

The Solana Era: The Development of the EU's CFSP and ESDP During the Period of Office of the First High Representative and Secretary General of the Council 1999-2009

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The Solana Era (1999-2009): Developments in the CFSP and ESDP

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The Solana Era: Context

- New challenges – regional conflicts, failing states, new states, transnational crime and terrorism, environmental and health threats, economic and social globalisation, mass migration and immigration leading to an EU focus on the 'Petersberg' tasks - 'joint disarmament operations, humanitarian and rescue, military advice and assistance, conflict prevention and peace keeping, combat forces in crisis management including peace-making and post conflict stabilisation, fight against terrorism and support others in fight against terrorism
- Changing Structure of the International System; the emergence of new powers (India and Brazil), the re-emergence of an old [power (Russia) and the ongoing 'upgrading' of China and potential 'downgrading' of the US. All of these developments make the independent exercise of global power and influence more difficult and less likely for individual EU member states
- Changing role of the US in Europe; from Clinton to Bush to Obama. Throughout the Solana era the policies of the US have been critical to the development of the EU's CFSP and ESDP and these policies have changed significantly during the period
- Contrast between US and European conceptions of security – modern and post-modern? The development of the EU's holistic view of security as expressed in ESDP missions
- Changing relationship between military, economic and political power and political influence – changing nature of the military challenges but still no end of 'cold war thinking' in the structure and procurement strategies of EU member states
- Thinking about EU foreign policy – design, manage and give purpose to EU external relations. In the Solana era the pressure has been on the EU to develop the ability to move from uncoordinated external relations to a more strategic foreign policy
- The search for a strategic competence has raised questions about the limits of governance without government. The Solana era has been characterized by

the search for a centre via the Convention, the failed Constitutional treaty and the still not yet ratified Reform Treaty. A Foreign Minister, A Foreign Ministry and a Foreign Policy.

- Changing relationship between European foreign policy makers and their publics post cold war at both the member state and the EU level.
- Changing nature of the EU during the Solana era (most obviously enlargement but also the establishment and consolidation of the both the Euro and ESDP) with a significant shift in the balance of power between the Commission and the Council and to a lesser extent between the Commission/Council and the Parliament

The Solana Era: Background

- Long history of attempts to give EU external economic relations and EU foreign and security relations a defence dimension and a coherent and coordinated focus mainly characterised by ad hoc attempts to overcome or correct the complex institutional arrangements that follow from the original and ongoing supranational/intergovernmental compromise.
- Drivers include – integration dynamic – spillover from economics to politics. External events – Korean war, détente and the end of the cold war, Bosnia, Kosovo, External pressures – most significantly the US – both an accidental and a deliberate supporter of integration.
- An ongoing gap between procedure and substance and between expectations and capabilities
- From Dunkirk to BTO to NATO
- From European Defence Community (EDC) to Western European Union (WEU)
- From European Political Community (EPC) to European Political Cooperation (EPC)
- Eurogroup in NATO
- Reviving WEU
- From EPC to the CFSP
- The TEU (Maastricht) CFSP to include ESDP - WEU to be the 'defence arm of the EU' and the 'European arm of NATO'

- Treaty of Amsterdam

The Solana Era: Introduction

- The desire to give the EU external face a defence dimension suffered from three large problems before 1989 - the cold war structure, the position of the US and the differing almost contradictory approaches of the UK and France but still from two of these between 1989 and 1999

- All three problems are 'resolved' by the Solana era

- Since 1999 driven by ESDP the CFSP and thus the notion of an EU foreign policy has taken a significant leap forward

- 1999-2009 may thus be seen as a progressive decade as far as European foreign policy is concerned but activity alone is not by definition significant and we will need to consider the quality of that activity before deciding that the Solana era enables us to identify Foreign Policy in its broadest sense (rather than competitiveness) as the EU's 'big idea' following on from the single market and the single currency?

The Solana Era: The emergence of ESDP

- The Treaty of Amsterdam made no real progress with CFSP but it did provide for the new role of High Representative 'to assist the Presidency'

- Blair and Chirac met at St Malo and agreed to jointly lead the development of ESDP

- This was decided before the war in Kosovo but the Kosovo experience at the start of 1999 clearly stimulated ESDP development

- Meetings in Cologne and Helsinki laid out the detail of ESDP

- ESDP – Headline goals for the creation of a Rapid Reaction Force (RRF). 60K troops in theatre for one year. These troops pledged at Capability Commitment Conferences

- Establishment of a Military Committee, Military Staff, Political and Security Committee, Policy Unit – all in Brussels and all included in the Nice Treaty

- Military crisis management - a role for the Council

- Civilian crisis management – a role for the Commission

- ESDP was to work essentially on the 'Petersberg' tasks

The Solana Era: EU – ESDP missions – three categories

- NATO led Missions
- EU missions with NATO support
- EU missions alone
- This meant that from the start the EU had to work out a relationship with NATO. Who better than Solana?

The Solana Era: ESDP missions

- 2003 EU police mission (EUPM) in Bosnia
- 2003 Operation Concordia in Macedonia (FYROM) replaces NATO peacekeeping force
- 2003 Operation Artemis in Democratic Republic of the Congo – prepares ground for UN force
- 2003 Operation Proxima police mission replaces Concordia military force in Macedonia (FYROM)
- 2004 Operation EU Just Themis in Georgia – a rule of law mission
- 2004 Operation Althea in Bosnia. EU force replaces NATO led SFOR
- 2005 EU Police Mission in Macedonia EUPAT
- 2005 Aceh Monitoring Mission AMM
- 2005 EU Police Mission in Palestinian Authority EUPOL COPPS
- 2005 Border assistance mission Ukraine/Moldova
- 2006 EU Border assistance Mission at Rafah crossing - EU BAM Rafah
- 2006 EU rule of Law mission for Iraq EU - Just Lex
- 2006 – EUFOR – DRC

- 2006 – EU Police Mission in Kinshasa – EUPOL Kinshasa
- 2006 - EU Security Sector Reform Mission in DRC – EUSEC DRC
- 2006 -EU Support Mission to AMISS 11 (Darfur)
- 2006 – EU Observation mission in Kosovo
- 2008 – EU Rule of Law mission in Kosovo (EULEX Kosovo)
- 2008 – EU Security Sector reform in Guinea-Bissau (EU SSR Guinea Bissau)
- 2009 – EU Monitoring Mission in Georgia
- 2009 - EU naval mission against piracy of Somalia EUNAVOR Atalanta

The Solana Era: Further ESDP developments

- Capabilities Improvement Conference (2001) . capabilities Action Plan
- Capability Development Mechanism (2003)
- Capabilities Plan – Headline Goal 2010
- Establishment of the European Defence Agency (2004)

Battle Groups

- EDA produced 'Long Term Vision' in 2006 – to match suggested defence procurement to European Security Strategy list of threats, challenges and proposed actions.
- The problem is that missions are growing faster than resources/capabilities leading to overstretch of some national armed forces such as the UK
- New tasks for ESDP to be added to the 'Petersberg tasks' are energy security, natural disasters and the security of the EU's external borders.

The Solana Era: CFSP developments

- Role of the High Representative – Mr Solana
- Role of EU special representatives

- Role of the Political and Security Committee
- Role of Policy Unit and Military Staff
- All this adds up to **Brusselsization**
- BUT no change in voting arrangements – still mainly by unanimity although transgovernmentalism is probably a better description than intergovernmental. Either way the search for consensus in the Council has been made much more difficult post the 2004 enlargement and the Commission's ability to act forcefully has also been constrained in recent years
- Changing role of the big states – see 2003 and afterwards
- Laeken Declaration (2001) sets up the Convention on the Future of Europe - one of the tasks was to look at the machinery for foreign and security policy with a view to better 'exporting stability'
- The Convention and the Constitutional Treaty 2002 – 2004
- The Convention to look at – the use of QMV, the future of the Council Presidency, coherence, the relationship between the External Relations (RELEX) Commissioner and the High Representative, external representation

The Solana Era: 2003-2004 – a very turbulent period

- CFSP reaches a new low but then rapidly recovers – same old story!
- War in Iraq follows on from the war in Afghanistan – all part of US conception of the 'war on terror'
- EU response to 9/11 was supportive and positive. NATO declared that it is an 'Article V' attack and pledged military support which the US ignores – the beginning of the end for NATO? Big Three try under UK leadership to take the lead on post 9/11 response
- EU agrees on EU arrest warrant and a number of financial and administrative (air passenger manifests etc) matters designed to deal with terrorism – many within EU-US framework

- Some EU states participate in the war in Afghanistan but US only interested in an ad hoc 'coalition of the willing'. No EU military commitment
- EU much more divided over the war in Iraq
- The 'old' and the 'new' Europe
- Britain, France and Germany at real odds with each other
- Dramatic build up to war in Iraq with Greece having a very difficult Presidency as Britain and France in particular fall out in the UN
- EU badly split – letters and counter letters etc as war breaks out
- Attempt by 'chocolate four' led by Belgium and Luxembourg to progress ESDP with France and Germany but without Britain – an utter failure
- Things get better after they have got worse – familiar tale for the CFSP
- After the war the European Council immediately agrees the EU Security Strategy and the Convention agrees a draft Constitutional Treaty
- The EU member states don't agree the new treaty until 2004 but they are able to because Britain, France and Germany are able to work out the external relations details – mutual security pact, EU HQ issue, security strategy, structured cooperation etc

The Solana Era: 2003 European Security Strategy

- New threats** – terrorism, WMD proliferation, regional conflicts, failing and failed states, organised crime
- Strategic objectives** – extend zone of security around the EU, strengthen the international order (multilateralism), Counter threats by prevention (?pre-emption)
- Policy Implications** – More active (less reactive), more coherent, more capable (diplomatic, civilian and military mix), Work with partners.

The Solana Era: External Relations in the Constitutional Treaty

- Appoint a European Foreign Minister who will be both the RELEX Commissioner and the EU High Representative (Mr Solana appointed to this post if the Treaty is ratified)
- Elected President of the European Council
- The EU to have legal identity
- Create an European External Action Service (EEAS)
- Develop a mutual solidarity clause
- Create a European Defence Agency
- Extend the Petersberg tasks to include disarmament operations, military advice and post conflict stabilization

The Solana Era: A positive response to the trauma of 2003?

- A number of other positive things have happened since the trauma of 2003
- EU declaration on WMD
- Successful EU-US summit despite the problems over Iraq
- EU involvement in post war reconstruction of Iraq
- Growing role of the Big Three (?directoire) accepted by the rest of the EU for foreign policy but not for economic policy
- Role of EU in negotiations with Iran
- Role of the EU in events in Ukraine in 2004
- Role of the EU in Middle East Peace process
- Role of the EU in Georgian Crisis
- The Reform Treaty

- BUT problems remain especially in Doha Round of WTO, in relations with China. Russia and the US and with domestic problems that might prevent/delay ratification of the new reduced Treaty

- Most recently the role of the EU in responding to the Global Financial Crisis and in Obama's requests for a greater European role in Afghanistan have demonstrated both the sort of disunity and uncertainty that suggests that the EU is still notv ready to play a significant role in global politics

The Solana Era: Tensions and problems

- Large v Small states

- Old v New Europe

- Geographical dimension – the north (or east) v the south

- Civilian or Civilizing Power?

- Institutional Tensions and Coherence – pillars, members states, lack of leadership

- External aspects of internal policies – more than a coordination problem?

- Dealing (or rather failing to deal with) with the Great Powers – Russia, China, the US, India. No basis for strategic thinking about the EU's role in the emerging multi[polar order

- Dealing with the Neighbours – exporting stability. (but without the promise of membership)

The Solana Era: The Reform Treaty

- Amends the other Treaties

- Rebranding of foreign policy and external relations into External Action

- But CFSP ESP remain distinctive in their policy making i.e no role for the ECJ, limited role for the EP, no serious QMV although there is structured cooperation

- Legal personality of the Union

- President of the European Council – chair, call emergency meetings and represent at his/her level
- President has a less clear role than the HR
- More pressure/emphasis on obligation to agree ‘seek a common approach’ but no sanction if you don’t!
- Limited QMV, constructive abstention still there as is the ‘emergency break’ against the use of QMV
- Enhanced role of the HR – double hatted in Council and Commission (VP), replaces Presidency, chairs Foreign Affairs Council, nominates chair of PSC, represents the Union externally and the CFSP internally, supported by EEAS and Special Reps.
- EEAS – 28th diplomatic service, HR to propose exact structure – more like a Foreign Office than a diplomatic representation
- Commission delegations to become Union Delegations under the authority of the HR but not part of EEAS
- Disappearance of Common Strategies – Solana initiative
- Finance – easier access to Union budget for ESDP
- ESDP – expanded aims, Petersberg tasks, EDA, permanent structured cooperation and sub contracting to coalitions of the willing’
- Soft Article V - Member State mutual ‘obligation of aid and assistance by all means in their power’ in the event of armed aggression

Towards the End of the Solana Era

- Preparations to implement the foreign policy provisions of the Lisbon Treaty have been on hold once the negative outcome of the Irish referendum. Although there has been some discussion about what might be feasible without the Treaty (Federal Trust 2009) there has also been a reluctance to provoke further adverse comment from those opposed to the Treaty in a number of member states.

- In December 2008 the European Council, as part of a package designed to reassure Ireland, agreed to give a legal guarantee that “the Treaty of Lisbon does not prejudice the security and defence policy of the Member States including Ireland’s traditional policy of neutrality, and the obligations (to NATO and the UN for instance) of most other Member States” (Council, 2009). In return Ireland committed itself to seeking ratification of the Lisbon treaty by the end of the term of the current Commission.
- The European Council also agreed interim arrangements should the Treaty of Lisbon enter force after a six monthly Presidency has begun. In that event the Council Presidency not the High Representative or the elected President of the European Council will continue to chair the Foreign Affairs Council and European Council respectively (Council 2009, Annex 1) with the new Lisbon Treaty arrangements entering force under the following Presidency.
- The most recent foreign policy challenge to the EU came in August with the crisis in Georgia. The French Presidency, assisted by Washington’s preoccupation with the financial crisis and the presidential election, moved swiftly under President Sarkozy’s active leadership to mediate a ceasefire, the delivery of humanitarian aid and (eventually) the withdrawal of Russian military forces. All this was recorded and discussed further at an Extraordinary European Council meeting held on 1st September but the subsequent follow-up (EU fact finding mission, appointment of a special representative, development of a Black Sea Synergy initiative and an ‘Eastern partnership) (Council 2009) was perhaps more in the CFSP procedural tradition than substantive.
- As the US Presidential election campaign progressed last year it became clear that most EU member states were attracted by the possibility of a major change for the better in the transatlantic relationship. should Barack Obama secure the US Presidency. However as the aspiration became a reality there was a growing realization in EU foreign ;policy circles that a cooperative Obama administration might present almost as many challenges to the Europeans collectively as the abrasive Bush administration had done.
- As Obama seeks to take significant action on climate change, arms control, the war in Afghanistan and relations with Russia, China, and Iran (and the global financial crisis) it is becoming clear that he has significant and challenging expectations about the EU’s potential role that the EU’s foreign and security policy system might collectively struggle to meet despite the apparent progress that has been made during the Solana era. As Timothy Garden Ash put it recently “On most of the big

issues on Obama's agenda there is no Europe. There are individual European countries"(Guardian 26 March 2009)

- Although 2008 was seen as a time to take stock of the evolution of the ESDP since its inception in 1999 (Menon 2008, Federal Trust 2009) the French Presidency gave a high priority to its further development. Although Irish sensitivities forced the French to backtrack a little on their initial ambition to both return France to NATO and then consolidate ESDP as the European arm of NATO efforts were still made to develop the EU's military planning and headquarters capability, to get 'more bangs per euro' from the combined EU defence expenditure and to encourage Solana to review the 2003 European Security Strategy (ESS) (see De Vasconcalos 2009 and Security and Defence Agenda 2009 for academic reviews of the ESS).
- Solana formally presented his ESS Review to the December 2008 European Council. The Review itself (Solana 2008) is a rather conservative account of the EU's security related activities since 2003. It recognizes that the EU has to perhaps react less and do more strategically to command the world agenda but it essentially calls for more of the same whilst recognizing that climate change, energy security, defence against cyber attacks, piracy on the high seas and a better working relationship with NATO all need to be added to the original 2003 list of EU security challenges.
- The Presidency Conclusions for the December 2008 European Council include a significant declaration on the enhancement of ESDP. There is mention in the declaration of the need to enhance both military and civilian capabilities. The European Council stated that beyond 2010 it expected the EU to be capable of planning and conducting simultaneously two major military/civilian stabilization operations each with a maximum of 10000 men for at least two years, two rapid response operations of limited duration using EU battle groups, an emergency operation for the evacuation of European civilians in less than ten days, a maritime or air surveillance interdiction mission, a civil military humanitarian operation lasting up to 90 days and around a dozen ESDP civilian missions, which could last several years and which could include a major mission of up to 3000 experts.
- To achieve this the European Council declaration calls for greater resources to be provided (at present only five of the twenty seven EU member states spend over the agreed NATO target of 2% of GNP on defence), more specialization and less duplication of capability, a restructuring of the EU defence technological and industrial base guided by the European Defence Agency and the development of a new single civilian military strategic planning structure for ESDP operations. A

cynical observer might well spot the makings of yet another capability - expectations gap!

Conclusions: The Solana Legacy?

- Is the CFSP/ESDP at the limits of 'governance without government'? Despite transgovernmentalism softening the edges of intergovernmentalism and despite Brusselsization moving the arena and dynamics of EU foreign and security policy increasingly to Brussels the EU continues to lack a central focus. One answer might be to make greater use of a core group or groups of states (as in the Iran negotiations) and another might be to think more expansively about the role that an elected President of the European Council might play.

- Along similar lines - Can a non state be a power? Tony Blair's view that the EU can be a superpower but not a superstate. Is the McCormick thesis (that we need to rethink our understanding of the term superpower correct? McCormick (2007, p. 7) says that "superpower qualities in the new international system can be achieved without resort to war and coercion; can be latent and implied, and not restricted to states" Is this an accurate description of the EU's current or potential role in the world or just wishful thinking?

- Foreign Minister? Foreign Ministry? Foreign Policy or uncoordinated external relations? Solana has presided over a substantial CFSP/ESDP institutional expansion with a significant deepening of the institutions and concentration of foreign policy activity in Brussels but his job now and in the likely future does not equate with the notion of a European Foreign Minister and he does not have nor is he likely to have in the near future a supporting bureaucracy that could be called a Foreign Ministry

- Procedure as substitute for policy? Does this not also sum up the Solana era . The only real substance is to be found in the numerous ESDP missions but are these really that substantive. Menon (2009) presents a strong critique of the failings of ESDP to date most obviously with regard to capabilities but one can also question the real significance of the missions that have been completed. There is a lot of activity for academics to pour over but I am not really that sure what it all adds up.

- Solana's has been key to virtually all of the developments reported above but to what extent has he created a role for his successor to inherit or has he created a job that is dependent on him?

•Solana has transformed the HR job. In 1999 he was appointed to 'assist the Presidency' and the Council vis-à-vis the CFSP. If the Reform Treaty is eventually ratified then his successor will effectively have replaced the Presidency and assumed a significant leadership role within the Council in relation to both CFSP/ESDP policy making and policy implementation.

•At the end of the Solana era the EU has a significant set of foreign and security policy institutions and procedures, primarily located in Brussels which it did not have in 1999.

•The advances in the Solana era fit into a long EPC/CFSP tradition of informal ad hoc experimentation followed up later by formal institutionalisation.

•Nevertheless 'Brusselsization' does not necessarily indicate communitization or a significant deepening of integration in the foreign and security issue area.

•When the EU is but under international pressure by significant external actors or events then the most likely response is still likely to be at the member state level and in many cases not conducive to or indicative of EU unity.

•This conclusion inevitably takes us back to the study of national foreign policies and a more subtle investigation of the concept of socialization and Europeanization. To date most studies focus on the notion of national adaptation to life within the EU's CFSP/ESDP. But if ESDP/CFSP remains institutionally significant, as demonstrated above, but still lacking in real substance then we may need to focus our attention less on the EU level and more on the member state level if we are to understand the EU's likely foreign and security behaviour in the ten years that will follow the Solana Era.

• This year I would argue that the EU collectively has not responded well to the challenges posed by the new US administration even though individual member states are congratulating themselves about their achievements. Most of the items on Obama's international agenda are challenging to the EU's capacity to act as one. Were Israel to strike at Iran today the fear would be that the EU's response would be as divided and as ineffectual as it was in 2003. To that extent much still needs to be done in the decade after the Solana era.

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