

## Hans van den Broek, The common foreign and security policy in the context of the 1996 IGC

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## Foreign and Security Policy in the context of the Intergovernmental conference

By Hans VAN DEN BROEK, Member of the European Commission

Luncheon speech at the Royal Institute for International Relations, Brussels, 4 July 1995.

It is a great pleasure to be with you today and to offer some thoughts on the CFSP and the IGC. There is no doubt that the IGC will pose a number of major challenges for the European Union, and its outcome will have a profound effect on the future course of European politics.

When the European Council decided at Maastricht in 1991 to hold an IGC in 1996 it was with a rather limited agenda in mind. But in the past year, and specifically under the pressures of the most recent, and potential future enlargement of the Union to include perhaps 20-25 member states, the agenda has been stretched considerably.

At this stage, there is no agreement on the agenda, nor on when in 1996 the IGC should start — nor when it should conclude. My colleague, Mr Oreja is participating in the work of the Reflection Group which is due to prepare a report on some of the key issues for the December European Council in Madrid. The Commission, along with the Council and the European Parliament, has already made its views known on the functioning of the Treaty on European Union. I was pleased to note the converging views of the Parliament with those of the Commission.

In our report, we set out some general principles for consideration by the IGC: namely the need for greater simplicity as regards procedures for passing EU legislation, for more transparency in our activities in order that our citizens can comprehend what is being done in the institutions, and for increased efficiency, particularly to cope with the challenge of enlargement.

I mention enlargement because the European Council at Corfu last year made a direct link between creating 'the institutional conditions for ensuring the proper functioning of the Union' and the opening of accession negotiations with the countries of central and eastern Europe.

Now the Reflection Group has the difficult task of preparing options on some of these sensitive issues, including 'the weighting of votes in Council, the threshold for qualified majority decisions, the number of members of the Commission and any other measure deemed necessary to facilitate the work of the institutions and guarantee their effective operation in the perspective of enlargement'.

### **Why do we need a CFSP?**

But let me now turn to the CFSP, which you may recall was singled out in Maastricht as a policy area to be revisited in 1996.

First, let me address the question — why do we need a CFSP? I think there are a number of reasons. First, because our citizens want the Union to play a more active role in international affairs. All public opinion polls confirm this is true for all member states. Second, in most parts of the world the European voice will only be heard if there is a united voice — or it will not be heard at all. Third, the end of the Cold War has dramatically changed the strategic situation of the European Union. The Soviet threat has disappeared, but many new risks have appeared. The US has substantially reduced its presence in Europe and is concentrating on domestic issues. In these changed circumstances, it is clear that Europe will have to take on more responsibility for its own security. With nearly 380 million people, with a combined GNP ahead of the US, with the largest single market in the world, as the most important player in international trade, as the main source of development assistance and humanitarian aid to the third world, the European Union simply cannot avoid taking increased responsibility in world affairs.

The mechanism to promote this increased responsibility was supposed to be the Common Foreign and Security Policy (CFSP) but as this policy area was set up outside the Community framework, i.e. on inter-governmental lines, it has been severely handicapped by the unanimity principle. The result has been that

some member states have established smaller groupings to deal with particular problems, e.g. the creation of the Contact Group to deal with ex Yugoslavia. Furthermore, the Union has failed to develop a strategic approach to major foreign and security policy issues. As I said earlier, the high hopes which many of our citizens entertained for CFSP have not been realised, particularly as far as crisis management is concerned.

### The CFSP in Operation

How then has CFSP fared in operation? My initial assessment, which I am sure most of you would share, is one of disappointment. Certainly there has been an enhanced degree of cooperation and coordination. There has also been a vast increase in the number of meetings and a considerable reorganisation of the various bureaucracies involved. The Commission has established a separate Directorate General (DG1A) to cover CFSP whilst the Council has also established a new structure. All useful moves — but bureaucratic reorganisation alone is no substitute for the political will which is necessary to establish a credible and effective CFSP.

What then have we actually done under the mantle of CFSP? Since the Treaty came into operation on 1 November 1993, the European Union has agreed a number of Joint Actions including:

- monitoring elections in Russia and in South Africa
- providing humanitarian assistance in former Yugoslavia and establishing an administration for Mostar
- supporting the Middle East Peace Process
- lobbying for the extension of the NPT
- agreeing export guidelines for the use of dual use goods
- agreement on policy towards export and control of anti-personnel mines
- promoting the Stability Pact to tackle problems concerned with borders/minorities in central and eastern Europe

In addition to these 'joint actions', a number of 'common positions' (i.e. alignment of policies but not necessarily taking action together or committing resources) have been adopted on Libya, Sudan, Haiti, Rwanda, Ukraine and Burundi. These have largely concerned economic sanctions.

Whilst these actions have been useful (particularly the Stability Pact with its mixture of diplomatic pressure and community assistance) in concerting the positions of member states on some key issues, they have not led to increased EU visibility nor really decisive action. The scope has been modest and the added value of CFSP not always apparent. The most visible failures have been in Yugoslavia and, to a lesser extent, in Rwanda. I think most people would agree that there has been little substantial improvement over the previous system of European Political Cooperation.

### Weaknesses of CFSP

Let me turn now to the problems of CFSP. The first obvious weakness — and the most difficult to overcome — is the **lack of political will** to act decisively as a Union. This may be due either to divergent perceptions of national interests, or to unwillingness to accept the political, and sometimes budgetary costs, of firm action. Whilst most member states seem to accept that they cannot hope to gain as much influence by acting alone, they still seem reluctant to move towards a credible and effective CFSP.

The second weakness has been the **lack of any definition of essential common interests** of the Union in specific foreign policy situations. In addition to divergent national perceptions, this can be attributed to a failure to analyse the implications of pursuing, or not pursuing, different courses of action.

A third weakness has been the **decision making procedure which is based on unanimity**. This means that the Union's capacity to act may depend on the inclination of its most reluctant member state on any given issue. A further problem in this area is the rather leisurely pace of Political Committee proceedings (usually monthly) compared to the continuous activity in COREPER with weekly meetings.

Fourth, present **financing arrangements for joint actions are inadequate**. There is confusion over budget lines for CFSP as such, and budget lines for Community activities which may support actions under the CFSP.

Other weaknesses can be cited such as the Union's lack of a defence capability, the lack of a legal personality, confusion over and lack of coherence between the pillars which operate under different rules and procedures; ambiguity concerning the respective roles of the Presidency and the Commission (disputes over the interpretation of 'fully associated'); an insufficient role for the European Parliament; and the form of the Union's external representation. Furthermore, in many capitals outside Europe, the presence of the EU is conspicuous by its absence.

### **The Need for Improvements**

How then to improve CFSP? Given the prospect of substantially enlarged Union in the not too distant future, an increasingly unstable international environment and encouragement from the US to achieve a credible CFSP, it is imperative that the IGC results in an enhanced and effective CFSP. Although an absence of political will cannot itself be tackled through procedural improvements, such improvements, taken together, may reinforce the sense of common objectives and common interests, leading to a greater propensity to act together. Let me outline some proposals which I think are worth considering:

#### **Policy Planning**

An awareness of common European interests can be increased by pooling the Union's capacity for policy analysis. This already takes place to some extent through the exchange of information on the EU telegraphic network and by joint meetings of policy planning staff from the member states and the Union's institutions. Such cooperation is limited, however, and could be enhanced by establishing a joint structure for the evaluation of information, policy analysis and preparation of policy actions.

#### **Decision making**

Until now unanimity has been required for joint action under the CFSP although, in principle, the Treaty allows for decision by qualified majority on the details of implementing measures. This means that the Union's capacity for action can be limited by the reluctance of a single member state. While respecting national prerogatives on matters of vital interest in fundamental areas of foreign and security policy, decision making rules could be changed to permit member states wishing to take action together, to do so within the framework of the treaty. Such actions would only be agreed if they fell within the broad guidelines approved by the European Council. Other member states, though not necessarily participating directly, would not be able to prevent the joint action from taking place. Indeed, such an approach, which will be even more desirable in an enlarged Union, finds its origin in the declaration attached to the Treaty concerning the CFSP, which aims at preventing the blockage of unanimity where a qualified majority exists.

#### **Finance**

The Union would lose effectiveness and credibility if such actions were held up, as in the past, because of difficulty in mobilising the necessary resources. It is thus essential that the Council determine the modalities of financing whenever it decides on a joint action. In my view, financing through the Union's budget is to be preferred to national contributions for reasons of coherence and transparency.

#### **External Representation**

Under the treaty, the Presidency was given an increased role as regards external representation of the Union. The Commission was also tasked, together with the Council, with ensuring coherence, between the pillars. Whatever the problems there might be in achieving coherence, I believe that the solution is not a directorate nor a new body to oversee CFSP but rather a **strengthening of the Community institutions**.

As far as the Commission's role is concerned, it is fully associated with the implementation of the CFSP and has the right of initiative, a right shared with the Presidency and other member states. In my view, the Commission is uniquely well placed to provide the European perspective and has demonstrated this in the past year by preparing numerous, well received papers covering EU policy towards Central and Eastern Europe, Russia, Ukraine, the Baltics, the Mediterranean, Asia, Japan, Mercosur, etc. These papers have involved issues under pillars I and II and demonstrate the importance of taking a comprehensive approach to third countries.

Member states inevitably approach problems from a national perspective whilst the Council has neither the experience nor the critical mass of officials to undertake new tasks in CFSP. The Commission, however, is an independent institution which provides continuity through changing presidencies and troikas. On the whole, the Presidency Commission form of external representation (e.g. for demarches) is more coherent than the somewhat unwieldy troika formula. In the longer term, under the impact of enlargement, there is a strong case for the Commission to act, under a Council mandate, in the whole range of external policies. One could envisage a senior Vice President for foreign affairs who would speak for, and represent the Union, in areas agreed upon by the Council. Such a move would certainly improve the continuity, consistency, coherence and visibility of the Union in external relations.

## Security and Defence

Let me turn now to the prospects in the security and defence field. The Maastricht Treaty provides for the possibility of a common defence policy 'which might in time lead to a common defence'. In the past two years little progress has been made towards achieving this goal. The relationship between the WEU and NATO is indeed more highly developed than that between the WEU and the EU. WEU was supposed to complement CFSP by providing a military component, but apart from its modest involvement in ex Yugoslavia, there has been no operational tasking by the EU.

The relationship between the WEU, which is, according to the Treaty, 'an integral part of the development of the European Union', the EU itself, and NATO, is of course rather sensitive, and the IGC will wish to consider various options: whether to maintain the status quo, whether to enhance the capability of the WEU but leaving it outside the EU, or whether to bring it within the single institutional framework of the EU. At present it is difficult to envisage agreement to bring the WEU into the EU framework in 1995 but — and here I agree with Jean Luc Dehaene — it is important not to relinquish this as an EU goal.

While working towards a consensus on the future division of responsibilities between the WEU and NATO, the Union is gradually attempting to create a European intervention force, under the WEU umbrella, for use in the framework, of joint actions under the CFSP. There is, I believe, increasing awareness that one of the most glaring lessons of the Yugoslav crisis is that the lack of a credible military instrument severely handicaps diplomatic efforts.

One of the most significant changes since 1991 has been the change in the US position as regards a European security and defence identity (ESDI). Whereas in 1991 the US was cautioning against the Europeans developing a defence identity, they are now amongst the strongest supporters of such a move. Indeed I share the view that the future health of the transatlantic relationship depends on the EU developing an effective CFSP, including a defence dimension. Talk of a new transatlantic treaty is premature, however, at least until the Union demonstrates that it is capable of an effective foreign and security policy.

## Conclusion

Jacques Delors used to pose three questions about foreign policy to member states of the EU — 'What are our essential common interests? Are we prepared to act together to defend these interests? If so, with what resources?' These questions, to which the member states have given no adequate response, remain valid today and will become even more valid in light of subsequent enlargement of the Union.

No one doubts that developing a credible and effective CFSP will take time and will require familiarity,

practice and confidence. Time is not on the Union's side, however, since the need for an effective CFSP, recognised by public opinion in the member states, is even greater now than it was at the time of Maastricht. This is why the outcome of the IGC, particularly the CFSP arrangements, must be acceptable to our citizens.

There can of course be no effective CFSP without the wholehearted participation of all member states. At present, some member states take the view that only minor adjustments are required and that the CFSP must remain firmly on an inter governmental basis. It is extremely doubtful, however, whether an enlarged EU with perhaps up to 25 30 member states can operate an effective CFSP purely on an inter governmental basis.

Belgium, I am pleased to say, has consistently been a strong supporter of the community approach and I hope that Belgium, together with the Netherlands and Luxembourg, will continue to play an active role in the run up to the IGC explaining to other member states the advantages of further integration.

For our part, the Commission will continue to explain the shortcomings of the present system and to press member states to make the necessary to improve CFSP.

May I thank you for allowing me to set out my views here today.