

The common foreign and security policy

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The common foreign and security policy

A heated debate on the common foreign and security policy (CFSP) project took place at the Intergovernmental Conference on political union and at the Maastricht European Council, because of the problem of its compatibility with the Atlantic Alliance. France and Germany sought a genuine common defence, whereas Britain preferred a simple common defence policy. Finally, agreement was reached on a defence policy that might eventually lead to the establishment of common defence. The aforementioned objectives would form part of the extended framework of cooperation in foreign policy begun in 1970 and strengthened by the Single European Act, signed on 17 February 1986 in Luxembourg and on 28 February in The Hague, which imposed consultation between the Member States.

The Treaty on European Union therefore includes a common foreign and security policy ‘pillar’, which is strictly intergovernmental in character.

Its objectives are ‘to safeguard the common values, fundamental interests and independence of the Union’ and ‘to strengthen the security of the Union and its Member States in all ways’. It also aims ‘to preserve peace and strengthen international security’, ‘to promote international cooperation’ and ‘to develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms’.

In order to achieve these objectives, the Treaty provides for ‘systematic cooperation between Member States on foreign and security policy issues’. The Council of Ministers for Foreign Affairs may unanimously define a ‘common position’ in areas of mutual interest. The Member States must ensure that their national policies conform to the position taken. When Member States have ‘important interests in common’, and on the basis of the guidelines defined by the European Council, the Council of Ministers may unanimously adopt a ‘joint action’ and lay down its means and objectives. Only implementing measures may be adopted by a qualified majority on condition (imposed by the United Kingdom) that the Council, having voted unanimously, has authorised it. Faced with the obvious possibility of blocking by veto, it is however stated that, ‘with regard to decisions requiring unanimity, Member States will, as far as possible, refrain from preventing a unanimous decision where a qualified majority exists in favour of that decision.’

In the area of the CFSP, the Commission does not have, as it does in Community affairs, the right to put forward proposals upon which the Council must take a decision. However, it may refer matters to the Council, just as the Member States may. Furthermore, the economic means used in the conduct of foreign policy (financial assistance, embargoes and trade negotiations) still lie within its responsibility. It is, therefore, involved in the CFSP. While the European Parliament is informed, holds debates on the CFSP and may address questions and recommendations to the Council, Parliament’s role is solely consultative.

The Court of Justice of the European Communities has no jurisdiction, since the Member States reject any legal involvement in the CFSP.

In order to implement the CFSP, the Union, which does not possess its own diplomatic representation, must coordinate the diplomatic and consular representations of the Member States in non-member countries and in various international organisations, particularly the UN Security Council and the various organisations of the United Nations. The Member State holding the six-monthly Presidency of the Council represents the Union in matters pertaining to the CFSP and is responsible for implementing joint actions. It is assisted by the previous presidency and the upcoming presidency (this is known as the ‘troika’ system) so as to ensure continuity. The Commission is fully associated.

In the years following the entry into force of the Treaty of Maastricht, achievements in the area of the CFSP were restricted. On the one hand, there were no permanent structures, merely various configurations of national authorities — meetings of the Ministers of Foreign Affairs and the Political Committee, made up of the Political Directors of the Ministries of Foreign Affairs. The six-month Council Presidency is responsible for representing the European Union, but it is too short and has to carry out national duties at the same time. The sharing of foreign relations between the Council and the Commission makes coordination difficult. The CFSP is not funded separately: its expenditure is covered by the Community budget and national

contributions. The allocation of those contributions gives rise to disputes regarding the application of Community or intergovernmental procedures. Above all, the objectives of the CFSP are still ambiguous. In November 1993, the European Council defined five joint actions to be pursued: to resolve the conflict in Bosnia-Herzegovina, to establish a stability pact in Eastern and Western Europe, to support the peace process in the Middle-East, to improve relations with Russia, and to support the democratic and multiracial transition in South Africa. However, were these extensive action programmes or merely limited objectives stemming from circumstances at the time? The Member States might have interpreted the matter differently.

The biggest disappointment concerned the conflict in Yugoslavia. Since the outbreak of the war, the Member States had refused to intervene. They had provided the UN and NATO with contingents so that they could intervene and impose a peace settlement but did not use the 'fighting force' of Western European Union (WEU). The European Union was, therefore, seen as incapable of preventing and settling a conflict on its doorstep. However, from November 1993, it played a significant diplomatic role by drawing up an action plan on which the 'contact group', comprising the USA, the UN, the European Union and Russia, would base its activities and which was applied by the Dayton Accords imposed by the United States and signed in Paris.

On a more general level, the CFSP had enabled diplomatic activity to be undertaken on a world scale. The European Union had engaged in political dialogue with several States, particularly those countries applying for accession to the Union in order to prepare them more effectively for accession. It employed preventive diplomacy to reduce the risk of tension arising from the problems of minority groups in Central Europe (Stability Pact signed on 21 March 1995 in Paris). It signed partnership agreements with Russia on 24 June 1994 and, subsequently, with the other former Soviet Republics. The European Union had developed a global strategy vis-à-vis certain geographical areas and established links with regional organisations in Asia, Africa and Latin America. It has begun working towards a Euro-Mediterranean partnership (Barcelona Conference, held on 27 and 28 November 1995). It has maintained its common position on the Arab-Israeli conflict adopted at the Venice European Council on 12 and 13 June 1980, recognising that the Palestinian people were entitled to the same rights as the Israelis. It has supported the peace process underpinned by the United States, without being involved in it, and has assisted the Palestinian Authority.

The European Union strived to improve transatlantic relations by implementing a joint action plan with the United States on 3 December 1995 in order to establish a balanced partnership. However, it proved difficult, since the United States wished to maintain its leadership and take advantage of bilateral relations with European countries; however, those countries did not always agree on the stance to be taken towards the US. That being the case, with regard to most major international problems, the Europeans are still unable to act without the Americans.