THE EUROPEAN UNION AS A GLOBAL ACTOR:
FROM A CIVILIAN POWER TO A MILITARY POWER

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ABSTRACT

The European Union has come a long way since the Second World War. Its first steps towards commercial cooperation in steel and coal gave way, little by little, to an economic and political integration of 27 countries capable of exerting influence worldwide. The EU, for many years merely considered as an economic giant, is stopping to be a political dwarf, especially in foreign policy.

As regards foreign policy, the EU has struggled between the enormous initial reservations of most member states towards a potential integration in this field, and the determined resolution, from 1970´s but mainly in the aftermath of the Cold War, of the need to advance in the area of foreign policy if the EU was to play a role in the new international scene. This dichotomy has dominated the construction of the EU throughout the years and has confronted those who believe that the EU should remain a mere civil power with those who ever more understand the EU as a military power, in the very same terms as Joseph Nye´s spoke about soft and hard power back in 1990. Civil power is understood as the ability to attract and co-opt rather that coerce, use of force or give money as a means of persuasion (hard power). Civilian instruments are diplomacy, strategic communications, foreign assistance, civil action and economic reconstruction and development, among others. On the contrary, hard power is

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1 Bound to lead: the changing nature of American Power, Joseph Nye, 1990
understood as the use of coercion and payment. It is exerted through military power, which consists of coercive diplomacy, war and alliance using threats and force with the aim of coercion, deterrence and protection.

The objective of the thesis is to throw into relief that the EU is nowadays composed by civilian and military elements. Even though its imperfections and failures, the EU has experienced a huge transformation in order to become a key player in the international arena.

First, I will go through the evolution of the EU’s foreign policy, from the early days of EPC (European Political Cooperation) to the development of CFSP (Common Foreign and Security Policy), ESDP (European Security and Defense Policy) being an essential part of it, with special attention to the institutions participating and to the process of decision-making, according to the changes brought in by the Treaties. In this respect, I will tackle with the issue of “democratic deficit”, with a reference to the role of the EU Parliament and Member States´ Parliaments in the EU foreign policy system. The Lisbon Treaty, which was ratified in 2009, takes the ESDP a step forward with the Common Security and Defense Policy (CSDP).

Secondly, and following the path of the EU Treaties, I will observe the consideration of the EU as a civilian power. In the wake of the end of the cold war, the European Community (EC) dealt with the stabilization of Eastern Europe, the promotion of democracy and development through trade and foreign aid: The EU plays a great role in the world’s trade relations and it is also the largest aid donor in the world. Closely related to the consideration of the EU as a civilian power, I will refer to the importance
that the EU grants to multilateralism, both in relations with third countries (Quartet for the Middle East Peace Process) and by adopting and supporting legal instruments such as the International Criminal Court. However, there are two main challenges that the EU will have to face as a civilian power. On the one hand, there is the shifting of economic and trade influence from West to East. On the other hand, the growing militarization of the EU has made many authors to believe that the idea of the EU as civilian power is more a concept of the past (Smith, 2005). In any case, I will point out, mainly through the case studies, that civilian instruments of EU’s foreign policy are complementary to those of military nature.

The previous idea will open the path to the analysis of the EU as a security power, under the umbrella of the CSDP. In order for the EU to gain power in international relations it needs to develop its military capabilities. The St. Malo Declaration of 1998 meant a turning point in this respect, as it made clear that the EU needed to have the capacity of autonomous action before international crises. The contrast between the inability to react to the ethnic cleansing in the Balkans region in the 90’s and the ability to operate in Afghanistan in the recent years throws into relief the progress made by Member States in this field, the European Defense Agency created in 2004 being a clear example. The EU has therefore gained credibility as a security power. Among the challenges the EU has to face as regards its consideration as a security power, one must mention the scarce spending in defense by Member States as well as the difficulties when deciding to use military force. The war in Iraq confronted Germany and France, on the one side, which were against military intervention, against the UK and Spain, which were in favor of supporting US’ decisions in the matter.
In order to substantiate the development and maturity of the EU foreign policy system, I shall bring into play two case studies:

1) Operation Artemis: the first fully autonomous EU mission outside Europe. It was deployed in 2003 in Bunia, the capital of the Ituri region in the Democratic Republic of Congo, where an estimate 50,000 people were killed.

2) Operation Atalanta: the first naval operation conducted by the EU, which presented great challenge to the capabilities of the ESDP. It was established in 2008 in order to support surveillance and protection against piracy and armed robbery in Somalia and off the Somali coast.

Even though the construction of the EU throws into relief the existence of centrifugal and centripetal forces, that is to say, different Member States differ in their will of surrendering their sovereignty to supranational institutions, these two case studies will show that there is a true will of transforming the EU into a global actor, in which both civilian and defense capabilities are complementary sides of the European foreign policy system.
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INTRODUCTION:

a. Preface:

The EU plays today a crucial role in bringing stability to different parts of the world. Over the past ten years the European Security and Defense Policy has contributed to this through more than 20 missions in four different continents. The EU has proved the credibility of its military capability on the ground in Africa (in Congo and in Chad); it has proved its unique civil-military capability in the Balkans; and it further demonstrated its relevance, as well as the EU’s capacity for immediate action, when it deployed over 200 unarmed monitors to Georgia as part of the EU-brokered peace agreement following the war between Russia and Georgia in 2008. Thus, the development of the CSDP (Common Security and Defense Policy in terms of the Treaty of Lisbon) and its crisis management capacity is crucial to the objective of strengthening the EU as a global actor and contributing effectively to international peace and security.

January 2003 saw the deployment of the first ESDP police mission to Bosnia-Herzegovina. The first-ever ESDP military mission, in Africa, was soon to follow, in June 2003, as some fifteen hundred mainly French soldiers, under the EU umbrella, were dispatched in record time to the Democratic Republic of Congo to break the siege laid to the city of Bunia, as I will explain later on. ESDP was thus adding flesh to the bones of the policy laid out some ten years ago, at the 4 and 5 June 1999 European Council meeting in Cologne. Bringing ESDP into existence was meant by European leaders to convey a message of ‘never again’, and to mark a departure from
past dramatic failures to check even the ugliest manifestations of resurgent extreme nationalism, epitomized by the inability to stop genocide in Srebrenica in 1995.

As I will explain later on, it was the Bosnia “trauma” and its bitter lessons that led France and Britain to join forces and sign the St. Malo Declaration towards the end of 1998, resolving to put aside their differences and set European defense in motion, in a move designed to give the EU autonomy and credibility, and to add muscle to European military cooperation. The fact that ESDP did indeed see the light of day signifies that Europeans were finally ready to overcome the taboo surrounding defense that had existed since the failure in 1954 of the European Defense Community.

b. Evolution:

Because of its far-reaching implications for the sovereignty of States, the idea of a Common Foreign and Security Policy was long viewed with serious reservations by Member States.

The idea of a common European Defense was first put forward in 1954 with the European Defense Community (EDC), which was blocked by the French Parliament and thus, doomed to failure².

It was not even addressed in the 1957 Treaty of Rome. It was not until June 1970 that the field of foreign policy came back onto the agenda of Member States, when the

² The EDC was rejected by the French National Assembly on the grounds that it was too supranational. It aimed to create a genuine European Army.
foreign Ministers of the then six Member States proposed to develop a “European Political Cooperation”: this was the birth of EPC, whose objectives (harmonization of positions, consultations and, where necessary, joint action) and methods (biannual meetings of foreign Ministers and quarterly meetings of political directors in the political committee format) were defined in the Davignon report published in October 1970.

This intergovernmental process of consultation and decision-making based on consensus was progressively strengthened (more frequent meetings, establishment of a European communication network (COREU: CORrespondance EUropéenne) following the Copenhagen report in 1973, creation of the Troika following the London report in 1981) and formalized in Title III of the Single European Act (February 1986), which gave it legal status and created its General Secretariat, placed under the presidency’s authority.

The Treaty of the European Union (TEU, adopted in Maastricht on 7 February 1992 and entered into force on 11 November 1993) represented a resolutely new step in the process as it is the logical outcome of 20 years of EPC: it created the CFSP (Common Foreign and Security Policy), which constituted the second pillar of the European Union. Compared with EPC, the CFSP was a significant step forward on at least three points: first, it covered all areas of foreign and security policy, including “the eventual framing of a common defense policy”. Secondly, it required Member States to “ensure that their national policies are consistent with the common positions”. And finally, it created a new legal instrument, the so-called Joint Action, which allowed the EU’s
Further innovations were introduced by the Treaty of Amsterdam (signed on 2 October 1997 and entered into force on 1 May 1999), which established a High Representative for the CFSP, a position held since 1999 by Spanish Javier Solana, until the entry into force of the Treaty of Lisbon in 2009. The Treaty of Amsterdam gave the European Council greater competence in the field of security and defense.

An important innovation introduced by the Treaty of Amsterdam refers to the so-called Petersberg Tasks. They were first formulated by the Western European Union (WEU) in 1992 during a summit in the Hotel Petersberg near Bonn. In 1997, during the European summit in Amsterdam, the tasks were incorporated in the Treaty of the European Union. Both the WEU and the EU are empowered to enforce the Petersberg tasks, but with the transfer of the most important WEU assets to the EU in 1999, this distinction is mostly artificial. The Petersberg tasks cover a great range of possible military missions, ranging from the most simple to the most robust military intervention. They are formulated as:

- Humanitarian and rescue tasks
- Peacekeeping tasks
- Tasks of combat forces in crisis management, including peacemaking.

Another landmark in the evolution of the CFSP is the Treaty of Nice (signed on 26 February 2001 and entered into force on 1 February 2003). It institutionalized the

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3 “Guide to ESDP”. French Delegation to the Political and Security Committee, November 2008

4 “Guide to ESDP”. French Delegation to the Political and Security Committee, November 2008
Political and Security Committee (PSC), responsible for defining European Union policies in the field of CFSP, introduced enhanced cooperation in the second pillar (except for defense), and adapted article 17 of the TEU to developments in the field of defense (humanitarian and peacekeeping operations).

Finally, the Lisbon Treaty adopted in 2009 constitutes a step forward in the construction of the EU as it merges the European Community into the European Union, it abolishes the pillar structure (set up in the Maastricht Treaty) and aims to strengthen Common Foreign and Security Policy coordination, by the enhanced double hated role of the High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the Commission, as I will explain in the next section. As I will explain in the next section, the big innovation introduced by the Lisbon Treaty is the so called Common Security and Defence Policy (CSDP), which replaces the formerly known as the European Security and Defence Policy (ESDP). CSDP is a major element of the CFSP and is the domain of EU policy which covers defence and military aspects, as well as civilian crisis management. The analysis of the evolution and the progressive construction of the EU constitutes the pillar of this thesis as this evolution shows, on the one hand, the very commitment of the EU Member States with an ever more integrated European Union and, on the other hand, this European Union, empowered by Member States with civil and military instruments, is becoming a relevant global actor in the international arena. As this thesis aims to show, Member States have realized that in order to become a key player globally speaking, civil instruments such as commercial agreements, development cooperation, among others, are not sufficient. The EU needed to count on military capacities such as common military institutions and common military forces that would allow a rapid response by the EU as a whole.
Sensitive as this issue is since it requires that the EU pools sovereignty from Member States in issues such as defense and security, the process is far from being accomplished. Many errors have occurred on the way and the EU has also learned from its mistakes. My two case studies show, in any case, that there is a willingness that the EU becomes a real global player, not only from a commercial point of view but also a player that has the influence and is able to carry out military operations in order to restore peace and stability in different part of the world. In the last few years, as I will explain later on, the EU has contributed to the resolution of many crises, in Central and Eastern Europe, Africa, the Middle East and Asia. The military operations off the coasts of Somalia in order to fight piracy is a good example of it.
EU INSTITUTIONAL FRAMEWORK:

With the entry into force of the Lisbon Treaty in December 2009, the Common Security and Defense Policy (CSDP) replaces the former European Security and Defense Policy (ESDP). The Treaty of Lisbon introduces this name change by dedicating a new section in the founding treaties to this policy. It must be understood that the Treaty of Lisbon emphasizes the importance and the specific nature of the CSDP, which still forms an integral part of the Common Foreign and Security Policy (CFSP). In addition to this recognition, the Treaty of Lisbon also introduces new provisions aimed at developing the CSDP. These innovations aim to a gradually implementation of a Common European Defense. Thus, the Treaty of Lisbon confirms the Amsterdam commitment to the progressive framing of a common Union defense policy, which could lead to a common defense when the European Council so decides, but adding the requirement “acting unanimously”. This requirement serves as a reminder that unanimity will remain the norm in CFSP/CSDP, as I will explain later on.

In this section I will go through the process of expansion and reform that the ESDP has undergone since its launching in 1999. Ultimately, this process responds to the requirements expressed by the St. Malo Summit Declaration of the previous year, according to which the EU must have the capacity for autonomous action backed by credible military forces and “the means to decide to use them and the readiness to do so”. The previous idea, as stated in the Cologne Summit of 1999, entails that the EU must be given appropriate structures and capacity for analysis of situations, sources of intelligence and a capability for relevant strategic planning.

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5 The launching took place at the Cologne European Council Summit, June 1999
6 St. Malo Summit Declaration, 1998
This issue being a sensitive one for many EU countries, it was agreed, as mentioned above, that decisions in this field are to be based on the unanimity rule. However, the final decisions are achieved after a complex process of decision-making that normally requires extensive, institutions-based intergovernmental interaction. Because the accent must be put on how political decisions are shaped in the interplay between the European and national levels of governance.

Following Giovanni Grevi, the capacity to decide can be defined as the ability to formulate, adopt and implement decisions. In terms of ESDP, this capacity implies five key functions:

- The ability to agree on common political and strategic priorities
- The ability to develop the conceptual framework for EU crisis management
- The ability to collect adequate information and to generate joint analysis
- The ability to bind and to expand the military, civilian and financial resources available to the Union
- The ability to carry out crisis management operations

The institutional framework of CSDP is entrusted with the mission of performing these five functions effectively and assuring that national positions meet. Because, while one of the main strengths of CSDP is the engagement of Member States, it can also be a source of serious constraints and weaknesses: in a policy domain controlled by unanimity, the capacity to achieve a decision is crucially predicated on the convergence of national positions towards a common one. In other words, the effectiveness of the

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resulting decisions depends on the mobilization of all relevant actors and all necessary instruments in a coherent fashion at every stage of the decision-making process. Needless to say that both coherence and convergence are required in order to generate an effective action at EU level. But achieving convergence and boosting coherence take time and require permanent balancing between national interests and EU targets.

Because one must take into account that a dialectic between three main visions of the CSDP must be distinguished: Firstly, France, which has consistently pushed for the enhancement of the military dimension of ESPD, in order to make of the EU a credible and autonomous actor in this field. Secondly, the UK, which on the one hand shares France’s emphasis for the military capabilities of the EU, but on the other hand, it has proved to be more inclined towards the central role of the Atlantic Alliance as the main forum for the European defense and quite reluctant to the risk of duplicating institutional structures, such as headquarters, already available for NATO and EU Member States. Thirdly, Germany and some Nordic countries, which insist on fostering the civilian dimension of security and defense policy and are more inclined to a comprehensive approach of the EU to crisis management, from conflict prevention to post-conflict stabilization. So these three perspectives exemplify the differences that the EU must overcome when deciding on a specific situation, with the mediation and input of Brussels-based institutions themselves.

On the basis that Member States and the Council Secretariat lie at the core of CFSP and CSDP policy-making, I will henceforth analyze how different actors meet in order to take decisions related to this field. National political leaders meet in the European Council at the level of Heads of State and Government and in the Council of General Affairs (CGA) and Foreign Affairs Council (FAC) at the level of Foreign Ministers.
Diplomatic and military representatives meet in different committees preparing and informing the proceedings of the PSC (Political and Security Council). The Council Secretariat is headed by the High Representative of the Union for Foreign Affairs and Security Policy, who is the main coordinator and representative of CFSP within the EU. As I will explain later on, this position is currently held by Catherine Ashton.

Other two institutions must be put forward at this stage: the European Commission, which plays an important role essentially in two ways: First, it administers the CFSP budget, and second, it works with the Council at different stages of the decision-making process, as will be explained later on. The European Parliament, although residually participating in ESDP matters, must also be taken into consideration since it is one branch of the budgetary authority of the EU.

a. **The High Representative of the Union for Foreign Affairs and Security Policy:**

This post was introduced by the Treaty of Amsterdam in 1997 as the *High Representative for Common Foreign and Security Policy*. It was then occupied by Javier Solana for 10 years until it was expanded by the Lisbon Treaty\(^8\) to sit in the European Commission (as Vice President) and chair the Council of the EU Foreign Ministers. Following the Lisbon Treaty the post is assisted by the European External Action Service (EEAS) that was set up in December of 2010.

\(^8\) Art. 18 Treaty of Lisbon
As regards its election, the European Council, acting by a qualified majority, with the agreement of the President of the Commission, appoints the High Representative. The European Council may end its term of office by the same procedure.

The High Representative conducts the EU common foreign and security policy. With its proposals, the High Representative contributes to the development of that policy, which it carries out with the mandate of the Council.

The innovation introduced by the Lisbon Treaty that the Commission and the Council associate in the person of the High Representative is considered to be a very positive one, since the High Representative will be able to exert the right of initiative of the Commission and contribute to the development of the CFSP, which must be carry out as mandated by the Council. The High Representative shall also have responsibilities incumbent on the Commission in external relations and for coordinating the CFSP with other aspects of the EU’s external action, in particular, the common commercial policy and the policy of aid to development.

The High Representative, as mentioned above, is also in charge of presiding over the Foreign Affairs Council, in which it contributes with its proposals to the preparation of the common foreign and security policy. It also ensures the implementation of the decisions adopted by the European Council and the Council of Ministers.  

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9 As she is Vice President of the Commission and the Council of Foreign Affairs  

10 Art. 27.1 Treaty of Lisbon
In its position, the High Representative conducts the political dialogue with third parties on behalf of the EU and expresses the Union’s position in international organizations and at international conferences\(^\text{11}\).

Another innovation of the Lisbon Treaty is the creation of the position of the President of the European Council\(^\text{12}\), who also plays a fundamental role in CFSP matters. According to art. 15 TEU the President of the European Council shall, at his level and in his capacity, ensure the external representation of the Union on issues concerning its common foreign and security policy, without prejudice to the powers of the High Representative of the Union for Foreign Affairs and Security Policy. Although those powers are not clearly defined in the treaty, it is understood that the President of the European Council represents the Union (with or without the President of the Commission) in meeting of Heads of State and Government, while the High Representative represents the Union in international meetings at ministerial level. Therefore, there is no overlapping of functions between the two of them.

The Lisbon Treaty also introduces the so-called European External Action Service (EEAS), a body in charge of assisting the High Representative in fulfilling her mandate. Although still at its beginnings, the EEAS is composed by officials from relevant departments of the General Secretariat of the Council and of the Commission as well as

\(^{11}\) Art. 27.2 Treaty of Lisbon

\(^{12}\) In an informal meeting of the European Council held in Brussels in November 2009, Herman Van Rompuy was chosen to be the first full time President of the European Council, from 1 December 2009 (entry into force of the Lisbon treaty) until 31 May 2012. He was the re-elected until the end of 2014. Press Release published at http://www.consilium.europa.eu/Newsroom
staff seconded from national diplomatic services of the Member States. This multinational service could develop into a real European diplomatic corps, which could enhance the image of the EU in the world.

b. **The European Council, the Council and the Presidency of the Council:**

Delving now a more detailed explanation of the institutional framework of CFSP, I will go through the analysis of the European Council, the Council and the Presidency of the Council.

The European Council is the highest political authority of the EU and, as such, is responsible for defining the principles and general guidelines of CFSP, including matters of defense implications. It is composed by Heads of State or Government of the 27 Member States, the President of the Council and the President of the European Commission. According to article 15 of the Treaty, the European Council meets twice every semester and it provides the Union with the necessary impetus for its development and defines the general political directions and priorities thereof, which includes what is of crucial importance for the development of ESDP. Their decisions are taken by consensus.

The Summit meetings in Cologne and Helsinki in 1999, Feira and Nice in 2000, Goteborg and Laeken in 2001 and Brussels in 2003, among others, have provided essential input to the establishment of ESDP and to define the strategic outlook of the

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13 Art. 27.3 Treaty of Lisbon
EU. The adoption of the ESS (European Security Strategy) in December 2003 was a landmark development in this respect\textsuperscript{14}. The European Council also approved important documents on EU/NATO relations, which have defined new procedures of cooperation between the two organizations. Likewise, the European Council also adopted framework documents such as, for example, the Joint Africa-EU Strategy and action plan in December 2007, which contributes to a broader political context of ESDP and to formulate a regional approach to security and defense.

The General Affairs Council (GAC) and Foreign Affairs Council (FAC) constitute the central forum of political negotiations and decision-making in the field of CFSP and CSDP. They meet once a month at a ministerial level and they prepare the proceedings of the European Council. So the GAC and the FAC are in charge, following the European Council guidelines, of defining and implementing the CFSP and CSDP by adopting decisions\textsuperscript{15}. It must be understood that Member States are compelled by these decisions as they must act in conformity with them when conducting their foreign and security policy, although national decisions in this field fall outside the jurisdiction of the European Court of Justice, so they can be challenged on political but not legal grounds.

At this point a closer look at the decision-making procedure must be taken: Unanimity in decision-making is the rule for CSDP, although the constructive abstention of Member States representing up to one third of the weighted votes in the Council is foreseen to allow the adoption of a decision committing the Union while excluding the

\textsuperscript{14} Issued in 2003 on the initiative of the High Representative Javier Solana. www.eea.europa.eu

\textsuperscript{15} The Treaty of Lisbon suppressed the former typology of European instruments: Joint Actions, Strategies and Decisions.
countries abstaining from the obligation to apply it\textsuperscript{16}. In such a case, although that country will not be obliged to apply the decision, it will accept that the decision commits the Union and will refrain from any action likely to conflict with or impede Union action based on that decision. The Treaty envisages minor exceptions to unanimity and provides for majority voting to adopt acts implementing previous decisions as well as to appoint EU Special Representatives (EUSRs). However, as Giovanni Grevi\textsuperscript{17} points out, consensual decision making is predominant. In the particular case of CSDP, when a decision is taken to launch an operation, an original form of permissive consent often applies in practice when Member States agree on undertaking a mission in the context of CSDP but decide not to contribute to it. Examples in this respect have been very few in the last few years, Cyprus being one of them when it formally abstained from adopting the joint action of the EU rule-of-law mission in Kosovo (EULEX Kosovo).

The Council may also act by qualified majority on matters not having military or defense implications and when adopting a decision defining an EU action or position on the basis of a decision of the European Council relating to the Union’s strategic interests and objectives.

However, a member of the Council can declare that, for vital and stated reasons of national policy, it intends to oppose the adoption of a decision to be taken by qualified majority. In this case, the Council, by qualified majority, may request that the matter be

\textsuperscript{16} Art. 31 Treaty of Lisbon

\textsuperscript{17} ESDP: the first 10 years 1999-2009. EU International Security Studies, 2009
referred to the European Council for decision by unanimity\textsuperscript{18}. Thus, the possibility of a blocking veto remains, although the Member State must offer some explanations to use it. So, when a country is determined to defend its interests, which diverge from those of the majority, it can make use of this blocking veto. This previous idea reveals that the CFSP constitutes an improved method of intergovernmental cooperation but remains not much more than that. Consequently, it cannot be understood as a common policy.

The Presidency of the Council: in a typical intergovernmental field such as CSDP, the rotating Presidency of the Council of the EU plays an important role in establishing the working agenda and setting the priorities of the Union. More specifically, the Presidency is tasked with representing the Union in CSDP matters and with the implementation of relevant decisions, including the negotiation of international agreements\textsuperscript{19}.

Nevertheless, with the entry into force of the Treaty of Lisbon many innovations were introduced in this respect: On the one hand, the representation of the EU is now held by the President of the Council (which is now permanent)\textsuperscript{20}. This function is shared with the President of the European Commission\textsuperscript{21}. On the other hand, the High

\textsuperscript{18} Art. 31 TEU

\textsuperscript{19} Articles 16 Treaty of Lisbon

\textsuperscript{20} Mr. Herman Van Rompuy, until 30 November 2014

\textsuperscript{21} Mr. Jose Manuel Durao Barroso
Representative of the Union for Foreign Affairs and Security Policy\textsuperscript{22} holds the representation of the Union as regards CSDP at a Ministerial level.

Authors such as Givanni Grevi have argued that the every six month rotation of the Presidency of the Council of the European Union (as it is now called after the Treaty of Lisbon) results in an accumulation of incoherent initiatives and in the lack of a sustained commitment to pursue long-term programs. In an effort to provide more continuity to EU policy-making the EU adopted the practice of establishing priorities and work programs covering the terms of three successive presidencies. This idea of trio presidencies was implemented in 2007 and formally laid down in 2009 by the Treaty of Lisbon. Likewise, the Treaty of Lisbon reduced the importance of the Presidency by officially separating the Presidency of the European Council\textsuperscript{23} from that of the Council of the European Union\textsuperscript{24}. Simultaneously, as seen when dealing with the Council in page 18, it split the Foreign Affairs Council configuration (which is presided by the High Representative) from the General Affairs Council, presided by the State exerting the rotating presidency.

\textsuperscript{22} Lady Catherine Ashton

\textsuperscript{23} The President of the European Council is a principal representative of the EU on the world stage, and the person presiding over and driving forward the work of the European Council. The current president is the former Belgian Prime Minister Herman Van Rompuy

\textsuperscript{24} The Presidency of the Council of the European Union is responsible for the functioning of the Council of the European Union, the upper house of the EU’s legislature. It rotates between the Member States of the EU every six months. The presidency is not an individual, but rather the position is held by a national government. It is sometimes incorrectly referred to as the President of the European Union. The Presidency’s function is to chair meetings of the Council, determine its agendas, set a work program and facilitate dialogue both at Council meetings and with other EU institutions
In any case, the rotary Presidency of the EU still plays an important role as it is directly involved in the proceedings of foreign policy issues: it holds the Presidency of all CFSP/CSDP Committees, including the PSC (Political and Security Committee)\(^{25}\).

c. **The Political and Security Committee:**

The PSC was first set up on an interim basis\(^ {26}\) and established as a permanent body in January 2001, following the specification of its job description in the annex to the ESDP Presidency report to the Nice European Council in December 2000. The Committee monitors the international situation and issues proposals for policy objectives and recommendations for strategy options to the Council of Ministers. It exercises political control and provides strategic direction to the EU’s military and civilian crisis management operations\(^ {27}\). Hence, as Giovanni Grevi points out\(^ {28}\), in times of crisis, the PSC is in charge of examining the situation, assessing the various policy options and making a proposal to the Council defining the political interests and objectives of the Union and indicating a recommended course of action. So in the sensitive field of crisis management, the PSC disposes of considerable powers, including policy advice and recommendations in decision-making and in political direction, as well as in monitoring and evaluating the implementation phase.

\(^{25}\) With the exception of the EU Military Committee

\(^{26}\) Council Decision 2000

\(^{27}\) Art. 25 TEU

\(^{28}\) ESDP: the first 10 years 1999-2009. UE ISS, 2009
The PSC provides guidance to and receives advice from the Military Committee (EUMC), the Political Military Group (PMG) and the Committee for Civilian Aspects of Crisis Management (CIVCOM).

Member States are represented in the PSC at Ambassador’s level and meet twice a week, with extra meetings if required. It is often said that State Representatives at the PSC have developed formal and informal codes of conduct and a specific style of negotiation and debate, emphasizing the ability to persuasively articulate national positions and to adjust them with a degree of flexibility in search of consensus, as opposed to simply stating national lines. Nevertheless, the degree of flexibility varies depending on the particular importance of the issues at stake for each Member State. Moreover, some of the most sensitive matters, such as the Iraq crisis in 2003, were kept aside from the PSC agenda. In any case, the PSC played a fundamental role as a platform between Brussels and national capitals, as it is in the best position to convey to Member States where the scope for compromise lies and what the most effective policy options may be. The PSC disposes of extensive information and expertise sources both in Brussels and abroad by means of the EU Special Representatives, the Heads of CSDP civilian missions and the military commanders in the field and also national diplomatic missions in the area, which outline joint reports on given situations. That said, given the often technical character of the operations and other issues in its agenda, the PSC can only operate adequately with the support of other CSDP committees:
d. The EU Military Committee (EUMC):

The EUMC is the highest military body established within the Council. As agreed on the Council Decision 2001/79/CFSP, it is in charge of providing military advice to the PSC as well as military direction to the EU Military Staff (EUMS).

As well as the PSC, it was initially set up as an interim body in 2000, and gained permanent status in 2001.

The EUMC is composed by the Chiefs of Defense of the Member States, but normally meets at the level of their military representatives based in Brussels.

Consequently, the EUMC plays an important role in the planning of CSDP military operations as it is the top level source of military advice. The Chairman of the EUMC provides military advice to the High Representative of the Union for Foreign Affairs and Security Policy, participates when relevant in PSC meetings and attends Council meetings when decisions with military implications need to be taken. Furthermore, the EUMC monitors the conduct of ongoing ESDP military operations.

e. The Political Military Group:

It stands in between the EUMC and the CIVCOM, the two top advisory bodies for, respectively, military and civilian dimensions of ESDP. It is composed by members of EU Member States Defense and Foreign Affairs Ministries. It lacks a specific mission except for carrying out preparatory work on CSDP for the PSC. So its importance will

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29 A four star flag officer appointed by the Council for a term of three years
depend on the predominance of political-military and civil-military issues on the EU agenda at a given time.

f. The CIVCOM (Committee for Civilian Aspects of Crisis Management):

It was first envisaged at the Helsinki Summit in 1999 and formally established in May 2000 with the mandate of providing information, formulating recommendations and giving advice to the PSC on the civilian aspects of crisis management operations. At its beginnings, it was also in charge of coordinating national and EU resources and of promoting inter-pillar coherence. But the CIVCOM has very much evolved since then, and nowadays the planning and the monitoring of civilian missions takes up the bulk of the committee’s time. In general terms, the CIVCOM is supposed to perform similar tasks as the EUMC but on the civilian side, notably by providing workable options for civilian crisis management to the PSC. Thus, it is a key body for ESDP policy making.

In spite of the fact that the CIVCOM suffers from a relative shortage of civilian structures that support its work -especially if we compare it with the EUMC, which counts on a preparatory working group to prune the agenda of its meetings and to tackle with technical issues- it has to face both qualitative and quantitative challenges. On the one hand, it has been in charge over the last few years of more than 20 civilian missions

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30 1st pillar: included economic, social and environmental policies. It was the only pillar with a legal personality, consisting of the European Community (EC), the European Coal and Steel Community (ECSC, until its expiry in 2002), and the European Atomic Energy Community (EURATOM)

2nd pillar: The Common Foreign and Security Policy (CFSP)

3rd pillar: Police and Judicial Cooperation in Criminal Matters (PJCC)
that had to be planned, launched and conducted. On the other hand, it must be taken into consideration that civilian crisis management was a new policy field for the EU and for Member States alike. So it generated new requirements in terms of expertise not only in the field but also in Brussels. Learning by doing has therefore been a common feature in civilian crisis management policy.

**g. The RELEX (Foreign Relations) Counselors working group:**

This group is in charge of drafting, in close cooperation with other CSDP structures, all the legal acts adopted in the context of CSDP, including punitive measures. It also oversees the legal aspects of the evolving bureaucratic framework in this policy area, including for example the creation of new bodies such as the European Defense Agency.

The RELEX Counselors also play a role in the financial dimension of the CSDP. More precisely, they are in charge of discussing the “financial statement” (the money made available) corresponding to all joint actions and other initiatives financed under the CSDP budget; they also ensure that the budget is allocated in a balanced way across different actions. Finally, they negotiate the procedures allowing for the quick disbursement of funds for preparatory actions.
THE EUROPEAN UNION AS A CIVILIAN POWER:

In international relations theory, few academics –especially in the United States- have incorporated the European Community (EC) or the European Union (EU) into their analyses of military power or security concerns. In the past, they had no need to do so. In matters of defense, Western Europe was seen as part of the NATO alliance.

According to François Duchêne, the European Economic Community (EEC) existed and should continue to remain, as “a civilian group long on economic power and relatively short on armed forces”. Duchêne was the first to speak of the European Community as a civilian power. As Karen Smith indicates, there are strong similarities between Ducêne’s conception of Europe’s civilian power and Joseph Nye’s conception of soft power, which co-opts rather than coerces people. He understood that the EC’s influence depended on its ability to expand the model of guaranteeing stability and security through the application of economic and political force but not through military means. But this idea of Duchêne’s should be put into context: in the early 1970s, it was the time of détente, the Vietnam debacle, the collapse of the Bretton-Woods international monetary system, and the first enlargement of the EC in order to include three new Member States, including the UK and its vast international links. But most important, the impact of the oil crises of the 1970s indicated that military power no longer carried the same relevance to international politics as before (Stavridis, 2001).

31 He was the key adviser to Jean Monnet, the father of the European unification

32 François Duchêne “The EC and the uncertainties of Independence”, 1973

33 François Duchêne “Europe’s role in world peace”, 1972


35 “Why the Militarizing of the EU is strengthening the concept of Europe Civilian Power”, Robert Schumman Center for Advanced Studies, 2001
In both crises (1973 and later on in 1979), it was not possible to use military force, especially nuclear weapons, to force a change of economic policy of a non-traditional international actor, namely the OPEC cartel. This organization’s growing influence was confirmed in Europe’s shift to a much more pro-Arab policy, especially with regard to the Middle Eastern conflict between Israel and its Arab neighbors.

So Duchêne’s general conclusion was that the importance of military power was diminishing as fast as that of economics was growing. His conclusion was based on his prediction that the EC could not, and would not develop into a full federal state with a common army and a common government. He disagreed with the fundamental argument of an alternative approach to the EC in the early 1970’s “that the EC was a superpower in the making”. According to Stavridis, Duchêne stressed the impracticability of this approach on the grounds of very limited nuclear capabilities of France and Britain. In addition, there was no real likelihood of a common decision-making process. As Stavridis points out, a good illustration of the latter could be found in a famous newspaper cartoon with a military officer still waiting to press the nuclear button while one of his colleagues on the phone, probably with Brussels, kept on telling him: “Wait, it is still 6 Member States for and 6 Member States against”. So, it would be much more realistic for the EC to become a Civilian power by promoting cooperation based on trade and economics, as well as democracy and civilian standards both internally and externally.

36 François Duchêne “Europe’s role in world peace”, 1972


38 “Why the Militarizing of the EU is strengthening the concept of Europe Civilian Power”, Robert Schumman Center for advanced Studies, 2001
Additionally, Kenneth Twitchett further stated that the European Community’s impact on the international system had been via trade and diplomatic influence rather than via military power (Twitchett, 1976 as cited by McCormick, 2007). Therefore, non-military means of engagement were essential in Civilian Power Europe discussion. According to Hans Maull civilian power implies “the acceptance of the necessity of cooperation with others in the pursuit of international objectives; the concentration on non-military, primarily economic, means to secure national goals, with military power left as a residual instrument serving essentially to safeguard other means of international interaction; and a willingness to develop supranational structures to address critical issues of international management”.

Another key advocate of the notion “Civilian Power Europe” is Christopher Hill. He argued (Hill, 1983) that Western European global behavior emphasized “diplomatic rather than coercive instruments, the centrality of mediation in conflict resolution, and the importance of economic solutions to political problems...” In the post Cold War world, he included among the EC functions: stabilizing Western Europe, managing world trade, providing the principal voice of the developed world in relations with the South, and providing a second western voice in international diplomacy” (Hill, 1993). As seen, all these tasks appear very “civilian” and emphasize diplomacy and economics in the EU’s approach to international relations.

In the same line, Princeton University’s Professor Andrew Moravcsik (2002) affirms that “the EU does not lie in the deployment of battalions or bombers, but rather in the

41 The Quiet Superpower, 2002
quiet promotion of democracy and development through trade, foreign aid and peacekeeping”. As he states, when the shooting stops, only the Europeans can play the superpower in keeping the peace, reconstructing the economy and promoting democracy. They make excellent use of the so-called soft power, which lies in the ability to attract and persuade.42

In this respect, I will now ponder the two main instruments traditionally used by the EC/EU in its external relations and that will result in considering it as an economic power. Because the giving of aid and trade relations are main components of this economic power (Manners and Whitman, 2000), and, as I will point out later on, they will be key components of my case studies. These two main instruments are:

a. **Trade relations:**

As mentioned before, during its early days, the EEC had the ambition to bring together the nations and peoples of Europe as they emerged from the aftermath of the Second World War. As Member States removed trade barriers among them they had to handle their trade relations with third countries as a shared responsibility. This gave rise to the Common Commercial Policy, the first area in which EEC countries pooled their sovereignty in their joint interest.

Common Commercial Policy is a vital piece of the EU’s relations with the rest of the world and it operates at two complementary levels:

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42 Joseph Nye’s concept of the soft power, in contrast to the “hard power” based on coercion and payment. “Bound to lead: the changing nature of American power” (1990).
Firstly, within the World Trade Organization (WTO)\textsuperscript{43}: the EU is actively involved in setting the rules for the multilateral system of international trade along with its partners across the globe. The system, although imperfect, offers a degree of transparency and legal certainty in the conduct of international trade. The WTO also provides a dispute settlement procedure when direct disputes arise between two or more trading partners.

Secondly, the EU negotiates its own bilateral trade agreements with countries and regions. It makes a special effort to give products from developing countries an easier access to its market and to promote development through its trade relations. The network of trade agreements developed by the EU serves as a complement at the WTO to remove barriers to trade internationally. There are clear WTO rules establishing conditions for these agreements to prevent them being used to discriminate against other trade partners, and all EU agreements are compatible with these rules.

Hence, the EU has become ever more conscious of its power in the international system, being market access one of its more influential instruments. Because, granting, conditioning or denying of access to the European Single Market, one of the most prosperous markets in the world, constitutes a vital instrument in foreign relations. Therefore, the Union takes a lead in pushing for further trade liberalization at world level for the benefit of rich and poor countries alike. Trade sanctions –e.g. removing trade preferences or limiting or freezing trade with a partner in breach of human rights or other international standards of

\textsuperscript{43} The WTO replaced the GATT (General Agreement on Trade and Tariffs) in 1994
behavior- are also a tool of European foreign policy. Recent EU’s sanctions over Syria because its continuous violations of human rights are a good example of that.

But trade agreements are not just based on commercial interests. The EU is particularly sensitive to the interests of developing countries and has long recognized that trade can boost their economic growth and productive capacity. Developing countries enjoy duty-free access or cut-rate tariffs on exports to the EU market for the 7200 products covered by the EU’s generalized system of preferences (GSP)\(^4^4\). This is a one way concession which does not require reciprocal action on the part of the beneficiaries. In the case of the world’s 50 least developed countries, they enjoy total free access to the EU market for all their products, except exports of arms and ammunition, the so-called EBA scheme (Everything but Arms).

In this respect, it must be mentioned that the EU has a special relationship with 79 countries of the African-Caribbean-Pacific (ACP), which dates from the so-called Lomé Agreements of 1975. Many of these countries are former colonies. For well over 30 years, exports from the ACP countries were given generous access to the European market. Nevertheless, preferential access failed to boost local economies and stimulate growth within the ACP countries.

The latter circumstance along with the fact that of its non reciprocal nature and its incompatibility with the WTO, the EU further developed the Lomé Agreements (under the Cotonou Agreements, 2000) resulting in the Economic

\(^{44}\) EU’s System of Generalized Preferences, Directorate General Trade, European Commission
Partnership Agreements (EPA), which is a scheme to create a Free Trade Area between the EU and the ACP countries, with special conditions:

- EPAs are "tailor-made" to suit specific regional circumstances.
- They go beyond conventional free-trade agreements, focusing on ACP development, taking account of their socio-economic circumstances and include co-operation and assistance to help ACPs implement the Agreements.
- They opened up EU markets fully and immediately (unilaterally by the EU since 1st January 2008), but allowed ACPs 15 (and up to 25) years to open up to EU imports while providing protection for the sensitive 20% of imports.
- EPAs provide scope for wide-ranging trade co-operation on areas such as services and standards.
- They are also designed to be drivers of change that will kick-start reform and help strengthen rule of law in the economic field, thereby attracting foreign direct investment (FDI), so helping to create a "virtuous circle" of growth.

At this point it is clear that the EU has become an outstanding civilian power. At nearly 500 million, the population of the EU is the third’s largest in the world after China and India. Its size and its impact in commercial, economic and financial terms make the EU a globally important power: it accounts for the greatest share of world trade and generates one quarter of global wealth.
How they compare

Population
Millions 2006

Size
Land area 1 000 000 km²

Wealth
€ PPS per capita 2006

Source: Extract, World Bank
b. **Giving of aid:**

Additionally to trade relations, the EU plays an immense role in terms of aid to third countries. The EU is the largest donor in the world, distributing aid to approximately 145 recipient countries (Smith, 2008). It currently provides over 56% of all official development assistance (ODA) delivered by the major industrialized countries.

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45K. Smith, “The EU Foreign Policy in a changing world”, 2008
In 2010, the total value of ODA was €53.8 billion, which translates to more than €105 per citizen. This compares to €53 per citizen from the US and €69 form Japan. In 2010 European aid rose to 0.43% of GNI, still short to the UN target of 0.7% of GNI\(^{46}\).

In spite of the fact that the UE has committed to reach the 0.7% UN’s target by 2015, so far only four countries of the EU (Denmark, Luxembourg, the Netherlands and Sweden) have managed to achieve it\(^{47}\).

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\(^{46}\) Press communication 6.4.2011 Commissioner for Development Andris Piebalgs

\(^{47}\) www.europa.eu
In the context of the Millennium Development Goals\textsuperscript{48}, the primary objective of the EU development cooperation is the eradication of poverty. The EU aims to improve basic physical and social infrastructures and productive potential as well as to strengthen democratic State institutions. Its support can also help poor countries benefit from international opportunities and attract more inward investment to broaden their economic base.

Likewise, the EU’s development cooperation aims to give disadvantaged people in the third world control over their own development. This means attacking the sources of their vulnerability, including poor access to food and clean water, or to health, education and employment\textsuperscript{49}. But it also has many other features: on the one hand, it means fighting against scourges like AIDS. On the other hand, it means taking action to reduce their debt burden. Finally, development cooperation is used as a way to promote human rights and gender equality and to prevent conflicts.

It is important to highlight how the EU delivers its aid, as it does it in many different ways: direct cooperation with governments, by implementing individual projects (often through NGOs), humanitarian aid in case of natural disasters or armed conflicts, assistance in crisis prevention and support of civil society.

Humanitarian aid deserves special attention as it is unconditional assistance. Its focal aim is to get help to the victims as quickly as possible, irrespective of their race, religion or political convictions of their governments. The EU channels its emergency relief funding through ECHO (European Community Humanitarian Office). It was funded in 1992 and has been present in more than 100 countries. In 2010 ECHO distributed

\textsuperscript{48} Adopted by the UN in 2000 with a 2015 deadline

\textsuperscript{49} Giovanni Grevi, ESDP: the first 10 years, 1999-2009, EU ISS, 2009
humanitarian aid for more than €1.1 billion. 14% of its budget is devoted to support the victims of many forgotten crises, such as Nepal, Liberia, Sierra Leone, Darfur, Chechnya, Kashmir or the Western Sahara.\textsuperscript{50}

Ref: European Commission Directorate General Humanitarian Aid and Civil Protection

The Union’s humanitarian assistance has three main tools: emergency aid, food aid, and aid for refugees from conflict areas and those displaced within a country or region at war:

- **Emergency aid** is provided in the form of cash to buy and deliver basic essentials like medicine, food and shelter, or to finance reconstruction work after a disaster. Emergency aid has to be fast and flexible.\textsuperscript{51} Food aid comes in two types. First, the Union provides regular amounts of food to regions hit by famine or drought to help provide security of supply until normal production can be re-established.

\textsuperscript{50} European Commission DG ECHO Financial Report 2010,

\textsuperscript{51} www.ec.europa.eu
Second, it supplies emergency food aid where sudden food shortages result from man-made or unforeseen natural disasters.\(^{52}\)

- The EU and its Member States give aid to refugees driven from their country and to persons displaced within their own country or region. EU aid tides them over during the emergency period until they are able to return home or settle in a new country. \(^{53}\) Given the nature of disaster relief and emergency assistance, EU operations are generally no longer than 6 months. But, in order to ensure that, once the EU withdraws, the people it has helped will manage to cope with the situation, the EU must design an exit strategy so that a local authority takes over or another assistance structure replaces that of the EU’s.

Hence, as so far stated, it is clear that the EU has consolidated itself as an outstanding civilian power. Through trade and solidarity the EU has projected its model of society into the wider world. The EU has forged a model of development and continental integration based on the principles of democracy, freedom and solidarity and, as Romano Prodi affirmed in 2000, “it is a model that works”.

c. **Enlargement:**

The fact that the EU has united the continent while seeking a closer relationship with its neighbors so that new artificial divisions do not replace old ones. Having brought stability and prosperity to its own citizens, the EU aims to work with other international

\(^{52}\) www.ec.europa.eu

\(^{53}\) www.ec.europa.eu
players in order to spread the advantages of open markets, economic growth and a political system based on social responsibility and democracy.

The EU does not try to impose its own system on others but it is not shy in its objectives: any democratic European country can apply for membership and very few have chosen not to do so. In 50 years, the EU has brought together 27 countries, which have successfully pooled economic and political resources in a common interest.
A turning point in this process took place in Copenhagen in December 2002, when the then 15 Member States invited 10 more countries (Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia) to join the EU on 1 May 2004. In this Summit, the EU was not simply increasing its geographical size and population but it was putting an end to a division of Europe that, since 1945 had separated the free world from the communist bloc. Bulgaria and Rumania, also part of this group, joined the EU on 1 January 2007, as their entry process took longer. Croatia will become the 28th Member State as from 30 June 2013. Turkey, the eternal candidate, first applied for membership in 1987. Even though accession negotiations are on the way, its geographical location and its political and religious background has cast many doubts on many EU institutions and Member States. Other potential candidates are the Western Balkans countries (Albania, Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia, Montenegro and Serbia), which were once part of Yugoslavia and are at present turning to the EU as a way to speed up their economic reconstruction and to consolidate their democratic institutions.

So two parallel EU policies for handling its relations with neighboring countries must be distinguished, depending on whether they are on the current list of potential candidates or not:

- Stabilization and association agreements: they open up the possibility for a country to become a candidate for EU membership. As candidate country, it must fulfill the so-called Copenhagen criteria, established in 1993\(^{54}\):

\(^{54}\) European Council Summit, Copenhagen 21,22 June 1993
New Member States must have stable, democratic institutions that guarantee the rule of law, human rights and rights of minorities.

They must also have a functioning market economy.

Finally, they need to have the ability to take the obligations of membership, including a public administration capable of putting EU laws into practice.

A second group of countries fall under the European Neighborhood Policy (ENP), which was developed in 2004 in order to avoid the emergence of new dividing lines between the enlarged EU and its neighbors.

The ENP constitute a key element of European Civilian Power: it offers EU neighbors a privileged relation based on a mutual commitment to common values (democracy and human rights, rule of law, good governance, market economy and sustainable development).

As a civilian instrument of EU’s foreign relations, it fosters trade and cooperation relations between the EU and 16 of its closest neighbors from the Mediterranean, the Caucasus and Eastern Europe (Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, Occupied Palestinian Territory, Syria, Tunisia and Ukraine).

Given that the ENP is mainly bilateral and that it outlines EU relations with a given country, it is further enriched with regional and multilateral cooperation.

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55 Commission Communication on Wider Europe, March 2003
initiatives: the Eastern Partnership\textsuperscript{56}, the Union for the Mediterranean\textsuperscript{57} and the Black Sea Synergy\textsuperscript{58}.

As influential as it may be, the ENP has been subject to criticism for a wide variety of reasons. On the one hand, it has been said that systematic changes in the structural distribution of power among Member States has determined the shape of the EU foreign policy, that is to say, Member States have instrumentalized the EU in their own interest. For instance, when dealing with the post-communist

\textsuperscript{56} Launched in Prague in May 2009

\textsuperscript{57} Formerly known as the Barcelona Process, it was relaunched in Paris in July 2008

\textsuperscript{58} Launched in Kiev in February 2008
democracies of East Central Europe the EU was used by its most influential Member States as an instrument for collectively exercising hegemonic power, shaping its “near abroad” in ways amenable to the long term strategic and economic interests of its Member States” (Hyde-Price, 2006). Additionally, the EU has shaped its external milieu by using power in different ways: political ostracism and promise of membership or exclusion, among others. So, as Hyde-Price warns, one must take into consideration the existence of strategic interests of Member States when considering the EU as a global power. If we take the example of EU-Russia relations (Wood, 2009), it is clear that when strategic interests are at stake (EU depends on Russia for much of its energy), the EU’s ability to project its “community of values” remains vulnerable.

On the other hand, the ENP has also been criticised because of the EU’s inconsistency in its normative identity when strategic interests are under threat. This seems to be crystal clear in the case of the EU relationship with Israel (Tocci, 2008): everytime the EU calls for international humanitarian law to be respected (opposing Israeli settlements in the occupied territories, for instance), the EU risks acquiescing to Israeli’s violations of international law by extending EU trade benefits to settlement enterprises. Likewise, by not recognising the governing Hamas after the January 2006 elections in Gaza, the EU seems to ignore the democratic choice of the Palestinian people, which stands in contrast to EU promotion of fair, free and transparent elections as a needed dimension for the democratisation of Palestine.

d. **Human rights:**

Closely related to the field of enlargement and the responsibility of the EU as a civilian power, it is worth considering the influential role that it plays in the area of human rights. As Smith argues (2001), compared to the situation at the beginning of 1990’s, human rights’considerations in the EU’s external relations have radically changed as they have become a significant part of the EU’s international identity. The Treaty of the EU states that one of the EU’s objectives is to “develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms”\(^{60}\). Likewise, the European Commission assesses that “human rights should be an integral, or mainstream consideration an all EU external policies”\(^{61}\).

But how does the EU promote the respect for human rights? According to Smith (2001), the EU does so by applying political conditionality, by providing aid for human rights programmes and by the use of diplomatic instruments, such as demarches and political dialogue. Because, “no other State has put on paper that its foreign policy objectives include international action in support of human rights and has created a legal basis to do so; no other State has tied its relations with third countries to human rights’clauses; no other regional or international organisation can wield the same power or influence to do so” (Balfour,2012). As I will point out when discussing the proposed case study “Operation Atalanta”, the protection of human rights has become a vigorous norm of the EU’s role in the international scene. But it is also true, as I will highlight later on, that this normative power based on the promotion of human rights, may not be persuasive enough on some occasions to influence other States and groups to alter their

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\(^{60}\) Art. 3 Treaty of Lisbon

lawless behaviour. That is why, it must be sometimes accompanied by the threat or the use of military capabilities.

It has also been proven that the EU has also shown a high degree of inconstancy in the field of human rights, as they compete with political, security and commercial considerations in foreign policy-making. The EU´s relations with China or Russia are a good example of this (Smith, 2001) as commercial interests often prevail over human rights´defense.

e. **Multilateralism:**

At this stage, it is important to take a look at the EU Civilian power within the context of multilateralism as the EU plays a fundamental role in governing international society, particularly in combatting poverty, providing sustainable development, security and peace in the framework of the United Nations.

Supporting multilateral cooperation is a basic principle of the EU´s foreign policy. The EU has acknowledged that many global issues can only be resolved by means of international cooperation. That is why the EU has committed itself to multilateral cooperation and specially to the United Nations as the key component of its role as a civilian power in the international scene.

Even though the EU is not a member of the UN, there is no doubt that it is strongly present in its system. The EU got the status of observer in the UN General Assembly in 1974. And in subsequent years, the status was also obtained in many UN agencies like the OHCHR (Office of the High Commissioner for Human Rights), UNCTAD (United
Nations Conference on Trade and Development), UNESCO (United Nations Educational, Scientifical and Cultural Organization), UNDP (United Nations Development Program) or WHO (World Health Organization), among others. Thanks to the exclusive competence the European Treaties recognize to the Community/Union in various policy areas, the EU is a full member of FAO (Food and Agriculture Organization) since 1991. It also participates in many UN special conferences and has signed more than 50 conventions of the UN.

The weight of the Union and its Member States on the UN system is therefore quite remarkable. Even though the votes of the 27 EU countries are only one eighth of all General Assembly votes, the EU states’ contribution in different areas is much larger than the vote rate. For instance, they represent 38% of the ordinary UN budget, 50% of the contributions to special funds and programs and 40% of the UN peace operations costs.

The leading role of the EU traditionally belongs to the EU Presidency, in charge of coordinating the Member States’ positions and representing the Union in various forms like issuing official declarations and making demarches towards a third country. But the Lisbon Treaty has made an important reform in this area as the High Representative of the Union for Foreign Affairs and Security Policy has been given the function of coordinating the Member States’ action in international organizations and conferences. According to the Lisbon Treaty, the High Representative also has the right to be informed by the EU Member States which are also members of the Security Council about matters of common interest. In addition, when the

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62 Source: www.europa.eu
Union has defined a position on a subject which is on the UNSC (United Nations Security Council) agenda, those Member States which sit on the Security Council shall request that the High Representative be invited to present the Union’s position\textsuperscript{63}.

In addition to the Lisbon Treaty, other milestones in the last few years have accentuated the EU’s proactive attitude towards UN multilateralism:

- In 2003, the EU and the UN signed a financial and administrative framework agreement.
- Communication of the EU Commission on “The EU and the UN: the Choice of Multilateralism” released in 2003, which threw into relief different areas in which the EU was ready to engage as a UN partner.
- Also in 2003, the EU and the UN signed the Joint Declaration on cooperation in Crisis Management. This document reveals the importance the EU governments attach to ESDP as an instrument of the EU’s role in world affairs and multilateralism.

Another key document when conceptualising the EU as a global power is the above mentioned European Security Strategy, in which multilateralism is presented as the

\textsuperscript{63} Art. 34 of the Treaty of Lisbon
instrument to foster the development of a stronger international society, the good operation of international institutions and an international order based on international law. But according to this document, the EU must not neglect a robust answer when fundamental values are put at risk by actors that cannot be controlled by other instruments. I will examine in detail the European Security Strategy later on in the exposition, when discussing the evolution of the ESDP.

Thus, as seen, the EU constitutes a driving force in the negotiation and implementation of important UN initiatives mainly in the fields of sustainable development, poverty, reduction and international security. As stated in the EU’s medium term priorities at the United Nations 2012-2015, the EU and its Member States remain committed to an effective multilateral system with a strong United Nations at its core\textsuperscript{64}.

The EU enshrines the idea that global governance will remain weak if multilateral institutions are unable to ensure an effective implementation of their decisions and norms. That is why, the EU has decided to act as a “front-runner”, as its contribution to ensuring multilateral targets and facilitating its instruments. Being a front-runner not only implies that EU Member States will be the first to ratify a UN instrument, but also taking decisive actions at an early stage to implement key UN measures at the EU level, thus setting an example for other players.

The Union’s undivided and active support has been crucial when deciding over the adoption of many different multilateral instruments. That is the case when adopting some of the farthest reaching agreements in the last few years such as the Kyoto

\textsuperscript{64} Adopted on May 23 2012
Protocol or the International Criminal Court, but also with the Everything but Arms (EBA) Initiative, the Regulation on tiered pricing of medicines, water and energy initiatives, and 0.7% Financing for Development\textsuperscript{65}.

Later on in this paper, when tackling with the European Union as a Military power, I will come back to the importance that the EU attaches to multilateralism, as it has strengthened its relationship with various security organizations such as OSCE (Organization for Security and Cooperation in Europe), the Western European Union (I will make a special reference to the so-called Petersberg Missions) and mainly with NATO (North Atlantic Treaty Organization), as both organizations have established a strategic partnership in crisis management\textsuperscript{66}. Be it with NATO or any other security organization, shared values such as promotion of democracy and the respect for human rights, have been chosen as the EU guidelines when dealing with the security dimension of the 21\textsuperscript{st} century.

Likewise, the EU attaches great importance to multilateralism as many of the challenges that its neighbors are facing are global problems that are calling for global answers. This is obviously true in the case of the Israeli-Palestinian conflict and the issue of Iran, questions that dominate the agenda of the UN Security Council, or the importance of the relationship between the Middle East and the Caucasus region as regards energy security. It is important to bear in mind that the EU has long experience in fostering fruitful relations with its immediate regional environment and hence that it is doomed to play a fundamental role in the region.

\textsuperscript{65} Source: The European Union @ the United Nations. Partnership in Action webpage: www.eu-un.europa.eu

No wonder the EU’s most important contribution to world peace has been the consolidation of a wide area of peace and democracy that goes from Portugal to Russia’s borders. The eventual expansion of this area towards its southern and eastern neighbors would have a major impact on the world order.\textsuperscript{67}

\textsuperscript{67} Alvaro de Vasconcelos and Givanni Grevi, Partnerships for effective multilateralism: EU relations with Brasil, China, India and Russia., Institute for Security Studies, 2008
THE EUROPEAN UNION AS A MILITARY POWER:

The idea of a European Union as a merely civilian power has long been criticised by many scholars. Among them, Hedley Bull argued that civilian power was ineffective in international relations. According to this author, more generally, the power or influence exerted by the European Community and other such civilian actors was conditional upon a strategic environment provided by the military power of states, which they did not control. Bull also stated that “if the European Community wanted to weigh considerable influence, it needed to develop substantially in its defence capabilities”. Likewise, “Europe is not an actor in international affairs and it is not likely to become one” (Bull, 1982, 151).

Bull is responding to the suggestions of writers such as François Duchêne, who claimed, as previously seen, that military power had given way to progressive civilian power as the means to exert influence in international relations (Duchêne, 1972, 1973).

Bull argued that the existence of special international circumstances of lessened tension between super powers in the early 1970’s had led to a mistaken view that military force did not matter any longer. He pointed to a number of problems in the world in which force continued to play an important role and highlighted that the Soviet military threat continued unabated whereas the United States seemed to have more and more diverging interests with its European allies. He called for a “European Strategic policy” which should include both conventional and nuclear

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68 In 1982, he launched, in the pages of the Journal of Common Market Studies a searing critique of the EC’s civilian power in international affairs.

69 Hedley Bull, Europe Civilian Power: a contradiction in terms, 1982
dimensions. That is to say, a militarising dimension of Europe. What Bull is trying to reveal is that it is difficult to be a power on the global stage without strong military capabilities. The increasing role of the EU in areas of security and defence led to a seductiveness in adopting the notion of “military power Europe”. The latter has become ever more relevant as the EU decided to develop a European defense identity and capability. As Stavridis mentions\(^70\), it is difficult to know when the so-called security taboo was broken. Some argue that it was possibly with the reactivation of the Western European Union in the early 1980s and the use of the phrase “economic and political aspects of security” in the Single European Act of 1991. But the introduction of a CFSP, with the eventual (Maastricht Treaty, 1992) and later progressive (Amsterdam Treaty, 1997) “framing of a common defense policy” (Stavridis) leading eventually to a common defense, are key developments in the process of militarizing the European integration process. All these developments also mean that a non-military road for the EU is no longer the path of integration Europe is taking now. There is, therefore, a renewed interest in the subject, and Stavridis opposes\(^71\) in this respect, two main views: One represented by Hans Maull (with regards to Germany) which argues that even with the use of force there is still a civilian power in action. On the other end stands Karen Smith, who argues that the whole concept of a civilian power is regretfully over now that military means are being added to the integration process.

These opposite approaches deserve a deeper comment:

\(^{70}\) Stavridis, “Why the Militarizing of the EU is strengthening the concept of Europe Civilian Power”, 2001

\(^{71}\) Stavridis: Militarising the EU: the concept of Civilian Power Europe revisited, The International Spectator, 2001
Smith takes the view that the whole concept of Europe Civilian power is no longer viable. She argues that the EU, despite the obvious current weaknesses of its defense dimension, is abandoning its civilian power image\textsuperscript{72}. She presents the Stability Pact for South-Eastern Europe and the enlargement process as two of the best examples of a civilian power at work. However she laments the recent military developments. She also argues that the EU repudiates civilian power by acquiring a defense dimension. She is of the opinion that the whole approach to develop a military capacity is too state-centric, based on an excessive expectation of the utility of military force, and will create more problems than it will solve. Because Europe is currently considered as an alternative to the United States precisely as a result of its civilian status. She therefore supports the continuation of the division between the EU and the WEU, the latter covering military matters. She also considers that NATO is enough as far as territorial defense is concerned. This idea becomes clearer when Smith argues that military interventions will most probably be needed in the future, but that does not have to be the EU’s job. It is fine for an enlarged WEU to do the job but she denies this same right to the EU. Moreover, the fact that the WEU was disappearing of the scene did not seem to have been an option that Smith envisaged at all. Where Smith becomes more controversial\textsuperscript{73} is when she exclusively concentrates her use of a civilian power on the non-military means, in the sense that a European defense capacity was not needed as long as the


\textsuperscript{73} Karen E Smith: The End of the Civilian Power EU: a welcome demise or cause of concern, The International Spetator, 2000
United States and NATO were still present and there were greater expectations for the United Nations to become more actively involved. But she does not address the question of what the EU should do in case the United States is unwilling to act or the UN is unable to do so. So, I agree with Stavridis when he criticizes Smith for overemphasizing the appeal of the EU as only civilian. It is clear that many countries want to join the EU for economic reasons but also often for security ones. Finland is the first example that comes to mind, let alone the long list of Eastern countries, but one could go further back to the Greek accession which contained both an internal side (consolidation of democracy) and an external one (eventually the defense of Greek territory against Turkish aggression). The fact that the EU partners have not often supported Greece (most recently in 1996\footnote{A near-war incident that took place in January 1996 when a Turkish TV crew invaded Greek’s island of Imia and replaced Greek’s flag for a Turkish one. The conflict was resolved after US’ mediation.}) does not invalidate the claim that Greece wanted European membership for security reasons as well as economic and political. Greece’s push for recognition of national borders as EU borders and its constant quest for an EU-version of Article 5 of the North Atlantic Treaty\footnote{An aggression to one member state is an aggression to all.} prove the case. A similar argument could be made for Poland, the Czech Republic, Hungary and former Soviet countries that decided to go full stream for NATO membership when they saw that EU accession was postponed\footnote{For example, Poland joined the EU in 2004 and NATO in 1999.}.

b) Stavridis

confronts Smith’s ideas on Europe Civilian power with those of Hans Maull’s, who refers to the need to try and constrain the use of force. Under Maull’s...
perspective, the use of force under extreme circumstances is allowed. But by
doing so, he understands that the militarizing of the EU is still possible under the
civilian power. Indeed, Maull\textsuperscript{77} takes the example of West Germany and he
argues that this country was a civilian power during the Cold War because even
then its military participation in NATO actions within the context of collective
defense was permissible. In 1994, the Constitutional Court decided that it was
possible, indeed desirable, for the Germans to participate in UN-authorized
missions following prior approval by the Bundestag, which was a turning point
in Germany’s recent History. Maull is right to point out that over the conflicts in
Yugoslavia; Germany chose “solidarity and the promotion of human rights over
its desire to avoid the use of force”\textsuperscript{78}. Thus Germany remained a civilian power
despite the use of force, since the promotion of human rights was reiterated as a
key element of the civilian power approach. Maull also discusses\textsuperscript{79} the prospects
of European integration in defense and appears rather pessimistic about such a
move because all defense budgets are on the decrease, so he considers that there
is very little chance of a real common European defense policy and a
supranationalisation of defense. Indeed, Kosovo did seem to confirm that the
trajectory of change already apparent in the 1990’s was leading to a normalizing
of Germany’s relationship with the use of force. However, in the light of the
events between 2001 and 2003 these conclusions appeared to be somewhat

\textsuperscript{77} Hans Maull: “Germany and the use of force: still a civilian power?”, 2000

\textsuperscript{78} Germany’s military participation in the Kosovo War against Serbia represents an evolution in its post-
war security policy as a civilian power

\textsuperscript{79} Hans Maull: “Germany and the use of force: still a civilian power?”, 2000
premature and the extent of new security policy consensus exaggerated.\textsuperscript{80} Certainly, Germany declared unconditional solidarity with the US in the immediate wake of 11 September 2001 and the subsequent deployment of German soldiers to Afghanistan in the context of Operation enduring Freedom were firm expressions of Germany’s commitment to having a role in international security. However, the subsequent division within Europe over the US policy towards Iraq revealed the limits and the peculiarities of Germany’s approach to the use of force (Longhurst, 2004).

In the academic debate surrounding European defence policy, a turning point in the quest for improved military capabilities in the EU was the decision by British Prime Minister, Tony Blair, to break free from the stagnation of progress in defence cooperation, while arguing that the EU had to act in international crises independently from the NATO framework. Blair’s determination in this respect resulted in the so-called St. Malo Declaration in 1998, signed by France and Great Britain. The Declaration stated that 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.

But before the Declaration of St. Malo two major factors must be taken into account as they changed the paradigm and led to a re-orientation of the EC towards the EU, with the creation at Maastricht of a CFSP (Common Foreign and Security Policy) in 1992. On the one hand, there was the internal

\textsuperscript{80} Longhurst, “Germany and the use of force”, 2004,
development of the EC and its very success. As Europe developed a successful trade policy, completed its internal market and registered many more advances in a range of areas, it became more and more artificial to leave foreign policy matters squarely outside of the Community. On the other hand, the globalization movement blurred the lines between foreign policy and other aspects of external relations. The growing awareness that the individual Member States, even the bigger ones, lacked the means and the power to be really relevant actors on the international scene helped precipitate the move towards a common foreign policy.

It was however an external event that was the decisive factor in the creation of the CFSP. I refer to the events of 1989 and the subsequent fundamental change of the whole international model. With the disappearance of the Soviet threat, collective security in the classical sense was no longer the defining element of Europe’s foreign policy. At the same time, the German and French leaders of the time \(^81\) decided that German reunification had to be embedded into a much more political European Union, including a more ambitious foreign policy. Maastricht thus became a turning point in European integration, both the crowning of the economic process with the creation of a single currency and the beginning of a new, more political, cycle.

But while Maastricht laid the conceptual framework for CFSP, the EU only moved to the implementation phase later in the 1990s, with the Amsterdam and Nice treaties. A certain number of factors played a role in this respect: The first was the disaster of the Yugoslav crisis. James Baker’s statement that “we don’t

\(^{81}\) Helmut Kohl and Jacques Chirac
have a dog in that fight”\(^82\) seemed to open the way for a new European role. Jacques Poos\(^83\) certainly believed that when he declared that ‘this is the hour of Europe’. The second factor was the combination of the end of the Cold War and the growing globalization movement; the result was both a less predictable and a more interdependent world, posing new challenges. There is no doubt that the terrorist attacks of 11 September 2001 represent a third factor calling for a stronger and more capable foreign policy.

a. The Balkans:

The Balkans’ region deserves a special mention since they constitute a point of no return in the process of structuring the CFSP. As former High Representative for Common Foreign and Security Policy puts it, the Balkans were, from the beginning of the 1990’s, the test for the EU’s CFSP. He insisted in saying that the future of the CFSP depended on success on the Balkans and that the EU had to take the lead (Solana, 2000). Also, former member of the European Commission Chris Patten stated in 2001 that “whether we succeed or not in the Balkans is a key test for our nascent common foreign and security policy, of our ability to project stability beyond our borders and into our immediate neighborhood”\(^84\). As I will throw into relief, it has been a slow process of learning from failure. It has also been here where the EU has firstly tried to introduce a comprehensive approach to conflict management: from political

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\(^82\) As Secretary of State, James Baker cautioned President Bush in 1991 about pacifying the Balkans.

\(^83\) In 1991 J Poos was Luxembourg’s Vice Prime Minister, exerting the UE’s rotating Presidency.

\(^84\) Speech by former Commissioner for External Relations Chris Patten at the International Crisis Group, 10 July 2001
tools like conflict mediation, economic ones like humanitarian aid and long term economic assistance, and military ones like police and peace-keeping missions. Over the last few years, the Balkans have become the field where the EU is building a new identity as a global power (Ana Juncos, 2005).

It has often been said that ever since the war broke out in the former Yugoslavia back in 1991, the only role the European Community was able to play was the civilian one: promotion of democracy, human rights, rule of law and multilateralism. The traditional instruments of the EC (economic assistance, prospects of association and membership) were brought to the table too late, when the crisis was already irreversible. Some observers point to an excess of confidence in its own power of attraction and to a deficient information about the situation of the Federation as factors that could explain this initial failure of the European Community. On the other hand, it must be taken into consideration that the war also broke out at a time when the EC’s attention was absorbed by other events, mainly the reunification of Germany and the dissolution of the Soviet Union. Nonetheless, as already mentioned, the EC adopted, ever since the beginning of the crisis, a leading role: the European leaders supported the idea that events in Yugoslavia should be managed and solved by the EC and not by the UN or States outside the region. Consequently, the EC achieved the cease-fire that stopped the war in Slovenia (the Brioni Agreement, July 1991) and put into place economic sanctions in order to force the parties to a negotiated solution. However, the issue of recognition- especially of Slovenia and Croatia- as supported by Germany, led the

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85 As a matter of fact, the EC was still in the process of negotiating a series of economic agreements with the Yugoslav Prime Minister in the spring and summer of 1991, even though the Federation had already collapsed under the pressure from Slovenes and Croats on June 1991.
Peace Conference of September 1991 to a dead-end. The inability to act or even to agree on a common line during the first stages of the crisis showed the limitations of the burgeoning CFSP.

Thus, as the conflict intensified, the EC was progressively marginalized by the intervention of other international actors, primarily the UN. Even though, it continued to play an important role in diplomatic efforts, the implementation of sanctions and the provision of humanitarian aid, but all its activities were then carried out within the framework of the UN. The EU’s presence was yet more marginalized with the creation of the so-called Contact Group in 1994. Even though some argued that the Contact Group was a way to give a voice to the EU in combination with other international powers, the reality showed that it was an initiative of and for its 5 member states, as the voice of the EU as a body was barely listened. These 5 members of the Contact Group led the international effort during the last period of the conflict, when consensus was emerging towards a military intervention by NATO, while the EU was virtually sidelined. Only after the Peace Agreement that brought the war to an end in 1995, the EU gained major relevance by assisting in post-conflict reconstruction.

In sum, as Nicole Gnesotto puts it, one of the lessons of the Bosnian war was that real wars had not disappeared from the continent and that they could erupt on territories only a two-hour flight away from Brussels. Hence, the EU would have to take responsibility of exporting and keeping stability outside its borders, and for that

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86 US, Russia, France, the UK and Germany

87 As at the time the UK was holding the EU Presidency, France was a member of the UNSC and Germany was holding the Presidency of the OSCE
aim, it has been proved that Civilian instruments would not necessarily be enough if an effective action was to be achieved (Gnesotto, 1994).

Thus, the Yugoslav crisis resulted in a major milestone in the construction of the European Union as a military power: The already mentioned St. Malo Summit, between French President Jacques Chirac and British Prime Minister Tony Blair, which paved the way to the set up of a framework for the ESDP, adopted in the Helsinki Summit in 1999. From 1998 to 2002, the ESDP advanced at each successive European Council, gradually becoming a reality. At the Feira European Council (June 2000), the EU decided to launch the civilian component of ESDP. At the Nice European Council (December 2000), further important steps were taken
with the incorporation of the Western European Union, the creation of permanent structures in the Council General Secretariat to deal with ESDP matters and the definition of the European Union’s defense relations with third countries and NATO. One year later, at the Laeken European Council (2001), the ESDP was declared operational. The following year, in 2002, the EU enlarged the ESDP missions to include the fight against terrorism (Seville European Council) and concluded an agreement with NATO (known as “Berlin Plus”) at the Copenhagen European Council, allowing the European Union to have recourse to NATO collective assets and capabilities.

It was in this institutional and political framework that the European Union police mission in Bosnia and Herzegovina (EUPM) was launched on 1 January 2003, which was the first European Union crisis-management operation.

b. Evolution since 2003:

From 2003 onwards, events precipitated one after the other. Different instruments as well as institutions were implemented in the last decade in order to enhance the role of the EU in the international arena, and they deserve an individual comment:

1. The European Security Strategy:

A milestone in the process is represented by the adoption of the European Security Strategy, which symbolizes the European Union’s values and objectives in the fields of CFSP and ESDP.\(^{88}\)

\(^{88}\) Adopted by the Brussels European Council, December 2003
The Strategy starts with an analysis of the global challenges and main threats to Europe’s security (terrorism, proliferation of weapons of mass destruction, regional conflicts with international impact, failing States and organized crime).

It also sets three objectives for defending its security and promoting its values:

- To confront threats by conducting a policy of conflict prevention using a combination of civilian and military capabilities
- To build security in the European neighborhood by acting in the Middle East, the Balkans and the Caucasus
- To promote effective multilateralism by defending and developing international law, in line with the United Nations Charter.

According to the security strategy, in order to achieve these objectives the Union must:

- Be more active in pursuing its strategic objectives: Active policies are needed to counter the new threats. The Union needs to develop a strategic culture that fosters early, rapid and, when necessary, robust intervention. A more active EU taking on greater responsibilities will also carry greater political weight.
- Increase its capabilities: Steps such as the creation of a European defense agency take us in the direction of a more capable Europe. The armies of the Union's Member States must be transformed into more flexible and more mobile forces to enable them to address the new threats. The Union also needs more capacity to bring all necessary civilian resources to bear in crises and post-crisis situations. In addition, the Union must go further in combining the diplomatic capabilities of its Member States with those of the EU.
- Pursue coherent policies: The challenge is to bring together the different tools and capabilities of the EU policy, such as European assistance programs, the European Development Fund and the Member States' military and civilian capabilities. The Union must pursue coherent policies. Diplomatic efforts and development, trade and environmental policies should follow the same agenda.

- Work with its partners: As things stand now, neither the Union nor any Member State is alone capable of addressing the threats we are faced with. Multilateral cooperation and bilateral partnerships with key actors are a priority and a necessity. The transatlantic relationship is irreplaceable (I will deal with EU-NATO relations later on). However, the EU must also work for closer relations with partners such as Russia, Japan, China, Canada and India.

2. The European Defense Agency:

Right after the adoption of the European Security Strategy, the EU took another step forward with the creation of the European Defense Agency (EDA). Embedded in the Joint Action of 12 July 2004\(^{89}\), it aims to improve the European Union’s defense capabilities in the field of crisis management. As Moustakis and Violakis states (2008, p. 422), by creating the EDA, Member States demonstrated their willingness to enhance their military capabilities within the ESDP (now CSDP under the Treaty of Lisbon).

Twenty six EU Member States participate in EDA - all EU members except Denmark. Together they form the Agency’s shareholders: they sit in the EDA

\(^89\) On 12 July 2011, the Council adopted a Decision defining the statute, seat and operational rules of the European Defense Agency. This Council decision replaced the Council Joint Action.
Steering Board; they pay the annual budget; their national experts participate in EDA activities; they invest in projects and programs to improve their capabilities.

EDA acts as a catalyst, promotes collaborations, launches new initiatives and introduces solutions to improve defense capabilities.

The European Defense Agency is ascribed four functions:

- developing defense capabilities
- promoting Defense Research and Technology (R&T)
- promoting armaments cooperation
- creating a competitive European Defense Equipment Market and strengthening the European Defense, Technological and Industrial Base.

With the entry into force of the Lisbon Treaty on 1 December 2009 the European Defense Agency and its tasks are enshrined in the treaties (article 42 and article 45 of the Treaty on European Union).

Special attention deserves article 42 of the Treaty on European Union, which stipulates that the Agency “shall identify operational requirements, shall promote measures to satisfy those requirements, shall contribute to identifying and, where appropriate, implementing any measure needed to strengthen the industrial and technological base of the defense sector, shall participate in defining a European capabilities and armaments policy, and shall assist the Council in evaluating the improvement of military capabilities.”
3. **Civilian Headline Goal:**

As ESDP diversifies in its instruments and missions, there is a continuous need to develop a body of crisis management capabilities and to ensure that the EU uses all available means to respond coherently to the whole spectrum of crisis management tasks. Under successive Civilian "Headline Goals", important and groundbreaking work has been done in this respect and is continuing.

Because, although military instruments are often needed, as Javier Solana puts it, “we may face situations where a mere civilian response will be appropriate, using for example police or rule of law experts”\(^90\) The EU has therefore been developing the civilian aspects of crisis management in the four priority areas of civilian action defined by the Feira (Portugal) European Council in June 2000: police; strengthening the rule of law; strengthening civilian administration; and civil protection.

Thus, in 2004 the EU adopted an action plan for civilian aspects of crisis management - the Civilian Headline Goal 2008, which was intended to be revised every year on the margins of the November meeting of the General Affairs/External Relations Council. During the Portuguese President of the EU in 2007, Foreign Affairs Ministers agreed to put an end to the Headline Goal 2008 and to replace it by the 2010 Headline Goal, which was designed to provide the EU with the necessary tools in order to play an

\(^{90}\)Speech by J Solana at the Ministerial Civilian Capability Conference, November 2002
enhanced role in international security, as stipulated in the original European Security Strategy (2003). This enhanced role included potential involvement in humanitarian, rescue, peace-keeping, peace-making and crisis management tasks as codified by the Lisbon Treaty’s “enhanced Petersberg Tasks”91. Thus the Goal was designed to calculate and address the shortfalls in the EU’s military and civilian capabilities to these ends. This was an especially important factor given that the EU had set itself the task of acting before a crisis escalates, staying the course over the full life of a crisis and acting simultaneously in several theatres. The mechanics of achieving this rather ambitious set of aims and tasks through the Goal placed emphasis on interoperability, deployability and sustainability. Military forces at the Member State level, it was stated, would have to be more flexible, mobile and interoperable and be in a position to work in a timely and multi-national fashion when called on for operations. In this regard, the EU set itself the ambitious targets of being able to deploy such forces within 5 days notice after European Council approval of the manner and scope of engagement in any given crisis, and operationalising these forces within 10 days of approval.

It has been so far shown that the EU has progressively put together the institutional framework required to mount operations and missions, both military and civilian. The decision-making structures are well established, and the structures to undertake operations continue to evolve.

4. European Multilateral Forces:
Throughout the years, the EU has progressively strengthened its military power by implementing a series of multilateral forces, which basically include the “Eurocorps”,

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91 Article 43 TEU
the “Euro Forces” (EUROMARFOR and EUROFOR) and the European Gendarmerie Force:

u. Eurocorps: Eurocorps is a multinational standing army corps available for the European Union and NATO. It has its headquarters in Strasbourg, France and it was created in 1992.

Five countries participate in Eurocorps as “framework nations”: Belgium, France, Germany, Luxembourg and Spain.

The force consists of 60,000 troops pledged for deployment in EU or NATO rapid-response missions, being the nucleus of it the Franco-German Brigade established in 1987.

It must be understood that the Eurocorps is not subordinated to any other military organization. It is deployed on the authority of the Common Committee representing the framework nations’ Chief of Defense and Political Director of the Ministry of Foreign Affairs. This committee considers requests for support from multinational organizations such as the UN, NATO, OSCE or the EU.

The Eurocorps has participated in peacekeeping missions in Bosnia in Kosovo (KFOR) and in Afghanistan (ISAF)\(^2\).

v. The “Euro Forces” were created in 1995 by France, Italy, Spain and Portugal. They have an army dimension (EUROFOR) and a navy

\(^2\) [www.eurocorps.org](http://www.eurocorps.org)
EUROFOR: The European Rapid Operational Force\textsuperscript{93} is a multinational rapid reaction force composed of forces from France, Italy, Portugal and Spain. It was first answerable to the Western European Union (WEU) directly, as it was tasked with performing the Petersberg tasks, including humanitarian, peacekeeping and peace enforcement missions. With the merge of the WEU elements into the European Union, Eurofor has become part of the Common Security and Defense Policy.

EUROMARFOR: The European Maritime Force\textsuperscript{94} has the ability to carry out naval, air and amphibious operations in the domain of the Petersberg tasks. The first EUROMARFOR mission in History was Operation Coherent Behavior in the Eastern Mediterranean in 2002. It was deployed in close coordination with the NATO authorities, in the same area of Operation Active Endeavour and for the same purpose (performing a mission of Intelligence gathering, Surveillance and Reconnaissance).

EUROMARFOR also gave support to the International Coalition in the Indian Ocean in the Operation Enduring Freedom, under the name of Operation Resolute Behavior (2003-2005).

In order to contribute to the development of the ESDP and the creation of an area of freedom, security and justice in Europe, France, Italy, the Netherlands, Portugal and

\textsuperscript{93} www.eurofor.it

\textsuperscript{94} www.euromarfor.org
Spain created in autumn 2004 a European Gendarmerie Force (EGF). This is a robust operational force with rapid-reaction capabilities and the remit to undertake all police tasks, particularly substitution missions. It may be assigned to any crisis-management operation, either alone or at the same time as a military or civilian police component. It may intervene to prevent a crisis, to facilitate the transition during the exit phase of an operation, allowing earlier military disengagement. Used in priority by the EU, under PSC strategic direction and political control, it may also be made available to the UN, OSCE, NATO, other international organizations, or an ad hoc coalition.

The EGF’s first operation was in November 2007, in the framework of the EUFOR Althea operation, when it took command of the Integrated Police Unit (IPU), one of the components of the European force in Bosnia and Herzegovina.

c. **Cooperation with NATO:**

As mentioned before, the EU attaches great importance to the strategic relationship it has with NATO in matters of crisis management. This strategic partnership is founded in shared values and on the indivisibility of the security dimension in the 21st century.

Whereas NATO remains the foundation of the collective defense of its members, the ESDP has added to the range of instruments already at the EU’s disposal the capacity to conduct crisis management operations independently.

95 [www.eurogendfor.eu](http://www.eurogendfor.eu)
As agreed between both organizations⁹⁶, NATO is willing to reserve a stronger role for the EU, by strengthening its responsibility in the field of crisis management. NATO’s intervention in Libya in 2011, with a leading role of the EU, is a clear example of it.

This strategic partnership is built upon a set of common principles and common objectives:

**Common principles:**

- Partnership, which mutually reinforces two organizations of different nature.
- Effective mutual consultation, dialogue, cooperation and transparency.
- Equality and due-regard for the decision-making autonomy and interests of the EU and NATO.
- Respect for the interests of Member States of the EU and NATO.
- Respect for the principles of the Charter of the United Nations.
- Coherent, transparent and mutually reinforcing development of the military capability requirements common to the two organizations.

**Common objectives:**

- The EU will ensure the fullest possible involvement of the non- EU European Members of NATO within ESDP.
- NATO will support ESDP and give the EU assured access to NATO’s planning capabilities.

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⁹⁶ EU-NATO Declaration on European Security and Defense Policy, Brussels, 16 November 2002
Both organizations will adopt arrangements to ensure the coherent, transparent and mutually reinforcing development of their common capability requirements.

Special attention deserve at this point the so-called “Berlin-Plus Arrangements”\textsuperscript{97}, which laid the foundations for EU-NATO cooperation in the field of crisis management: they enable the alliance to support EU-led operations in which NATO as a whole is not committed.

The main elements of these arrangements are:

- Assured access of the EU to NATO planning capabilities with a view to effective use in the context of military planning of EU-led crisis management operations.
- Post of Deputy to the NATO Supreme Allied Commander Europe (SACEUR) – who will command EU-led operations (and who is always a European) - and NATO European command options.
- Assured access to NATO’s collective assets and capabilities (such as communication units and headquarters) for EU-led crisis management operations.
- NATO-EU agreement on security (exchange of classified information under the rules of mutual protection).
- Procedures to follow for the management of NATO assets and capabilities (release, monitoring, return and recall).
- NATO-EU consultation arrangements in the context of an EU-led crisis management operation calling on NATO’s assets and capabilities.

\textsuperscript{97} Concluded on 17 may 2003
• Integration in NATO’s longstanding defense planning system of the military requirements and capabilities which may be needed for EU-led military operations, in order to guarantee the availability of well-equipped forces trained for either NATO-led or EU-led operations.

As regards the procedure, it must be taken into consideration that the use of NATO assets by the EU is subject to a “right of first refusal”: NATO must first decline to intervene in a given crisis. Likewise, approval of the use of assets has to be unanimous among NATO States. For example, Turkish reservations about Operation Concordia using NATO assets delayed its deployment by more than five months.

To date, the EU has conducted two operations with the support of NATO:

• Operation Concordia in the Former Yugoslav Republic of Macedonia: The EU took over from NATO’s operation “Allied Harmony” and deployed around 300 troops to provide security to the EU and the Organization for Security and Cooperation in Europe (OSCE) monitors overseeing the implementation of the Ohrid Framework Agreement98.

• EUFOR Althea in Bosnia and Herzegovina: Following NATO’s decision at the 2004 Istanbul Summit to terminate the mission of NATO’s Stabilization Force (SFOR) by the end of that year, the EU started EUFOR Althea mission in the country with the aim to implement the military aspects of the Dayton Peace Agreement and to maintain a safe and secure environment.

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98 The Ohrid Framework Agreement was the peace deal signed by the government of the Republic of Macedonia and the ethnic Albanian representatives, August 13 2001
d. **Innovations introduced by the Treaty of Lisbon:**

Under the Lisbon Treaty of 2009 some reforms were introduced in order to make the Common Foreign and Security Policy of the EU more visible and coherent, with the aim of gradually implement a Common European Defense. These innovations are:

a) **Broadening of the Petersberg Tasks:** The civilian and military tasks which the EU can decide to undertake and carry out now include not only humanitarian and rescue tasks, peacekeeping tasks and tasks of combat forces in crisis-management missions -including peace restoring missions-, but also joint disarmament, military advice and assistance tasks, conflict prevention and post-conflict stabilization. As stated in the Lisbon Treaty, all these tasks may contribute to the fight against terrorism, including supporting third countries in combating terrorism in their territories.

b) **Possible future common defense and mutual assistance clause:** The Common Foreign and Security Policy as designed in the Lisbon Treaty includes the progressive framing of a common defense policy potentially leading to a common defense.

c) **The Lisbon Treaty also introduces a mutual assistance clause:** In the event of a Member State being the victim of armed aggression on its territory, the other Member States must give it aid and assistance by all the means in their power. However, article 28 A (paragraph 7) added by the Lisbon Treaty to the Treaty on European Union, makes it clear that NATO remains, for those States which are members of it, the foundation of their collective defense.
and forum for its implementation.

d) Solidarity in the event of a terrorist attack or natural man-made disaster:
With the addition of a solidarity clause, the new treaty opens the possibility of recourse to the military capabilities made available by the Member States to prevent terrorist threats in the territory of the Member States and, if necessary, assist a Member State which is the object of a terrorist attack on its territory or the victim of a natural or man-made disaster\(^99\).

The Political and Security Committee (CSP), with the support of the structures developed in the context of the CSDP, assists the Council to implement this provision, as does the standing committee established by the Lisbon Treaty to promote and strengthen operational cooperation on internal security\(^100\).

e) Strengthening the European Union’s operational capacity: This innovation introduced by art. 28A of the Treaty is referred to the so-called Permanent structured cooperation, which brings together those Member States whose military capabilities fulfill higher criteria and which have made more binding commitments to one another in this area with a view to the most demanding missions that the EU could carry out. It is established by decision of the Council, taken by qualified majority, after consulting the

\(^{99}\) Article 188R TEU

\(^{100}\) Article 61D TEU
High Representative. It must promote the development of defense capabilities in Europe and encourage Member States to make available to the EU the assets necessary for EU military missions.

It is important to note that no minimum number of Member States is required to establish a permanent structured cooperation. But the possibility of participating in this form of cooperation is subject to adherence to the “convergence criteria” relating to military capabilities and also to the readiness of participating States to use their forces for the benefit of the European Union.101

f) Flexibility in foreign, security and defense policy: The Treaty of Lisbon has reserved, for the areas in which the EU does not have exclusive competence, an enhanced cooperation mechanism between Member States. This mechanism is designed to “further the objectives of the Union, protect its interests and reinforce its integration process”102. With the Lisbon Treaty, recourse to this form of cooperation becomes possible for the development of ad hoc initiatives in the field of CSDP, provided these are supported by at least nine Member States. Furthermore, the new treaty provides that the Council may entrust the implementation of a task in the area of CSDP to a group of Member States that are willing and have the necessary capability for such a task103.

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101 Protocol on permanent structured cooperation established by article 28A, paragraph 6 TEU
102 Article 10 TEU
103 Article 28 TEU
As seen, it is obvious that the EU has come a long way since the first ESDP operations were set up in 2003 and it has gained experience in deploying successfully different kind of missions. Indeed, in the last decade, the EU has launched more than 20 crisis management operations – civilian and military – ranging from small advisory missions to military operations with thousands of soldiers deployed.
Overview of the missions and operations of the European Union
March 2012

Civilian missions: ongoing/completed
Military operations: ongoing/completed

“Strengths take into account international and local staff”

Source: http://www.consilium.europa.eu
CASE STUDIES:

So far, I have thrown into relief how the EU exercises both civilian and military power as part of its scope of action in international relations. I have acknowledged how the EU has fostered its civilian dimension, by strengthening cooperation, multilateralism and its economic capacity as a desirable and reliable commercial partner in the international arena. Likewise, I have also accredited the substantial developments in the EU’s military power since the advent of the ESDP that have resulted in the development of a Common Security and Defense Policy, as agreed in the Treaty of Lisbon.

In order to further demonstrate how the EU exercises these types of power I will analyse Operation Artemis and Operation Atalanta, as two case studies that confirm the maturity of the EU’s foreign policy system.

a. **Operation Artemis:**

Operation Artemis is a landmark mission for the EU because it represents the first time the EU launched a fully autonomous crisis management action outside Europe without the use of NATO assets (Faria, 2004, p. 39). It was the first ESDP operation in Africa.

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104 Fernanda Faria, Crisis Management in Sub-Saharan Africa. The role of the EU. Institute for Security Studies, 2004
In 2003, Bunia, the capital of the Ituri Province in the DRC (Democratic Republic of Congo), had been the scene of violent confrontations between Ugandan, Rwandan and Congolese armed forces, which were backed by a range of local tribal militias in a war that has convulsed the DRC since 1998.

In April 2003, the long awaited Ituri Interim Administration, a power-sharing assembly convened by MONUC (the UN Mission in the Congo), was established, opening the way for the withdrawal of Ugandan forces from the province. However, the departure of the Ugandan forces created a security vacuum that MONUC was unable to fill. During the regional conflict, gross atrocities had been conducted on a massive scale, and an estimated 50,000 men, women and children had been killed since 2003.

Consequently, the UN Secretary General, Kofi Annan, called for deploying an interim multinational force to the region, in order the stabilize the situation, until MONUC
could be reinforced\textsuperscript{105}. The EU adopted the Council Joint Action 2003/423 on June 5\textsuperscript{th} 2003, agreeing the military operation of the EU in the RDC. The mission mandate lasted from June 12th until September 1st 2003. France was designated “framework nation”, providing the bulk of personnel in the mission. In September, the responsibility for the region was transferred back to MONUC.

I will now go into a deeper analysis of Artemis from both civilian and military power perspectives:

1. Artemis and the EU as a Civilian Power: Using Maull’s (1990) emphasis on cooperation as a key feature of civilian power, during Operation Artemis it is clear that the EU had worked with international and nongovernmental organizations in order to stabilize the situation in Bunia.

As regards cooperation with the United Nations, academics have argued that EU-UN relations had been greatly enhanced with the experiences of the operation. Firstly, according to Martinelli (2006), the operation “was a sign of UN-EU cooperation and it represented in concrete terms what the ESS would later term “effective multilateralism”\textsuperscript{106}. As Faria (2004) also writes, Operation Artemis “reinforced EU links with the UN in the area of crisis management” and that “there was good cooperation with the UN, on the ground as well as at the

\textsuperscript{105} UNSC Resolution 1484/2003 mandated the EU to deploy troops in the area

\textsuperscript{106} Marta Martinelli: Helping transition: the EU Police Mission in the DRC in the framework of the EU Poliices in the Great Lakes. European Foreign Affairs Review, 2006
highest political level”\textsuperscript{107}. The EU’s positive and quick response to the Secretary General Kofi Annan’s appeal to act helped build confidence in the EU’s ability to provide assistance to the UN, and this was consolidated by the multi-level dialogue between the two organizations (Gourlay, 2003).

Likewise, during the military operation, direct reporting from High Representative for CFSP Javier Solana to the UN Security Council frequently occurred. Some authors also reckon that the operational experiences of Artemis even set the stage for the signing of the Joint Declaration on UN-EU Coordination in Crisis Management on September 24th 2003 (Jakobsen, 2007).

Alongside the cooperation with international organizations, in the DRC the EU also worked in close cooperation with humanitarian agencies on the ground in Bunia. Throughout Artemis, the EU was keen to communicate with humanitarian NGOs in order to ensure that conditions in Bunia would be drastically better once the UN took over the mandate from the EU force. As an example, a civil-military liaison officer was immediately placed on the ground with the mission to create a good dialogue with humanitarian agencies (Faria, 2004). These good relations enabled NGOs to play an invaluable role in the disarmament, demobilization and rehabilitation programs in Bunia in cooperation with Artemis (Hazelzet, 2006), especially because of their deep knowledge on the ground.

\textsuperscript{107} F Faria, Crisis Management in Sub-Saharan Africa. The role of the EU. Institute for Security Studies, 2004
Closely related to this civilian dimension of the EU foreign policy underlies the humanitarian objective of the mission, which was to enforce peace within Bunia. According to the UN Security Council\textsuperscript{108}, the humanitarian objectives of Operation Artemis were “to contribute to the stabilization of the security conditions and the improvement of the humanitarian situation in Bunia, to ensure the protection of the airport, the internally displaced persons in the camps in Bunia and, if the situation requires it, to contribute to the safety of the civilian population, United Nations personnel and the humanitarian presence in the town” Therefore, Operation Artemis gave the EU an opportunity to actively display its belief in the values of peace and the rule of law in this part of Africa.

However, Artemis has attracted criticism because of its apparent inability to fully keep the peace in Ituri. As stated the NGO International Crisis Group in 2003, the intervention was completely insufficient, and the EU intervention needed to be longer in order to achieve sustainable peace. Mass atrocities continued against the civilian population in large parts of Ituri. Additionally, militiamen were not disarmed, but simply driven out of town; thereby allowing weapons still to be in the hands of fighting groups.

2. Artemis and the EU as a Military Power: Firstly, it is to the credit of the EU, and in particular France as the framework nation, that they persuaded ten other EU Member States and five non-EU countries to contribute personnel to Operation Artemis. This seems to suggest that the EU can collaborate effectively to ensure that enough troops are available to act successfully in civilian crisis management

\textsuperscript{108} UNSC Resolution 484, May 30 2003
operations. As this was the first ESDP mission that acted without the need for NATO assets, this accomplishment was quite impressive, especially because, as various academics have pointed out (Ulriksen et al, 2004; Youngs, 2004b; Bayart, 2004), Artemis was carried out in the wake of the controversial debate among Member States on whether they would participate or not in the military operation in Iraq. As Piccolino¹⁰⁹ argues, “the ability of the European institutions to give a prompt response to the UN demand was maybe the greatest success of Artemis”. Artemis also suggested that the EU showed the political will to go beyond its traditional trade and aid instruments in order to stabilize a region of conflict (Faria, 2004). This, therefore, provides positive evidence for considering the EU as a military power as it carried out this military intervention for the first time outside Europe, without NATO’s support.

Additionally, the swift deployment of personnel in Bunia revealed that the EU had the ability to act efficiently in military operations. As proven, the EU had the autonomous capacity to react rapidly at a distance of 6500km (Gourlay, 2003).

It is true that, military speaking, Artemis is far from being an operation of substance, due to the operation’s limited mandate. Artemis can hardly be seen as a challenging test for the EU’s military capabilities. Because, in military terms, France could have done it alone (Manners, 2006). Thus, as Manners goes on, it is extremely difficult to claim that the EU acted as a convincing and confident military power throughout Artemis. In any case, Artemis constitutes a milestone

in the construction of a EU military power, as it was able to immediately respond to the urgent UN petition for military deployment. It was the first fully autonomous military intervention of the EU.

However, it cannot be forgotten that EU Member States expressed initial doubts regarding the operation as they felt that the ESDP was not yet ready to tackle a situation as unstable as the Bunia crisis. Perhaps these concerns reflect the major apprehension that the EU simply does not have sufficient military capabilities to act effectively in military operations around the world and that few Member States, apart from France and the United Kingdom, have the capacity to deploy and command such operations.

In the same line, some authors (Faria, 2004) make here a distinction between the EU and the United States. Considering the United States has led military operations in Afghanistan and Iraq while EU Member States have deployed limited amounts of troops in these efforts, it would seem unfair to label the EU as a “military power” at the same level as the US. In order to become a military power, it is essential for the EU to heavily enhance their military capabilities even further.

To sum up, in Artemis, the EU demonstrated civilian power, by its close cooperation with different organizations in order to ensure peaceful conditions in Bunia. It also showed military power, through a swift deployment of troops. The EU had shown a commitment to maintaining peace in the conflict-stricken region and played a vital humanitarian role in ensuring that civilians were kept safe.
In terms of military power, the successful performance of the EU relies on its capacity to respond extremely quickly to the UN’s request. Likewise, the UE attracted to the mission various degrees of contribution from different Member States and non Member States. Also, the speed at which troops were deployed was impressive. The operation was directed from the EU Operational Headquaters based in France.

However, questions remain about how much Artemis could tell about the real military capabilities of the EU and ESDP. The initial concerns regarding the military skill of the EU and the insufficient military capacities of many EU countries throw into relief that classifying the EU as a “military power” may seem premature and inaccurate. As regards the EU’s civilian power, this was demonstrated by its commitment to cooperation and communication with the UN and humanitarian agencies in Bunia.

Therefore, while the EU’s civilian power was considerably evident, doubts existed over the EU’s military power in Operation Artemis.

b. **Operation Atalanta:**

When Operation Atalanta was launched in 2008 it implied a new challenge for the capabilities of the ESDP as it was the first naval operation conducted by the EU. The operation was launched in order to respond to an ethnic clash that has devastated Somalia over the last two decades. Responding to the crisis, the UN World Food Program (WFP) ships have attempted to deliver food to starving Somalis, but they have been the target of consistent attacks by pirates. Piracy off the coast of Somalia has grown at an alarming rate and constantly threatens to disrupt international trade. It provides funds that feed the war in Somalia and could potentially become a weapon of
international terrorism or a cause of environmental disaster (Middleton, 2008). Therefore, piracy off the coast of Somalia has attracted the attention of EU policy-makers and it has been included as one of several transnational criminal activities described as a threat by the EU and its Member States (Germond and Smith, 2009).

Source: www.gcaptain.com

According to the following charter of the International Maritime Bureau (Piracy and Armed Robbery Map 2012), the attacks off the Somali coast occur in a much larger scale than those taking place in other regions of the world:

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111 Germond and Smith, Rethinking European Security Interests and the ESDP, Contemporary Security Policy, v. 30, 2009
For the above mentioned reasons, on 15th September 2008, the Council of the European Union launched a military coordination action, EU NAVCO, aimed to support surveillance and protection operations in Somalia and off the Somali coast. This was established within the framework of UN Security Council resolution 1816, which allows states to support the transitional government in Somalia in the fight against piracy and armed robbery (Council of the European Union, 2008). As with Operation Artemis, France took the lead in attempting to form a multinational EU force to combat piracy. France and Spain are the main contributors to this operation that has been extended until December 2014\textsuperscript{112} which is directed from the EU Operational Headquaters in Great Britain. On 8th December 2008, the Council authorized the deployment of troops in a military operation under the framework of the ESDP. This

\textsuperscript{112} According to the Spanish Ministry of Defense, Spain contributes with 2 vessels, 1 plane and up to 395 effectives.
was to contribute further to the deterrence, prevention and repression of acts of piracy and armed robbery in the region, including through the use of force if necessary (Council of the European Union, 2008). On 27 February 2012, the Council\textsuperscript{113} decided to extend the mandate of the military operation for another two years until the end of 2014. Therefore, this is an ongoing operation that has involved a wide number of EU and non-EU member states and international organizations.

![Total attacks](image)

Source: The Journal of Commerce Online, 2009

As in the case of Operation Artemis, I will now analyze Operation Atalanta from a civilian and a military point of view:

1. **Atalanta and the EU as a Civilian Power:** One major feature of Operation Atalanta has been the cooperation between Member States in order to tackle piracy in the Gulf of Aden and off the shores of Somalia. To this aim, the EU is working with countries such as China, India, Japan, Russia, Pakistan, Malaysia

\textsuperscript{113} Conclusions on Counter Piracy Operation EUNAVFOR Atalanta, European Council Summit, Brussels, 27 February 2012
and Turkey in the antipiracy effort.

Thus, with Operation Atalanta, the EU has demonstrated again one of Maull’s (1990) features of civilian power: the emphasis on cooperation and communication to tackle threats in the world. It must also be taken into account that there was little sense of desire for unilateral action from any nation involved and collaboration has been central in this effort. As a consequence of this effort, it is believed that the EU would encourage further multilateral security cooperation with non-EU Member States in the future and other States may be more willing to respond to EU leadership in the future (Germond and Smith, 2009).

An issue to be reckoned with in the case of Operation Atalanta is referred to the specific situation of the detained pirates. In this respect, the EU has fostered the signature of agreements with countries such as Kenya and the Seychelles in order to avoid prosecuting detainees in EU courts. Instead, the EU has tried to look for alternative partners that will take on that responsibility. Additionally, the EU has sought to sign similar agreements with other governments of the region, including those of Djibouti and Tanzania. Of course; these types of agreements are sought due to the legal uncertainties of detaining pirates in Europe, as European courts may decline jurisdiction and pirates may seek asylum in Europe under international law. Therefore, cooperation here appears essential, rather than a genuine choice made by the EU.

The importance of trade and aid, key elements of Civilian Power Europe, are also central to the EU’s actions in counter-piracy efforts. Pirate raids severely
threaten maritime trade, which damages the European and the global economy. Approximately 20% of global trade passes through the Gulf of Aden. It is the world’s second busiest shipping route and therefore retains paramount importance to economies all over the world. Therefore, the fact that the EU is willing to combat the pirates to protect the free flow of trade suggests that the EU is willing to preserve something that is fundamental to its identity as a civilian power, which is its position as the global trading power.

Also, as already mentioned, piracy constitutes a great threat to the delivery of aid to the Somalian population. As seen, protecting WFP vessels and ensuring that Somalia people receive the aid are the main objectives of Operation Atalanta.

2. Atalanta and the EU as a Military Power: Operation Atalanta, which has often been seen as a test of the EU’s military capabilities, provides a fascinating demonstration of the ability of the EU to exercise military power at sea. This military power must gain especial significance since the operation has to cover a sizeable area as well as great speed to prevent pirate attacks is indispensable. Overall, the military operation so far has generally been positive: there has been a marked decrease in the number of attacks and a considerable reduction in the number of successful attacks, as well as its vital role in protecting many

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114 International Maritime Bureau

115 In 2009, the total number of attacks attributed to Somali pirates stands at 217, with hijacked 47 vessels and 867 crew members taken hostage, compared to 11 incidents reported in 2008. Nevertheless, the number of successful hijackings is proportionally less, which can be attributed to an increased presence and coordination of international navies in the area (International Chamber of Commerce (Commercial Crime Service, 2009)
shipments by the WFP\textsuperscript{116}. Likewise, according to Germond and Smith (2009), Atalanta has defied “the expectations of many skeptics of the ESDP, who have argued for years that the EU will remain subordinated to NATO as it would never be able to coordinate its own joint military operations”.

Seven EU Member States\textsuperscript{117} are making a permanent operational contribution to the mission. Additionally, the operation has attracted the contribution of third countries, such as Norway, and several other EU countries\textsuperscript{118} have offered military personnel to supplement the team at the Northwood Operation Headquarters in the UK (EU NAVFOR Somalia, 2010). Therefore, the ESDP throughout the mission has demonstrated its ability to effectively act in maritime circumstances.

In spite of questions raised about the military capabilities of the EU, Operation Atalanta has been impressive in its achievements. This operation has ensured that the EU has taken another step towards becoming a military power.

To sum up, throughout Operation Atalanta, the EU has demonstrated its civilian power, through its commitment to protect an essential trade route and aid vessels from piracy attacks and its cooperation with non-EU countries, attaching multilateralism the importance it has as a key precept of a civilian power. In terms of military power, the EU has demonstrated that it can be an effective actor in maritime security as well as on land since it has proven to have the capacity to use force at sea with success. Therefore,

\textsuperscript{116} Operation Atalanta facilitated the delivery of 674,000 million tons of food, feeding 1,600,000 Somalis everyday, Real Institute Elcano (2012).

\textsuperscript{117} Great Britain, France, Germany, the Netherlands, Italy, Spain, Greece

\textsuperscript{118} Cyprus, Ireland and Finland, among others
its military and operational capabilities must be applauded in this respect. Therefore, Operation Atalanta has confirmed the two forms of power clearly, but most notably, it has shown that the EU has taken a great step in developing into a credible military power. Inevitably, other countries possess stronger military capabilities, but the operation has shown that the EU can work together and create a positive impression as a security actor.
CONCLUSIONS:

This paper assesses the role of the EU as an international actor. It applies the concepts of civilian and military power in order to determine what kind of power the EU actually is. However, as seen throughout this exposition, the EU fits in none of these concepts completely. Even though the EU has a civilian foreign policy, it is not a purely civilian power, because it has, and still is acquiring, military capabilities. On the other hand, it is not purely military, because it clearly has a priority for civilian instruments, and its capabilities can be considered as insufficient. Therefore, the EU can only be regarded as an international actor that represents the combination of the above mentioned concepts.

As shown, there is a persisting tension between those who understand the EU as a mere civilian actor, which is mainly focused in development cooperation and neighborhood policies, and those who see a greater potential of the EU as a global actor in different areas. For Member States, the question of handing over their national sovereignty to European institutions as a way of transforming intergovernmental actions into intracommunautaire ones, remains a delicate one, especially when dealing with certain Member States, as I underlined in the first case study (France and the Operation Artemis). In any case, it is my opinion that, in spite of the existing challenge between Europeanization and national interests\(^\text{119}\), there is a superior will of converting the EU in a key global player, able to have a word both in civilian and military matters. Member States have confirmed this will by signing and ratifying all European treaties.

In depth, it can be said that the EU will remain a civilian power, but hopefully one with
\(^{119}\) "The European Defense and Security Policy: an emerging policy for conflict management for the EU?", The EU in International Affairs, 2008
a commensurate military capability. An easy prediction is that CSDP will not transform itself into some kind of new NATO, a military alliance predicated on collective defense, at least as long as the United States remains committed to the defense of European States. There is no reason to think that the United States’ commitment will vanish in the near future. It is true that a strong expression of EU solidarity clearly alluding to defense is to be found in the Lisbon Treaty, where article 42.7 states that should one of its member countries be “the victim of an armed aggression on its territory, the other Member States shall have towards it an obligation of aid and assistance by all the means in their power”. This is, in a sense, an overstatement of a basic principle of EU integration or, as former Finnish Minister for Foreign Affairs Alexander Stubb\textsuperscript{120} emphasizes, “this confirms the obvious”, for it is inconceivable that in the improbable event of an armed attack against any EU Member State the others would remain passive and fail in their duty to extend solidarity. But it does not mean that CSDP is going to turn into a military alliance, since it is in no way implied that assistance must be restricted solely to military means, and military assistance in such a remotely probable event would hardly need CSDP to materialize. Membership of the European Union is in this sense a deterrent of greater magnitude than ESDP could ever be expected to provide.

As seen when dealing with the EU as a Civilian Power, the EU’s ability to play a major role in crisis-management is indeed instrumental in achieving many of its major goals. In other words, CSDP constitutes an instrument of the broader strategic objectives of the Union. These are unlikely to change dramatically in the years ahead, and may be

\textsuperscript{120} Contribution of Minister Stubb to “What Ambitions for European Defense 2020” Institute for Security Studies, 2009
outlined as follows:

First, to bolster European integration itself as it widens and simultaneously deepens, which today means expanding the Union into the Balkans and Turkey. Setting the Balkans on the “road to Europe” and consolidating democratization there, would not have been possible without the stabilization and rule-of-law missions of ESDP, and this is certainly today the case for Kosovo and Bosnia. As regards Turkey, it is expected to become strongly involved in CSDP and in European agencies like the EDA, although its fully integration in the EU is still pending.

Second, to bring about peace and to support democratically-minded political reform in its neighborhood, which obviously extends to the Middle East and the Mediterranean basin. This objective requires the ability to stop crises from degenerating into grave humanitarian disasters. The EU is already strongly engaged in Africa in the framework of UN peace missions and in cooperation with the African Union. Africa will certainly remain at the centre-stage of the EU’s contribution to international peace in the years to come.

But, will EU ambitions remain predominantly regional and focused in particular on Africa (perceived as an extended southern neighborhood)? Or is the EU on the course to becoming a global international (and therefore security) actor able to act wherever challenges to international peace will arise? The answer remains unclear. As stated, some will argue that the most important contribution to international peace consists of continental-wide integration and that if in the near future the EU is able to extend peace and democracy by including its neighboring areas this would count as a formidable
achievement. But others will argue, as does General Henri Bentégeat\textsuperscript{121}, that there is inevitably a global dimension to the challenges the EU must face, and that it is unimaginable to reduce the “diplomatic action which is gradually reinventing by speaking with a single voice on countless issues and by acting on behalf of 27 Member States in more than 130 countries around the world to purely regional aspirations”\textsuperscript{122}.

As seen, perhaps a stronger reason that makes it inevitable for the EU to take on a global outreach in crisis management is a consequence of the ties with the vast Euro-Mediterranean space in its immediate vicinity, and, more broadly, its risks in the global governance agenda. Suffice to mention that the countries of the Middle East, including Iran, are among the EU’s neighbors; that Turkey is a membership candidate and Cyprus a full member, and there is little need for further proof that the challenges that the EU faces are indeed global challenges that have a bearing on the world order. But it must be understood that if the EU wants to influence the world order it also needs to strengthen ties with other global players, not only the United States but also other major powers, mainly China, Russia and Brazil. Because if the EU remains excessively region-focused when it comes to international security, it will hardly be able to persuade others to live up to the international responsibilities that a world-power status implies. In other words, a truly global status will inevitably require a commensurate global security dimension.

When looking into the future, we should be aware that, unfortunately, conflicts

\textsuperscript{121} Chairman of the EU Military Committee 2006-2009

\textsuperscript{122} Contribution of General Bentégeat to “What Ambitions for European Defense 2020” Institute for Security Studies, 2009
worldwide will not diminish, and that the EU will have to rise to the challenge of acting as an global power, able to build a twin robust civilian and military capacity. This should be built over what has already been achieved during the last few decades. Throughout the exposition, I have detailed how the EU has built a solid institutional framework that is aimed to take the proper decisions that will consolidate the EU as a global power, able to act internationally in many different fields, from trade and development to security and defense, and meanwhile, able to secure peace and stability internally. As regards international security, the EU needs to be prepared to act both autonomously and jointly in most situations, as more and more defense and security-related decisions are like to be taken in an EU framework. This is why the focus needs to be on strategic ambition, that is to say, Common Security and Defense Policy needs will be determined by the ambition the EU will define for itself in the next few years. But it must be firmly borne in mind that in order to consolidate itself as a credible “enabler” for the solution of regional crises and the pursuit of peace and human dignity, the EU must not leave security issues out of its strategic partnerships, mainly with the United States through NATO, but also with current and aspiring global and regional players. As thrown into relief when dealing with Operation Artemis and Operation Atalanta, the EU has come a long way in its performance as a security player. It has learnt from its mistakes and it is now deploying very successful operations worldwide. And this is basically possible because all Member States are committed to the foreign affairs agenda, especially in crises-management operations and the defense of human rights. As usually said, Rome was not built in a day. It may be taking some time but the EU is heading in the right direction.
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