and it will be some time before it is closed.

2.4 Politics of Scale

The concept of Politics of Scale was introduced by Roy H. Ginsberg. Politics of Scale refers to the benefits of collective EU action over unilateral national action in the conduct of European foreign policy and enables Member States to conduct joint foreign policy actions at lower costs and risks than when they act on their own.[57]

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[55] Hill, op.cit., in note 47, p. 36.

[56] Fraser Cameron, "The European Union's Growing International Role: Closing Capability-Expectations Gap?", Paper Presented to Conference on the European Union in International Affairs, 3-4 July 2002, National Europe Centre Paper No. 15.

[57] Ginsberg, op.cit., in note 4, p. 27.

Member States perceive that they carry more weight in certain areas when they act jointly than when they act separately and Ginsberg claimed that collective diplomacy has enabled the EU to pull more weight at multilateral negotiations (Kyoto Conference on greenhouse gas emissions), conferences (UN Commission on Human Rights) and organizations such as OSCE.[58] Ginsberg took the example of Conference on Security and Cooperation in Europe (CSCE) process and said that the outside world realized the effect of a new, unorthodox political actor at the CSCE in the mid-1970s when the EC/EPC performed as would an effective international political actor and lobbied for adoption of its proposals.[59]

According to Ginsberg, when the EU speaks with one voice internationally it resonates far more than when each Member States speak separately and he quoted from Gordon Philip that a political criterion for foreign policy integration is whether potential gains from joint action through increased scale are greater than costs of lost sovereignty.[60]

Fraser Cameron also emphasized the importance of Politics of Scale and asserted that when the EU speaks with one voice as it does in international trade negotiations, its views gain respect. He added that when Europeans fail to speak with one voice, as in recent Iraq Crisis, the EU lacks influence and credibility and for him, this shows that if the Member States want the EU to play a full role on the world stage, they must act together on foreign and security policy.[61]

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[58] Ginsberg, op.cit., in note 4, p. 27.

[59] Ginsberg, op.cit., in note 4, p. 27.

[60] Ginsberg, op.cit., in note 4, p. 27.

[61] Fraser Cameron, "Charting New Paths for Europe at Home and Abroad New Strategies for Europe's Future Challenges, Well Done Javier-Now For TheDifficultPart!",*IssuePaper10*,17.09.2003,http://www.theepc.net./en/default.asp accessed on 16.10.2003.

Cameron claimed that in recent years the EU has played an increasing role in the international arena. For him, in about 90% of external issues, from supports for the International Criminal Court and Kyoto Protocol to Russia and the Middle East, the EU acts together and speaks with one voice and this is a remarkable achievement of a Union of 15 diverse Member States with very different views, experiences and capabilities to deal with foreign and security policy.[62]

Furthermore, according to David Hannay, a collection of European countries that speak with different voices will be marginalized and that they cannot influence policy-making in the US or elsewhere as it is observed in Iraq Crisis. However, when Europe pulls together and speaks with a single voice and has a recognizable foreign policy, its influence becomes greater. For instance, Europe has played a leading role in launching the next round of trade liberalization and is managing the tensions caused by US protectionism over steel and other matters in a sensitive and effective manner. Moreover, Europe has played a leading role in attaining broad international consensus on the need to take action on global warming and rescued the Kyoto Protocol.[63]

Brian Crowe linked Politics of Scale with the CFSP and stated that the EU should have a CFSP, because a Europe which acts as one actor will carry more weight, whether with the US or others than a Europe composed of individual states acting independently. He suggested that it is an illusion to think that individual European countries can influence the big issues representing only themselves. The

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[62] Fraser Cameron, "Repairing the Damage: European Disunity and Global Crisis: The New Challenges To EU External Policy After Iraq, After Iraq- Can there really be a Future for CFSP?", *Issue Paper 9*, 18.03.2003, http://www.theepc.net./en/default.asp accessed on 16.10.2003.

[63] David Hannay, EU Foreign Policy: A Necessity, not an Optional Extra, *CER Bulletin,* Issue 26, October/November 2002, http://www.cer.org.uk accessed on 11.11.2003.

case of the UK over Iraq is the exception that proves the rule, but an effective EU, sharing the responsibility as well as the burden would be much more effective in this role than any single actor. For him, if large Member States conduct their policies independently rather than acting together, they can act less effectively and the CFSP becomes perpetually ineffective. Shifting coalitions of individual European states are no substitute, since it is the EU which alone can provide glue to keep them together and combine the resources to strengthen European efforts.[64]

In addition, Fraser Cameron also emphasized the importance of Politics of Scale in external relations and stated that both European elites and the public think that there should be more Europe in foreign and security policy. Most Europeans start to understand that in a rapidly changing international environment (increasing globalization, US unilateralism and new security threats) it is more urgent than ever that the EU speaks with one voice and acts coherently in external relations. Opinion Polls throughout the Union have showed over 70% supports a stronger and more effective common foreign and security policy.[65]

Karen E. Smith stressed the importance of Politics of Scale in an interdependent world and claimed that in a world of interdependence, there is awareness that unilateral action is often either ineffective or impossible, thus EU Member States would be much better of trying to act collectively.[66]

In conclusion, this chapter aimed at examining main arguments about European Foreign Policy and establishing a conceptual framework for this thesis.

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[64] Brian Crowe, "A Common European Foreign Policy After Iraq?", *International Affairs*, (Vol.79, no. 3, 2003), p. 537.

[65] Fraser Cameron, Europe in the World, Ten Years CFSP: Closing the Capability-Expectations Gap, *Commentary*, 8.10.2002, http://www.theepc.net/en/default.asp accessed on 17.10.2003.

[66] Karen E. Smith, *European Union Foreign Policy in a Changing World* (Great Britain: Polity Press, 2003),p. 6.

The concepts examined in this chapter will help to conceptualize European Foreign Policy throughout the EU's quest for being an effective and coherent actor in global politics.

CHAPTER 3

PRECURSORS OF THE COMMON FOREIGN AND SECURITY POLICY

European states' efforts to cooperate in the areas of foreign and security policy started after the World War II and continued throughout the Cold War Period. One of these efforts were the European Defence Community based on Pleven plan, the other one was Fouchet Plan and the last one was European political Cooperation established by Luxembourg (Davignon) Report. These three initiatives of European States in the areas of foreign and security policy acted as precursors of the CFSP. Thus, in order to understand the CFSP better, historical background of the CFSP should be evaluated, so this chapter aims at evaluating these three initiatives which paved the way for the creation of the CFSP.

3.1 European Defence Community

After the Korean War, Germany under the leadership of Chancellor Konrad Adenauer feared that the USSR might launch an attack on Western Germany like on South Korea in June 1950 and West Germany demanded rearmament. In this context, the US under the leadership of President Harry Truman decided to globalize the containment policy and militarized containment in Europe and in order to achieve this, President Truman made German rearmament a predominant theme of the US policy in Western Europe.[67] Also Americans after their costly involvement in the

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[67] Martin J. Dedman, *The Origin and Development of the European Union 1945-95* (New York: Routledge, 1996), p. 71.

Korean War thought that Europeans should take greater responsibility for their own defence.[68] Americans in order to deter Soviet aggression demanded a strong local defence of Western Europe including a West German contribution by integrating German forces in a North Atlantic Treaty Organization (NATO) integrated force under centralized command with a supreme commander.[69]

On the other hand, France under the leadership of President Charles De Gaulle advocated that rearmament of the West Germany should take place within the European framework not within NATO, because of French fear of revival of German militarism. They feared that German rearmament might destroy Schuman Plan for European Coal and Steel Community (ECSC). Jean Monnet, chairman of Schuman Plan offered an alternative plan for German rearmament and he offered ECSC model for solving German rearmament problem.[70] Monnet after consulting French foreign minister Robert Schuman and French Prime Minister Réne Pleven and by working with the team he used in preparing Schuman Plan for ECSC, prepared so-called Pleven Plan or Plan for European Defence Community or scheme for a European army.[71] Pleven Plan was accepted by the French Cabinet and the National Assembly on 24 October 1950. Pleven Plan aimed at creating a European army attached to the new political institutions of Europe. The plan included complete fusion of human and material components under a single political and military European authority with a European Minister of Defence responsible to a European Assembly, a European

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[68] Bretherton and Vogler, op.cit., p. 200.

[69] Dedman, op.cit., pp. 71-72.

[70] Renata Dwan, "Jean Monnet and the European Defence Community, 1950-54", *Cold War History* (Vol. 1, No. 1, August 2000), p. 142.

[71] Dedman, op.cit., p. 73.

Defence Council composed of ministers of participating states.[72] Pleven Plan also included a common budget, common procurement mechanisms and the integration of national military forces at subdivisional strength.[73] European Defence Community (EDC) called for 100000 strong European army including West Germans and 50000 strong French contingents and this brought West German contingent under the control of French cadres. In the Plan, all participating states except West Germany would keep national control over their forces not placed in the EDC.[74] Pleven Plan demonstrated that by using supranationality and complete fusion of military forces, France intended to gain military superiority over West German forces organized into battalions of 1000 men in the European army under French generals. France, by doing this, could prevent any resurgence of German militarism and excessive American interference in European affairs; Pleven Plan aimed at creating a supranational European army under French command with a French Minister of Defence.[75]

Germany under the leadership of Adenauer demanded equal treatment for the West Germans. For Adenauer, the price of German military cooperation with the west was the grant of political independence to Germany and he advocated the German rearmament through NATO.[76] For Germany, rearmament meant return to formal sovereignty, so they could not be separated.[77]

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[72] Dwan, op.cit., p. 145.

[73] Holly Wyatt-Walter, *The European Community and Security Dilemma,1979-1992* (Macmillan Press: London, 1997), p. 21.

[74] Dedman, op.cit., p. 74.

[75] Dedman, op.cit., p. 74.

[76] Dedman, op.cit., p. 75.

[77] Wyatt-Walter, op.cit., p.22.

On the American side, the US Secretary of State Dean Acheson asserted that the Plan for EDC was a French tactic to delay Germany's rearmament and inevitable entry into NATO. The US demanded equal treatment of West Germans in European army.[78]

The UK was unwilling to make troop commitment to the EDC and it opposed to supranational integration and feared that the EDC would lead to US withdrawal from Europe and would leave Britain with the military and political burden of security guarantee for continental Europe and as an imperial power the UK had wider concerns which prevented a purely continental European military commitment.[79]

The Netherlands opposed the EDC and refused to participate fully in Paris Conference for the EDC Treaty negotiations started in February 1951. Dutch Foreign Minister Dirk Stikker thought that the French were neither serious about the EDC nor really ready to give up any sovereignty over the French Army.[80] The Dutch advocated the solution of German rearmament problem through NATO.

Jean Monnet lobbied with US officials for gaining their support for the EDC. Jean Monnet persuaded Dwight Eisenhower, NATO's Supreme Commander, by promising Eisenhower that he would press his government for greater compromise on the issue of equality for West Germans in European army. After gaining American support for the EDC, Paris Treaty establishing the EDC with its 132 articles and 12 associate protocols was signed by France, Belgium, Italy, West

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[78] Dwan, op.cit., pp. 145-146.

[79] Wyatt-Walter, op.cit., p.22.

[80] Dedman, op.cit., p. 75.

Germany, Luxembourg and the Netherlands on 27 May 1952 after granting West Germany principle of equality and solving the divisional issue of force integration.[81] A protocol to the NATO Treaty on mutual security guarantee between NATO and the EDC and between the UK and EDC was signed and the Allied-German Contractual Agreement which gave Germany full power over its domestic and foreign affairs once the EDC came into effect was signed in Bonn on 26 May 1952.[82]

In French politics, there existed wide opposition towards the EDC. Gaullists opposed the dissolution of the French Army which was regarded as an important national symbol. They thought that the transfer of authority over the French military from national leadership to a supranational body would lead to denationalization of French Army.[83] General De Gaulle said that:

> The European Army plan would be either the end of the French Army or just a smoke screen which would permit the resurrection of the German Army without the least guarantee of its use. It would be a fatal blow to the French Army. We alone would be surrendering our army. To whom? To Europe? But it doesn't exist. We would be giving it to General Eisenhower. For centuries our value and prestige have been merged with those of French Army. We therefore must not and cannot give up an army of our own.[84]

Gaullists demanded the protection of the national character of the French Army and its unity and the unity of French Union.[85] Articles 9-16 of the EDC Treaty which dealt with the withdrawal of troops from the EDC for using in other areas

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[81] Wyatt-Walter, op.cit., p.24.

[82] Dedman, op.cit., p. 76.

[83] Nathan Leites and Christian De La Maléne, "Paris from EDC to WEU", *World Politics* (Vol.9, No. 2, January 1957). http://www.jstor.org, p. 197.

[84] Dedman, op.cit., p. 80.

[85] Dwan, op.cit., p. 151.

were regarded as a constraint on French colonial rule and national sovereignty.[86] French Socialists were against German rearmament and French Communists under the pressure of Soviet government, who was frustrated about European unity in defence affairs opposed the EDC.[87] Anti-EDC French Parliamentarians also thought that the EDC would lead to the loss of French control over its overseas domain. The French Foreign Ministry asserted that the plan for a European political authority threatened French existence as an independent Western power. French Chief of Staff warned that French non-continental interests and liberty of action overseas could be damaged by a European Political authority, so they both claimed that the EDC was a serious threat for France as an independent global actor.[88] For some parliamentarians large scale abandonment of sovereignty by metropolitan France would be regarded outside the France as an abandonment of France's overseas territory in favour of European integration.[89] As a result, for anti-EDC French parliamentarians, the EDC was a threat to the French Union, the cohesion between Metropolitan France and its overseas connections and for some parliamentarians, the French Union was the only way for the recovery of France's greatness.[90]

In addition, for some anti-EDC French parliamentarians, the EDC would also lead to reduction in France's status in the concert of the free world's powers. For them, the loss of national integrity would put France in an inferior position with regard to other Western big powers, the UK and the US. According to their views, the EDC was the denial of Franco-British equality. They thought that by participating

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[86] Dedman, op.cit., p. 81.

[87] Dedman, op.cit., p. 80.

[88] Dwan, op.cit., p. 151.

[89] Leites and de la Malene, op.cit., p. 203.

[90] Leites and de la Malene, op.cit., p. 204.

the EDC without Britain, France put itself on the level of two defeated and two tiny countries.[91] France also insisted on British participation in the EDC, because France feared German domination within the EDC and it thought that British involvement would prevent a German domination in the EDC.[92]

Major changes made in Pleven Plan by the US Spofford Plan during the Paris Conference led to worries among French Parliamentarians about the EDC. According to Pleven Plan, the European army was half French, but in the EDC Treaty 1952, the European army was to be one-third German.[93] The Pleven Plan offered a European army under the command of a French General, but in the EDC Treaty, a Board of Commissioners, including German members existed to run it and commission would take decisions by majority voting.[94] According to Article 43 of the EDC Treaty, in the EDC Council, votes were weighted according to the size of their national contribution to the EDC, so according to this, the state who had more soldiers would have more votes. Here, the main problem for France was that in February 1952, France decided to decrease its number of groupements in the EDC from 14 to 10, because of its colonial war in Indo-china. This meant that Italy and West Germany with their 12 groupements would have more votes and West Germany with its military expertise in the World War II and the restoration of its economic strength, would dominate the EDC.[95] Consequently, these reasons led to the rejection of the EDC by French Assembly by a vote of 309 to 250 on 30 August

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[91] Leites and de la Malene, op.cit., pp. 206-207.

[92] Leites and de la Malene, op.cit., p. 210.

[93] Dedman, op.cit., p. 81

[94] Dedman, op.cit., p. 81

[95] Dedman, op.cit., p. 81-82.

1954. Also, at that time, Korean War had already ended by an armistice signed on 27 July 1953 and perceived Soviet threat had diminished with the death of Stalin on 5 March 1953, thus France didn't regard an urgency in entering a supranational union with Germany.[96]

Thus, the EDC was an important step in the evolution of European States' efforts to cooperate in the areas of foreign and security policy. The lessons learned from the EDC was used in further efforts to cooperate in the areas foreign and security policy. Failure of the EDC demonstrated that it was not yet the appropriate time to cooperate in areas of foreign and security policy.

3.2 Fouchet Plan

Since June 1958, when Charles De Gaulle became President of France, France began to pursue a European policy which aimed at establishing a political authority which would institutionalize political and foreign policy cooperation among West European States on an intergovernmental basis separate from institutions of the Community.[97] De Gaulle in the late 1950s intended to recover a global role for France. He wanted to recover what France lost after Waterloo: to be first in the world and in order to achieve this goal, De Gaulle decided to assert its independence between the US and the USSR by uniting continental Europe under French leadership.[98] De Gaulle adopted a 'Europe des patries' approach to the governance of the European Economic Community (EEC) and wanted to create Europe as a third force in international relations independent of the US and the

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[96] Wyatt-Walter, op.cit., p.26.

[97] Hazel Smith, *European Union Foreign Policy, What it is and What it Does* (England: Pluto Press, 2002), p. 48.

[98] Jeffrey W. Vanke, "An Impossible Union: Dutch Objections to Fouchet Plan, 1959-62", *Cold War History* (Vol. 2, No. 1, October 2001), p. 96.

USSR.[99] In 1959, de Gaulle offered a proposal offering quarterly meetings among foreign ministers of the EC member states to discuss foreign policy issues and a secretariat established in Paris for this political cooperation.[100] Idea of secretariat was rejected by other EC States, but agreement on quarterly meetings among foreign ministers of the EC member states was reached at Strasbourg in November 1959.[101] During these early quarterly meeting of foreign ministers of the EC states important issues like Kongo Crisis, relations with the USSR and Cuban Missile Crisis of October 1962 were discussed.[102] Because of the limitations of this consultation mechanism, de Gaulle tried to take the support of German Chancellor Konrad Adenauer for a political union based on intergovernmental summits, i.e. the regular summits of the heads of state and government of the EC Member States, which was supported by a permanent political secretariat in Paris.[103] Moreover, de Gaulle's proposal involved the regular meetings between ministers of foreign affairs, defence and cultural affairs of the EC Member States.

After EC Member States agreed in principle to discuss the French proposal, France called for a conference of EU heads of state and government and foreign ministers in Paris on 10-11 February 1961. At the conference, EC states agreed to discover appropriate ways of organizing closer political cooperation as a basis for a

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[99] Christopher Hill and Karen E. Smith, *European Foreign Policy Key Documents* (Routledge: London, 2000), p. 47.

[100] Smith, op.cit., in note 97, p.49.

[101] Michael E. Smith, *Europe's Foreign and Security Policy: The Institutionalization of Cooperation* (Cambridge: Cambridge University Press, 2004), p. 66.

[102] Hazel Smith, op.cit., in note 97, p.49 and Michael E. Smith, op.cit., in note 101, p. 67.

[103] Michael E. Smith, op.cit., in note 101, p. 67.

progressively developing union among EC Member States.[104] In Paris Conference, the Fouchet Committee composed of high national officials and headed by Christian Fouchet, French Ambassador in Copenhagen was established for studying concrete proposals and make recommendations.[105]

On 19 October 1961, French submitted a specific plan which became the basis for discussions within the Fouchet Committee. This was the so-called Fouchet Plan and produced a draft treaty for the establishment of European political union of states.[106] This plan offered the institutions with which the proposed political union was to achieve common policies in foreign affairs, defence and cultural matters. These institutions were the Council of Heads of State and Government and Foreign Ministers whose unanimous decisions would be binding on EC Member States, the European Parliament which possessed powers of interrogation and deliberation, but not decision-making authority and a European Political Commission composed of senior officials of the foreign offices of each member state and each responsible to his own government.[107] Fouchet offered an intergovernmental cooperation among EC states as opposed to the supranationality of the EDC.

Christian Fouchet submitted this French plan to the other foreign ministers of EC Member States in November 1961, but the Netherlands and Belgium demanded British participation in discussions. This difficulty is called "prélable anglais" or "English prerequisite". As a result, the revised version of Fouchet Plan was never formally discussed and until January 1962 meeting of Fouchet Committee

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[104] Michael E. Smith, op.cit., in note 101, p. 67.

[105] J. Susanne Bodenheimer, "The "Political Union" Debate in Europe: A Case Study in Intergovernmental Diplomacy", *International Organization* (Vol. 21, No. 1, Winter 1967), p. 27.

[106] Vanke, op.cit., p. 104.

[107] Bodenheimer, op.cit., p. 27.

was suspended.[108] The Netherlands worried that non-participation by the UK increases the danger of formation of European continental bloc which leads to disruptive consequences for NATO and of Franco-German directoire which dominated the new institution.[109] Dutch foreign minister Joseph Luns claimed that the new institution without British participation would cause the risk of a political division in Europe alongside the existing economic division.[110] Joseph Luns was against the idea of uniting Europe under French leadership and he regarded British participation in the new institution as a counterweight to France, because without British participation Germany, the defeated World War II power, would not have been permitted to attempt to take political leadership in the institution which would lead to institutionalization of French leadership of Europe.[111] Joseph Luns claimed that formation of a political bloc against their Anglo-Saxon allies which would endanger NATO and would also damage Dutch most vital interests. Belgian foreign minister Henri Spaak also shared the same concern with his Dutch colleague and wanted British participation to counterbalance France and West Germany.[112]

In January 1962, instead of discussing revised version of Fouchet Plan, a new French Draft prepared by De Gaulle himself was submitted, but, delegations of other five EC Member States prepared an alternative plan against it. This plan offered inviolability of the Economic Community and NATO and the revision clause

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[108] Bodenheimer, op.cit., p. 28.

[109] Vanke, op.cit., p. 107.

[110] Vanke, op.cit., p. 104.

[111] Hazel Smith, op.cit., in note 97, p.49.

[112] Vanke, op.cit., p. 104.

(providing for a review and the revision of the institutions of the Union after three years) which should mention the supranational aims of such a revision through the gradual introduction of majority voting in the Political Council.[113] De Gaulle accepted the clause guaranteeing the inviolability of the Treaty Establishing the ECSC, but the revision clause and the future evolution of the Union was never formally solved.[114] De Gaulle's rejection of the participation of the UK in discussions of Fouchet Plan and inclusion of a reference to NATO in treaty's preamble and the Netherlands' insistence on British participation led to the breakdown of negotiations on 17 April 1962. The other four members of the EC, except France and Germany, insisted on including NATO in the treaties preamble, but De Gaulle rejected this.[115] Also, France rejected the participation of Britain in the discussions about Fouchet Plan. Therefore, at last irreconcilable differences among EC Member States that is important disagreements among them, nationally oriented goals and modes of behavior and inadequate political will to reach an agreement led to breakdown of Fouchet Plan.

After the failure of Fouchet Plan, French President de Gaulle and West German Chancellor Konrad Adenauer, who devoted themselves to this project, continued their ways and established a bilateral political union among France and West Germany. In January 1963, Treaty of Franco-German Cooperation, so-called Elysée Treaty was signed which established institutionalized coordination of foreign

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[113] Bodenheimer, op.cit., p. 28.

[114] Bodenheimer, op.cit., p. 32.

[115] Vanke, op.cit., p. 108.

and defence policy through regular meetings of French and West German leaders and permanent commissions of coordination.[116]

3.3 European Political Cooperation

During the Arab-Israel War, so-called Six-Day War in 1967, leaders of the EC Member States convened in Rome to discuss the situation in the Middle East. West Germany regarded the Rome Summit as a rare opportunity to speak with a single voice about the tense situation in the Middle East.[117] The driving force behind the Rome Summit during 1967 Arab-Israel War was EC Member States' intention to coordinate their foreign policies, because they differed from each other in terms of their positions on important global issues like Middle East conflict. The EC except intergovernmental summits had no procedures or mechanisms to coordinate positions of EC Member States and it was the most suitable place for the coordination of EC Member States' foreign policies.[118] However, French President de Gaulle offered a four power summit including France, the USSR, the UK and the US to discuss a settlement for Arab-Israel conflict, but the US rejected this.[119]

3.3.1 The Hague Summit

In April 1969, de Gaulle resigned and Georges Pompidou took the Presidency and Pompidou started new initiatives for foreign policy cooperation. Pompidou initiated the Hague Summit on 2 December 1969 to discuss enlargement, economic and monetary union and political union. At the Hague Summit, the leaders of EC Member States decided that although membership should be offered to Britain,

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[116] Bodenheimer, op.cit., p. 29.

[117] Michael E. Smith, op.cit., in note 101, p. 63.

[118] Michael E. Smith, op.cit., in note 101, p. 63.

[119] Michael E. Smith, op.cit., in note 101, p. 63.

Denmark, Ireland and Norway, it should be tied to a commitment to Community institutions and practices which would be strengthened and deepened in a concurrent process to the enlargement negotiations.[120]

In addition, in the Hague Summit, it was declared that EC Member States were ready to "pave 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 mission."[121] At the Hague Summit, the responsibilities of taking step towards political union by harmonizing foreign policies of EC Member States was discussed[122] and the leaders of EC Member States

> …agreed to instruct their ministers of foreign affairs to study the best way of achieving progress in the matter of political unification within the context of enlargement the ministers would be expected to report before the end of July 1970.[123]

3.3.2 Luxembourg Report

A Committee composed of Political Directors of the EC Member States' foreign policies headed by the Belgian Political Director, Viscount Etienne Davignon drafted the report which was requested at the Hague Summit. Davignon submitted report at the Luxembourg Conference of Foreign Ministers on 27 October 1970 and it was approved. This report was named as Luxembourg Report or

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[120] Michael E. Smith, op.cit., in note 101, p. 66.

[121] Hazel Smith, op.cit., in note 97, p.66, Michael E. Smith, op.cit., in note 101, p. 69 and Hill & Smith, op.cit., p. 72.

[122] Hazel Smith, op.cit., in note 97, p. 27.

[123] Hill & Smith, op.cit., p. 74.

Davignon Report and created the European Political Cooperation. According to Luxembourg Report, the aims of the EPC are

> …To ensure, through regular exchanges of information and consultations, a better mutual understanding on the great international problems and to strengthen their solidarity by promoting the harmonization of their views, the coordination of their positions and where it appears possible or desirable, common actions.[124]

In the early 1970s, EC Member States intended to create the EPC, because of internal and external factors. As far as internal factors were concerned, EC Member States feared that the proposed enlargement of the EC would present further European Integration and West Germany's will to legitimize its policy of Ostpolitik by locating it within a European political framework. The external factors were EC Member States' will to play more effective role in the Middle East after 1967 Arab-Israeli War.[125] Also, in the early 1970s, the USSR gained a strategic parity with the US as it was codified in Strategic Arms Limitation Talk (SALT) treaties, in addition to that, the USSR's military and political activities had started to grow in Czechoslovakia and the horn of Africa. The eroding position of the US vis-avis the USSR led to an increase in the fears of Europeans about becoming vulnerable to nuclear blackmail and also, détente between the US and the USSR would lead Europeans to fear about a superpower condominium over European states irrespective of their wishes. Moreover, the increasing commercial and monetary rivalry and tensions over burden-sharing within the NATO suggested that the US might reevaluate its relations with Europe, weakening security guarantees and reevaluating its general attitude towards European Integration.[126] EC Member States'

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[124] Michael E. Smith, op.cit., in note 101, p. 72.

[125] White, op.cit., in note 21, p. 72.

[126] J. Jefrey Becker, "Asserting EU Cohesion: Common Foreign and Security Policy and the Relaunch of Europe", *European Security* (Vol. 7, no.4, Winter 1998), p. 16.

concern about American inattentiveness to European problems during the Vietnam War led to questioning of the reliability of the US as an ally. In the light of these factors EC Member States realized that their different national foreign policy positions could damage the EC, its policies and relations between its members and between the EC and external world.[127]

According to Luxembourg Report, EU foreign ministers would meet at least two times a year to discuss great international problems and if a grave crisis or matter of particular urgency emerged, a meeting of foreign ministers could be convened between biannual colloquies.[128] The Report referred only to cooperation in the area of foreign policy and it is agreed that EC Member States consult on all questions of foreign policy.[129] Here, by the EPC, EC Member States aimed at

> …ensuring through regular exchanges of information and consultations, a better mutual understanding on the great international problems; strengthening their solidarity by promoting the harmonization of their views, the coordination of their positions and where it appears possible and desirable common action.[130]

According to Luxembourg Report, foreign ministers of EC Member States were central decision-making body and would meet as conference of foreign ministers every six months or when necessary if convened by the Presidency. The Presidency is held by the foreign minister who also held the presidency of the EC.[131] The Luxembourg Report created a new institution which was the Political Committee composed of national political directors of foreign ministries of EC

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[127] Michael E. Smith, op.cit., in note 101, p. 72.

[128] Michael E. Smith, op.cit., in note 101, p. 72.

[129] Michael E. Smith, op.cit., in note 101, p. 72.

[130] Hill & Smith, op.cit., p. 74.

[131] Hazel Smith, op.cit., in note 97, p. 70.

Member States. The Political Committee would meet at least four times a year to prepare ministerial meetings and to carry out tasks given them by foreign ministers.[132] Political Committee also had the authority to establish working groups and panels of experts to consider specific problems.[133] Luxembourg Report offered that foreign ministries of each EC Member State appoint a liaison official to manage the EPC on a daily basis in the absence of a secretariat and although it was not mentioned in Luxembourg Report, these officials then became known as European Correspondents.[134] According to Luxembourg Report, the EPC had an intergovernmental character and it was held separate from the EC's institutional framework.

The Luxembourg Report recommended informal biannual colloquy between EC foreign ministers and members of European Parliament; the president in office of the EC would also prepare annual report on progress on the EPC and would submit it to the European Parliament.[135] The European Commission would be invited to say its views only if the work of foreign ministers in the EPC affected the activities of the EC.[136]

3.3.3 Copenhagen Report

On 19-20 October 1972, EC heads of the state and government convened in Paris. Progress in foreign policy cooperation was one of the issues on the agenda. At this summit, it was decided that the number of meetings of foreign ministers of EC

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[132] Michael E. Smith, op.cit., in note 101.

[133] Hazel Smith, op.cit., in note 97, p.70 and Michael E. Smith, op.cit., in note 101, p. 73.

[134] Michael E. Smith, op.cit., in note 101, p. 73.

[135] Michael E. Smith, op.cit., in note 101, p. 73.

[136] Michael E. Smith, op.cit., in note 101, p. 73.

Member States under the EPC would increase from two to four per year. It was also decided that Member States would formulate medium and long-term common positions where possible.[137] At Paris Summit, the foreign ministers were requested to prepare reports on ways to improve the EPC and the foreign policy cooperation prepared under the draftsmanship of Davignon. The report was completed and approved in July 1973 in Copenhagen.[138] This report was called Copenhagen Report. In this report, foreign ministers recognized that despite a short time, habit of automatic consultation among EC Member States on important foreign policy positions, that is the "coordination reflex", emerged.[139] In Part I of Copenhagen Report, it was state that

> …In several fields, the Member States have been able to consider and decide matters jointly so as to make common political action possible. This habit has also led to the 'reflex of coordination' among the Member States which has profoundly affected the relations of the Member States between each other and with third countries. This collegiate sense in Europe is becoming a real force in international relations.[140]

In Copenhagen Report, the idea that Member States were obligated to consult with each other on foreign policy issues was accepted, according to the report: …each state undertakes as a general rule not to take up final positions without prior consultation with its partners.[141]

The Decision to increase the number of foreign ministers of EC Member States meetings under the EPC from two to four per year was confirmed by

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[137] Michael E. Smith, op.cit., in note 101, p. 94.

[138] Hazel Smith, op.cit., in note 97, p. 72.

[139] Michael E. Smith, op.cit., in note 101, p. 94.

[140] Hill & Smith, op.cit., p. 84.

[141] Hill & Smith, op.cit., p. 73.

Copenhagen Report and it was decided that foreign ministers could convene in places other than country holding the presidency when they happen to come together on other occasions.[142] By the Copenhagen Report, the Commission began to participate in the EPC discussions at all levels and colloquies with parliament increases from two to four per year.[143] According to Copenhagen Report, Council of Foreign Ministers were informed through Committee of Permanent Representatives (COREPER) about the EPC conclusions which would have impact on the work of the EC. In addition, foreign ministers could use the EPC to prepare studies on political aspects of problems under examination in the EC.[144] The Copenhagen Report recommended that the embassies of EC Member States in the capitals of EC Member States and in other states were formally recognized as important participants in the implementation of the EPC. Moreover, EC Member States' embassies in the capitals of EC Member States could take information about the EPC and be consulted on specific subjects in two ways: firstly, at the seat of the presidency at the request of Political Committee, the presidency or another member state; secondly in another capital at the request of foreign ministry. One of the officials of each embassy was responsible for ensuring the necessary contacts with foreign ministry of their country of residence within the framework of the EPC. Embassies in third countries and permanent representatives to international organizations were provided information about the EPC and invited to make common reports when necessary. Delegations of EC Member States in prominent international organizations were directed to regularly consider matters together and

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[142] Hill & Smith, op.cit., p. 74.

[143] Hazel Smith, op.cit., in note 97, p. 74.

[144] Michael E. Smith, op.cit., in note 101, p. 96.

on the basis of instructions received seek common positions in regard to important questions dealt with by those organizations.[145]

The Copenhagen Report created a mechanism for information sharing among the EC Member States called Correspondance Européene (COREU), an encrypted telex network.[146] Communications and Materials Branch of the Dutch Ministry of Foreign Affairs managed the COREU System and its operating cost was equally shared by EC Member States and it started to operate during the first Danish Presidency in late 1973.[147]

3.3.4 London Report

During the Soviet invasion of Afghanistan in December 1979 and Iranian Hostage Crisis in 1980, the EC Member States' inability to react these crises in a speedy and cohesive manner led to worries about the EPC's ability to coordinate EC Member States' response to a crisis situation. In Britain, Douglas Hurd and Lord Carrington advocated an increased political commitment to the EPC, an improved consultation mechanism for coping with international crisis and strengthening of diplomatic and administrative support for the presidency, that is the creation of a permanent, small secretariat to help presidency.[148] West Germany also demanded the inclusion of security issues within the EPC.

London Report was agreed by foreign ministers on 13 October 1981. In Part I of London Report, foreign ministers believed that

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[145] Michael E. Smith, op.cit., in note 101, p. 97.

[146] Michael E. Smith, op.cit., in note 101, p. 97.

[147] Michael E. Smith, op.cit., in note 101, pp. 97-98.

[148] Hazel Smith, op.cit., in note 97, p.82 and Michael E. Smith, op.cit., in note 101, p. 125.

> In a period of increased world tension and uncertainty, the need for a coherent and united approach to international affairs by members of the European Community is greater than ever. They note that in spite of what has been achieved, the Ten are still far from playing a role in the world appropriate to their combined influence. It is their conviction that the Ten should seek increasingly to shape them and not merely to react them.[149]

As a result, foreign ministers emphasized that in order to play an important role in a world in which tensions and uncertainties increased. The EC Member States should combine their efforts and play an active role rather than a reactive role. Foreign ministers, in Part I of London Report, emphasized the importance of consultation among EC Member States and their commitment to consult each other before adopting final positions or launching national initiatives on all important questions of foreign policy which concern all EC Member States. Furthermore, foreign ministers stated that EC Member States should take into account the position of other partners and give importance to the desirability of achieving common position. Especially in important international conferences whose agenda include issues under the EPC discussions, EC Member States should consult each other and try to adopt common position. More importantly, foreign ministers emphasized that it is increasingly possible for EC Member States to speak with one voice in international affairs. Moreover, in addition to common position, joint action was regarded within the capacity of EC Member States.[150] By London Report, political aspects of security were accepted as one of the issues which can be discussed within the EPC. In Part I of London Report, foreign ministers stated that it was agreed to maintain the flexible and pragmatic approach which enabled to discuss certain

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[149] Hill & Smith, op.cit., p. 115.

[150] Hill & Smith, op.cit., p. 115

important foreign policy questions including political aspects of security within the EPC.

By London Report, foreign ministers were authorized to continue their informal Gymnich–type meetings established in 1974 and foreign ministers were also allowed to meet on the same occasion as the Council of European Communities.[151] The Troika facility was established to assist the president in office, which was composed of a small team of officials from preceding and succeeding presidencies. These officials would be employed in their national foreign ministries on the staff of embassy in the presidency capital, but would work under the direction of presidency.[152] The President may delegate certain tasks to his successor and also demand from his predecessor to complete tasks which are near to completion when the presidency is handed over.[153] The presidency also has the authority to represent the EPC in third countries for discussing certain matter which particularly concern that country. Furthermore, if necessary and if EC Member States so agree the presidency with Troika may meet the representatives of third countries.[154]

It is stated in London Report that Heads of Mission of EC Member States in third countries would continue to meet regularly to exchange information and coordinate views. In their response to important events that occurred in the country to which they are accredited, their first instinct should be coordinated with the other heads of missions of their partners.[155] It is stated in the London report that Heads of

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[151] Hill & Smith, op.cit., p. 83.

[152] Hazel Smith, op.cit., in note 97, p.83.

[153] Hill & Smith, op.cit., p. 119.

[154] Hill & Smith, op.cit., p. 118.

[155] Hill & Smith, op.cit., p. 118.

Mission of EC Member States with their own initiative or by the request of Political Committee would prepare and submit joint reports to Political Committee.[156]

According to London Report, the presidency would be the spokesman in the European Parliament (EP). London Report called for frequent contacts between the EP and the presidency, which involved annual colloquies with the Political Affairs Committee. The presidency would answer EP's questions on the EPC and would submit Annual Report on the EPC to the EP and would make presidency speeches at the beginning and end of its term of office.[157] In London Report in order to respond to an international crisis in a speedy and effective way, a Crisis Procedure was adopted which called for convening of the Political Committee or if necessary, a ministerial meeting within 48 hours at the request of three Member States. The same procedure will also be applied to Heads of Missions in third countries. Moreover, in order to improve the capacity of EC Member States to react emergency situations, working groups are encouraged to analyse areas of potential crisis and to prepare a number of possible reactions of EC Member States to these crisis.[158]

3.3.5 Solemn Declaration on the European Union (Stuttgart Declaration)

Stuttgart Declaration was adopted by the Head of State and Government of Member States of the EC meeting within the European Council on 19 June 1983. In the preamble of Stuttgart Declaration, it is stated that by speaking with single voice in foreign policy including political aspects of security, Europe can contribute to the

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[156] Hill & Smith, op.cit., p. 118.

[157] Hill & Smith, op.cit., p. 119.

[158] Hill & Smith, op.cit., p. 119.

preservation of peace.[159] Also, under title of objectives, political and economic aspects of security was allowed to be discussed within the EPC, and Article 1.4.2 stated that

> To strengthen and develop European Political Cooperation through the elaboration and adoption of joint positions and joint action on the basis of intensified consultations, in the area of foreign policy, including the coordination of the positions of Member States on the political and economic aspects of security, so as to promote and facilitate the progressive development of such positions and actions in a growing number of foreign policy fields.[160]

Denmark opposed to giving responsibility to the Community in the area of security policy and put reservation on paragraph 1.4.2 of Stuttgart Declaration. Apart from inclusion of political and economic aspect of security in the EPC, Stuttgart Declaration reiterated the arrangements made by previous EPC documents.

Miguel Angel Medina Abellan also asserted that by Stuttgart Declaration, the concern about the EC as a global actor and the need for a consistent international action was reflected for the first time in an official document and it was also stated that the European Council ensures consistency between the EC and EPC. In between the meetings of the European Council, the General Affairs Council was tasked with that responsibility. In addition, the importance of greater consistency and close coordination at all levels in order to allow global and coherent action was emphasized.[161]

3.3.6 Single European Act

The Single European Act (SEA) was signed by 12 members of the EC on 17 February 1986 and came into force on 1 July 1987. The SEA was an important stage

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[159] Hill & Smith, op.cit., p. 126.

[160] Hill & Smith, op.cit., p. 127.

[161] Abellan, op.cit., p. 5.

in the development of the EPC. By the SEA, the EPC had gained treaty base and it was included in the Founding Treaty of the EC. The EPC was formulated and codified by the SEA and the procedures established under the EPC since 1970 was included in the Founding Treaty of the EC by the SEA. By the SEA, the EPC and the EC were put under the same legal umbrella, and while the EC institutions was regulated by the provisions of Title II, the institutions and bodies responsible for the EPC was regulated under Title III Article 30 of the SEA. According to Title I Article I of the SEA, the EC shall be founded on the Treaties establishing the ECSC, the EEC and the European Atomic Energy Community (EAEC) and on the subsequent Treaties and Acts modifying or supplementing them. Political cooperation shall be governed by Title III. The provisions of that title shall confirm and supplement the procedures agreed in the reports, of Luxembourg 1970, Copenhagen 1973, London 1981, the Solemn Declaration on the European Union 1983 and the practices gradually established among the Member States.

Unlike EC's external policies, EPC was given an intergovernmental character. By calling EC Member States as High Contracting Parties not EC Member States, the SEA emphasized the intergovernmental character of the EPC. The first paragraph of Article 30 of the SEA stated that the High Contracting Parties, being members of the European Communities shall endeavor jointly to formulate and implement a European foreign policy. As a result, this showed that the SEA aimed at forming a European foreign policy not a common foreign policy.[162]

According to Pascal Gauttier, the SEA first introduced the concept of coherence in a clear and explicit way in the Founding Treaty of the EC. He also claimed that in the SEA, two faces of coherence (vertical and horizontal) were

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[162] Smith, op.cit., in note 101, p. 149.

clearly laid down.[163] Abellan asserted that the political concern of search for coherence between EPC and EC policies was translated into legal terms in the Single European Act which not only linked the Community and intergovernmental processes, but also contained several references to the requirement of consistency and the emphasis on its enhancement.[164] Gauttier and Abellan adressed the Preamble of the SEA which stated "awareness of the responsibility incumbent upon Europe to aim at speaking ever increasingly with one voice and to act with consistency and solidarity in order more effectively to protect its common interests and independence...". The SEA imposed on EC Member States a commitment to

> Inform and consult each other on any foreign policy matters of general interest so as to ensure that their combined influence is exercised as effectively as possible through coordination, the convergence of their positions on the implementation of joint action.[165]

In addition, the SEA imposed an obligation on EC Member States to refrain from any unilateral action that impair their effectiveness as a cohesive force in international relations or within international organizations.[166] According to Michael E. Smith, becoming a cohesive force in international relations was an explicit motive behind the inclusion of the EPC into the SEA. Article 2 of the SEA stated that the European Council which shall meet at least twice a year composed of Heads of State and Government and the president of Commission of the EC was formally recognized within the SEA. In order to assist presidency in preparing and implementing the activities of the EPC and in administrative matter, a secretariat

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[163] Gauttier, op.cit., p. 25.

[164] Abellan, op.cit., p. 5.

[165] Fraser Cameron, *The Foreign and Security Policy of theEuropean Union, Past, Present and Future* (Sheffield: Sheffield Academic Press, 1999), p. 19.

[166] Hill & Smith, op.cit., p. 144.

based in Brussels which works under the authority of the EC presidency was established by the SEA. Also, in the SEA, EC Member States declared their readiness to coordinate their positions more closely on political and economic aspects of security. Abellan claimed that Article 30.5 was the main provision concerning coherence which stated that external EC policies and policies agreed in the EPC must be consistent and the Presidency and Commission have the responsibility to ensure such consistency.[167] Abellan claimed that by the SEA, for the first time, Founding Treaty of the EC had created an obligation and had conferred responsibility for ensuring its observance on the Presidency and the Commission. As Christopher Hill and Karen E. Smith quoted from Simon Nuttall, the EC had gained a second pillar by the SEA, that is the EPC.[168] David Allen called this as 'twin pillar structure'[169]. Abellan put forward that the spirit of the SEA was to allow coordination and coherence between the EC and EPC while at the same time keeping them separate and maintaining their separate identities.[170]

3.3.7 EPC in Action

Throughout 20 years experience of EPC, there are examples of failures and successes of it in coordinating foreign policies of EC Member States and speaking with a coherent and effective voice in international politics.

A clear example of success was the CSCE process, in which the EC Member States adopted a common position in the preparation and implementation of

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[167] Abellan, op.cit., p. 5.

[168] Hill & Smith, op.cit., p. 138.

[169] David Allen, "Who Speaks for Europe" in John Peterson and Helene Sjuersen (eds.), *A Common Foreign and Security Policy* (London: Rotledge, 1998), p. 49.

[170] Abellan, op.cit., p. 5.

the CSCE.[171] During the CSCE process which led to Helsinki Final Act in 1975, EC Member States set the agenda for the CSCE and largely contributed to the success of the CSCE process.[172] EC Member States played a leadership role in the CSCE process both due to external environment of East-West détente and because the US did not take leadership role itself. EC Member States submitted proposals which were included in the Final Act, and consultation among EC Member States took place on all three baskets of the CSCE with common positions presented by the presidency rather than the Member States. By this, EC Member States were able to speak with one voice over an important issue, that is the security.[173] Helsinki Final Act was signed by Aldo Moro, the president of the Council, on behalf of the Community. Thus, EC Member States' success in coordinating their efforts and adoption of a common position through the EPC enabled them to play a decisive role in the preparation of Helsinki Final Act, the CSCE process. This led to an increase in EC profile in international politics. This showed that EC Member States could be an effective actor in international politics, if they act coherently. As Simon Nuttall argued In preparations for the CSCE and in their subsequent participation in it, the Six, later Nine, were able to exercise collective influence beyond the capabilities of any one of them acting separately.[174]

A clear example of failure of the EC Member States to coordinate their foreign policies and speak with a coherent and effective voice through the EPC was

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[171] Simon Nuttall, "Two Decades of EPC Performance" in Regelsberger, Elfriede, de Schoutheete de Tervant, Philippe and Wessels, Wolfgang (eds.), *Foreign Policy of the European Union: From EPC to CFSP and Beyond* (Boulder, Colorado:Lynne Riener Publishers, 1997), p. 14.

[172] Ibid., p. 23 and White, op.cit., p. 83.

[173] Wyatt-Walter, op.cit., p. 35.

[174] Simon J.Nuttall, *European Foreign Policy* (United States: Oxford University Press, 2000), p. 15.

their lack of coherence toward 1973 Arab-Israeli War and Organization of Petroleum Exporting Countries (OPEC) Oil Embargo in 1973. During 1973 Arab-Israeli War, EC Member States remained divided, while France and Britain supported the Arab cause, the Netherlands and West Germany supported the Israeli position. These divisions among them prevented the adoption of a collective European response to the War.

Moreover, EC Member States' divisions continued during their response to the OPEC Oil Embargo. Arab States applied embargo selectively to EC Member States; Britain and France were accepted as friends and were treated accordingly and the Netherlands like the US was accepted as enemy and treated accordingly and other EC Member States were accepted as neutrals.[175] The Netherlands was completely embargoed; France and Britain as friends received normal supplies of oil and other EC Member States were threatened with phased reductions of 5% per month.[176] EC Member States realized that this treatment should be countered by a common action and they issued a statement which recognized the legitimate right of the Palestinians which was welcomed by Arab States. As a result, they exempted the EC from the cutbacks in oil supplies except the Netherlands.[177] Despite continuation of oil embargo on the Netherlands, instead of unifying behind the Netherlands, some EC Member States had concluded bilateral agreements with OPEC Member States. Although the EC Commission and other Member States attempted to organize a common EC response, France, the UK, West Germany and Italy concluded supply agreements with OPEC members at the expense of a common European approach,

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[175] Nuttall, op.cit, in note 171, p. 25.

[176] Michael E. Smith, op.cit., in note 101, p. 112.

[177] Nuttall, op.cit, in note 171, p. 25.

which meant that their national interests prevail over EC solidarity.[178] For Roy Ginsberg, the response of these four Member States to the OPEC Oil Embargo was the lowest point in the history of EC foreign policy activity.[179] EC Member States' divisions towards the 1973 Arab-Israeli War and their failure to show solidarity towards OPEC Oil Embargo undermined their efforts for foreign policy cooperation under the EPC.

In conclusion, during the Post World War II, European States' efforts to cooperate in the areas of foreign and security policy gradually evolved and these efforts were characterized as the EDC, Fouchet Plan and the EPC. These three efforts acted as predecessors of each other, that means the failure of the EDC and Fouchet Plan acted as a though learning for EC Member States and in formulating the EPC, they refrained from same failures. The EDC and Fouchet Plan failed, because of varying interests among European states, their varying approaches towards the form of cooperation whether supranational or intergovernmental and their sensitiveness towards their national sovereignty. The EDC failed, because of French National Parliament's rejection of EDC Treaty. Fouchet Plan failed, because of irreconcilable differences among EC Member States, important disagreement among the Netherlands and France about British participation in Fouchet Plan discussions, nationally oriented goals, mode of behavior and inadequate will to reach an agreement. The EPC which was created by Luxembourg Report has created a reflex of coordination and habit of consultation and cooperation among EC Member

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[178] Roy H. Ginsberg, *Foreign Policy Actions of the European Community: The Politics of Scale* (USA: Lynne Riener Publishers, 1989), p. 13.

[179] Ibid.

States and established many practices, norms and institutions for foreign and security

policy cooperation which was then adopted and furthered by the CFSP.

CHAPTER 4

THE BIRTH OF THE COMMON FOREIGN AND SECURITY POLICY

4.1 The Road to Maastricht

During the early 1990s, the Cold War which shaped international politics since early 1950s ended and with the end of the Cold War, security perceptions and security environment in Europe changed. The USSR had no longer posed a threat towards Europe and bipolar character of international politics had faded away. New security challenges for Europe can be summarized as political and economic instability in the ex-communist countries in Central and Eastern Europe, ethnic and nationalist conflict, cross-border terrorism, massive immigration, destruction of environment, organized crime, spread of nuclear weapons and massive violation of human rights.[180]

In the Post Cold War period, two important events convinced EC Member States to further their cooperation in the areas of foreign and security policy and the launch of the CFSP by the Maastricht. These events were Gulf War in 1991 and Yugoslavian Conflict in the early 1990s.

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[180] Helene Sjursen, "The Common Foreign and Security Policy: an Emerging New Voice in International Politics?", *Arena Working Papers*, (99/34) http://arena.uio.no and Jannis Sakellariou, and Tamara Keating, "Safeguarding Multilateralism: The Urgency of European Defence", *The Brown Journal of World Affairs* (Vol. IX, Iss. 2, Winter/Spring 2003), p. 84.

4.1.1 Gulf War

On 2 August 1990, Iraq under leadership of Saddam Hussein invaded Kuwait. EC Member States responded to this invasion rapidly and adopted a coherent position initially. However in the course of time, the coherence among European States was undermined, because of diverging national interests of EC Member States. They could not maintain their unified position toward the Gulf Crisis and War. After hours of invasion, the EC Member States issued a statement condemning the invasion and calling for an immediate withdrawal of Iraqi forces from Kuwait.[181] Political Committee convened in Rome on 4 August 1991 and decided to impose sanctions and a statement announcing an embargo on oil imports from Iraq and Kuwait, appropriate measures for freezing Iraqi assets in the territory of EC Member States, an embargo on sales of arms and other military equipments to the Iraq, the suspension of any cooperation in the sphere of military with Iraq, the suspension of technical and scientific cooperation with Iraq and the suspension of the application to Iraq of the System of Generalized Preferences.[182]

EC Member States also decided to grant aid to the neighbouring states of Iraq which were suffering most directly from Iraqi invasion of Kuwait and these states were Turkey, Jordan and Egypt. As a result, 175 million European Currency Unit (ECU) to Egypt in grant aid, 150 million ECU to Jordan in grant aid and 175 million ECU to Turkey in interest-free loans were allocated.[183]

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[181] Nuttall, op.cit, in note 174, pp. 129-130.

[182] Nuttall, op.cit, in note 174, p. 130.

[183] Nuttall, op.cit, in note 174, p. 133.

During the Gulf Crisis, that is the period between the invasion of the Kuwait by Iraq and the beginning of the War, and Gulf War, EC Member States decided to cooperate militarily through the Western European Union (WEU). The WEU played a pivotal role during the Gulf Crisis and War in providing a focus for states' contributions and in coordinating the activities of NATO's European members.[184] The WEU played a role in the naval embargo during the Gulf Crisis and War, but EC Member States made their own arrangements with the US when it came to fighting the war.[185] WEU Member States contributed over 30 vessels for enforcement of embargo, but it was not under an integrated political command structure, they were under national command due to the political differences among member states.[186] France demanded coordination of national activities not a joint operation involving specific command and control procedures.[187]

In the case of European hostages which Saddam Hussein had taken in Iraq and Kuwait, EC Member States lacked the coherent approach. At the beginning of August 1990, there were approximately 8000 EC nationals in Kuwait and Iraq and over half of them were UK citizens.[188] On 21 August 1990, a special EPC Ministerial Meeting was held in Paris to discuss situation of foreign nationals. After the meeting, a statement was issued and it

> warned the Iraqi government that any attempt to harm or jeopardize the safety of any EC citizen will be considered as a most grave offence directed against the Community and all its Member States and will

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[184] Trevor J. Salmon, "Testing Times for European Political Cooperation: the Gulf and Yugoslavia", 1990-1992", *International Affairs* (Vol. 68, No. 2, 1992), p. 244.

[185] Ibid., p. 245

[186] Wyatt-Walter, op.cit., p. 189.

[187] Nuttall, op.cit., in note 174, p. 136.

[188] Nuttall, op.cit., in note 174, p. 137.

provoke a united response from the entire community and warned Iraqi citizens that they will be held personally responsible in accordance with international law for their involvement in illegal actions concerning the security and life of foreign citizens.[189]

EC Member States' initial unified position on European hostages in Iraq and Kuwait was undermined by Saddam Hussein's efforts to split the alliance against him, in which he negotiated some of EC Member States separately about their nationals. Special representatives of some of the EC Member States visited Baghdad to negotiate the release of their nationals. After the visit of former French Foreign Minister Claude Cheysson to Arafat, on 22 October 1990 Iraqi government announced to release all 327 French hostages.[190] After French unilateralist diplomacy for securing the release of its nationals held hostage in Iraq and Kuwait, former British Prime Minister Edward Heath visited Baghdad and he secured the release of 33 sick and elderly British citizens.[191]

On 28 October 1990, European Council met in Rome and set out guidelines on the hostage question in order to prevent the unilateral action that undermined EC solidarity and its credibility in the eyes of international community. The Member States of the EC reaffirm

> their total solidarity in achieving the freedom of all foreign citizens trapped in Iraq and Kuwait and denounce the unscrupulous use which Iraq is making of them with the role and vain purpose of trying to divide the international community... they affirm their determination not to send representatives of their governments in any capacity to negotiate with Iraq the release of foreign hostages and to discourage other from doing so.[192]

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[189] Nuttall, op.cit., in note 174, p. 137.

[190] Nuttall, op.cit., in note 174, p. 138.

[191] Nuttall, op.cit., in note 174, p. 138.

[192] Nuttall, op.cit., in note 174, p. 139.

Despite this statement of European Council, former German Chancellor Willy Brandt visited Baghdad to secure the release of German hostages held in Iraq. Although Chancellor Kohl was against the Brandt's initiative, under public pressure Kohl government was forced to give Brandt their blessing and granted an Airbus from Lufthansa to bring the German hostages back.[193] EC Member States' inability in maintaining the coherent position undermined their effectiveness and brought EPC into disrepute. It also encouraged cynical views about seriousness of France and Germany.[194] This demonstrated that the Germans had no scrupulous attitude about breaking the Community line when necessary, Kohl had the idea of sending his own emissary to Baghdad to match domestic impact of the Brandt's visit. This hostage crisis showed that EPC only worked as long as it remained in the area of the foreign policy; once national elites were exposed to domestic pressure, the consensus does not work.[195]

During the Gulf Crisis and War, domestic politics played a determining role in EC States' reactions. In Italy, the divisions between Prime Minister, Andreotti, a Christian Democrat and foreign minister, de Michelis, a Socialist, limited the Italian initial response to the crisis. Italy sent only three frigates and ten Tornado planes to the Gulf and suffered one death.[196]

At the time of Gulf Crisis and War, Federal Republic of Germany was busy with reunification of two Germanies. Germany did not want to go against the USSR

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[193] Nuttall, op.cit., in note 174, p. 139.

[194] Nuttall, op.cit., in note 174, p. 140.

[195] Nuttall, op.cit., in note 174, p. 140.

[196] Salmon, op.cit., p. 237.

until reunification would be completed[197] and also there were constitutional limitations on sending troops to the Gulf. According to the Basic Law, Federal Republic of Germany shall build up armed forces for defence purposes and German forces cannot be used outside the NATO area.[198] Although Chancellor Kohl wanted to participate in the Gulf War militarily in order to repay the US for its support for reunification and show willingness of Germany to contribute in the future to the security and stability both in Europe and outside Europe; domestic pressures prevented him to do so, Germany only sent forces under the auspices of NATO in January 1991. Furthermore, it sent Alpha fighter aircraft and 300 air personnel to help defend Turkey and this was the first deployment of German forces outside German territory since the end of World War II. Patriot Missiles to Israel and at the end of the war a flottial minesweeper to the Gulf were also sent by Germany.[199] Germany gave financial and economic support to Turkey, Egypt and Jordan and Syria and provided financial assistance in the form of technical aid to the US troops in Saudi Arabia and to contribute to the US and the UK costs.

In France, a governmental division existed between defence minister, Jean Pierre Chevement and President, François Mitterrand. Chevement consistently adopted a softer line against pro-Iraqi business interests and concerned with spreading of conflict into the other areas of the Middle East and argued for confining the military activity to the target in Kuwait. However, President François Mitterrand denied the geographical limitation on military activity.[200] During the crisis due to the

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[197] Nuttall, op.cit., in note 174, p. 144.

[198] Salmon, op.cit., pp. 237-238.

[199] Salmon, op.cit., p. 238.

[200] Salmon, op.cit., p. 239.

strong pro-Iraqi pressure, France's historic relationship with the Maghreb countries and a large number of Arab immigrants living in France, French government attempted to solve the conflict by negotiations.[201] François Mitterrand decided to launch a diplomatic initiative on his own and in his speech to General Assembly of the UN on 24 September 1990 stated if Iraq withdrew from Kuwait and released hostages, everything is possible.[202] At EPC meeting on 4 January 1991, French foreign minister Dumas offered EC talk with Iraqi foreign minister Tariq Aziz and advocated a link between Iraqi withdrawal from Kuwait and suggested that international conference on democracy in Kuwait and the entire Arab-Israeli conflict be held.[203] On 14 January 1991, France brought the proposals to the UN Security Council. However, France had not informed its EC partners about this proposal and had acted unilaterally, so the proposal failed. During the Gulf War, French troops participated in the war under US military command.[204]

During the Gulf Crisis and War, EC Member States failed to maintain a common position on the crisis due to the varying domestic political considerations and varying national interests of EC Member States. Especially, on the issue of European hostages in Iraq and Kuwait, some of EC Member States' unilateralist initiatives, France, Britain and Germany undermined coherence of EC Member States. The Gulf Crisis and War significantly affected the shape of EC's common foreign and security policy. The Gulf Crisis and War had changed the course of discussion on common foreign and security policy. Before the war, EC's foreign

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[201] Wyatt-Walter, op.cit., p. 190.

[202] Nuttall, op.cit., in note 174, p. 141.

[203] Salmon, op.cit., in note 184, p. 240 and Wyatt-Walter, op.cit., in note 73, p. 190.

[204] Salmon, op.cit., in note 184, p. 239.

policy laid on peaceful lines. The trend of history toward disarmament and dismantling of military alliances and it was accepted that the EC's contribution to the new security environment in Europe was through nonmilitary means as a civilian power.[205] However, Gulf War obliged the Member States to confront their global responsibilities in the post-Cold War world, and the security and defence dimensions of the CFSP gained much more importance.[206] The Gulf War demonstrated the limits of EPC in maintaining the cohesion and unity of EC Member States, the hostage crisis and diplomatic initiatives to solve the crisis showed that when domestic pressures was too strong maintaining the cohesion demanded by EPC became very difficult.[207]

After the end of the Gulf War, EC Member States adopted a coherent position which they lacked during the Gulf Crisis and War with John Major's initiatives for a UN force to protect Kurdish refugees.[208] This initiative aimed at creation of safe heavens for Kurdish refugees which would enable them to come down from mountains and return their homes and this initiative enabled Europeans to show that European foreign policy was capable of acting as well as talking.[209] The Gulf War demonstrated the Europeans that in order to achieve a recognized international role, the ability to project was needed and that the Europeans did not have this ability collectively.[210]

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[205] Nuttall, op.cit., in note 174, p. 147.

[206] Nuttall, op.cit., in note 174, p. 129.

[207] Nuttall, op.cit., in note 174, p. 129.

[208] Salmon, op.cit., p. 248.

[209] Nuttall, op.cit., in note 174, p. 146.

[210] Nuttall, op.cit., in note 174, p. 147.

4.1.2 Yugoslavian Conflict

During the breakdown of the ex-Yugoslavia, the EC Member States lacked coherence in their approaches toward the Crisis. Especially, on the issue of recognition of Croatia and Slovenia Germany broke the consensus and on the issue of military intervention the EC Member States could not agree on a common position.

In the early days of the Yugoslavian Conflict, EC Member States tried to solve the dispute through dialogue between the parties in Yugoslavia and they were committed to the preservation of territorial integrity of Yugoslavia. They advocated the establishment of a new Yugoslavia based on the principles of freedom and democracy and they also argued the Republics which wanted to secede should look for solution which kept Yugoslavian Federation together.[211] For the EC, a united and democratic Yugoslavia was in the interest of the Europe and Jacques Poos as the president of the Council stated that Yugoslavia could have expectations with respect of its association with the Community if its territorial unity and integrity are safeguarded. Any other attitude could jeopardize internal frontiers in Europe.[212]

Foreign ministers of EC Member States on 24 June 1991 declared that they would not accept any unilateral declaration of independence by Croatia and Slovenia They asserted that this kind of unilateral act could not solve the problem, so they would refuse to contact with secessionists. Moreover, the EC offered to help Yugoslavia in preparing a democratic constitution and restructuring. Despite this declaration, Germany once again like in Hostage Crisis in the Gulf War, broke down the consensus and turned to recognition of two breakaway republics, Croatia and

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[211] Nuttall, op.cit., in note 174, p. 195.

[212] Nuttall, op.cit., in note 174, p. 195.

Slovenia, because of domestic pressure in favor of these republics. The domestic pressure come from a large number of closely knit Croatian émigré in Germany, intensive media campaign led by Die Welt and the Frankfurter Allgemeine Zeitung, a campaign for the recognition of Croatia and Slovenia. As soon as they had formally declared independence, campaign for the recognition of these republics led by SPD Party and Germany's religious bonds of Roman Catholicism with Croatia led to the public sympathy for Croatia and Slovenia.[213]

Furthermore, many Germans thought that recent experience of German reunification could be achieved by the application of principle of self-determination, so it can be applied to situation in Yugoslavia.[214] Secretary General of Christian Democratic Union (CDU), Volker Rühe supported this view and said

> We won unification through the right of self-determination. If we Germans think that everything may remain as it is in Europe, that we may pursue a policy of the status quo without recognizing the right to self-determination of Croatia and Slovenia, we lose our moral and political credibility…We should start a movement in the EC to lead to such recognition. It couldn't be done alone.[215]

Germany also thought that recognition would strengthen the position of Croatia and Slovenia for Germany. Yugoslavia was dead and the principle of self-determination should be applied and the threat of recognition might force the federal authorities and the Serbs to be more amenable to peace talks and maintenance of ceasefire.[216] Germany attempted to persuade its EC partners to come to the line of recognition and Denmark, Belgium and Italy supported the recognition, but France,

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[213] Nuttall, op.cit., in note 174, p. 216 and Wyatt-Walter, op.cit., p. 217.

[214] Wyatt-Walter, op.cit., p. 217.

[215] Nuttall, op.cit., in note 174, p. 217.

[216] Salmon, op.cit., p. 252.

Britain and the Netherlands opposed to the recognition, as they thought that this recognition would be premature and they feared that if recognized, Croatia would then demand military assistance which would make the crisis worse. Moreover, a recognition without safeguards for minorities throughout Yugoslavia would only increase the bloodshed and violence.[217] Also, for Lord Carrington, to recognize Slovenia and Croatia at this state would be to lose one of the few cards which the EC had and would destroy the chance of a successful outcome of the Peace Conference.[218] However, under intensive domestic pressure, Kohl in his speech to the Bundestag on 27 November made a commitment to recognize Slovenia and Croatia before Christmas and confirmed it to President Tudjman of the Croatia on his visit to Bonn in December 1991.[219]

French President Mitterrand thought that without agreed borders and firm guarantees for the rights of minorities, the stability in Yugoslavia could not be guaranteed and he thought that before recognition, agreed frontiers and respect for minority rights should be guaranteed and the EC should adopt a joint decision based on these principles.[220] Mitterrand thought that in order to prevent question of recognition from damaging Maastricht negotiations, recognition should be postponed until after Maastricht.[221]

During extraordinary EPC Ministerial Meeting in Brussels on the night of 15-16 December 1991, Foreign Ministers agreed to recognize breakaway republics

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[217] Salmon, op.cit., p. 252.

[218] Nuttall, op.cit., in note 174, p. 217.

[219] Nuttall, op.cit., in note 174, p. 218.

[220] Nuttall, op.cit., in note 174, p. 221.

[221] Nuttall, op.cit., in note 174, p. 221.

on the basis of advice of Badinter Commission which would evaluate republics according to "the guidelines on the recognition of New States in Eastern Europe and in the Soviet Union" and the decision of recognition would be applied on 15 January 1992 if the report would be favorable.[222] The criteria for recognition included human right guarantees, guarantees for minorities, undertakings that borders would be changed only by peaceful means and commitment to non-proliferation and arms control and an additional criterion for Yugoslavia was the requirement to support the UN efforts to deploy a peacekeeping force and Lord Carrington's peace conference.[223] However, Germany, without waiting the Badinter Commission's Report, recognized Croatia and Slovenia on 23 December 1991 as Kohl promised Tudjman, that they would be recognized before Christmas. On the other hand, as a gesture to its EC partners, Germany announced it would not open diplomatic relations with Croatia and Slovenia until 15 January 1992.[224]

Badinter Commission's Report was issued on 11 January 1992 and it posed substantial doubts whether these republics have completely met recognition criteria.[225] Germany's unilateral recognition once again undermined the unity and credibility of the EC in the eyes of international community like Hostage Crisis in the Gulf War. Other EC Member States came to the line of recognition on 15 January 1992, because they feared from public criticism which would start if EC Member States showed a split after having decided on a common foreign and security

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[222] Nuttall, op.cit., in note 174, p. 218.

[223] Salmon, op.cit., p. 253.

[224] Salmon, op.cit., p. 253.

[225] Salmon, op.cit., p. 253.

policy.[226] As Simon Nuttall argued by German unilateral recognition of Slovenia and Croatia, the EC could not speak with a single voice and this undermined the effectiveness of EPC. This event also led to a loss of trust by Germany's partners in the German government's commitment to a collective policy. This also led to renewal of efforts to deepen and further institutionalize the internalization of role expectation, and a policy planning unit within the CFSP's political secretariat was developed to provide for advance planning in response to possible crises and to forestall crisis and loss of trust.[227] Helene Sjursen also claimed that EC Member States decided to develop stronger institutions in order to prevent unilateral act in the future.[228]

During the Yugoslavian Crisis, EC Member States were also divided on the issue of military intervention in the Yugoslavian Conflict. At the Extraordinary EPC Ministerial Meeting on 29 July 1992, French foreign minister Dumas proposed the sending of a peacekeeping force, but other Member States did not support this proposal and in an EPC Ministerial Meeting on 6 August he proposed the use of WEU for peacekeeping force, but the UK, Denmark, Germany and Portugal opposed this, but Germany did not exclude intervention by using the EC or the CSCE.[229]

At the emergency meeting of the WEU Council on 19 September 1991, the Netherlands Presidency proposed the dispatch of a lightly armed force under the auspices of the WEU. The UK agreed to studies made by the WEU, but the UK offered that forces would only be sent after ceasefire. On 30 September 1991, ad hoc

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[226] Nuttall, op.cit., in note 174, p. 222.

[227] Ben Tonra, "Constructing the Common Foreign and Security Policy: The Utility of a Cognitive Approach", *Journal of Common Market Studies* (Vol. 41, No. 4, 2003), p. 741.

[228] Sjursen, op.cit., in note 8, p. 13.

[229] Nuttall, op.cit., in note 174, p. 211.

group, which was established to study armed intervention, proposed four options which included logistics underpinning of the monitors through armed escort and protection (3000-5000 men) and a peacekeeping force supporting the monitors (over 10000) to an expanded peacekeeping force (over 20000).[230] Germany was hesitant about military intervention, the Netherlands declared its readiness to supply a battalion and Belgium promised its support, but the UK opposed military intervention.[231] Agreement on military intervention in Yugoslavian Conflict was not reached because of opposition of some Member States led by the UK. The UK opposed military intervention in Yugoslavian Conflict, because the UK believed that it was difficult and dangerous to involve into a long-term anti-insurgency operation which required 30000 troops and high causalities were likely.[232]

Moreover, Intergovernmental Conference (IGC) on common foreign and security policy affected British opposition to an armed intervention. The UK opposed the concept of a security and defence dimension for the EC, so it opposed any armed intervention by the WEU acting on behalf of the EC which links the WEU and the EC.[233] Furthermore, British experience in Northern Ireland affected the British opposition to an armed intervention. Douglas Hurd enumerated several reasons related with Northern Ireland and for him, there was a need to avoid open-ended commitments which were sure to escalate. Moreover, it was difficult to extract oneself once involved and it was useless to do something just for the sake of it.[234]

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[230] Nuttall, op.cit., in note 174, p. 212.

[231] Nuttall, op.cit., in note 174, p. 212.

[232] Salmon, op.cit., p. 251.

[233] Nuttall, op.cit., in note 174, p. 213 and Wyatt-Walter, op.cit., p. 216.

[234] Nuttall, op.cit., in note 174, p. 213.

During the Yugoslavian Conflict, EC Member States could not agree on a common position both on military intervention and recognition of the breakaway republics, so EC Member States were not able to stop the conflict and bloodshed in the region. Their lack of coherence during the crisis undermined their effectiveness and credibility. In the early days of the conflict, the statement of Luxembourg Foreign Minister Jacques Poos as the President of European Council: "It is the hour of Europe, not the hour of the Americans. If one problem can be solved by the Europeans, it is the Yugoslav Problem. This is a European country and it is not up to the Americans. It is not up to anyone else."[235] However, these words remained on the paper, Europeans were not able to solve the Yugoslavian problem, it was the Americans ultimately solved the Yugoslavian problem. As Roy Ginsberg suggested that the EC was baptized by fire by Yugoslavian Crisis and this changed the course of post-war European Integration. EC Member States realized that civilian diplomacy not backed by hard power, which is capability of military action, would not be successful in preventing and stopping conflict.[236]

Lack of cohesion among EC Member States during the Yugoslavian Conflict especially in the recognition of breakaway republics and on armed intervention undermined EC's effectiveness and international credibility. The effectiveness of the EC was undermined, because EC Member States were not able to stop civil war in Yugoslavia and bloodshed continued until UN involved into the

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[235] Mulay-Shah, Aziz, "Kantian dreams, A Constructivist Critique of Mainstream Research on Political Cooperation Within Europe", Paper presented at the Graduate Workshop of the Jean Monnet Center for European Studies, University of Wales, Aberystwyth, http://web.uvic.ca/hrdceu/documents/Kantian .doc, p. 11, Nuttall, op.cit., in note 174, p. 200 and Wyatt-Walter, op.cit., p. 213.

[236] Roy H. Ginsberg, "Ten Years of European Union Foreign Policy, Baptism, Confirmation, Validation", *Heinrich Böll Foundation*, Washington Office, 2002, p. 6.

conflict. The international credibility of the EC was undermined, because although Jacques Poos declared it was the hour of Europe, not the Americans and Yugoslavian conflict could only be solved by Europeans, it couldn't turn into reality, the hour of Europe had lasted 14 months.[237]

Andreas Kintis also shared the views that lack of cohesion among EC Member States undermined EC's effectiveness in Yugoslavian conflict and asserted that the fact remains that these measures failed to resolve the crisis, the EU's limited competence in security and defence matters and more importantly, its member states' disparate foreign policy objectives ensured that the EU's ambition to assert its presence as an international actor was impaired by its inability to maintain common positions. Even though in its initial response to the crisis, the EU succeeded in maintaining a relatively cohesive position, its later inability to compose divergent views undermined its effectiveness.[238]

Christopher Hill, in his famous article "Capability and Expectations Gap: Conceptualizing Europe's International Role", expressed that both Yugoslavian Crisis and Gulf War showed that the EC is not an effective international actor in terms of both its capacity to produce collective decisions and impact on events.[239]

Thus, it can be concluded that EC Member States required adopting and maintaining a coherent position in order to be an effective international actor and have an impact on international events. During the Yugoslavian conflict, Recognition crisis and during the Gulf War, Hostage crisis demonstrated the limits of EPC's

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[237] Nuttall, op.cit., in note 174, p. 223.

[238] G. Andreas Kintis, "Between Ambition and Paralysis: The European Union's Common Foreign and Security Policy and the War in the Former Yugoslavia", in Carl Cavanagh Hodge (ed.), *Redefining European Security* (New York: Garland Publishing, 1999), p. 185.

[239] Hill, op.cit., in note 9, p. 306.

ability in coordinating foreign policies of Member States and motivated them to form a common foreign policy rather than a coordination of foreign policies of Member States. Gulf War and Yugoslavian conflict also broke the deadlock on security and defence issues in Maastricht negotiations, EC Member States realized the possibility of serious security and defence problems in the Post-Cold War era and the deficiencies in the ability of EPC to influence foreign policies of most powerful Member States like Germany. Also, the reluctance of the US to involve the conflict led Europeans to believe that they should have taken more responsibility for their own security in the Post Cold War era.[240]

4.1.3 Treaty Negotiations of the TEU and the CFSP

At the Strasbourg European Council in December 1989, it was decided that an IGC to prepare final stages of European Monetary Union (EMU) should be convened in 1991, but the political union was not on the agenda. However, important changes in international strategic contexts and internal and external challenges brought by it forced EC states to establish a political union and its important component common foreign and security policy. With the dissolution of the USSR in December 1991 and Warsaw Pact and reunification of Germany on 3 October 1990, the Cold War had ended. With the end of the Cold War, expectations from Europe to use its increased weight to gain more political influence and ensure stability around its borders and the limitations of EPC in coordinating EC Member States' foreign policies, as seen in Yugoslavian conflict and Gulf War, persuaded EC Member States that it was necessary to develop stronger structure for foreign and security policy.[241]

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[240] Michael E. Smith, op.cit., in note 101, p. 179.

[241] Fraser Cameron, op.cit., in note 165, p. 23.

German reunification also accelerated pace toward political union. After the reunification of Germany, the balance among the largest EC members in terms of population, geography and economic weight had changed. With 80 million people, an economy three quarters the size of France and the UK combined and freed of treaty vestiges of its aggressor status, Germany would demand a larger role in shaping the Union and its approaches to the outside world.[242]

Other largest Member States, the UK and France decided to anchor united Germany firmly into Europe and they thought that stronger and larger in size unified Germany would be less of a possible threat if it were firmly committed to European integration.[243] Therefore, in order to contain strength of united Germany and bind it into European political and security institution, EC circles decided to deepen European integration and reform political structures of the EC and to improve the content of common foreign policy of the EC.[244]

At that time, Germany shared the same views. For Germany in order to avoid the recurrence of past experience of German aggression in Europe, it should tie itself to the European Integration and this policy was called as "Selbssteinbindungen". For Chancellor Kohl and foreign minister Genscher, "European Integration is the natural counterpart of German reunification: one cannot work without the other."[245] Thus, the impact of German reunification was the acceleration of the commencement of political union in the EC. In order to achieve a

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[242] J. Jefrey Becker, "Asserting EU Cohesion: Common Foreign and Security Policy and the Relaunch of Europe", *European Security* (Vol. 7, no.4, Winter 1998), p. 17.

[243] Gülnur Aybet, *A European Security Architecture after the Cold War, Questions of Legitimacy* (Great Britain: MacMillan Press, 2000), p. 80.

[244] İ. Kaya Ülger, *Avrupa Birliğinde Siyasal Bütünleşme, Ortak Dış Politika ve Güvenlik Politikasının Oluşumu* (İstanbul: Gündoğan Yayınları, 2002), p. 85.

[245] Peter Van Ham, "Europe's Precarious Centre: Franco-German Cooperation and the CFSP", *European Security* (Vol. 8, no. 4, Winter 1999), pp. 7-8.

meaningful and effective political union, establishment of the CFSP became necessary and it became evident that the EPC process was insufficient to meet requirements of a politically strengthened EU in 1990 as observed in EC's sluggish response to the Gulf War in 1990.[246]

On 14 March 1990, by relying on Martin report, European parliament adopted a resolution which called for full integration of EPC into Community framework including the granting of powers akin to those it possesses in other areas of Community policy in the view of achieving common foreign and security policies in the service of peace.[247]

On 20 March 1990, Belgian government issued a Memorandum on Reform of the EC and it referred essential points of political union, which were the institutional machinery, democratic deficit, subsidiarity and political cooperation.[248] Memorandum stated that political change resulting from development in Eastern Europe demonstrated the limitations of existing machinery of EPC and under this new international context, EC Member States needed joint foreign policy more than ever.[249] Also, Memorandum stated that

> the Ministers should work together to define and organize a set of principles and guidelines for political cooperation and cooperation by the Member States in relation to Eastern and Central European Countries…for this purpose the Ministers should adopt the custom of meeting regularly, both in the Council and in political cooperation. The General Affairs Council should once again become the Community's political decision-making centre…COREPER and the Political directors (Political Cooperation) might together prepare the decision on which would be based on a global approach to the questions arising out of developments in Central and Eastern Europe and that the role of the

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[246] Aybet, op.cit., p. 80.

[247] Nuttall, op.cit., in note 174, p. 105.

[248] Nuttall, op.cit., in note 174, p. 109.

[249] Nuttall, op.cit., in note 174, p.106.

Commission should be better defined, so as to secure the desired consistency…it is both desirable and necessary that it should be possible to discuss security issues in the broadest sense without restriction on political cooperation.[250]

Some of the provisions of the Memorandum entered into the Maastricht Treaty.

On April 1990, President of France, François Mitterrand and German Chancellor Helmut Kohl sent a Joint Letter to the Irish Presidency. Kohl and Mitterrand called for construction of political union comprising common foreign and security policy parallel to EMU and stated that

> in the light of far reaching changes in Europe and in the view of completion of the single market and realization of economic and monetary union, we consider it necessary to accelerate the political construction of the Europe of the Twelve…The European Council should initiate preparations for an intergovernmental conference on political union. In particular, the objective is to strengthen the democratic legitimation of the union, render its institutions more efficient, ensure unity and coherence of the union's economic, monetary and political action, define and implement a common foreign and security policy…We wish the intergovernmental conference on political union to be held in parallel to the conference on economic and monetary union as well as political union – should enter into force on 1 January 1993 after ratification by the national parliaments.[251]

Political Union was in fact the Kohl government's condition for German acceptance of EMU and loss of Deutsche Mark by EMU. For German government, strengthening of EC institutions especially EP in order to overcome democratic deficit was much more important element than CFSP within political union.[252] Britain was the only country that opposed to the Franco-German proposal to convene

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[250] Nuttall, op.cit., in note 174, p. 107.

[251] Nuttall, op.cit., in note 174, pp. 113-114.

[252] Paul Hagland, "Maastricht, Security and Integration Theory", *European Security* (Vol. 4, No. 4, Winter 1995), p. 555.

an IGC on political union. Thatcher government was against deeper integration in the EC, because it would imply a loss of sovereignty. Thatcher government also accepted NATO as the only forum that could provide stability, so put reservations over foreign and security policy dimension of political union which might undermine NATO's Post-Cold War role in Europe.[253]

On 25-26 June 1990 in Dublin European Council, Heads of State and Government confirmed their commitment to political union and decided detailed examination on the need for possible Treaty changes in order to strengthen the democratic legitimacy of the union and enabling the EC and its institutions to respond efficiently and effectively to the demands of new situation and guaranteeing unity and coherence in the EC's international action.[254] It was decided in Dublin European Council that a second intergovernmental conference on political union would be convened on 14 December 1990.

On 11 July 1990, EP adopted a resolution based on second Martin Report and it stated that in order to assure unity and coherence in the EC's international action, the current division between external economic relations handled by Commission acting on behalf of the EC and political cooperation handled by EPC President acting on behalf of EPC should be abolished. It also suggested that the Council should take prime responsibility of defining policy. The Commission should take the right of initiative in proposing policies to Council and of external representation of the EC; the functions of the EPC secretary should be absorbed by

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[253] Aybet, op.cit., pp. 81-82.

[254] Nuttall, op.cit., in note 174, p. 115.

the Commission and Council; EC's foreign policy should be scrutinized by EP and

EC's foreign policy should include security issues, peace and armament.[255]

On 14-15 December 1990, Kohl and Mitterrand submitted a letter setting

out their views on the scope of the IGC on political union. In this letter, it was stated

that the objective of the CFSP

> would be to present the essential interests and common values of the Union and its Member States, to strengthen their security, to promote cooperation with the other states and to contribute peace and development in the world.[256]

It was also stated in the letter that

> European Council should define the priority areas of common action…foreign policy will thus be able to move towards a true common foreign policy…Political Union should include a true common security policy which would in turn lead to a common defence…we propose that the Conference should review how the WEU and Political Union might establish a clear organic relationship and how, therefore, the WEU, with increased operational capabilities, might in time become part of Political Union and elaborate, on latter's behalf, a common security policy…The links between the WEU and the Community Member States which are not members of this organization could be gradually strengthened. Cooperation between the WEU and the European States belonging to the Atlantic Alliance but not to the EEC would also be enhanced. The decisions of the intergovernmental conference should respect the commitments made to the allies of the Atlantic Alliance, as well as, the specificity of the defence policy of each Member State. We are convinced that the Atlantic Alliance as a whole will be strengthened by the increased role and responsibility of the Europeans and by the establishment within NATO of a European pillar…The decisions would in principle be adopted unanimously with the understanding that abstaining should not hinder the adoption of decisions. The Treaty will provide for the possibility of adopting certain decisions at a majority as soon as the new treaty enters into force or within a period of time to be specified. More particularly, when the European Council would have to define the principles and orientations of the common foreign and security policy or when the Council would have to adopt concrete measures required by a given specific situation, it might be decided that the implementing arrangements for these measures may be adopted through majority decision.[257]

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[255] Nuttall, op.cit., in note 174, p. 118.

[256] Nuttall, op.cit., in note 174, p. 125.

[257] Nuttall, op.cit., in note 174, pp. 115-116.

On 15 December 1990, in Rome European Council, Heads of State and Government stated that

> The common foreign and security policy should aim at maintaining peace and international stability, developing friendly relations with all countries promoting democracy, the rule of law and respect for human rights and encouraging the economic development of all nations and should also bear in mind the special relations of individual Member States. To this end, the Conference will in particular address the Union's objectives, the scope of its policies and the means of fostering and ensuring their effective implementation within an institutional framework. Such an institutional framework would be based on the following elements: one decision-making centre, namely the Council; harmonization and where appropriate unification of the preparatory work; a unified secretary; a reinforced role for the Commission through a non-exclusive right of initiative; adequate procedures for consulting and informing the European Parliament; detailed procedures ensuring that the Union can speak effectively with one voice on the international stage, in particular in international organizations and visa vis third countries. The following elements should be considered as a basis for the decision-making process: the rule of consensus in defining general guidelines; in this context, non-participation or abstention in the voting as a means of not preventing unanimity; the possibility of recourse to qualified majority voting for the implementation of agreed policies. As regards common security, the gradual extension of the Union's role in this area should be considered…the European Council emphasizes that with a view to the future, the prospect of a role for the Union in defence matters should be considered, without prejudice to Member States' existing obligations in this area, bearing in mind the importance of maintaining and strengthening the ties within the Atlantic alliance without prejudice to the traditional positions of other Member States…[258]

The provisions adopted in Rome European Council entered into the Maastricht Treaty under CFSP provisions.

EC Member States had different views about substance of the CFSP during the IGC and these differences were reflected in the CFSP provisions of the Maastricht Treaty.

First of all, a group of EC Member States including the UK, Denmark, Greece and Portugal advocated a reform in EPC on existing lines and opposed any

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[258] Nuttall, op.cit., in note 174, pp. 126-127.

further dilution of the intergovernmental procedure by bringing EPC closer to the EC.[259] Another group of EC Member States including France, Germany, Benelux countries, Italy and the Commission advocated the establishment of a strong common policy aligned with EC mechanisms and procedures.[260] France also advocated establishment of strong common policy focused on the European Council.

On the issue of security and defence provisions of the CFSP, EC Member States were also divided. France, Italy, Spain and Belgium advocated the establishment of a European defence system which will not cast doubt upon any NATO commitment and could be based upon the integration of the WEU in European Integration process by making the WEU subject to directives of European Council.[261] Therefore, these states favored the EC as main forum for European Security in 1990s and wanted to make the WEU as defence and security arm of the EC.[262] On the other side, the UK, the Netherlands and Portugal, so called Atlanticists, favored NATO as the main security and defence forum for Europe and they advocated the making of the WEU as European pillar of NATO.[263] Atlanticists opposed the view that favored the EC as main forum for European Security in the 1990s, because they thought that this would provide a threat to transatlantic solidarity and the functioning of NATO and Sir Douglas Hurd stated that "I cannot believe that

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[259] Geoffrey Edwards, and Simon Nuttall, "Common Foreign and Security Policy", in Andrew Duff et al., *Maastricht and Beyond, Building the European Union* (New York: Routledge, 1994), p. 88.

[260] Ibid. and Nuttall, op.cit., in note 174, p. 150.

[261] Philippe de Schoutheete de Tervant, "The Creation of the Common Foreign and Security Policy", in Elfriede Regelsberger, Philippe de Schoutheete de Tervant and Wolgang Wessels (eds.), *Foreign Policy of the European Union, From EPC to CFSP and Beyond* (Boulder, Colorado:Lynne Riener Publishers, 1997), p. 50.

[262] Aybet, op.cit., in note 243, p. 82.

[263] Aybet, op.cit., p. 82.

there is a case for including defence within the common foreign and security policy."[264] Germany favored maintaining NATO and the US presence in Europe and advocated the strengthening of the EC by including a defence and security dimension into it with the ultimate goal of leading a pan-European security structure based on the CSCE.[265] This showed that Germany adopted a middle way i.e. giving a security and defence dimension to the EC without sacrificing NATO and US security and defence commitment in Europe. In addition, Denmark, Greece and Ireland adopted distinctive national policies.[266]

During the IGC negotiations, foreign ministers of Germany and France, Hans Dietrich Genscher and Roland Dumas prepared a joint initiative called Joint Initiative on Establishing a Common European Foreign and Security Policy of 4 February 1991 to close the gap between France, Germany and Britain.[267] By this initiative, the importance of NATO was reaffirmed, the preponderant role of the European Council was supported, the unanimity voting procedure was endorsed and the CFSP was extended to all areas of external relations. Nevertheless, the primacy of commitments to the WEU and NATO and the US military presence in Europe was also maintained and the role of the WEU as the cooperation channel between Political Union and NATO was emphasized. The adoption of the formal link between WEU Treaty and NATO was stressed and the authority to decide which facets of European Security should fall under the CFSP was granted to the European

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[264] de Tervant, op.cit., p. 50.

[265] Aybet, op.cit., p. 82.

[266] Nuttall, op.cit., in note 174, p. 150 and Edwards & Nuttall, op.cit., p. 88.

[267] Simon Duke, *The Elusive Quest for European Security, From EDC to CFSP* (Great Britain: Macmillan Press, 2000), p. 87.

Council.[268] By this initiative, the WEU was accepted as both the nucleus of a European defence entity and the European pillar of NATO and by placing the WEU under the aegis of the European Council, an organic relationship would be established between the WEU and the EU.[269]

On 12 April 1991, Luxembourg Presidency produced a Non-paper. This Non-Paper called for a pillar structure for the future of the EU and it suggested the separation between the European Communities, the CFSP and justice and home affairs, but they were put within the same union and the development of a common defence policy in the long term was emphasized.[270] According to Non-paper, the WEU could be used for decisions with defence implications.[271] Belgium, the Netherlands and Italy opposed Non-paper, because they were against intergovernmental approach and also Atlanticists opposed the granting of a common defence policy for Political Union.[272] By taking into account these criticisms, Non-paper was presented to the European Council on 18 June 1991 and with it, the full maintenance of acquis communautaire and the desire to reinforce the identity and role of the Union as a political entity on the international scene was emphasized. It was also stated that common foreign and security policy should extend to all questions relating to the security of the Union, but that defence identity of the Union should be decided at the last stage of the IGC, by taking into account the traditional positions of Member States.[273] Furthermore, it was stated that the new Treaty is no

[268] Ibid., p. 88.

[269] Ibid..

[270] Ibid., p. 89.

[271] de Tervant, op.cit., p. 54.

[272] Duke, op.cit., in note 267, p. 89.
[273] Duke, op.cit., in note 267, p. 89.

more than a stage in a gradual process leading toward a Union with a federal character. Single institutional framework of the Union and in the long term, establishment of a defence policy was emphasized. It was stated that decisions on implementation of a common foreign and security policy was taken by qualified majority voting and common action shall be binding on the Member States and whenever a Member State faces a major difficulty, an opting out provision could be applicable and a new intergovernmental conference was convened in 1996 to review the provisions concerning security and other aspects of security.[274]

The UK and Denmark opposed the federal objective and the Netherlands and Belgium opposed the pillar structure adopted in the Luxembourg Draft.

On 23 September 1991, Draft Treaty Towards European Union was tabled by the Dutch Ministry of Foreign Affairs. It included the provisions for the establishment of a community for designing and implementing a CFSP which should include all questions related with security and also the existing ties to NATO and the WEU.[275] The pillar structure offered by Luxembourg Report was abandoned; instead a tree structure with a single root which envisaged a single unified treaty base with various chapters branching out from common provisions was accepted.[276] CFSP became chapter 1 of the fourth part of the treaty which also covered commercial policy and development aid.[277] Joint action in all areas where Member States have essential interests in common was introduced, the conditions for the majority, the

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[274] de Tervant, op.cit., p. 56.

[275] Duke, op.cit., in note 267, p. 90.

[276] Wyatt-Walter, op.cit., p. 207.

[277] de Tervant, op.cit., p. 57.

choice was left open.[278] Dutch Draft was more integrationist than the Luxembourg Draft, because by removing pillar structure it put all policy areas under the same structure. Dutch Draft rejected the divisions between Community competence and the intergovernmental procedures for the CFSP; it was regarded as a step towards traditional communautaire policies with a clear federal orientation.[279]

On the issue of security and defence, Dutch Draft reflected Atlanticist orientation of the Netherlands. According to the Draft, the common security policy was to complement the security policy resulting from obligations of Member States under Treaties establishing NATO and the WEU and the Council was to ensure cohesion between Community security policy and the policy within those organizations and idea of using the WEU for implementing Community security policy was abandoned.[280] However, there became a wide spread disapproval towards the Dutch Draft. The UK, Portugal and Denmark opposed the integrationist nature of the Draft and especially the UK was anxious that by the abandonment of pillarization and the creation of a unified structure the CFSP would be subject to the jurisdiction of the Court of Justice.[281] Furthermore, France, Italy and Spain were concerned about meager plans for the CFSP and back-pedaling on defence. Belgium, Germany and Italy had doubts. Although they, in principle, favored a unified treaty structure, they were concerned about the prospect of divisions among EC Member States only eight week before the final summit.[282]

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[278] Nuttall, op.cit., in note 174, p. 167.

[279] Wyatt-Walter, op.cit., p. 207.

[280] Nuttall, op.cit., in note 174, p. 168.

[281] Duke, op.cit., in note 267, p. 90.

[282] Wyatt-Walter, op.cit., p. 208.

On 30 September 1991, Member States convened in the Council. During the Council, Luxembourg foreign minister Jacqus Poos and Italian foreign minister Giovanni de Michelis declared their opposition to the Dutch Draft. British foreign minister Douglas Hurd warned Michelis that if the CFSP was put under Community competence, Anglo-Italian cooperation would be jeopardized. In addition to that, France and the UK favored pillared structure and France declared their opposition to the Atlanticist orientation of defence clauses. Germany and Belgium expressed that the Dutch would split the Community.[283] Ultimately, EC Member States decided to turn to Luxembourg Draft. On 2 October 1991, the so called Black Monday, Dutch Minister of Foreign Affairs, Hans Van den Broek, withdrew the Draft, which was a widespread embarrassment for a Dutch government accused of insensivity, poor leadership and weak coordination with Community partners.[284]

After the failure of the Dutch Draft, on 5 October 1991, Italy and the UK prepared a Declaration on European Security and Defence, according to this declaration

> Political Union implies the gradual elaboration and implementation of a common foreign and security policy and a stronger European defence identity with the longer term perspective of a common defence policy compatible with the common defence policy we already have with our allies in NATO…The development of a European security identity in the field of defence should construed in such a way as to reinforce the Atlantic Alliance…WEU should be entrusted with the task of developing the European dimension in the field of defence, it will develop its role in two complementary directions as the defence component of the Union and as the means to strengthen the European pillar of the Alliance."[285]

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[283] Wyatt-Walter, op.cit., p. 208.

[284] Wyatt-Walter, op.cit., p. 209.

[285] Nuttall, op.cit., in note 174, p. 172.

The Declaration rejected the idea that the WEU should be subject to the authority of the EU or that the European Council should determine its scope. Instead an operational role was granted to the WEU, that is the creation of a European Rapid Reaction Force under the WEU command designed to operate outside NATO area, but this Rapid Reaction Force (RRF) would use existing NATO forces.[286] The role of the WEU as both the defence dimension of the CFSP and European pillar of NATO was introduced into the Maastricht Treaty.

France, Germany and Spain thought that Italian-UK Declaration was too Atlanticist and on 11 October 1991, French, German and Spanish foreign ministers met in Paris and issued a Joint Comminique which stated that "the WEU which is an integral part of the process leading to European Union, could be given the responsibility of setting up the defence and security policy."[287] Also, they accepted Qualified Majority Voting (QMV) to implement measures under the common foreign and security policy.[288] The Joint Comminique called for a policy covering all issues of security and defence with long term perspective of common defence.[289]

German Chancellor Kohl and French President Mitterrand sent a joint letter to the Dutch President of the European Council, Ruud Lubbers, which stressed that they are ready to take on greater responsibility in the areas of security and defence policy by taking specific decisions and institutional measures.[290] A Draft Franco-German Treaty on Political Union: Common Foreign and Security Policy were attached to the joint letter. According to this Draft, the WEU was accepted as an

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[286] Wyatt-Walter, op.cit., p. 210.

[287] Nuttall, op.cit., in note 174, p. 172.

[288] de Tervant, op.cit., p. 59.

[289] de Tervant, op.cit., p. 58.

[290] Duke, op.cit., in note 267, p. 91.

integral part of the process of European Union and indirectly linked to NATO. The

Draft article stated that

> the decisions and measures taken by the Union in the area of security
> and defence may be developed and implemented entirely or in part by
> the WEU, which is an integral part of the process of European
> Union…these provisions shall present no obstacle to closer bilateral
> cooperation within the WEU and Atlantic Alliance.[291]

Also, Draft granted the European Council clear authority over relations

between the Union and the WEU, while the WEU should act in conformity with the

Directives of the Union.[292] Moreover, Draft called for upgrading of Franco-German

4000 strong joint brigade into an army corps of 25000 to serve as the nucleus of a

European army including the forces of other WEU Member States.[293] Franco-

German proposal was less Atlanticist than Italian-UK Declaration, but Germany

stressed that by agreement of Eurocorps, France would bind more closely into NATO

structures.[294] The UK opposed the idea of Eurocorps, because it would duplicate the

newly created Allied Command Europe (ACE) Rapid Reaction Corps and it opposed

the incorporation of the WEU into the EC.

Foreign Ministers of Member States met on 2-3 December 1991 at the

Palais d'Egmont in Brussels. At this meeting, EC Member States were divided on

question of majority voting and issue of defence. On the question of majority voting,

the UK opposed application of qualified majority voting for the implementation of

the CFSP and on the issue of defence while the UK, the Netherlands, Denmark and

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[291] Nuttall, op.cit., in note 174, p. 173.

[292] Wyatt-Walter, op.cit., p. 212.

[293] Nuttall, op.cit., in note 174, p. 173 and Wyatt-Walter, op.cit., p. 212.

[294] Wyatt-Walter, op.cit., p. 212.

Portugal opposed common defence and instead advocated common defence policy; France, Germany, Belgium, Spain, Luxembourg and Greece advocated common defence.[295] On the other hand, while Italy accepted a middle way, Ireland by relying on its neutrality was hesitant about introducing a security role for the EC.

On 9-10 December 1991, at Maastricht European Council, EC Member States reached a compromise and limited usage of QMV was accepted i.e. it can be used for the implementation of joint actions, but only if a decision to do so had been reached by unanimity. On the issue of defence, a satisfactory solution for both the Atlanticists and France and Germany was found that was establishment of the CFSP which shall include all questions related to the security of the EU, including framing of a common defence policy which might in time lead to a common defence. Here, Atlanticists, the UK and the Netherlands could be induced to accept a common defence policy and France and Germany could be satisfied by a common defence.[296] Also, the role of the WEU was accepted as an integral part of the development of the EU and in Declaration on the Role of Western European Union and its Relations with the European Union and with the Atlantic Alliance, the WEU was accepted as the defence component of the European Union and as the means to strengthen the European pillar of the Atlantic Alliance as proposed in Anglo-Italian Declaration on European Security and Defence. Solving these two disputed issues, the road was opened to Maastricht Treaty.

4.2 The Maastricht Treaty

The Maastricht Treaty or Treaty on European Union agreed at Maastricht European Council and signed by Twelve EC Member States on 7 February 1992 and

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[295] Nuttall, op.cit., in note 174, p. 174.

[296] Nuttall, op.cit., in note 174, p. 175.

entered into force on 1 November 1993 after ratification of the Treaty by all Member States. By the Maastricht Treaty, the European Community took the name of the European Union and it was constructed on the three pillars structure. As proposed in the Luxembourg Draft, the first pillar is European Community and it has a supranational character, the second pillar is the CFSP, it has an intergovernmental character and the last pillar is Cooperation in Justice and Home Affairs and it has an intergovernmental character. In Title I, Common Provisions, Article B of the Maastricht Treaty, it was stated that the Union shall assert its identity on the international scene in particular through the implementation of a Common Foreign and Security Policy including the eventual framing of a common defence policy, which might in time lead to a common defence. The CFSP provisions were contained in Title V: Provisions on a Common Foreign and Security Policy, Articles J.1-J.11.

By the Maastricht Treaty a single institutional framework was established and all three pillars were put under the single institutional framework. By doing this, coherence in the constitutional structure of the European integration increased.[297] With the introduction of the CFSP, political cooperation in the areas of foreign and security policy as in EPC, was replaced by common policy.

According to Michael E. Smith, the concept of coherence throughout the Maastricht Treaty had been guiding principle behind the CFSP.[298] Pascal Gauttier also claimed that the principle of coherence permeates the Maastricht Treaty as a whole and it may be one of the fundamental principles of it.[299] By Articles A and C,

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[297] Michael E. Smith, op.cit., in note 101, p. 211.

[298] Michael E. Smith, "The Quest for Coherence: Institutional Dilemmas of External Action from Maastricht to Amsterdam", in Alec Stone Sweet, Wayne Sandholtz and Neil Flingstein (eds.), *The Institutionalization of Europe* (New York: Oxford University Press, 2001), p. 173.

[299] Gauttier, op.cit., p. 27.

the EU was charged to guarantee the coherence of its actions, in particular "the consistency of its external activities as a whole in the context of its external relations, security, economic and development policies.[300] Article A of the Maastricht Treaty stated that task of the EU shall be to organize, in a manner demonstrating consistency and solidarity, relations between the Member States and between their peoples and Article C of the Maastricht Treaty stated that

> The Union shall be served by a single institutional framework which shall ensure the consistency and continuity of the activities carried out in order to attain objectives while respecting and building upon the acquis communautaire. The Union shall in particular ensure the consistency of its external activities as a whole in the context of its external relations, security, economic and development policies. The Council and the Commission shall be responsible for ensuring such consistency. They shall ensure the implementation of these policies, each in accordance with its powers.[301]

Furthermore, the replacement of the old Ministerial Meetings of EPC with the General Affairs Council (Foreign Ministers) as the only decision-making body at ministerial level for all matters concerning foreign affairs and the merger of EPC Secretariat with the General Secretariat of the Council demonstrated the effects of adoption of single institutional framework and this was an attempt to increase institutional coherence within the EU.

In addition, in Article J.1 of TEU it was stated that the CFSP shall cover all areas of foreign and security policy and in Article J.8 (2), it was stated that European Council shall ensure the unity, consistency and effectiveness of action by the Union, these two articles also demonstrated the importance of the coherence in the areas of foreign and security policy. In order to increase the coherence and effectiveness in

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[300] Michael E. Smith, op.cit., in note 101, p. 210.

[301] Nuttall, op.cit., in note 174, p. 182.

the areas of foreign and security policy, the Maastricht Treaty brought strong

commitment to Member States as observed in Article J.1 and Article J.2, Article J.1

(4) stated that

> The member States shall support the Union's external and security
> policy actively and unreservedly in a spirit of loyalty and mutual
> solidarity. They shall refrain from any action which is contrary to the
> interests of the Union or likely to impair its effectiveness as a cohesive
> force in international relations. The Council shall ensure that these
> principles are complied with.[302]

In addition to that, according to Article J.2 (1) Member States shall inform

and consult one another within the Council on any matter of foreign and security

policy of general interest in order to ensure that combined influence is exerted as

effectively as possible by means of concerted and convergent action. In order to

ensure concerted and convergent action of Member States, two new instruments of

action was introduced: common positions and joint actions. Article J.2 (2) stated

"whenever it deems necessary, the Council shall define a common position. Member

States shall ensure that their national policies conform to the common positions."[303]

Article J.2 (3) stated that "Member States shall coordinate their action in international

organizations and at international conferences. They shall uphold the common

positions in such forums. In international organizations and at international

conferences where not all the Member States participate, those which do take part

shall uphold the common positions. The aspiration to a defence role reflected the

EU's denial of option of being a civilian power."[304]

Other instrument of action introduced by the Maastricht Treaty was Joint

Action. In Article J.1 (3), it was stated that in pursuing their objectives, EU Member

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[302] Hill and Smith, op.cit., p. 154.

[303] Hill and Smith, op.cit., p. 154.

[304] Nuttall, op.cit., in note 174, p. 178.

States shall gradually implement joint actions in the areas in which the Member States have common interests.[305] In article J.3, it was stated that Joint Actions shall be decided by European Council and it brought a commitment to the Member States and in Article J.3 (4), it was stated that "Joint actions shall commit the Member States in the positions they adopt and in the conduct of their activity"[306]

On the issue of security and defence, according to Article J.4, all questions related to the security of the Union was put under the CFSP and the WEU was accepted as integral part of the development of the Union or as the defence arm of the Union and tasked to elaborate and implement decisions and actions of the Union which have defence implications. According to the Declaration concerned with the role of the WEU attached to the Maastricht Treaty, the WEU was tasked to be the integral part of the process of the development of the Union and in order to enhance its contribution to solidarity within the Atlantic Alliance and the WEU Member States agree to strengthen the role of the WEU in the longer term perspective of a common defence policy, compatible with that of Atlantic Alliance.[307] These provisions were adopted from Anglo-Italian Declaration on European Security and Defence. According to Miguel Angel Medina Abellan, making the WEU an integral part of the development of the EU, i.e. elaborating and implementing decisions which have defence implications demonstrated Maastricht Treaty's attempt to seek greater coherence by linking foreign policy with security policy.[308]

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[305] Hill and Smith, op.cit., p. 154.

[306] Hill and Smith, op.cit., p. 155.

[307] Nuttall, op.cit., in note 174, p. 179.

[308] Abellan, op.cit., p. 7.

In order to increase coherence of the Union in external relations, the Presidency was tasked with representation of the Union in matters related to the CFSP and responsibility of the implementation of common measures was given to the Presidency and the Presidency shall express the position of the Union in international organizations and international conferences.

Also, the principle of subsidiarity which was introduced by the Maastricht Treaty shall be used to ensure coherence and effectiveness of the EU's actions within the CFSP. According to Article 3b of the Maastricht Treaty relating with the principle of subsidiarity, it was stated that

> In areas which do not fall within its exclusive competence, the Community shall take action, in accordance with the principle of subsidiarity, only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale or effects of the proposed action, be better achieved by the Community.[309]

The principle of subsidiarity as a rule can be applicable to the areas which do not fall within the exclusive competence of the community, so it can be applicable to the areas of shared and concurrent competence and in the area of the CFSP. The EU has not an exclusive competence, it shared competence with the Member States, so the principle of subsidiarity can be applicable to the CFSP in the case of that if by reason of scale and effects of proposed action, proposed action could be better achieved by the Community rather than Member States acting alone. Here, it can be concluded that if the action required a coherent or concerted action in order to act effectively, the principle of subsidiarity opened the way for the EU to take initiative.

The Maastricht Treaty was an important step in the evolution of the cooperation of European states in the areas of foreign and security policy. By the Maastricht Treaty, the CFSP was established and it was put under single institutional

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[309] Nuttall, op.cit., in note 174, p. 189.

framework of the EU with other two pillars, European Community and Cooperation in Justice and Home Affairs. The Maastricht Treaty included provisions which aimed at increasing the coherence in the area of foreign and security policy. With the Maastricht Treaty, cooperation in the area of foreign and security policy was replaced by the CFSP. By putting the CFSP under the single institutional framework of the EU, the institutional coherence had increased.

According to Michael E. Smith, improving the effectiveness and coherence of the EU's external capabilities was a key motivation behind the Maastricht Treaty. For him, by formally linking capabilities of each three pillar with each other through a single institutional framework was an important step toward the improvement of the effectiveness and coherence of the EU's external capabilities.[310]

The inclusive nature of the CFSP, that is the CFSP included all the areas of foreign and security policy, aimed at increasing the coherence. The instruments of action, joint action and common position and also commitment to Member States to support the Union's external and security policy actively and unreservedly in a spirit of loyalty and mutual solidarity and to refrain any action contrary to the interests of the Union or to impair the effectiveness as a cohesive force in international relations were also brought to increase the coherence and as understood by the last sentence, the effectiveness of the EU in international relations.

According to Michael E. Smith, the concept of coherence used in the Maastricht Treaty is not new. It continues a trend that had been developing for some time in the EU's external affairs under EPC. Becoming a cohesive force was an implicit incentive behind the inclusion of EPC into the SEA and the Maastricht Treaty only attempted to clarify, reinforce and broaden this principle across all three

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[310] Michael E. Smith, op.cit., in note 298, p. 171.

pillars of the EU. As a result, the CFSP represented next stage in a transition from EPC's main focus on damage limiting objective, negative integration, that is Member States shall avoid any action or position which impairs their effectiveness as a cohesive force in international relations and international organizations toward more positive integration, equipping the EU with the means to act coherently in world politics.[311]

Although the Maastricht Treaty was a big step in improving the coherence and effectiveness of the EU in the areas foreign and security policy, it was not satisfactory; as stated in Article N, a conference of representatives of the governments of the Member States shall be convened in 1996 to examine those provisions of this Treaty for which revision is provided[312]. Consequently, the unfinished business of the Maastricht Treaty was postponed another IGC in 1996 and a new treaty.

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[311] Michael E. Smith, op.cit., in note 101, p. 211.

[312] Hill and Smith, op.cit., p. 168.

CHAPTER 5

REFORM OF THE COMMON FOREIGN AND SECURITY POLICY

The need for reform in the CFSP was required after three years operation of the CFSP. Fraser Cameron stated that during the first three years of operation of the CFSP, it was generally accepted that the CFSP could not meet expectations, especially the CFSP failed to bring an early end of the fighting in Yugoslavia.[313] Catriona Gourlay and Eric Remacle claimed that because of two reasons, reform in the CFSP became a necessity. The first one of these reasons was that the negotiations on the creation of the CFSP had frustrated many governments and international events demonstrated the obvious inefficiencies of the CFSP. The second reason was that the Treaty establishing the WEU was close to its 1998 deadline, when its signatories would have the right to denounce it.[314] As a result, these reasons obviously showed that it was the right time to apply Article N of the Maastricht Treaty which called for an IGC which shall be convened in 1996 to examine these provisions of the Maastricht Treaty for which revision is provided. Moreover, as the Treaty establishing the WEU was close to its 1998 deadline, the revision in provisions of Article J.4 on security and defence cooperation became necessary as

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[313] Cameron, op.cit., in note 165, p. 60.

[314] Catriona Gourlay and Eric Remacle, "The 1996 IGC: The Actors and Their Interaction", in Kjell A. Eliassen (ed.) *Foreign and Security Policy in European Union* (London: SAGE Publications, 1998),p. 59.

stated in Article J.10, on the occasion of any review of the security provisions under J.4, the Conference which is convened to that effect shall also examine whether any other amendments need to be made to provisions relating to the Common Foreign and Security Policy.

At the Corfu European Council on 24-25 June 1994, it was decided to establish a Reflection Group, which began to work in June 1995 under the chairmanship of Carlos Westendorp y Cabeza, the State Secretary in the Spanish Ministry of Foreign Affairs for examining the options for reform. The Reflection Group submitted its final report to the Madrid European Council which also decided to open IGC in Turin on 29 March 1996.[315] Westendorp Report divided the challenges of the IGC into four main baskets: the reform of the EU; the citizen and the Union; an efficient and democratic union and the Union's external action.[316] The fourth chapter of the Westendorp Report dealt with the agenda and some scenarios for reforms in the fields of external relations, foreign policy and defence and it was divided into three sections. The first one dealt with the questions related to globality and coherence: definition of the objectives of the Union, relationship between the first and second pillars, consistency of policies carried out in these different pillars, interest in an international legal personality of the Union and clarification of the instruments of the CFSP. The second one dealt with the CFSP itself and identifies four possible developments: creation of an analysis cell, reform of decision-making especially relaxing the unanimity voting system, personification of the CFSP by the appointment of one person in charge of its management and direction and financing of the CFSP and the role of the EP in the CFSP. He last one expressed new tasks

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[315] Ibid.

[316] Ibid.

related to crisis management, possible European operational instruments and links between these developments and their impact on national sovereignty and NATO.[317]

5.1 The Treaty of Amsterdam

The Turin European Council formally stated the IGC by opening negotiations up on 29 March 1996 and the IGC ended at the Amsterdam European Council on 16-17 June 1997. The Treaty of Amsterdam was signed by fifteen EU States on 2 October 1997 and entered into force on 1 May 1999 after the ratification of the Treaty by all Member States.

The Treaty of Amsterdam aimed at the completion of the unfinished business of the Maastricht Treaty which was to improve the coherence and effectiveness of the EU in the areas of foreign and security policy. The Treaty of Amsterdam reemphasized the importance of consistency in external relations and in Article C of the Treaty of Amsterdam, it was stated that the Union shall in particular ensure the consistency of its external activities as a whole in the context of its external relations, security, economic and development policies. The Council and the Commission shall be responsible for ensuring such consistency and shall cooperate to this end. They shall ensure the implementation of these policies, each in accordance with its respective powers.[318]

The Treaty of Amsterdam also emphasized the importance of effective and coherent external policy. It can be understood from the title of the Irish Presidency Draft Text, i.e. 'An Effective and Coherent Foreign Policy'. In order to improve the coherence and effectiveness of the EU's foreign policy, the Treaty of Amsterdam introduced several innovations. Article J.1 (2) reflected the importance of the

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[317] Ibid., pp.58-59.

[318] Hill and Smith, op.cit., pp. 170-171.

coherence and effectiveness in EU's foreign and security policy and stated that the Member States shall support the Union's external and security policy actively and unreservedly in a spirit of loyalty and mutual solidarity. The Member States shall work together to enhance and develop their mutual political solidarity. They shall refrain from any action which is contrary to the interests of the Union or likely to impair its effectiveness as a cohesive force in international relations. The Council shall ensure that these principles are complied with. In addition to that in Article J.6 of the Treaty of Amsterdam, the commitment imposed on Member States that to inform and consult one another within the Council on any matter of foreign and security policy of general interest in order to ensure that the Union's influence is exerted as effectively as possible by means of concerted and convergent action replaced Article J.2 (1) of the Maastricht Treaty and this article also stressed the importance of a coherent foreign policy action to ensure the effectiveness.

In Article J.6 of the Treaty of Amsterdam, the phrase 'Union's influence' was used instead of the phrase 'Member States' combined influence' which was used in Article J.2 (1) of the Maastricht Treaty. In addition, the same usage can be seen in Article J.1 (2) of both the Maastricht Treaty and the Treaty of Amsterdam. In Article J.1 (2) of the Treaty of Amsterdam, the phrase 'Union' was used instead of the phrase 'the Union and Member States' which was used in Article J.1 (2) of the Maastricht Treaty. As a result, this showed that with the Treaty of Amsterdam, the CFSP started to gain a supranational character; the CFSP was started to be seen as a Union policy.

By the Treaty of Amsterdam, in the area of decision-making QMV and majority voting were accepted as voting procedures in addition to unanimity. QMV was used in adopting joint actions, common positions or taking any other decision on

the basis of a common strategy, but if one of the members of the Council declares that, due to an important and stated reasons of national policy, it intends to oppose the adoption of a decision to be taken by QMV, a vote shall not be taken and the Council may, acting by QMV, refer the matter to the European Council for decision by unanimity, but QMV shall not be applicable to decisions having military or defence implications and majority voting shall be applicable to procedural matters.

The Treaty of Amsterdam introduced the principle of flexibility and in decision-making, a new mechanism 'Constructive Abstention' was introduced. According to this, the Member State abstaining shall not be obliged to apply the decision, but shall accept that the decision commits the Union and shall refrain from any action which conflicts with or impedes Union action based on that decision, but if the Member States abstaining constructively represent more than one third of the votes weighted, the decision will not be adopted.

In order to increase coherence of the CFSP, a new policy instrument was introduced by the Treaty of Amsterdam. It was stated in Article J.3 (2) that the European Council shall decide on common strategies to be implemented by the Union in areas in which the Member States have important interests in common and common strategies shall set out their objectives, duration and the means to be made available by the Union and the Member States. According to Michael Smith, while common strategy was a CFSP policy instrument, it can be actually involved in all three EU policy pillars and help orient and mobilize these pillars toward a single foreign policy goal and he quoted from a CFSP insider that common strategies have

completely changed the landscape of the CFSP and helped move it toward a true operational capability.[319]

Another important innovation brought by the Treaty of Amsterdam in order to strengthen the cohesion in EU's external representation and give EU a single visible voice in international system was the establishment of the post of High Representative for CFSP, which is intended to reply Henry Kissinger's classical question "who speaks for Europe". The holder of the post can be viewed as "Mr. or Mrs. CFSP", 'Monsieur Politique étrangère et de sécurité européenne (PESC)' or 'telephone number of Europe'. According to Article J.16: The Secretary-General of the Council, High Representative for the common foreign and security policy, shall assist the Council in matters coming within the scope of the common foreign and security policy, in particular through contributing to the formulation, preparation and implementation of policy decisions, and, when appropriate and acting on behalf of the Council at the request of the Presidency, through conducting political dialogue with third parties. Moreover, according to Article J.8, the Presidency shall be assisted by the High Representative for the CFSP. The reason behind the introduction of the post of High Representative for the CFSP was to strengthen the cohesion in the EU's external representation and to give the EU a single visible voice in the international system, because presidency has provided leadership in EU's external representation before, but as it has been difficult to ensure cohesion and efficiency with rotating presidency, a post of High Representative for CFSP was needed. Simon Duke affirmed this view and asserted that the introduction of the role of High Representative could both provide a more coherent voice for Europe and could

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[319] Michael E. Smith, op.cit., in note 101, p. 227.

introduce the idea of a spokesperson for the EU on CFSP matters.[320] High Representative for the CFSP will remain a high-ranking civil servant rather than a political personality.[321] Javier Solana, former Secretary General of NATO was appointed as High Representative for the CFSP for five years by European Council on 18 October 1999 and started his new occupation in November 1999. Solana was chosen, as he is a high profile, respected, competent diplomat and administrator.

Furthermore, by the Treaty of Amsterdam in order to ensure full coherence with the EU's external economic and development policies a Policy Planning and Early Warning Unit shall be established in the General Secretariat of the Council under the responsibility of Secretary General of the Council. The tasks of Policy Planning and Early Warning Unit (PPEWU) was enumerated in Declaration to the Final Act on the Establishment of a Policy Planning and Early Warning Unit. They are monitoring and analyzing developments in areas relevant to the CFSP, providing assessments of the Union's foreign and security policy interests and identifying areas where the CFSP could focus in future, providing timely assessments and early warning events or situations which may have significant repercussions for the Union's foreign and security policy, including potential political crisis; producing at the request of either the Council and the Presidency or on its own initiative, argued policy options, papers to be presented under the responsibility of the Presidency as a contribution to policy formulation in the Council and which may contain analyses, recommendations and strategies for the CFSP.

Although Article J.14 of the Treaty of Amsterdam did not grant the EU a legal personality, it could be interpreted in the future as recognizing an explicit legal

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[320] Duke, op.cit., in note 267, p. 144.

[321] Florika Fink Hooijer, "The Common Foreign and Security Policy of the European Union", *The European Journal of International Law*. http://www.ejil.org/journal/Vol.5/No.2/art2-05.html.

personality for the EU.[322] According to Article J.14, in case of concluding an agreement with one or more States or international organisations in implementation of the CFSP, the Council by acting unanimously may authorise the Presidency, assisted by the Commission as appropriate, to open negotiations and agreements shall be concluded by the Council acting unanimously on a recommendation from the Presidency.

In the area of security and defence, several innovations were brought by the Treaty of Amsterdam. First of all in Article J.7, it was stated that the CFSP shall include all questions relating to the security of the Union, including the progressive framing of a common defence policy, which might lead to a common defence, should the European Council so decide. This Article replaced the Article J.4 of the Maastricht Treaty. The only change was in wording of the Article. In Article J.4 of the Maastricht Treaty the phrase 'eventual framing of a common defence policy' was used, but in J.7 of the Treaty of Amsterdam the phrase 'progressive framing of a common defence policy' was used. The ambiguity about the development of a common defence policy dropped and firmness to develop a common defence policy was emphasized. Consequently, the possibility of a common defence policy was replaced by the objective of a common defence.[323]

According to Article J.7 (1), the WEU is accepted as an integral part of the development of the EU providing the EU with access to an operational capability and supporting the EU in framing the defence aspects of the CFSP. It was also decided to foster closer institutional relations between the EU and the WEU and the possibility of the integration of the WEU into the EU was left decision of the European Council.

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[322] Cameron, op.cit., in note 165, p. 67.

[323] Gourlay and Remacle, op.cit., p. 86.

Another important innovation brought by the Treaty of Amsterdam was the integration of Petersberg Tasks in Founding Treaties. Petersberg Tasks were adopted on 19 June 1992 by WEU Foreign and Defence Ministers who met near Bonn. These tasks are Humanitarian and Rescue Tasks, Peacekeeping Tasks, Task of Combat Forces in Crisis Management, including Peacemaking. According to Article J.7 (2) of the Treaty of Amsterdam: the questions referred to in this Article shall include humanitarian and rescue tasks, peace-keeping tasks and tasks of combat forces in crisis management, including peacemaking.

With this Article for the first time, the notions of peace-keeping and peace-related operations were codified in the constituent treaty of an international organization. No other treaty include provisions with reference to this type of activity. There is no provision in the United Nations Charter including peacekeeping. NATO and WEU carried out these task without a formal revision of their constituent instruments and CSCE/OSCE documents has no legal reference to peacekeeping.[324]

According to Article J.7 (3), it was stated that when the EU avail itself of the WEU to elaborate and implement decisions of the EU on the Petersberg Tasks, all Member States of the EU shall be able to participate fully and on equal footing in planning and decision-taking in the WEU.[325] According to the Protocol on Article 17 of the Treaty on the European Union, arrangements for enhanced cooperation between the EU and the WEU were decided to be drawn up within a year from the entry into force of this protocol.

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[324] Fabrizio Pagani, "A New Gear in the CFSP Machinery: Integration of the Petersberg Tasks in the Treaty on European Union", *The European Journal of International Law*, http://www.ejil.org/journal/Vol.9/No.4/art5-01.html.

[325] Cameron, op.cit., in note 165, p. 66.

The Treaty of Amsterdam brought many innovations in order to complete unfinished business of the Maastricht Treaty, to improve the coherence and effectiveness of the EU in the areas of foreign and security policy. Introduction of common strategies as a policy instrument of the CFSP, creation of the Post of High Representative for the CFSP, the establishment of Policy Planning and Early Warning Unit were some innovations that aimed at improvement of the coherence of the CFSP. However, these improvements were not sufficient to ensure the coherence and effectiveness of the CFSP. Fraser Cameron stated that past experience showed that appropriate structures and procedures alone will not be enough to ensure the coherent and effective foreign and security policy and the political will to use these structures and procedures was necessary for a real CFSP. This necessitates a deeper awareness among Member States of the interests they share as EU members as well as of the fact even many of their national interest might be served better when pursued jointly.[326] Fraser Cameron also put forward that the CFSP is a process in which the CFSP players will slowly learn to overcome the traditions and emotions of foreign policy and look at themselves not only as national representatives, but as participants in a common enterprise: the shaping of a genuine European foreign and security policy and in which the Member States gradually pursue their external interests together rather than separately.[327]

Thus, by looking at Cameron's words, the Treaty of Amsterdam brought appropriate structures and procedures to improve the coherence and effectiveness of

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[326] Fraser Cameron, "Building a Common Foreign Policy: Do institutions matter", in Kjell A. Eliassen (ed.), *Foreign and Security Policy in European Union* (London: SAGE Publications, 1998), p.76.

[327] Ibid., pp. 41-42.

the CFSP and political will to use them will be developed throughout the CFSP process.

5.2 CESDP: Launch of Defence Dimension of the CFSP

In the Treaty of Amsterdam progressive framing of a common defence policy was decided as an objective of the CFSP and the decision to frame a common defence policy was given to Member States when they consider appropriate. Two important developments acted as a catalyst for launching the defence dimension of the CFSP.

The first development was Kosovo conflict which made the size of military and leadership gap between the US and its European allies visible. European Allies of NATO started to rethink the establishment of a European-only security and defence policy with necessary defence capabilities.[328] In Kosovo crisis, European Allies of NATO relied on US military capabilities for crisis management and this showed major shortfalls in European defence capabilities.[329] Kosovo showed that burden-sharing imbalances within NATO was very critical; European military equipments were significantly inferior to the US with regard to strategic transport and logistics, intelligence (satellites, sensors, computers) and high-tech weaponry (precision-guide explosives, cruise missiles).[330]

The US's forces flied 60 % of all sorties, non-US forces flied over 15000 sorties, about 40% of all sorties and US aircrafts delivered %80 of the weapons. The

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[328] Elizabeth Pond, "Kosovo: Catalyst for Europe", *Washington Quarterly* (Vol.22 Iss.4, Autumn 1999), p. 3.

[329] Hüseyin Bağcı, "Turkey and Europe: Security Issues", in Michael S. Radu (ed.), *Dangerous Neighborhood, Contemporary Issues in Turkey's Foreign Relations* (New Brunswick: Transatlantic Publishers), p. 58.

[330] John C. Hulsman, "The Guns of Brussels: Burden Sharing and Power Sharing with Europe", *Policy Review* (Issue 101, June/July 2000). http://www.policyreview.org/jun00/hulsman.html.

US forces also provided crucial intelligence, communications and logistical capabilities and certain capabilities such as offensive electronic warfare, airborne command and control, all-weather precision munitions, air-to-air refueling and mobile target acquisition were only provided by the US.[331] European leaders were disappointed and frustrated, since they failed over the scale of the effort mounted by European forces compared to that of the US and since once again they appeared weak and incapable when responding a security challenge in their own backyard- the Balkans. In Europe, after Kosovo Crisis, ministerial statements have frequently suggested that more forceful military intervention is necessary to affirm the EU's identity and provide the EU enhanced capability in the eyes of European citizens disappointed with their governments' failure in the Balkans.[332]

The second development was the change of government in Britain in 1997 and the change in British attitude towards European security. The reason behind the change of government in Britain in 1997 was that John Major, former Prime Minister, committed Britain to political and economic union and a deeper European integration. However, he could not succeed, because of the 1992 election results which delivered a very small Conservative majority, i.e. Euroskeptic parliamentarians and party constraints prevented John Major from being an effective leader in policy making.[333] The reason behind the change of British attitude towards European security was the change in Tony Blair's attitude towards European security. After winning 1997 elections Tony Blair tried to give a leading role to

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[331] Paul Cornish, and Geoffrey Edwards, "Beyond the EU/NATO Dichotomy: the Beginnings of a European Strategic Culture", *International Affairs* (Vol. 77, No. 3, 2001), p. 103.

[332] Richard Young, "The European Security and Defence Policy: What Impact on EU's Approach to Security Challenges?", *European Security* (Vol. 11, No. 2, Summer 2002), p. 106.

[333] White, op.cit., p. 136.

Britain in the establishment of European Defence force. He wanted to take part and play a leading role in the restructuring of European defence cooperation to compensate for Britain's self-chosen exclusion from main step in economic integration, i.e. European Monetary Union. Blair thought that Europe had a limited ability for autonomous military action and he called for major institutional and resource innovations to make Europe a more equal partner in the transatlantic alliance.[334]

5.2.1 Saint Malo Summit (3-4 December 1998)

On 3-4 December 1998, at Saint Malo Summit, French President Jacques Chirac and British Prime Minister Tony Blair met. The two leaders issued a Joint Declaration on European Defence at Franco-British Saint Malo Summit which was accepted as the starting point for the defence dimension of the CFSP that was the CESDP.

> In this declaration, two leaders decided to take EU's defence role and questioned the need for the existence of the WEU as an independent institution, partly due to their frustration over Kosovo Crisis.[335] In this declaration, two leaders stated that The European Union needs to be in a position to play its full role on the international stage. This means making a reality of the Treaty of Amsterdam, which will provide the essential basis for action by the Union. It will be important to achieve full and rapid implementation of the Amsterdam provisions on CFSP. This includes the responsibility of the European Council to decide on the progressive framing of a common defence policy in the framework of CFSP. The Council must be able to take decisions on an intergovernmental basis, covering the whole range of activity set out in Title V of the Treaty of European Union. To this end, the Union must have the capacity for autonomous action, backed up by credible military

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[334] Stanley Sloan, *NATO, the European Union and the Atlantic Community, The Transatlantic Bargain Reconsidered* (USA: Rowman&Littlefield Publishers, 2003), p. 171.

[335] Meltem Müftüler-Bac, "Turkey's Role in the EU's Security and Foreign Policies", *Security Dialogue* (Vol.31, no.4, 2000), p. 491.

forces, the means to decide to use them, and a readiness to do so, in order to respond to international crises.[336]

Saint Malo Summit was a historically important event in the development of the foreign and security policy of the EU. First of all, it represented a change in the UK's security policy. The UK, which had an effective 50-year veto on the discussion of defence matters within the institutions of the EEC/EC/EU, gave up its veto and accepted urgency and legitimacy of an EU security capacity at both political and military levels.[337] The British government thought that the US will no longer regard European security in the same way as during the Cold War and that the maintenance and strengthening of the NATO depended on the CESDP. According to the British government, enhanced European military capability was the most effective way of silencing the voices of isolationism or the advocates of burden-sharing in the US.[338]

Secondly, Saint Malo demonstrated the determination of the UK and France, the two important military actors in the EU, to provide the EU a degree of actorness in the security field in line with constant French will to open up the prospect of the EU emerging as a security actor in its own right with autonomous capacity to take decisions politically and to implement them militarily.[339]

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[336] Kori Schake, Amaya Bloch Laine and Charles Grant, "Building A European Defence Capability", *Survival* (Vol. 41, No. 1, Spring 1999), p. 23.

[337] Jolyon Howorth, "European Defence and the Changing Politics of the European Union: Hanging Together or Hanging Separately?" *Journal of Common Market Studies* (Vol. 39, No. 4, November 2001), p. 769.

[338] Jolyon Howorth, "Britain, France and the European Initiative", *Survival* (Vol. 42, No. 2, Summer 2000), p. 34.

[339] Howorth, op.cit., in note 337, p. 769.

Finally, Saint Malo demonstrated the determination of the UK and France to prevent the EU from focusing only on civilian power, because they believe that military means constitute an important tool to be an influential international actor. Saint Malo Summit converged upon a common point that the EU required to develop a military capacity to sustain a coherent, effective and credible European foreign and security policy.[340]

5.2.2 Cologne European Council (3-4 June 1999)

After Franco-British Joint Declaration on Defence at Saint Malo, in Cologne European Council, Heads of State and Government of the EU Member States welcomed Saint Malo Declaration and decided to launch the CESDP. (this phrase was first used in Cologne European Council)

The main reasons behind the inclusion of defence dimension into the CFSP were as follows: Firstly, related to internal European debate and policy, a defence dimension was seen necessary in order to complete the CFSP and give the EU more coherence in its foreign policy; the lessons from the Balkans crisis and furthermore the weakness of the EU during the military campaign in Kosovo played an important role in the decision to include defence dimension into the CFSP. Secondly, related to transatlantic relations and the future of NATO, a European military capability was considered necessary to compensate for the new uncertainties over US military involvement in crisis management in Europe. It would also be a way for the Europeans to seriously influence US military strategy when the US decides to be

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[340] Ben Tonra, "The European Union's Global Role", *FORNET Working Paper*, FORNET Working Group 1: Theories and Approaches to the CFSP London School of Economics, 7/8 November 2003.

involved and thirdly related to empower NATO by strengthening European military capabilities.[341]

The last the reason behind the inclusion of defence dimension into the CFSP was to push the EU toward the ever closer union. According to this view, CESDP with its common strategic concept and centralized long-term force planning would be likely to have positive effects on strengthening central institutions of the EU, on consolidation of the CFSP. CESDP would also bring more coherence to EU foreign policy and CESDP would give the EU credibility in the eyes of its citizens. The public support for CESDP is noticeable. According to recent polls 74 % of Europeans support a common European defence policy.[342] Strengthening of European military capabilities was intended to develop stronger and more balanced transatlantic partnership.

In the European Council Declaration on Strengthening the Common European Policy on Security and Defence annexed to the Conclusions of the European Council Meeting, heads of state and government of EU Member States decided that European Union shall play its full role on the international stage. In order to achieve this objective, they intend to give the EU the necessary means and capabilities to assume its responsibilities regarding a common European policy on security and defence. Heads of State and Government stated that in order to pursue the objectives of the CFSP and the progressive framing of a common defence policy, they are convinced that the Council should have the ability to take decisions on the

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[341] Nicole Gnesotto, "European Security and Defence Policy: A European View", in European Security and Defence Policy: Taking Stock, CEPS-IISS European Security Forum, *Working Paper*, (No. 8, September 2002), p. 205.

[342] Mette Eilstrup Sangiovanni, "Why a Common Security and Defence Policy is Bad for Europe", *Survival* (Vol. 45, No. 3, Autumn 2003), p. 197.

full range of conflict prevention and crisis management tasks defined in the Treaty on European Union, the "Petersberg tasks". To this end, the Union must have the capacity for autonomous action, backed up by credible military forces, the means to decide to use them, and a readiness to do so, in order to respond to international crises without prejudice to actions by NATO.[343] Looking at the wording of Cologne European Council's declaration, it can be concluded that Cologne European Council's declaration repeated the language of Saint Malo Declaration. It was the affirmation of the decisions, taken at Saint Malo Summit by Blair and Chirac, by all leaders of EU Member States.

At the Cologne European Council, it was decided to establish a new security and defence decision-making structures in order to ensure political control and strategic direction of EU-led Petersberg operations. With this, the EU can decide and conduct EU-led Petersberg operations effectively. These new security and defence decisionmaking structures were the regular meetings of General Affairs Council consisting of EU foreign affairs and defence ministers; Political and Security Committee (PSC) a permanent body in Brussels consisting of representatives with political military expertise and the task to steer the CFSP and manage the CFSP's defence dimension; a Military Committee consisting of Military Representatives making recommendations to the PSC on military matters and a Military Staff consisting of more than 11 officers and tasked to inform and prepare the deliberations of the Military Committee and PSC on defence-related issues.[344]

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[343] Hill & Smith, op.cit., p. 250.

[344] Gilles Andréani, "Why Institutions Matter", *Survival* (Vol. 42, No. 2, Summer 2000), pp. 85-86 and Hill & Smith, op.cit., p. 253.

The establishment of these new security and defence decision making structures initiated institutionalization of the CESDP within the EU.

Cologne Summit placed the Petersberg Tasks at the center of the process of strengthening the European common security and defence policy and focused on development of a new security and defence decision making structure within the EU.[345] The Cologne Summit affirmed the idea of establishing 'a capacity for autonomous action' and agreed to develop a common EU policy on security and defence requiring a capacity for autonomous action backed by credible military capabilities and appropriate decision making bodies.[346] With Cologne Summit, a decision was taken for the full integration of the WEU into the EU. According to the decision, the WEU is expected to disappear as an independent institution and it is expected to integrate into the EU by the end of the French Presidency in the second half of 2000.[347] The Cologne Summit agreed to redefine Eurocorps, which include forces from France, Germany, Belgium, Luxembourg and Spain, into a European crisis reaction corps directly connected to the CFSP.[348] According to the Presidency Report on Strengthening the Common European Policy on Security and Defence approved and adopted by the European Council in Cologne, development of an EU

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[345] Bağcı, op.cit., p. 58.

[346] Bağcı, op.cit., p. 57.

[347] Sjuersen, op.cit., in note 180, p. 8.

[348] Ibid.

crisis management capacity was to be seen as an activity within the framework of the CFSP.[349]

5.2.3 Helsinki European Council (10-11 December 1999)

Helsinki European Council has defined a Headline Goal for Rapid Reaction Force for improving necessary military assets to carry out full range of Petersberg operations. According to the Presidency Progress Report to the Helsinki European Council on Strengthening the Common European Policy on Security and Defence, it was stated that

> To develop European capabilities, Member States have set themselves the headline goal: by the year 2003, cooperating together voluntarily, they will be able to deploy rapidly and then sustain forces capable of the full range of Petersberg tasks as set out in the Amsterdam Treaty, including the most demanding, in operations up to corps level (up to 15 brigades or 50,000-60,000 persons). These forces should be militarily self-sustaining with the necessary command, control and intelligence capabilities, logistics, other combat support services and additionally, as appropriate, air and naval elements. Member States should be able to deploy in full at this level within 60 days, and within this to provide smaller rapid response elements available and deployable at very high readiness. They must be able to sustain such a deployment for at least one year. This will require an additional pool of deployable units (and supporting elements) at lower readiness to provide replacements for the initial forces.[350]

At the Helsinki European Council, it was decided to establish new political and military bodies and structures within the Council to enable the Union to ensure the necessary political guidance and strategic direction to Petersberg operations, while respecting the single institutional framework.[351] These political and military bodies and structures within the Council enable the Union to ensure the necessary political

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[349] Münevver Cebeci, "A Delicate Process of Participation: The Question of Participation of WEU Associate Members in the DecisionMaking for EU-led Petersberg Operations With Special Reference to Turkey.", *Occasional Papers* (Brussels: Western European Union, 1999), p. 20.

[350] Hill & Smith, op.cit., p. 452.

[351] Hill & Smith, op.cit., p. 450.

guidance and strategic direction to Petersberg operations, while respecting the single institutional framework.[352] These political and military bodies and structures were a Standing Political and Security Community, the Military Committee and the Military Staff and these bodies were previously defined in Cologne European Council Presidency Conclusion. Consequently, at the European Council, heads of state and government of EU Member States affirmed their determination to institutionalize CESDP. By March 2000, these new bodies, the PSC, the European Union Military Committee (EUMC) and European Union Military Staff (EUMS) began to function as interim organizations as defined in Helsinki European Council Presidency Conclusion.

In the European Union Capabilities Commitment Conference which convened on 20-21 November 2000, Helsinki Force Catalogue which identified the capabilities necessary for the EU to respond to the full range of the Petersberg tasks and involved 100000 soldiers, 400 combat aircrafts and 100 vessels, including two aircraft carriers.[353]

Despite these efforts, realization of the objectives related with CESDP set out in the Helsinki European Council and furthering of efforts concerning CESDP faced several challenges. According Jolyon Howorth, CESDP is an unprecedented development within the European polity and making it work is an ultimate challenge. For him, firstly, rapid events of 1999-2001 have increased the capabilities-expectations gap and Europe seems to have draped itself in the apparel of actorness long before it could conceivably engage in action and everybody is praying that the

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[352] Hill & Smith, op.cit., p. 450.

[353] Sten Rynning, "Why Not NATO? Military Planning in the European Union", *The Journal of Strategic Studies* (Vol. 26, No. 1, March 2003), p. 56 and Sloan, op.cit., in note 22, p. 176.

next serious crisis will be considerate enough to wait until the EU is ready to handle it. Secondly, the EU has no tradition of power politics or energetic political action and will have to make a big effort to get the politics of security policy-making right. Thirdly, failure would both damage transatlantic relations and EU's political integration and EU's international role.[354] Also, Hans Christian Hagman asserted that lack of political cohesion among EU Member States and lack of effective strategic decision-making structures were other challenges for the success of the CESDP. According to his point of view, in order for Europe to carry more weight or credibility, effective strategic decision-making structures and effective coordination of economic, military elements were necessary.[355]

Mette Eilstrup Sangiovanni stated that CESDP is the wrong policy for Europe. For him, Europeans cannot launch a fully-fledged CESDP capable of rebalancing the transatlantic alliance in the military terms and let alone of exerting the respect for European military power that some Europeans regard as a precondition for influence on the US.[356] Sangiovanni by relying on defence experts, claimed that realization of Rapid Reaction Force by the year 2003 is impossible, because the cost of modernizing and equipping the RRF required more than 100 billion euros and this is more than 70 % of what European NATO allies spend on defence per year, so under this condition the RRF will not be fully operational until 2010.[357]

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[354] Howorth, op.cit., in note 337, p. 773.

[355] Hans-Christian Hagman, "European Crisis Management and Defence: The Search For Capabilities", *Adelphi Paper 153*, (USA: Oxford University Press, 2002), p. 77.

[356] Sangiovanni, op.cit., p. 198.
[357] Sangiovanni, op.cit., p. 198.

Sangiovanni also suggested that spending money on joint military capabilities is a waste of money in the EU where political divisions are clear. This is because decision-making based on unanimity and ambiguity in the mandate for EU's military intervention acted as a hurdle to deploy joint military force anywhere in the world and this would paralyse the force.[358]

According to Sangiovanni, the EU has a competitive advantage in non-military conflict management and the EU has predominantly a civilian power. Thus, it is useless to invest in European military force, the EU should invest in non-military civilian tools for crisis management. In his point of view, CESDP threatens to undermine strengthening the EU's non-military capacity for crisis management by diverting scarce resources away from civilian purposes.[359]

Sangiovanni asserted that CESDP might lead to a rift among European states. According to him, it seems difficult for Europeans to agree on a common strategic concept or an effective institutional framework for CESDP any time soon. Their various interests will lead to development of plans for enhanced cooperation which will allow a core group of EU members to proceed down the road to closer defence cooperation without explicit consensus of all Member States.[360]

Gilles Andréani advocated that a bottom-up approach is appropriate for CESDP. This means that groups of countries should propose capabilities they would endeavor to develop in cooperation and fold these into the the process, rather than

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[358] Sangiovanni, op.cit., p. 198.

[359] Sangiovanni, op.cit., p. 201.

[360] Sangiovanni, op.cit., pp. 201-202.

expecting the collective consideration of the defence needs of 15 states to produce all the answers. Moreover, in the case of a military operation, ad hoc coalition within the EU is suitable rather than endeavors of 15.[361] Andréani also claimed that key group of countries for defence cooperation will naturally include Germany, Britain and France and they should not organize themselves formally and their geometry must be flexible and they should take the lead in renationalizing defence structure and shaping EU policy.[362] Recently, Britain, France and Germany's plans to establish rapid reaction units which are intended to give clout to EU foreign policy are equipped for combat in world's most difficult terrain like jungles, mountains or deserts. The fact that they are composed of 1500 strong men and are ready for action at 15 day's notice and be able to stay in the field for 30 days and could be extended to a maximum of four months[363] can be accepted as the realization of Andréani's view about enhanced defence cooperation.

According to Sangiovanni, CESDP could not fulfil most of the goals cited as reasons for adopting it, CESDP could not rebalance Atlantic Alliance or reverse American unilateralism or significantly improve transatlantic burdensharing or propel EU faster towards a federal union. On the contrary, CESDP risks triggering a US withdraw from Europe before Europeans have substituted US forces in Europe and it risks enlargement by increasing divisions among current and future Member States.[364]

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[361] Andréani, op.cit., p. 93.

[362] Andréani, op.cit., p. 93.

[363] Stephen Castle, "Rapid Reaction Units Proposed To Give Clout To European Union Foreign Policy", Independent, February 11, 2004.

[364] Sangiovanni, op.cit., p. 202.

Thus, for Sangiovanni, Europeans should invest in improving their non-military capabilities which they have comparative advantage. By doing this, they both strengthen NATO by enabling a proper burden-sharing as a way to sustain the transatlantic alliance. By a division of labor based on comparative advantage and improving non-military capabilities of Europe's foreign and security policy could strengthen EU's political cohesion by building on these things which all Member States including small or neutral states can agree on and contribute to. Therefore, according to him, non-military focus could better consolidate the CFSP than a military strategy which will only trigger disagreements.[365]

Consequently, looking at the development of CESDP since its launch at Saint Malo, varying interests and views of Member States caused ambiguities about future development of CESDP. Disagreements among Member States in defence matters make enhanced defence cooperation only viable solution for preserving the cohesion among EU Member States concerning the CFSP. As a result, in order to preserve the coherence among EU Member States, keeping civilian character of the EU and strengthening of civilian capabilities of the CFSP on which Member States agree and the application of enhanced cooperation in defence matters in which willing Member States participate and flexible ad hoc coalitions emerged for military operation is more appropriate. Michael E. Smith also asserted that piecemeal enhanced cooperation whether sanctioned by the EU or not, may be the only way for

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[365] Sangiovanni, op.cit., p. 203.

some EU Member States to engage in selective learning by doing for the possible benefit of the EU as a whole.[366]

Furthermore, Christopher Hill claimed that in the long term geopolitical and cultural concentration might enable European states to speak only with one voice. However, this may not be desirable or wished by a majority of the EU's citizens, so, in the medium term it will be more realistic to utilize enhanced cooperation in foreign and defence policy, with opt-outs, coalitions of the willing and continued close working with the US and NATO.[367] Marta Dassu and Antonio Missiroli asserted that in order to create an appropriate institutional framework for common operational and industrial efforts, enhanced cooperation should be extended to defence and military matters with a clearer role for the High Representative for the CFSP as its institutional and operational pivot.[368]

Moreover, in order to ensure effectiveness of operations under CESDP, enhanced cooperation is only viable solution, because in defence matters, reaching consensus is very difficult and time-taking. However during a crisis situation, a quick intervention is needed, but in the EU, consensus is required for such operations and in the case of lack of consensus, the EU's intervention could not be carried out swiftly and crisis cannot be stopped timely. In Yugoslavian Crisis, European States' lack of consensus on military intervention prevented them to intervene and conflict escalated and EU's effectiveness and credibility was undermined. As a result, in

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[366] Michael E. Smith, op.cit., in note 101, p. 238.

[367] Christopher Hill, "CFSP: Conventions, Constitutions and Consequentiality", *A Quarterly Journal of Instituto Affari Internazionali* (Vol. XXXVII, No. 4, October-December 2002), p. 87.

[368] Marta Dassu and Antonio Missiroli, "More Europe in Foreign and Security Policy: The Institutional Dimension of CFSP", *A Quarterly Journal of Instituto Affari Internazionali* (Vol. XXXVII, No. 2, April-June 2002), p. 88.

order to avoid such situations, instead of searching for consensus, a group of willing European States can form ad hoc coalitions in a crisis situation, such enhanced cooperation will be more effective.

5.3 The Nice Treaty

The Nice treaty was signed on 26 February 2001 by fifteen Member States and entered into force on 1 February 2003 after ratification of the Treaty by all Member States. The Nice Treaty made a few arrangements concerning the CFSP as Michael E. Smith said Nice Treaty attempted to address much of unfinished business of Amsterdam.[369]

Firstly, provisions defining relations between the WEU and the EU have been removed from the TEU and the defence aspects of the CFSP are arranged by the EU itself.

Secondly, with the Article 25 of the Nice Treaty, Political Committee was replaced by Political and Security Committee and tasked with exercising under the responsibility of the Council, political control and strategic direction of crisis management operations.

Thirdly, the use of QMV was extended to two more CFSP areas in addition to areas agreed at Amsterdam; in appointment of a special representative with a mandate for particular foreign policy issues and in concluding an agreement with non-member states or international organizations when implementing a joint action or common position.

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[369] Michael E. Smith, op.cit., in note 101, p. 233.

Finally, the most important innovation brought by the Nice Treaty was the extension of enhanced cooperation, which was previously established in the area of JHA, to the CFSP. Antonio Missiroli claimed that the Nice Treaty adressed the issue of CFSP coherence in a more direct fashion namely in the new provisions on enhanced cooperation.[370] According to Article 27a of the Nice Treaty, enhanced cooperation in the CFSP should aim at safeguarding the values and serving the interests of the Union as a whole by asserting its identity as a coherent force on the international scene and should respect the principles, objectives, general guidelines and consistency of the common foreign and security policy and the decisions taken within the framework of that policy; the powers of the European Community and consistency between all the Union's policies and its external activities. Therefore, Article 27a of the Nice Treaty stated that enhanced cooperation under the CFSP shall respect both the consistency of the CFSP (the vertical one) and the consistency between all the EU's policies and external activities (the horizontal one).[371]

According to Article 27b, enhanced cooperation in the CFSP applies only to the implementation of a joint action or a common position. It does not relate to matters having military or defence implications. According to Michael E. Smith, the exclusion of defence from enhanced cooperation is a potentially crippling limitation, since military/defence issues were the most important area of the CFSP that might require a coalition of willing to take charge.[372] Marta Dassu and Antonio Missiroli also claimed that the exclusion of matters having military and defence implications would be a recipe for inconsistency and it would be the exclusion of a CFSP domain

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[370] Missiroli, op.cit., p. 191.

[371] Missiroli, op.cit., p. 192.

[372] Michael E. Smith, op.cit., in note 101, p. 235.

in which unequal distribution of relevant capabilities and willingness to engage them across the EU takes place.[373] Missiroli further suggested that the exclusion of matters having military and defence implications inserted a potential device for incoherence in that it set CESDP apart from the rest of the CFSP as a no-go-area, i.e. it has made it impossible to apply any form of enhanced cooperation to the crucial area of defence industry and procurement as well as having operational implications. In addition, it has also made it de facto impossible to apply enhanced cooperation to crisis management proper as its military component cannot be incorporated.[374]

In short, the main contribution of Nice Treaty to the CFSP was simplification of existing arrangements especially rules on enhanced cooperation and clarification of new obligations in more detail.[375]

Since the launch of the CFSP by the Maastricht Treaty through the course of time, most of the objectives set out in the Maastricht Treaty were accomplished by the Treaty of Amsterdam and Nice Treaty and the launch of CESDP by Franco-British Saint Malo Summit. However, the CFSP process has been continuing and the EU states have been furthering their efforts in reforming the CFSP and making the EU a coherent and effective actor in global politics.

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[373] Dassu & Missiroli, op.cit., p. 88.

[374] Michael E. Smith, op.cit., in note 101, p. 237.

[375] Missiroli, op.cit., p. 192.

CHAPTER 6

THE COMMON FOREIGN AND SECURITY POLICY IN THE POST SEPTEMBER 11 ERA

Seven months after the Nice Treaty, an important event happened and this event had changed the security perceptions and security environment in the world. On 11 September 2001, Terrorists belong to Al-Queda Terrorist network led by Osama Bin Laden by using hijacked air planes destroyed the World Trade Center in New York and a wing of the Pentagon in Washington and killed thousands of people.

After September 11 terrorist attacks against the US, the US initiated a 'war on terrorism' on a global scale. After September 11 terrorist attacks, a new security environment, security perceptions and security threats emerged; global terrorism, proliferation of weapons of mass destruction, failed states and organized crime were accepted as major security threats. Former Foreign Minister of Greece George Papandreou stated that by September 11, third generation conflicts, or so-called transnational conflicts, which do not have a specific territorial location, are dispersed, horizontal and asymmetric and have deep root causes and a massive character and turn against civil society, has emerged.[376] He also asserted that this

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[376] George Papandreou, "Greek Views on the EU Common Foreign and Security Policy", *The Brown Journal of International Affairs* (Vol. IX, Iss. 2, Winter/Spring 2003), p. 54.

typology of conflict includes the new threats, such as international terrorism, weapons of mass destruction and organized crime.[377]

Thus, the new security environment emerged after September 11 terrorist attacks affected the EU's CFSP. In the new security environment the need for a more coherent and effective foreign and security policy had increased.

6.1 September 11 and Its Impact on the CFSP

Immediately after September 11 terrorist attacks on New York and Washington, EU States declared their solidarity with the US in its fight against terrorism. Christopher Hill defined EU's immediate reaction to the attacks as effective solidarity.[378] Immediately after the September 11 attacks in order to express European solidarity with the US, Romano Prodi, President of the European Commission said that "In the darkest hours of European history, the Americans stood by the US. We stand by them now". Moreover, European leaders immediately convened to release a joint declaration as an expression of unity with American people, as well as condemnation of the perpetrators, organizers and sponsors of the terrorist attacks.[379]

By the end of 12 September, on a British suggestion, NATO members had invoked Article 5 of NATO Treaty to declare their full support for the US. This was an immediate and bold commitment and also High Representative for the CFSP Javier Solana immediately said that "the European Union stands firmly and fully

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[377] Ibid.

[378] Christopher Hill, "EU Foreign Policy since 11 September 2001: Renationalizing or Regrouping?", First Annual Guest Lecture in the Europe in the World' Center Series, University of Liverpool, 24.10.2002, http://www.liv.ac.uk/ewc accessed on 10.10.2003, p. 4.

[379] Deniz Altınbaş Akgül, "The European Union Response to September 11: Relations with the US and the Failure to Maintain a CFSP", *The Review of International Affairs* (Vol. 1, Iss. 1.4, Autumn 2002), p. 2.

behind the US."[380] Furthermore, Charles Grant claimed that in the immediate aftermath of the attacks on New York and Washington and during war in Afghanistan, EU Member States were united among themselves and in support for the US. He also stated that Europeans offered great deal of help to the US-led campaign against Al-Qaeda and the Taliban, including diplomatic and military support, the sharing of intelligence and new initiatives to help track down terrorists and their funding.[381]

According to Michael E. Smith, in their initial response to September 11 attacks, EU Member States were extremely quick to speak with a common voice; they expressed their support for the US and offered troops to the effort, but on a bilateral and national basis rather than collectively on behalf of the EU.[382] Most of operational support for the US was provided by the UK, which further strengthened perceptions of an unfair or inappropriate special relationship between the UK and the US. More embarassingly in December 2001 Belgian EU Presidency at Laeken Summit announced that the European Security and Defence Policy (ESDP) was operational and that the EU would provide up to 4000 troops for the peacekeeping force in Afghanistan. This could have been first deployment of new Rapid Reaction Force, but three big, France, Germany and the UK refused the announcement and decided to deploy troops on their own not under institutional umbrella of the EU.[383]

Jolyon Howorth put forward that European response to September 11 was renationalisation of security and defence reflexes. National leaders all expressed their

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[380] Hill. op.cit., in note 378, p. 5.

[381] Charles Grant, "The European Union and September 11th", CER.

[382] Michael E. Smith, "Institutional Moments, Policy Performance, and the Future of EU Security/Defence Policy", *EUSA Review* (Vol. 16, No. 1, Winter 2003).

[383] Ibid.

solidarity with the US on behalf of their respective countries. Each offered national military assets to the US and national leaders were keen to be seen to be engaging in bilateralism with the US administration; Jacques Chirac, Tony Blair and Gerhard Schröder raced with one another to the Oval Office.[384] Three leaders talked to each other before their visits to concert their arguments, but they did not make any effort to speak for the EU when in Washington.[385] The smaller Member States complained that by acting alone particularly in dealings with the US, the bigger countries undermined EU institutions and solidarity.[386]

Deniz Altınbaş Akgül agreed with these views and asserted that the competition among the individual EU Member States to obtain more influential position in the international arena, by becoming a good ally of the US, creates further difficulties for the establishment of a CFSP and she quoted from Brezinski that "we cannot talk about a Europe in this war, we can only talk about European states" and she also quoted from the deputy director of the Institut Français des Relations Internationales, Dominique Moisi, that "there is a renationalization of foreign policy, because it is a matter of different capabilities and feelings of interests."[387]

According to Charles Grant, September 11 highlighted and increased tensions between the EU's bigger and smaller states and he named this as 'Big against Small'.[388] Since September 11, with the British, the French and the German

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[384] Jolyon Howorth, "CESDP After 11 September: From Short-term Confusion to Long-term Cohesion?", *EUSA Review Essay* (Vol. 15, No. 1, Winter 2002).

[385] Charles Grant, "The Eleventh September and Beyond: The Impact on the European Union" (Oxford: Political Quarterly Publishing, 2002).

[386] Ibid.

[387] Akgül, op.cit., p. 18.

[388] Grant, op.cit., in note 385.

leading the EU's response, the big-small divide has deepened; the leaders of EU's big three, French President Jacques Chirac, British Prime Minister Tony Blair and German Chancellor Gerhard Schröder, twice met as a group and these summits were called as mini-summits and these mini-summits provoked the smaller states to complain that these meetings undermine the EU's solidarity.[389]

President Chirac, Prime Minister Blair and Chancellor Schröder held a brief mini-summit before the European Council meeting in Ghent on 20 October 2001. In this Summit, Chirac, Blair and Schröder discussed the Afghanistan operation, the fight against international terrorism and their positions on the international scene. Jolyon Howorth claimed that this attempt to organize a widely resented Directoire overshadowed the substansive decision of the European Council itself.[390]

At the Ghent Summit although Belgian Minister of Foreign Affairs Louis Michel tried not to give priority to fight agasinst terrorism, diverting the EU from concentrating on the main issues of agenda like introduction of the Euro and the enlargement, these issues were overshadowed by issues like terrorism, the US-led war against terrorism and the Afghanistan operation.[391] At the Ghent Summit, it could be seen that only the big states had a real say in the EU, by relying on common understanding between France, Germany and the UK reached at the minisummit before Ghent, the EU leaders reconfirmed their solidarity and full support for the US-led Afghanistan operation. The leaders also stated that they would reopen their ports and airspace to American military forces and would provide logistical support.[392]

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[389] Grant, op.cit., in note 385.

[390] Howorth, op.cit., in note 384.

[391] Akgül, op.cit., p. 16.

[392] Akgül, op.cit., p. 16.

Therefore, decisions taken at Ghent Summit were taken according to the big states'

decisions at mini-summit proved the US perceptions that bilateral contacts with EU

Member States would be more useful than negotiating with the EU as a whole which

is full of hesitations and contradictions.[393]

Three leaders decided to meet again on 5 November 2001 in London. Blair

planned to invite German Chancellor Gerhard Schröder, French President Jacques

Chirac and French Prime Minister Lionel Jospin and after complaints of Italian

Prime Minister Silvio Berlusconi, Spanish Prime Minister Jose Maria Aznar, Belgian

Prime Minister Guy Verhofstadt and Dutch Foreign Minister Wim Kok, Blair invited

Berlusconi, Aznar, Verhofstadt, Kok and High Representative for the CFSP Solana

to a dinner in Downing Street on 4 November 2001.[394]

At the Downing Street Dinner, international positions of the UK, the EU

and the biggest states of Europe were discussed and the UK was asked to put

pressure on US Administration to include EU states more closely in the anti-terror

campaign.[395] These mini-summits led to divisions among EU Member States

especially between bigger and smaller states and undermined the solidarity and

coherence among EU Member States. Thus, the mini-summits clearly undermined

one of the most important purpose of the EU; to speak with one voice.[396] EU

Member States' failure to speak with one voice also undermined their international

credibility, because in their Joint Declaration just after September 11 attacks in the

US, leaders of EU Member States declared that they shall continue to develop the

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[393] Akgül, op.cit., p. 17.

[394] Grant, op.cit., in note 385.

[395] Akgül, op.cit., p. 17.

[396] Akgül, op.cit., p. 18.

CFSP until a view to ensuring that the EU is genuinely capable of speaking out clearly and doing so with one voice, but they were not successful.

Charles Grant claimed that the fact that bigger EU Member States required to hold these mini-summits indicated that when there is a crisis and especially one with a military dimension, the EU's existing institutions are ill-suited to coordinate a quick response or represent the EU forcefully to the rest of the world and as the holder of the EU's rotating presidency in the second half of 2001, Belgium had the responsibility for managing the EU's reactions to September 11, but being a small country without a huge diplomatic or military clout, Belgium lacked the credibility or resources to perform that task well, so the need to reform the institutions of the CFSP especially the EU's rotating presidency – the system in which every six months a different member takes over the presidency – increased.[397] As countries outside the EU have complained that they are fed up with having to adjust every six months to a new set of people and priorities and as there is a problem of international credibility. Countries outside the EU do not take the EU seriously since the state holding the EU's rotating presidency is a small one with limited diplomatic clout or experience. This undermines EU's international credibility, like during the Belgian presidency in the second half of 2001. The US did not take Belgian Presidency seriously and the US did not need to inform the Belgians of its plans and on 7 October 2001 when the US was about to start bombing Afghanistan, Secretary of State Colin Powell called Solana to warn him in advance – but not the Belgian government.[398] Thus, after September 11, in order to strengthen effectiveness and international credibility of the EU, the need to reform or abolish Rotating Presidency increased.

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[397] Grant, op.cit., in note 385.

[398] Grant, op.cit., in note 385.

Furthermore, after September 11, in order to increase the coherence and effectiveness of EU's foreign policy, there will be a pressure for the two sides of EU foreign policy, diplomacy under Solana and economic assistance under Chris Patten, the commissioner for external relations, to be integrated closely. It was widely thought that in order to strenghten Europe's voice in global politics these two sides should be managed fused.[399]

Moreover, Charles Grant claimed that Solo Diplomacy pursued by any EU Member State is not necessarily harmful to the EU as long as bigger Member States present a common European view and work for the unity of the anti-terrorism coalition rather than try to undermine each other or the EU, their Solo Diplomacy can strenghten EU's foreign policy.[400] Therefore, Member States with a huge diplomatic and military power must consult the High Representative for the CFSP and the Commission and inform them of their action in order to increase the credibility of the EU institutions.[401]

In a Centrum für Angewandte Politikforschung (CAP) Working Paper, titled Reassessing EU Foreign Policy Challenges and Tasks in the Post September 11 Era, issued in May 2002 it was also stated that in the past, parallel diplomatic initiative with the EU was criticized due to its weakening effects on the perception of the EU as a coherent foreign policy actor, but after September 11, diplomatic initiatives by one or more Member States can strenghten European foreign policy if it

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[399] Grant, op.cit., in note 385.

[400] Charles Grant, "A Stronger European Foreign and Defence Policy", in Edward Bannerman et.al. (eds.), *Europe After September 11th* (London: CER, December 2001), p. 42.

[401] Ibid.

reflects common interests of EU Member States and it is parallel with the EU's diplomatic initiatives.[402]

Thus, in the aftermath of September 11 and US operation in Afghanistan, the EU Member States in the initial phase declared their solidarity with the US and adopted a common position on fight against terrorism. In later phases, bigger Member States by excluding smaller ones had supported the US in its war against terrorism on bilateral basis not through the EU and this led to divisions among the EU and frustrations among excluded smaller Member States. In addition, Belgium's, as the holder of the Presidency in the second half of 2001, limited diplomatic and military clout led the EU to lose its international credibility, since the outside world especially the US does not take the EU seriously. Consequently, this led to increase in the need to reform or abolish rotating presidence.

To conclude, September 11 attacks and following US operation in Afghanistan hit the EU when it was trying to build a more effective and coherent CFSP[403] and these events showed that the EU still has deficiencies in building an effective and coherent CFSP and the need to reform CFSP institutions has come on the agenda of the EU.

6.2 Iraq Crisis and the CFSP

After September 11 Terrorist Attacks, EU Member States had adopted a relatively coherent position on the fight against terrorism and Taliban Regime in Afghanistan, but when US Administration decided to extend its war against terrorism

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[402] Reassessing EU Foreign Policy Challenges and Tasks in the Post September 11 Era, CAP Working Paper, May 2002, p. 35.

[403] Grant, op.cit., in note 400, p. 32.

to Iraq and shift war from Afghanistan towards Iraq, most of the European governments and citizens opposed US decision to extend war to Iraq.

Most European governments and citizens willingly supported the US in its fight against Taliban and Al-Qaeda, because they regarded Osama Bin Laden and his terrorist network as a threat, but very few Europeans regarded Iraq as a threat.[404] Europeans thought that although Saddam is trying to develop nuclear arms and already has chemical and biological weapons, but he is a long way from having an atom bomb and he has not used chemical and biological weapons since 1980s. As there is no evidence that he has worked with international terrorist networks, deterrence, containment not confrontation seem sufficient to prevent him from attacking neighbours or using his biological and chemical weapons.[405] Most of the Europeans thought that a war against Iraq would destract from the war against terrorism and might lead to uncontrollable escalation and mass causalties as well as further estrangement between the Arab world and the West. They also feared that a cornered Iraqi dictator might use his arsenal of chemical and biological weapons and would almost certainly strike out against Israel, attempting to turn the conflict into a war between the West and the Muslim World.[406]

On the other hand, the US Administration thought that Al-Qaeda and Iraq have a common interest in wanting to hurt the US as much as possible and inspite of the lack of evidence that Saddam has collaborated with Al-Qaeda, the US

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[404] Grant, op.cit., in note 400.

[405] Grant, op.cit., in note 385, p. 151.

[406] Anja Dalgaard Nielsen, "Gulf War: The German Resistance", *Survival* (Vol. 45, No. 1, Spring 2003), p. 100.

Administration feared that he may give his weapons of mass destruction to terrorists, so Saddam should be deposed quickly.[407]

Some of European Governments supported the US Administration's cause in Iraq Crisis and this led to divisions among them. As Charles Grant called Iraq as Achilles heel of EU foreign policy[408] during the Iraq Crisis in early 2003, once again after the Gulf War in 1991, EU Member States were not able to develop a common policy over Iraq. France and Germany were against the US-led war in Iraq and on 22 January 2003 on the occasion of the 40th anniversarry of the Elyssée Friendship Treaty, German Chancellor Gerhard Schröder and French President Jacques Chirac decided to deepen their cooperation against a US-led war in Iraq and Chirac stated that "Germany and France have the same judgement on this crisis that war is not inevitable". Schröder agreed with Chirac and declared that Germany would not vote in the UN Security Council and stated that "we agree completely to harmonize our positions as closely as possible to find a peaceful solution."[409]

On 27 January 2003, at the General Affairs and External Relations Council, Ministers reaffirmed that "the EU's goal remains the effective and complete disarmament of Iraq's weapons of mass destruction. The Council fully supports the UN to ensure full and immediate compliance by Iraq with all relevant resolutions of the Security Council" and they emphasized the importance of the UN Security Council in maintaining international peace and security must be respected.[410]

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[407] Grant, op.cit., in note 385, p. 152.

[408] Grant, op.cit., in note 385, p. 152.

[409] Mirjam Dittrich, "Europe in the World, EU-Iraq: A Brief Chronology", *Working Papers*, 02.04.2003, http://www.theepc.net.

[410] Ibid.

However, three days later, on 30 January 2003, eight European leaders including Denmark, Italy, Portugal, Spain, the UK, Czech Republic, Hungary and Poland and called as The Gang of Eight signed an open letter of solidarity backing US policy towards Iraq without consulting France or Germany or the Greek Presidency.[411] The declaration urged Europeans to unite with the US to force Saddam to give up his weapons of mass destruction and the leaders emphasized that the transatlantic relationship must not become a casualty of Saddam Hussein's threat to world security.[412]

In addition, on 7 February 2003, a group of central and eastern European countries, some of which were candidates for EU Membership including Slovakia, Lithunia, Bulgaria, Estonia, Romenia, Slovenia, Albania, Croatia and Macedonia called as Vilnius 10, issued a joint letter to support the US position on Iraq.[413] In this letter, it was stated that the US presented compelling evidence to the UN Security Council about Iraq's weapons of mass destruction programs, its active efforts to deceive UN inspectors and its links to international terrorism. They stated that they understand the dangers posed by tyranny and the special responsibility of democracies to defend their shared values; they asserted that trans-Atlantic Community of which they are a part must unite against the threat posed by terrorism and dictators with weapons of mass destructions and they emphasized that Iraq is violating UN Security Council Resolutions, including Resolution 1441 and they

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[411] Ibid.

[412] Ibid.

[413] Ibid.

announced that they are ready to contribute to an international coalition to enforce its provisions and the disarmament of Iraq.[414]

These two letters were seen as direct retaliation for an anti-war position adopted by France and Germany. Greek Prime Minister Costas Smitis as the holder of EU Presidency stated that these initiatives did not contribute to a common approach to the problem and the EU aimed to have a common foreign policy, so there is a need for coordination in Iraq. Furthermore, French President Chirac criticized the candidate countries which signed the letter and called their behavior as childish and dangerous and warned it could have an impact on their hopes of joining the EU as they missed a great opportunity to shut up.[415] As a result, the US-led war in Iraq led to divisions between EU Member States, US Defence Secretary Donald Rumsfeld called this as a division between 'Old Europe' including France and Germany who opposed US-led war against Iraq and 'New Europe' including the Member States and Candidate States supporting US-led war against Iraq.

In fact, the real division among EU Member States were not between public, but between governments, majority of the Europeans were against a US-led war against Iraq.[416] Moreover, Brian Crowe claimed that, during the Iraq Crisis, two EU Member States, also, the permenant members of the UN Security Council, France and the UK, tried to keep the Iraqi problem to be dealt with the UN not the EU, because they thought that any attempt to develop a common EU position on Iraq

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[414] Ibid.

[415] Ibid.

[416] Michael Brenner, "The CFSP Factor: A Comparison of United States and French Strategies", *Cooperation and Conflict: Journal of Nordic International Studies Association*, (Vol. 38, No. 3, 2003), p. 193.

would be more damaging than helpful to a still fragile CFSP which was making real progress in other areas like the Balkans and the Middle East.[417]

Thus, Iraq Crisis once again showed that, in order to be an effective actor in global politics, the EU should develop a coherent foreign and security policy. The division among EU Member States during the Iraq Crisis prevented them to adopt a common position and also, this prevented them to influence US foreign policy and affect the course of events. Therefore, lack of coherence among them toward the Iraq Crisis undermined their effectivess. According to Christopher Hill, during the Iraq Crisis, Europe has been timid and the CFSP has been almost wholly silent and Europeans have produced the silence of the lambs, divided, powerless and frozed with apprehension.[418]

Despite divisions among EU Member States, Iraq Crisis had a positive impact. EU Member States' failure to act as a coherent actor during the Iraq Crisis led to renewal of efforts to improve the CFSP. In addition, according to Steven Everts and Daniel Keohane, Iraq Crisis has been a wake up call for Europeans and they thought that the EU's handling of Iraq was an abysmal failure and there are signs that Europeans are learning from that fiasco and are moving ahead, the Convention on the Future of Europe, European Security Strategy and latest developments in ESDP were signs of European's efforts to regroup and analyse what is wrong and adjust accordingly after failure in Iraq Crisis. Fraser Cameron, by relying on some analysts claimed that the divisions and disarray in Iraq Crisis will lead to genuine improvement in the CFSP once dust is settled.[419]

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[417] Crowe, op.cit., p. 535.

[418] Hill, op.cit., in note 378, pp. 14, 31.

[419] Cameron, op.cit., in note 62.

6.3 Draft Treaty Establishing a Constitution for Europe and the CFSP

Draft Treaty establishing a Constitution for Europe which had been adopted by consensus by the European Convention on 13 June and 10 July 2003 and submitted to the President of the European Council in Rome on 18 July 2003 brought many innovations, in order to make the CFSP more coherent and effective. The Convention on the Future of Europe under the Presidency of Valery Giscard d'Estaing assisted by two Vice-Presidents, Jean-Luc Dehane and Guliano Amato with its 109 members including representatives of national governments, national parliaments, the European Parliament, the European Commission and a small number of observers prepared the Draft Treaty establishing a Constitution for Europe.

According to Marta Dassu and Antonio Missiroli, developing a coherent common foreign policy and defence policy had been one of the main objectives of the European Convention.[420] Steven Everts and Daniel Keohane also claimed that the Convention aimed at solving the problems of coherence, effectiveness and legitimacy and some of the proposals already agreed in the Convention will undoubtly make the EU a more united and effective actor.[421]

During the Convention, there had been widespread consensus on the need to make the EU a more coherent actor in the domain of the CFSP and improve EU's ability to speak with one voice. The introduction of the post of EU Minister of Foreign Affairs, introduction of an elected and longer term Presidency of the European Council, introduction of a Mutual Solidarity Clause, extension of

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[420] Dassu & Missiroli, op.cit., p. 80.

[421] Steven Everts, and Daniel Keohane, "The European Convention and EU Foreign Policy: Learning From Failure", *Survival* (Vol. 45, No. 3, Autumn 2003), pp. 167-168.

Petersberg Tasks and introduction of Structured Cooperation are among the innovations brought by the Draft Treaty establishing a Constitution for Europe in order to make the EU a more coherent actor in global politics.

By the Draft Treaty establishing a Constitution for Europe, a new post of EU Minister of Foreign Affairs had been introduced. The post of EU Minister of Foreign Affairs was proposed by the European Convention to promote coherence in EU foreign policy and provide an institutional bridge between the supranational European Commission and the intergovernmental Council. According to the European Convention, the post of EU Minister of Foreign Affairs should merge the functions of Commissioner for External Relations, (1st pillar) with the functions of Council's High Representative for the CFSP, (2nd pillar).[422]

The main reason behind merging of the roles of Solana, High Representative for the CFSP and Patten, the Commissioner for External Relations, is to ensure that in future, the two arms of EU external relation work better together and also, by creating an EU foreign policy supremo, European interests can be better promoted around the world.[423]

According to Article 27 of the Draft Treaty establishing a Constitution for Europe, the EU Minister of Foreign Affairs shall conduct the Union's common foreign and security policy. He or she shall contribute by his or her proposals to the development of the common foreign policy, which he or she shall carry out as mandated by the Council of Ministers and the same shall apply to the common security and defence policy. He or she shall be one of the Vice-Presidents of the

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[422] Catriona Gourlay and Joshua Kleymeyer, "The Defence Deal in the IGC", *European Security Review*, No. 20, December 2003. http://isis-europe.org/isiseu/esreview/esreview.html.

[423] Everts and Keohane, op.cit., p. 171.

Commission and he or she shall be responsible there for handling external relations and for coordinating other aspects of the Union's external action and in exercising these responsibilities within the Commission, and only for these responsibilities, he or she shall be bound by Commission procedures.

According to Article III-197, the EU Minister of Foreign Affairs shall chair the Council of Ministers of Foreign Affairs and contribute through his or her proposals towards the preparation of the CFSP and shall ensure implementation of the European decisions adopted by the European Council and the Council of Ministers and on matters relating to the CFSP, he or she shall represent the EU and he or she shall conduct political dialogue on the EU's behalf and shall express the EU's position in international organisations and at international conferences and in fulfilling his or her mandate, the Union Minister of Foreign Affairs shall be assisted by a European External Action Service working in cooperation with the diplomatic services of the Member States. Therefore, here EU Minister of Foreign Affairs will be tasked with ensuring greater consistency between the Community and the CFSP in external relations.[424]

In order to overcome the problems created by rotating presidency, which are lack of consistency as each holder of the Presidency every six months imposes its own foreign policy preferences and priorities on the EU as a whole and the danger of small states without a huge diplomatic and military clout holding the Presidency at crucial moments like Belgium held the Presidency on September 11[425], and increase

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[424] Simon Duke, "The Convention, the Draft Constitution and External Relations: Effects and Implications for the EU and Its International Role", *Working Paper* (European Institute of Public Administration, 2003/2), p. 16.

[425] Anond Menon, "Enhancing The Effectiveness of the EU's Foreign and Defence Policies", *CEPS Policy Brief*, (No. 29, December 2002). http://www.ceps.be., p. 7.

international credibility and effectiveness of the EU, the Draft Treaty establishing a Constitution for Europe introduced an elected and longer term Presidency of the European Council. According to Article 21 of the Draft Treaty establishing a Constitution for Europe, the European Council shall elect its President, by qualified majority, for a term of two and a half years, renewable once and he or she shall chair the European Council and drive forward its work, shall ensure its proper preparation and continuity in cooperation with the President of the Commission, and on the basis of the work of the General Affairs Council, shall endeavour to facilitate cohesion and consensus within the European Council, shall present a report to the European Parliament after each of its meetings and he or she shall at his or her level and in that capacity ensure the external representation of the EU on issues concerning its CFSP, without prejudice to the responsibilities of the EU Minister of Foreign Affairs.

According to Article 6 of the Draft Treaty establishing a Constitution for Europe, the EU shall have legal personality. Most members of European Convention believed that a single legal personality lead to greater effectiveness in the EU's external relations.[426] Firstly, by granting a legal personality to the EU, the EU would become a subject of international law alongside the Member States, thus, the EU would be able to avail itself of all means of international action (right to conclude treaties, right of legation, right to summit claims or to act before an international court or judge, right to become a member of an international organization or become party to international conventions as well as to bind the EU internationally).[427] Secondly, by granting a legal personality to the EU, current delegations would become delegations of the EU and according to Article III-225 of the Draft Treaty

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[426] Duke, op.cit., in note 424, p. 6.

[427] Duke, op.cit., in note 424, p. 6.

establishing a Constitution for Europe, the EU delegations in third countries and to international organizations shall represent the EU and the delegation operate under authority of the EU's Minister of Foreign Affairs and in close cooperation with Member States' mission.[428] Finally, by granting a legal personality to the EU; the Draft Treaty establishing a Constitution for Europe permits the EU to conclude 'agreements with one of more third countries or international organizations where the constitution so provides, as well as association agreements with one of more third countries or international organizations.[429]

In order to enhance coherence and efficiency of the external representation of the EU, the Draft Treaty establishing a Constitution for Europe created European External Action Service. According to Declaration on the Creation of a European External Action Service, in order to assist the future EU Minister of Foreign Affairs to perform his or her duties, the Convention agrees on the need for the Council of Ministers and the Commission to agree, without prejudice to the rights of the European Parliament, to establish under the Ministry's authority a European External Action Service composed of officials from relevant departments of the General Secretariat of the Council of Ministers and of the Commission and staff seconded from national diplomatic services.

With the Draft Treaty establishing a Constitution for Europe, a Solidarity Clause was introduced. According to this clause, the EU and its Member States shall act jointly in a spirit of solidarity if a Member State is the victim of terrorist attack or natural or man-made disaster the EU shall mobilise all the instruments at its disposal, including the military resources made available by the Member States, to prevent the

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[428] Duke, op.cit., in note 424, p. 8.

[429] Duke, op.cit., in note 424, p. 12.

terrorist threat in the territory of the Member States, to protect democratic institutions and the civilian population from any terrorist attack, to assist a Member State in its territory at the request of its political authorities in the event of a terrorist attack.

According to the Draft Treaty establishing a Constitution for Europe, Closer Cooperation shall be established, in the EU framework as regard mutual defence; under this cooperation, if one of the Member States participating in such cooperation is the victim of armed aggression on its territory, the other participating States shall give it aid and assistance by all the means in their power, military or other, in accordance with Article 51 of the United Nations Charter. Article III-214 (1) stated that the Closer Cooperation on mutual defence shall be open to all Member States of the EU.

With the Draft Treaty establishing a Constitution for Europe, Petersberg Tasks had been expanded to include joint disarmament operations, humanitarian and rescue tasks, military advice and assistance tasks, conflict prevention and peace-keeping tasks, tasks of combat forces in crisis management, including peacemaking and post-conflict stabilisation. The tasks are those tasks for which both civilian and military means might be used and all these tasks may contribute to the fight against terrorism, including by supporting third countries in combating terrorism in their territories.

By the extension of Petersberg tasks to the tasks for which both civilian and military means might be used, the previous division between Petersberg Tasks and the remaining civilian aspects of crisis management many of which were not specifically mentioned in the Petersberg Tasks, but nevertheless took their legitimacy from CFSP's general mandate covering all areas of foreign and security policy had

ended.[430] This will lead to a greater coherence among civilian and military aspects of Petersberg Tasks.

According to the Draft Treaty establishing a Constitution for Europe, those Member States whose military capabilities fulfil higher criteria and which have made more binding commitments to one another in security and defence area with a view to the most demanding missions shall establish structured cooperation within the EU framework. The Council of Ministers may ask the Member States participating structured cooperation to carry out at the EU level Petersberg Tasks.

IGC on the Draft Treaty establishing a Constitution for Europe which started in October 2003 had continued, but by looking at innovations, it can be concluded that the Draft Treaty establishing a Constitution for Europe is a big step in making EU a more coherent and effective actor in global politics.

6.4 European Security Strategy

After the deep divisions among EU Member States during the Iraq Crisis, at their meeting in Brussels at a chic restaurant after the fighting ended, German Foreign Minister Joschka Fischer, French Foreign Minister Dominique de Villepin and British Prime Minister Jack Straw agreed that there was much more that united than divided them and decided to invite the EU's High Representative for the CFSP, Javier Solana to prepare a security strategy.[431] At the informal meeting of EU foreign ministers in Greece on 2-3 May 2003, EU foreign ministers tasked Solana to produce an EU Security Strategy paper for the Thessaloniki European Council on 20-21 June 2003.

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[430] Duke, op.cit., in note 424, p. 21.

[431] Cameron, op.cit., in note 61.

The intention behind the preparation of European Security Strategy was to establish a common European security concept which will in the future prevent divisions among EU Member States in possible crisis, like in Iraq Crisis and make EU a coherent and effective actor in foreign and security policy issues. Fraser Cameron advocated the preparation of European Security Strategy. According to his point of view, individual Member States have their own security concepts, but Iraq Crisis showed that there is no security concept at the EU level and this led to divisions among Member States and during Iraq Crisis, EU's lack of coherence damaged EU's identity, credibility and institutional structure and also impaired trust between Member States.[432]

Steven Everts also shared the same views with Cameron and he strongly asserted that the EU urgently requires a security strategy, since Europe does not have a shared vision of current security threats and sufficient policy responses. For him, one of the main reasons behind the EU's division during the Iraq Crisis was the lack of a shared threat assessment. He also, like Cameron, thought that EU Member States first formed their own national viewpoint and then tried half-heartedly to find a common stance with its European partners.[433] Furthermore, Everts believed that in order to develop a successful foreign policy, Europeans must agree on a common view of nature of the international security environment which changed after September 11 terrorist attacks and the EU's role within it. Moreover, they must develop a shared perception of the most serious threats, the most important

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[432] Fraser Cameron, "An EU Strategic Concept", *EPC Issue Paper*, (No. 4), http://www.theepc.net accessed on 17.10.2003.

[433] Steven Everts, "Why the EU Needs a Security Strategy", *Briefing Note*, CER. http://www.cer.org.uk.

opportunities that environment poses and appropriate policy responses to deal with major threats.[434]

In addition, both Cameron and Everts asserted that the preparation of European Security Strategy would be a response to the US National Security Strategy paper of September 2002 which combines global pre-eminence with pre-emptive strikes.[435] Everts claimed that by Security Strategy, Europeans could develop a coherent assessment of this new world, it would help them to decide on appropriate policy responses to deal with the new US.[436] According to Everts, a European Security Strategy would help to reconcile the activists, France and the UK, which want the EU to pursue an activist and global foreign policy; with the pacifists, Germany and neutral states, which want to keep the status quo or the EU to have a regional outlook, on the question of when the use of force is justified.[437] Moreover, Everts thought that European Security Strategy could also help the EU to devise concrete policies aimed at tackling concrete problems and establish connections between objectives and instruments and the European Security Strategy would help to identify what kind of developments would trigger what sort of reaction.[438]

High Representative for the CFSP, Javier Solana, with the request of foreign ministers of the EU Member States, drafted first Draft of the European Security Strategy titled 'A Secure Europe in a Better World' and presented to the Thessaloniki European Council on 20 June 2003 and after revisions by inputs from

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[434] Ibid.

[435] Ibid. and Cameron, op.cit., in note 432.

[436] Everts, op.cit..

[437] Everts, op.cit..

[438] Everts, op.cit..

member and acceding states and independent experts, second draft of the European Security Strategy was adopted by the EU leaders at Rome European Council on 12-13 December 2003.

In the Security Strategy, the importance of coherence for making the EU an effective actor in global politics was emphasized and it was stated that the increasing convergence of European interests and the strengthening of mutual solidarity of the EU make Europeans a more credible and effective actor and added that Europe should be ready to share in the responsibility for global security and in building a better world.

In the first section of the European Security Strategy, global challenges and key threats in the security environment were examined. Under the heading of global challenges, it was stated that the internal and external aspects of security are indissolubly linked in the Post-Cold War environment and some have perceived globalisation as a cause of frustration and injustice and in much of the developing world, poverty and disease cause untold suffering and give rise to pressing security concerns. Moreover, it was stated that in many cases, economic failure is linked to political problems and violent conflict and security is accepted as a precondition of development. Under the heading of key threats, it was stated that large-scale aggression against any Member State is now improbable. Instead, Europe faces new threats which are more diverse, less visible and less predictable and terrorism, proliferation of weapons of mass destruction, regional conflicts, state failure and organized crime were accepted as key threats to European security.

In the second section of European Security Strategy, strategic objectives of the EU were examined. In order to defend European security and promote European values, three strategic objectives were determined, these were the objectives of

adressing the key threats, the objective of building security in the EU's neighbourhood and the objective of establishment of an international order based on effective multilateralism.

In the third section, policy implications for Europe were examined, under this heading, it was stated that the EU has made progress towards a coherent foreign policy and effective crisis management and added that if the Europeans want to make a contribution that matches their potential, they need to be more active, more coherent and more capable and they have to work with others. It was also stated that European States need to develop a strategic culture that fosters early, rapid, and when necessary, robust intervention, to develop operations involving both military and civilian capabilities. It was stated that the EU should support the UN as it responds to threats to international peace and security and adopt a strategy of preemptive engagement, i.e. the ability to act before countries around the EU deteriorate, when signs of proliferation are detected, and before humanitarian emergencies arise, by doing this, the EU can avoid more serious problems in the future. It was claimed that a EU which takes greater responsibility and which is more active will be one which carries greater political weight. Furthermore, in order to make the EU more capable, the establishment of a defence agency was proposed and the EU-NATO permenant Berlin Plus arrangements are accepted as enhancing the EU's operational capability and providing the framework for the strategic partnership between the two organizations in crisis manegement.

In third section, the need for more coherence was emphasized and it was stated that the point of the CFSP and ESDP is that they are stronger when they act together. The need for greater coherence both among different EU instruments and

capabilities, different EU policies and external activities of individual Member States was emphasized. Furthermore, in dealing with regional conflicts the need for coherent policies was emphasized and it was stated that problems are rarely solved on a single country basis, or without regional support. In solving international problems the need for multilateral cooperation in international organizations and partnership with key actors was emphasized. Moreover, development of an effective and balanced partnership is accepted as an aim and in order to achieve this aim, the need to build-up further EU's capabilities and increase its coherence was emphasized. Furthermore, the intention to develop a strategic partnership with Russia, Japan, China, Canada and India which EU shares common goals and values with was emphasized.

In the conlusion of the European Security Strategy, it was stated that an active and capable Europe would make an impact on a global scale and in doing so, it would contribute to an effective multilateral system leading to a fairer, safer and more united world.

According to Peter Van Ham, the EU Security Strategy has offered an *acquis stratégique* by establishing priorities and setting clear policy goals.[439] According to Jean-Yves Haine, preparing a security concept is a historic event for a post-modern organization like the EU. For him, preparation of the European Security Strategy aiming at reaching an agreement was sufficiently broad to include widely varying strategic traditions, but precise enough to become a motor for international action: to maintain credibility in the eyes of other major international actors, above

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[439] Peter Van Ham, "Europe Gets Real: The New Security Strategy Shows the EU's Geopolitical Maturity", http://www.aicgs.org/c/vanham.shtml. , 9.1.2004.

all the US and to address new threats without renouncing the EU's particular acquis and identity.[440]

According to Carl Bildt, the adoption of the European Security Strategy is the first time a more comprehensive attempt that has been made to go beyond Henry Kissinger's classical question of 'where's the telephone number' to the far more important question of 'what to say in the event that someone actually calls'. He stated that it will be the evolving operating system that makes it possible for the EU's other programmes and policies to work in a comprehensive and coherent way.[441]

Thus, the adoption of the European Security Strategy which offered a common view of nature of current international security environment and the EU's role within and shared perception of the most serious threat and the most important opportunities in that security environment and appropriate policy responses that the EU should adopt in dealing with them can be accepted as a major step in making the EU a coherent and effective actor in global politics.

In the Post September 11 international political context, international security environment, security perceptions and threats changed. In the Post September 11 international political context, EU states realized that in order to deal with the new international security environment and security threats, the EU should be an effective, credible and coherent actor in global politics. Provisions of the Draft Treaty establishing a Constitution for Europe related with the EU's foreign and

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[440] Jean-Yves Haine, "Idealism and Power: The New EU Security Strategy", *Current History* (March 2004), p. 110.

[441] Carl Bildt, "One Year On: Lessons From Iraq", in Gustav Lindstrom and Burkard Schmitt (eds.), *Cahaillot Papers*, no. 68, (Paris, Institute for Strategic Studies, March 2004), p. 23.

security policy and European Security Strategy reflected EU Member States' intention to make the EU more credible, effective and coherent actor in global politics. It seems that future of the CFSP will be shaped by the efforts to make the EU more credible, effective and coherent actor in global politics.

CHAPTER 7

CONCLUSION

In this thesis, European states' efforts to become a coherent and effective foreign and security policy actor in global politics has been evaluated in the context of the historical evolution of the CFSP.

In evaluating European states' efforts to become a coherent and effective foreign and security policy actor in global politics, some conclusions about EU's presence and actorness in the domain of foreign and security policy can be reached.

First of all, in the domain of hard security issues, the EU has a limited presence in global politics, as on hard security issues, which refer the military side of the security, the EU is not able to make its presence felt and take responsibility. However, on soft security issues, which include economic, social and political aspects of security, the EU has an important presence in global politics. For instance, Yugoslavian conflict in early 1990s and Kosovo conflict in 1998 demonstrated the EU's inability to cope with security challenges which predominantly require hard security (military) instruments to stop the conflict. In both conflicts, EU Member States were unable to exert their influence and shape perceptions and expectations of parties of the conflicts and the EU is not able to make its presence felt and take responsibility. In soft security issues, the EU is able to make its presence felt and take responsibility. For instance, on the issue of Kyoto Protocol which is related with

a soft security issue, the prevention of environmental degradation, the EU played an active and crucial role and made its presence felt and took responsibility. As a result, if security is defined comprehensively including both hard and soft security issues, it can be concluded that the EU has a significant presence in terms of its capability to exert influence and shape perceptions and expectations of nonmembers. Nevertheless, if security is defined only in military terms, the EU has a very limited presence in global politics.

Secondly, on the issue of EU's actorness in the domain of foreign and security policy, it can be said that although the EU still has some problems, it is on the right way to become a fully-fledged foreign and security policy actor in global politics. Bretherton and Vogler proposed five basic requirements of actorness, these are shared commitment to a set of values and principles, the ability to identify policy priorities and to formulate coherent policies, the ability effectively to negotiate with other actors in the international system, the availability of and capacity to utilize policy instruments and domestic legitimation of decision process and priorities, relating to external policy.

The EU meets the first criterion. One of the objectives of the CFSP is the protection of common values of the EU which are respect for human dignity, liberty, democracy, equality, the rule of law and respect for human rights.

The EU has some problems with the second criterion. Identification of policy priorities and formulation of coherent policies in the domain of foreign and security policy is difficult, because member states' diverging interests and views in some important international issues prevented the identification of policy priorities and formulation of coherent policies in the domain of foreign and security policy. However, European Security Strategy, which aims at establishing a shared threat

assessment for EU states, coherent vision of strategic objectives to overcome lack of strategic vision of the EU and a common European security concept which will prevent divisions among EU Member States in a possible crisis in the future, was an important step in identifying policy priorities for the EU and formulating coherent policies in the domain of foreign and security policy.

The EU has also some problems with the third criterion. The ability to effectively negotiate with other actors in the international system in the domain of foreign and security policy is very difficult for the EU, since member states are reluctant to transfer competence of negotiating with third parties to the EU. As a result, this prevented the EU to negotiate with third parties effectively in the name of all member states. However, in the Draft Treaty establishing a Constitution for Europe, it is stated that the EU shall have legal personality. By granting a legal personality to the EU, the Draft Treaty establishing a Constitution for Europe permits the EU to negotiate and conclude agreements with one of more third countries or international organizations even in the domain of foreign and security policy where the constitution so provides.

The EU meets the fourth criterion. The EU has several policy instruments that can be utilized in the domain of the CFSP which are joint action, common position and common strategy.

In the case of the fifth criterion, domestic legitimation of decision process and priorities, relating to external policy, the EU has problems. In the domain of foreign and security policy, decision process and determination of the priorities are carried out by intergovernmental institutions, European Council and Council of Ministers, which are composed of national representatives of Member States. However, a popularly elected body, European Parliament, has only a consultative

role, so this undermines the democratic legitimation of the EU in the domain of the foreign and security policy and leads to democratic deficit. In the domain of foreign and security policy, political systems of EU Member States provide an indirect legitimation for the EU. Nevertheless, in order to be a foreign and security policy actor in global politics, the EU should differentiate itself from its Member States and EU system should gain its legitimacy directly from popular opinion. In order to increase democratic legitimacy of the EU in the domain of foreign and security policy, the role of European Parliament should be increased. Increasing democratic legitimacy of the EU in the domain of foreign and security policy will also increase popular support for the CFSP. As a result, the EU will become an effective foreign and security policy actor in global politics.

Apart from the EU's presence and actorness in the domain of foreign and security policy, the main focus of this thesis is the evaluation of the EU's efforts to become a coherent and effective foreign and security policy actor in global politics. By looking historical development of the CFSP, it can be said that EU has already achieved its goal of becoming a coherent and effective foreign and security policy actor. According to my view, we could not reach a conclusion that EU has already become a fully-fledged coherent and effective foreign and security policy actor in global politics, because of the divisions seen in Yugoslavian conflict, Gulf War and recently in Iraq Crisis among EU Member States. In all these events, the existence of different national interests among Member States and their preference for national interests over common European interests prevented them to adopt a coherent position. Consequently, this led to loss of effectiveness and international credibility of the EU as foreign and security actor in global politics. In all these events, the

EC/EU could not act as an effective international actor, in terms of both its capacity to produce collective decisions and its impact on events.

Although EU Member States faced difficulties in their quest for being a coherent and effective foreign and security policy actor in global politics, their efforts are continued. Each failure of EU Member States to act as a coherent and effective actor in the domain of foreign and security policy led to the renewal of efforts to improve the CFSP and make it more coherent and effective. After failures in Yugoslavian Conflict and the Gulf War, the CFSP was launched. The Draft Treaty establishing a Constitution for Europe, European Security Strategy and latest developments in CESDP were the signs of European States' efforts to regroup and analyse what is wrong and adjust accordingly after failure in Iraq Crisis.

Recently, the main challenge for the EU to become a coherent and effective foreign and security policy actor in global politics is the enlargement. On 1 May 2004 ten Central and East European States became new members of the EU. After enlargement, new security problems will be introduced onto the EU's foreign and security policy agenda: the Cyprus issue, the position of Roma Gypsies in Eastern and Central Europe, the Baltic States' relations with Russia and the movement of the EU's frontier eastwards and its accompanying security threat that is EU's new eastern border encompass migration and Russian organized crime.[442]

After enlargement, developing a coherent and effective foreign and security policy will be more difficult for the EU, as after enlargement, ten Central and East European States with different international experiences and perspectives based on history, culture, economic and security needs become new members of the EU This leads to increase in diversity of foreign and security policy interests within the EU.

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[442] Neil Winn, "CFSP, ESDP and the Future of European Security: Whither NATO", *The Brown Journal of World Affairs* (Vol. IX, Iss. 2, Winter/Spring 2003), pp. 155-156.

This diversity within the EU make it more difficult for the EU to agree on common stance on foreign and security policy issues and act as a coherent and effective foreign and security policy actor in global politics.

Recently, the Iraq Crisis demonstrated that in an enlarged EU, development of a coherent foreign and security policy will be more difficult for the EU. During the Iraq Crisis, some of the accession states including Czech Republic, Hungary, Poland, Slovakia, Lithunia, Estonia, Slovenia, declared their support for the US position in Iraq without informing the EU Presidency or consulting with EU Member States. This showed that some of the accession states have different foreign and security policy interests, analyses and approaches from some of EU Member States and they are ready to break the consensus if it is against their interests and views.

After EU's failure to act as a coherent and effective foreign and security actor during the Iraq Crisis due to divisions among EU Member States and some of accession states, larger countries within the EU, the UK, France and Germany, started to believe that in an enlarged Europe, important foreign and security policy issues could be best discussed among a smaller group of nations. As a result, they searched for ways to create an *directoire* among themselves to discuss important foreign and security policy issues. Especially, Prime Minister of the UK, Tony Blair and Foreign Minister Jack Straw were keen on meeting their French and German counterparts more regularly to discuss important foreign and security policy issues.

However, this kind of *directoire* will lead further divisions among EU Member States, because smaller member states will oppose this. Emergence of a such a *directoire* constitutes an important threat for the EU to become a coherent and effective foreign and security policy actor in global politics.

The Draft Treaty establishing a Constitution for Europe and European Security Strategy are important steps for making the EU a more coherent and effective foreign and security policy actor in global politics. In an enlarged EU, besides these two documents, Member States' will to act as a coherent and effective actor in global politics will also determine the EU's future as a coherent and effective foreign and security policy actor.

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