

# CFSP Forum

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## Note from the Editor

**Karen E. Smith, London School of Economics, Editor**

This is the last issue of *CFSP Forum* published solely within the framework of the European Commission-funded network, FORNET, as Commission funding for FORNET ends in December 2005. This is *not* the last issue of *CFSP Forum*, however! *CFSP Forum* will continue to be published every two months, and will continue to be available on the FORNET website. The FORNET website will also continue to exist (at the same address [www.fornet.info](http://www.fornet.info)), to enable continuing access to the 'academic *acquis*' made available on the website. Many of FORNET's current activities will also continue, but within the recently-launched European Commission-funded research network, CONSENT. *CFSP Forum* will also be available on the CONSENT website: <http://www.comos.org/EU-CONSENT/Index.htm>.

This month's issue of *CFSP Forum* contains an analysis of the EU's power, a briefing on the EU-led monitoring mission in Aceh, three articles on the relationship between EU member states and the CFSP, and a discussion of the Cyprus issue in EU-Turkey relations.

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## Note from the FORNET Coordinator

**Christopher Hill, University of Cambridge, UK**

I am grateful for this opportunity to thank all the many people across 25 countries who have contributed to making the FORNET research network a great success. We have achieved most of our objectives, and worked within a relatively modest budget – for which we are nonetheless extremely grateful to the European Commission. We hope that the name of FORNET, but more importantly the substance and spirit of the research cooperation on European foreign policy issues which it embodies, will continue long into the future. The new CONSENT network is the main way in which we hope to ensure this. Because of, as much as despite, the public arguments over the war in Iraq, foreign policy cooperation in Europe continues to be one of the most important and interesting diplomatic phenomena of our time, and we have shown that it has many more aspects than the simple 'for or against' normative agenda so common in the press.

With so many people involved in FORNET it is invidious to single out individuals, but most colleagues will understand if I thank the following for contributions well beyond the call of duty: Robert Kissack for being a terrific Administrator; Karen Smith for making the Forum the best source of on-line discussion of our subject; Wolfgang Wessels for his indefatigable efforts in every direction.

## Some Paradoxes of European Power

Knud Erik Jørgensen, Aarhus University, Denmark

The European Union shares with the US the feature that its power is full of paradoxes.<sup>1</sup> Traditionally, the European debate on the nature of European power has focused on various pleas for civilian, military or normative power and, hence, consistently focused less on power per se than on its desirable nature. This focus is currently changing and a few book-titles points to the direction of this new trend. Mark Leonard (*Why Europe will run the 21<sup>st</sup> Century*, 2005), T.R. Reid (*The United States of Europe. The New Superpower and the End of American Supremacy*, 2004), Jeremy Rifkin (*The European Dream. How Europe's Vision of the Future is Quietly Eclipsing the American Dream*, 2004), Stephen Haseler (*Super-State. The New Europe and Its Challenge to America*, 2004) and Rockwell A. Schnabel (*The Next Superpower? The Rise of Europe and Its Challenge to the United States*, 2005) share the conclusion that - whether it is by design or default, intended or unintended - the EU has become a very significant global player and, by extension, that this 'rise of Europe' constitutes a challenge to America. In this brief note, I will touch on the issues of international command, control, communication and intelligence (C3I), i.e. features of crucial importance to any world player.

In the spring of 2003, when the transatlantic and intra-European row over Iraq was most heated, four EU member states proposed to establish an autonomous EU military headquarters in Tervuren near Brussels. Though the political-symbolic dimension of the proposal has since evaporated, the issue of the command of EU-led military operations is here to stay. True, the Secretary of State at the time, Colin Powell, commented that Europe needs more capabilities, not more headquarters (reported in *International Herald Tribune*, 3 September 2003). Many Europeans would agree, in particular because European and American military capabilities are very asymmetrical. But Powell's comment also illustrates one of the structural differences between the US and the EU. Beyond its sovereign border, the horizon of the former consists of international institutions reflecting a delicate balance between common solutions to common problems and the extension of American politics by other means. In such an

optic, national military headquarters on both sides of the Atlantic are OK, also when they are conducting non-NATO operations (US bombing of Libya, WEU naval operations in the Persian Gulf, etc.) but an EU headquarters is somehow unnatural. In contrast, most European states have created an institutional layer - the Union - between themselves and international institutions. Sooner or later - determined by cost, efficiency and various practicalities concerns - they will opt for some kind of joint EU military headquarters. As we shall see below, such a development has characterised other issue areas and there are no reasons to expect that there will be no spill over effects.

Issues of control and communication are also present in current politics of the internet. While the internet was invented in the US, the world wide web (www) was invented at CERN. However, the www is dependent on the internet, not vice versa. Being one of the prime symbols of globalisation, the internet has nonetheless always been fully under the control of the US. As described in several newspapers lately, the US is capable of switching off, for instance .uk or, more likely, .cn (given the avalanche of reports nominating China as the new enemy of the US). Most states have concluded that the current governance system of international communication is unsustainable. The international Working Group on Internet Governance (WGIG) has therefore been preparing the November 2005 World Summit on the Information Society (WSIS) in Tunisia.<sup>2</sup> In contrast to the military command issue, the EU has a common stance on the governance of the internet issue.

Some years ago I bought an old German sea chart of the Bay of Aarhus. The last time it had been revised was in January 1940, a few months before the German invasion of Denmark. Also some years ago, I used a British Admiralty Sea Chart, when approaching Aden on board a Danish sailing boat. Sailing boats typically navigate by means of GPS. Actually, the American GPS system is one of the positive outcomes of the Cold War. It is a military system to which civilians have gained partial access. Probably your cell phone has a GPS feature. Knowing where you are is often immensely useful. For strategic actors, whether it is Nazi Germany, the British Empire, the US or the EU, such knowledge is compulsory. Coordinates matter. Now we are in the 21<sup>st</sup> century and Galileo enters the picture, providing yet another piece of evidence that the EU not only aspires to become but is an upcoming strategic actor;

prepared to invest 4 billion-plus euros in a state-of-the-art satellite navigation system.<sup>3</sup>

The issues mentioned so far are very different. Yet they also have something in common. They represent instances of a general pattern. In the remaining part of this brief note, I will mention two. First, modern societies are vulnerable if not fragile. No one is necessarily to blame for this vulnerability. Professors at business schools teach their students to avoid stocks, 'keep stock in trucks, trains or ships, driving or sailing somewhere between producers and shops'. But such cost reducing strategies increase societal vulnerability. Disruptions in road or train haulage can quickly turn into empty gasoline stations. The Y2K problem proved to be less devastating than expected and instead of a crisis, it became a huge exercise in thinking through the vulnerability of modern society, in this case our dependency of computer chips. Similarly, power grids have become increasingly complex and black outs in North America, Italy and Scandinavia have demonstrated some of the negative consequences. 'Comforting' voices explain that in the future, we will have more not less black outs. Similarly, it is common knowledge that traditional industrial production - in areas such as Birmingham, Lille, Ruhr or Silesia - in the 21<sup>st</sup> century has been relocated eastwards and is now situated in China (among other places in the Far East). Yet, this implies that the European interest in keeping open shipping passages between the Far East and Europe has been tremendously increased. Some security analysts declare that Europe has got security interests in the Far East. Not according to some design but as a consequence of processes of globalisation.

Scandinavian countries, obsessed with functional security, have asked their emergency management agencies to produce vulnerability reports.<sup>4</sup> Widespread experiences with flooding, black outs, cyber warfare suggest that it makes sense to prepare similar reports in every single EU member state as well as on a European wide scale, for instance under the authority of a European Emergency Management Agency. But there is no such agency to coordinate, initiate and accumulate knowledge in emergency management.<sup>5</sup> A new perspective within security studies, called functional security, has been invented and coined by Bengt Sundelius and developed by a research team under the direction of Magnus Ekengren at the Swedish National Defence College.<sup>6</sup> Along with the Copenhagen School and the Geneva School of

critical security studies, the new Stockholm School is among the most promising new perspectives within security studies. A prime reason for its innovative quality is that it goes beyond traditional distinctions between civilian and military, domestic and foreign, political and non-political emergencies, disasters and crises. In short, the project addresses the security agenda of the early 21<sup>st</sup> century.

Second, the cases of Echelon, Galileo and the Internet have something in common and this 'something', they share with other issues, such as climate change and trade. In European conceptions some of these issues are considered 'technical'. The former US ambassador to the EU, Rockwell A. Schnabel (2005: 102-3) is perplexed to learn that the EU considers satellite navigation to be essentially about transportation, not defence, 'every time we approached the governments of individual nations to voice our security concerns, they made clear that they could not help us. As far as they were concerned, satellite navigation was not fundamentally a matter of security but of transportation; and since the Commission is responsible for transportation policy, they had handed over negotiating authority to Brussels'. Furthermore, he points out that the EU-US compromise agreement on Galileo 'did not end debate over our efforts to preserve the technological edge in this critical area' (ibid, p. 66).

This brief research note has suggested that that the issues of international command, control, communication and intelligence belong to the key dimension of strategic culture and that they represent some of the paradoxes of European power.<sup>7</sup> Some of the issues are within the domain of the CFSP whereas other issues are outside. Indeed, issue areas where the European Union has constituted itself as a world player tend to be outside the CFSP/ESDP domain. Here we observe yet another paradox of European power. However, the most intriguing paradox of European power remains to be spelled out, namely why analysts have left it to former ambassadors and journalists to explore European power.◇

<sup>1</sup> Concerning the US, see Joseph Nye, *The Paradox of American Power* (Oxford: Oxford University Press, 2002). For an early assessment of European paradoxes, see Jan Zielonka (ed.), *Paradoxes of European Foreign Policy* (The Hague: Kluwer, 1998).

<sup>2</sup> Apart from the European Parliament, EU institutions seem not to be concerned about Echelon. On Echelon, see Duncan Campbell, *The history, structure and function of the global surveillance system known as Echelon*, <http://heise.de/tp/r4/artikel/6/6929/1.html> (2000); Patrick

S. Poole, *Echelon: America's Secret Global Surveillance Network*, <http://fly.hiwaay.net/~pspoole/echelon.html> (2000); Steve Wright, *An Appraisal of Technologies of Political Control*, European Parliament: Scientific and Technologies Options Assessment, Luxembourg, January 6, 1998.

<sup>3</sup> Johan Lembke, 'The Politics of Galileo', European Union Center, European Policy Paper, no. 7. April 2001. See also 'Galileo. An Imperative for Europe', European Commission, Directorate General for Energy and Transport, Information Note, 13 pp. (2005). Galileo. The European Programme for Global Navigation Services, European Space Agency.

<sup>4</sup> Et sårbart samfunn (Oslo: Statens forvaltningstjeneste, 2000); Vulnerability and security in a new Era – a Summary (Stockholm, Statens Offentliga Utredningar, 2001); Den nationale sårbarhedsudredning (Birkerød: Danish Emergency Management Agency 2002). All three reports belong to the field of national vulnerability studies.

<sup>5</sup> Matthias Jennerholm has mapped the EU's civilian crisis management within the CFSP, see *Kartläggning af EU's civila krishantering inom den gemensamma utrikes- och säkerhetspolitiken* (Stockholm: Krisberedskapsmyndigheten 2004). Anja Dalgaard-Nielsen has contemplated the idea of 'A European Department of Homeland Security? Organizing to Protect Europeans against Large-Scale Terrorism', DIIS Brief No 32 (Copenhagen: Danish Institute for International Studies, 2003)

<sup>6</sup> 'Functional' Security and Crisis Management Capacities in the European Union: setting the Research Agenda – a joint research project of the Swedish National Defence College and the University of Leiden.

<sup>7</sup> The notion of strategic culture has attracted some attention. The EU Institute for Security Studies has shown the concept some attention; see also a special issue of the journal *Cooperation and Conflict* (March 2005) and John Glenn, Darryl Howlett and Stuart Poore, *Neorealism Versus Strategic Culture* (Ashgate 2004).

## The Aceh Monitoring Mission: A New Step in the EU's Move towards Global Security Actorness?

**Munevver Cebeci, Marmara University, European Community Institute, Istanbul, Turkey**

The European Union (EU) started its first European Security and Defence Policy (ESDP) mission in Asia on 15 September 2005. Through the deployment of the Aceh Monitoring Mission (AMM), the EU aims to support the implementation of the Memorandum of Understanding signed by the Government of Indonesia (GoI) and the Free Aceh Movement (Gerakan Aceh Merdeka - GAM) to end the armed conflict that had prevailed in the Aceh province for thirty years. The AMM is an EU-led civilian mission which is conducted by the EU, five Association of the Southeast Asian Nations (ASEAN) contributing countries (Brunei, Malaysia, Thailand, Singapore and Philippines), Norway and Switzerland.

This paper argues that the AMM is an important step in the EU's move towards global security actorness for several reasons: it has taken place at a time of constitutional and budgetary crisis; it is the first ESDP mission in Asia conducted in cooperation with ASEAN; it illustrates the EU's efforts to help establish peace and stability in south east Asia; and it is significant in terms of the EU's overall objective of 'contributing to an effective multilateral system leading to a fairer, safer and more united world' as stated in the European Security Strategy. This article highlights the backdrop against which the Mission was launched, lists the AMM's major aims and tasks, analyses its significance for European foreign policy, and finally reflects on the Mission's prospects.

### Background

The Aceh Province has suffered from thirty years of fighting between the GoI and the GAM, which led to over 10,000 casualties and the displacement of thousands of people. Poor governance, human rights abuses and economic and social grievances have been constant features of everyday life for the population (approximately 4.2 million people) of the province. Attempts to reach a ceasefire in 2003 failed, further worsening the situation and leading to the declaration of a state of



emergency in Aceh. The government change that took place in Indonesia in October 2004 and the drastic effects of the tsunami disaster that hit the province in December 2004 provided a suitable basis for the initiation of a new round of negotiations in January 2005. The peace negotiations between the GoI and the GAM took place in Helsinki under the auspices of the Crisis Management Initiative (CMI). The negotiations were chaired by former Finnish President Martti Ahtisaari who also held the chairmanship of the CMI. The fifth and final round of talks was concluded on 17 July 2005, when the parties agreed on a Memorandum of Understanding (MoU). The MoU was signed on 15 August by the GoI and the GAM.<sup>1</sup>

The MoU stipulated that the decommissioning of GAM armaments would begin on 15 September and would be executed in four stages through which the GAM would decommission all arms, ammunition and explosives used by its participants in its activities. The AMM would assist this process of decommissioning, which would be concluded by 31 December 2005. The GAM has committed to hand over 840 arms under the MoU. It was also stipulated that the GoI would withdraw all elements of non-organic military and non-organic police forces from Aceh. Accordingly, the relocation of these non-organic forces would begin on 15 September 2005 and would be executed in four stages in parallel with GAM decommissioning. The relocation process would also be concluded by 31 December 2005.

The MoU had provisions on the deployment of the Aceh Monitoring Mission. The GoI and the GAM would commit themselves to provide the AMM with secure, safe and stable working conditions and pledge their full cooperation with the Mission, whereas the GoI would be responsible for the security of all AMM personnel in Indonesia. Upon signature of the MoU, each party would appoint a senior representative to deal with all matters related to the implementation of the MoU with the Head of Mission (HoM).

The EU has actively supported the peace process in Aceh as it has provided direct support to the CMI through the European Commission's Rapid Reaction Mechanism. The Commission has also undertaken several initiatives to help the post-tsunami rehabilitation and reconstruction in the province. As a matter of fact, the AMM's timing was quite good in that respect since 'its launch coincided with large sums of money flowing into post-tsunami reconstruction in the region', offering 'a unique chance to link short-term

conflict resolution with longer term development assistance'.<sup>2</sup>

Upon the GoI's official invitation (dated 12 July 2005) for the deployment of an EU monitoring mission in Aceh, tough debates took place between EU member states on taking up this task and disagreements emerged on the financing of the AMM. The EU finally agreed a CFSP Joint Action,<sup>3</sup> which was published on 9 September 2005. The Joint Action set the general framework within which the AMM would be conducted. It expires on 15 March 2006; the Council may agree to extend the Mission, but must agree on an extension before this date.

The EU deployed an Initial Monitoring Presence (IMP) in Aceh on the same day as the signing of the MoU in order to fill the gap between signing of the MoU and the launching of the AMM. The IMP contributed significantly to confidence building in Aceh and 'provided an early demonstration of the EU and ASEAN contributing countries' commitment to monitoring the peace process'.<sup>4</sup> The IMP consisted of 80 monitors from EU and ASEAN countries and was financed by voluntary contributions of participating states. The AMM became operational on 15 September 2005, the same date as the start of the decommissioning of GAM armaments and the relocation of non-organic military and police forces.

### **Major Aims and Tasks of the AMM**

The AMM's major aim is to support and monitor the implementation of various aspects of the peace agreement set out in the MoU. The AMM can be viewed within the framework of the overall EU commitment 'to promote a lasting and peaceful settlement to the conflict in Aceh' and regarded as a part of the attempts 'to increase stability throughout South East Asia, including progress in economic, legal, political and security sector reforms'.<sup>5</sup> It can thus be argued that the AMM will not only assist the parties in the immediate aftermath of the armed conflict and engage in short-term post-conflict settlement, but will also contribute to strengthening the process of democratic and economic reform in Indonesia which is obviously a long-term objective.

The AMM's tasks as defined in the Joint Action are monitoring the demobilisation of the GAM and assisting with the decommissioning and destruction of its weapons, ammunition and explosives; monitoring the relocation of non-organic military forces and non-organic police

troops; helping with the reintegration of active GAM members; monitoring the human rights situation and providing assistance in this field in the context of the tasks set out above; ruling on disputed amnesty cases (the HoM will decide on disputed cases based on advice from the AMM's legal advisor); dealing with complaints and alleged violations of the MoU; and establishing and maintaining liaison and good cooperation with the parties. The Joint Action further stipulates that the AMM will not take on a facilitation or negotiation role and in the case of a need for such facilitation or negotiation during the implementation process, it will be the responsibility of the two parties and the original facilitator, that is, the CMI.

### **The Structure and Financing of the AMM**

The AMM consists of 226 international unarmed personnel: 130 from EU member states, Norway and Switzerland, and 96 from five participating ASEAN contributing countries.<sup>6</sup> The personnel are endowed with appropriate expertise to fulfil the varied tasks of the Mission. Some of the personnel have a military background and they use their expertise to perform the supervision of decommissioning and destruction of GAM weapons.

The Council retains the right to decide on the objectives and termination of the mission whereas the EU's Political and Security Committee (PSC) exercises the political control and the strategic direction of the AMM. The PSC reports to the Council at regular intervals and receives reports by the HoM regarding the conduct of the mission at regular intervals. The PSC may invite the HoM to its meetings as appropriate.

The Head of the Mission (HoM) is Pieter Feith who is seconded from the EU Council Secretariat. He has three deputies, one of them from ASEAN and two from the EU. The HoM reports to the PSC and High Representative /Secretary General (HR/SG) Javier Solana on matters related to the AMM and informs the parties, the CMI, the PSC, the ASEAN Contributing Countries, Norway and Switzerland on possible violations of the MoU. Solana also gives guidance to the HoM.

The AMM has a unified chain of command and the Mission is conducted on the lines of an Operation Plan (OPLAN). The Mission is carried out through the establishment of eleven geographically distributed District Offices<sup>7</sup> in

Aceh and four mobile decommissioning teams. The District Offices are established with the aim of demonstrating the EU's and ASEAN contributing countries' support and engagement throughout Aceh.<sup>8</sup>

The Commission and the Council are responsible for ensuring consistency between the implementation of the Joint Action and external activities of the Community and cooperating to this end. Although the Commission is not participating in the AMM, it is actively involved in ensuring the sustainable implementation of the peace process through a support package. The Commission has allocated 4 million Euros under its Rapid Reaction Mechanism to help integrate former political prisoners and fighters into civilian life. Furthermore, it also supports the consolidation of governance and democracy in Aceh through various initiatives addressing issues of human rights, the rule of law, political participation, and so on. Commission support for the peace process is integrated into the more general efforts of post-Tsunami reconstruction in Aceh.<sup>9</sup>

The Reference Amount set by the Joint Action for financing the AMM is 9 million Euros from the EU budget. An additional 6 million Euros are provided from the contributions of the Member States and participating countries. It is known that disagreements occurred between the member states over the financing of the AMM mainly because 'the funds available in the CFSP budget line for 2005 were insufficient to cover the costs'.<sup>10</sup> This is also the reason why the mission is partly financed by member states' contributions. Sweden and Finland are the leading member states in financing the logistics and the training requirement of the operation.<sup>11</sup>

### **The AMM and the EU's Global Security Actorness**

It is possible to evaluate the AMM's significance for European foreign policy in general, and ESDP in particular, from various aspects. First, it can be evaluated in terms of the EU's global security actorness. As the EU's first mission in Asia and the first one conducted through coordination with five ASEAN countries, the AMM reflects the EU's commitment to promoting peace and stability on a global and regional scale. The Mission can also be analysed within the framework of the EU's policy towards South East Asia and Indonesia, as part of its endeavour to develop sustainable political partnerships with the countries in the region. This actually matches the objective of contributing to

international order through supporting regional peace and stability as well as regional regimes as laid out in the European Security Strategy.<sup>12</sup>

Another crucial point to be made about the AMM's significance in terms of the EU's global actorness is that both parties to the conflict in Aceh (the GoI and the GAM) agreed on an EU Mission instead of a UN Mission. This was partly due to past experience of the Indonesian government with the UN in East Timor.<sup>13</sup> Such a development clearly shows that the EU is perceived as an impartial, able and credible actor to take up such a crucial task. It should be noted that the EU is keen on reiterating its commitment to a united democratic, stable and prosperous Indonesia as well as its respect for the territorial integrity of the country and its importance as a major partner. The EU also repeatedly states that the AMM is completely impartial by nature and does not represent or favour any of the parties.<sup>14</sup> This reiterated commitment can be regarded as a way of underlining the EU's impartiality and credibility.

In operational terms, the rapid deployment of the AMM over such a distance has clearly shown that the ESDP is well on track despite the recent constitutional and budgetary crises in the EU. It also reflects the distance taken so far to increase the operational capabilities of the ESDP. The fact that the AMM is a complex ESDP mission which combines a unique monitoring activity of decommissioning, demobilisation and reintegration of former combatants and post-tsunami reconstruction makes the Mission all the more important in this regard. The AMM's monitoring activity is unique in the sense that the weapons to be decommissioned are predetermined; in other words, the AMM is not exercising traditional decommissioning which involves investigations on the quantity and location of arms to be collected and destroyed. Its task is limited to supervising the decommissioning of a specific quantity of armaments already agreed on by the parties and stipulated in the MoU, and to destroy the weapons collected.<sup>15</sup> Jack Straw contends that the AMM would be the EU's first attempt to carry out monitoring of this kind.<sup>16</sup>

The EU's overall involvement in Indonesia and Aceh in general, and the AMM in particular, also constitutes a very good model that reflects the cross-pillar nature of European foreign policy. A certain degree of coordination and coherence could be achieved between the EU institutions in conducting the wide range of EU activities in the region which obviously increases their efficiency

and effectiveness. A mix of almost all foreign policy instruments has been used over Aceh for supporting the peace process as well as for post-Tsunami rehabilitation and reconstruction and the Commission's involvement has been significant in this respect. This coordinated approach is crucial for the EU's goal of achieving consistency between the CFSP/ESDP and Community external relations. It can be asserted that the AMM fits very well in the picture drawn by the ESS when one recalls Solana's statement that regional conflicts need political solutions (although military assets and effective policing may be needed in the post-conflict phase), that economic instruments serve reconstruction and civilian crisis management helps restore civil government, and that the EU is particularly well-equipped to respond to such multi-faceted situations.<sup>17</sup> Jack Straw acknowledges this fact by naming the AMM as an opportunity to show that 'with its wide range of security instruments the EU is uniquely placed to make a significant contribution to international conflict resolution and crisis management'.<sup>18</sup>

## **Conclusion: Challenges and Prospects**

The AMM has been conducted successfully so far and the first two stages of demobilisation, decommissioning, and relocation have been completed ahead of their original schedule. No matter how promising this pace is, sustaining it represents a challenge both for the parties to the conflict and the AMM as the MoU set a limited time schedule for the completion of these activities. In particular, the withdrawal of non-organic military and police forces from Aceh creates a logistical challenge as 'harbour facilities and transport resources are limited'.<sup>19</sup>

Since the launch of the AMM no serious incidents in violation of the MoU have taken place and only some isolated cases were reported. The total number of weapons accepted by the AMM after the first two phases of decommissioning is 476.<sup>20</sup> In the same period, 12,762 non-organic military forces and 2,350 non-organic police forces were reallocated by the Indonesian government.<sup>21</sup> It is planned that the third stage could be completed around 14 November.<sup>22</sup>

It is widely believed that the biggest challenge for the AMM will be the reintegration of former GAM combatants into society. There are doubts on the outcome of the process of reintegration of former GAM fighters as transforming them into 'accountable political actors'<sup>23</sup> represents an important challenge. As stated by the European Commission, '... the success of the peace process

and the AMM in stabilising Aceh will depend in important measure on the ability of former combatants to reintegrate into normal society. This will need to be followed closely by a wider reintegration programme addressing the needs of both the former GAM and the conflict affected communities'.<sup>24</sup>

There are also debates on the scope of the AMM's mandate on monitoring the human rights situation in Aceh. As this mandate is only limited to cases within the range and scope of the decommissioning, demobilising, re-location and reintegration activities, it falls short of meeting the human rights challenges in the region. On the other hand, an important challenge seems to be the contested amnesty cases, especially, 'the necessity to distinguish between people indicted for political reasons and those accused of common crimes'.<sup>25</sup> The HoM is the body responsible for deciding on these cases.

Despite the fact that a considerable degree of consistency has been achieved between the CFSP/ESDP action and Community external policies on Aceh, this consistency needs to be further enhanced and sustained. Furthermore, the EU needs to cooperate with the various actors engaged in supporting the peace process and post-tsunami reconstruction to achieve 'the coordination of the various activities on the field'<sup>26</sup> (the reconstruction packages, the AMM, support for democratic and human rights reforms, etc.). Only through such coordination and coherence can the short-term post-conflict crisis management activities result in long-term maintenance of security, stability, prosperity and democratic reforms in the region. ♦

<sup>1</sup> The MoU can be accessed through [http://www.cmi.fi/files/Aceh\\_MoU.pdf](http://www.cmi.fi/files/Aceh_MoU.pdf) (accessed 10 October 2005).

<sup>2</sup> Nicoletta Pirozzi and Damien Helly, 'Aceh Monitoring Mission: a new challenge for ESDP', *European Security Review*, No. 27, p. 4, 2005 accessed through <http://nyl.quattro.co.za/isiseuropeorg/ftp/Download/ARTICLE%202.pdf> on 23 October 2005.

<sup>3</sup> Council Joint Action 2005/643/CFSP of 09 September 2005 on the EU Monitoring Mission in Aceh (Indonesia).

<sup>4</sup> EU Council Secretariat, 'EU Monitoring Mission in Aceh (Indonesia)', Factsheet, ACH/02, 15 September 2005, accessed through <http://ue.eu.int/uedocs/cmsUpload/AcehCouncil%20FactsheetREV2bis.pdf> on 20 September 2005.

<sup>5</sup> Council Joint Action 2005/643/CFSP.

<sup>6</sup> EU Council Secretariat, 'EU Monitoring Mission in Aceh (Indonesia)'.

<sup>7</sup> The District Offices are located in Banda Aceh, Sigli, Breuen, Lhoksemawe, Langsa, Tapaktuan, Blang Pidie, Meulaboh, Lamno, Kutacane and Takengon.

<sup>8</sup> EU Council Secretariat, 'EU Monitoring Mission in Aceh (Indonesia)'.

<sup>9</sup> This is crucial in the sense that the Commission is a lead

post-Tsunami reconstruction donor.

<sup>10</sup> Pirozzi and Helly, 'Aceh Monitoring Mission: a new challenge for ESDP'.

<sup>11</sup> Dov Lynch and Antonio Missiroli (2005), 'ESDP Operations', accessed through <http://www.iss-eu.org/esdp/09-dvl-am.pdf> on 23 October 2005.

<sup>12</sup> European Council, 'A Secure Europe in a Better World – European Security Strategy', 12 December 2003.

<sup>13</sup> Pirozzi and Helly, 'Aceh Monitoring Mission: a new challenge for ESDP', p. 2.

<sup>14</sup> See various EU Council Press Releases on the AMM.

<sup>15</sup> Pirozzi and Helly, 'Aceh Monitoring Mission: a new challenge for ESDP', p. 3. Pirozzi and Helly contend that the AMM represents a new test for the EU's capacity to handle post-conflict management; providing key lessons on decommissioning, demobilisation and reintegration (DDR) practice that will also contribute towards the formulation of a comprehensive DDR concept (pp. 2-3).

<sup>16</sup> 'EU Welcomes Implementation of Aceh Peace Agreement', *Government News Network*, 15 September 2005, accessed through <http://www.gnn.gov.uk/Content/Detail.asp?ReleaseID=170051&NewsAreaID=2> on 10 October 2005.

<sup>17</sup> 'A Secure Europe in a Better World – European Security Strategy'.

<sup>18</sup> 'EU Welcomes Implementation of Aceh Peace Agreement', *Government News Network*.

<sup>19</sup> Pirozzi and Helly, 'Aceh Monitoring Mission: a new challenge for ESDP', p. 3.

<sup>20</sup> Council of the European Union, 'Second phase of decommissioning and re-location completed', *Press Release*, 25 October 2005, accessed through [http://ue.eu.int/uedocs/cmsUpload/Second\\_Phase\\_completed-24.10.pdf](http://ue.eu.int/uedocs/cmsUpload/Second_Phase_completed-24.10.pdf) on 27 October 2005.

<sup>21</sup> 6671 non-organic military forces and 1300 non-organic police forces were reallocated in the first stage and 6091 non-organic military forces and 1050 non-organic police forces were reallocated in the second stage. The information on the first stage is taken from Council of the European Union, 'First phase of decommissioning and re-location completed', *Press Release*, 27 September 2005, accessed through

<http://ue.eu.int/uedocs/cmsUpload/PRPhaseOnecompleted-27092005.pdf> on 27 October 2005. The information on the second stage is taken from Council of the European Union, 'Second phase of decommissioning and re-location completed'.

<sup>22</sup> Council of the European Union, 'On the outcome of the meeting of the Commission on Security Arrangements (COSA)', *Press Statement*, 25 October 2005, accessed through

[http://ue.eu.int/uedocs/cmsUpload/Press\\_Statement\\_COSA-25.10.pdf](http://ue.eu.int/uedocs/cmsUpload/Press_Statement_COSA-25.10.pdf) on 27 October 2005.

<sup>23</sup> ISIS Europe, 'The EU's contribution to consolidating peace in Aceh' (Summary of the European Contact Group Meeting on 12 October 2005 at the European Parliament), *European Security Review*, No. n/a, accessed through <http://nyl.quattro.co.za/isiseuropeorg/ftp/Download/ARTICLE%205.pdf> on 23 October 2005.

<sup>24</sup> European Commission, 'Aceh: Commission's Contribution to the peace process and post-tsunami reconstruction', MEMO/05/310, 9 September 2005, accessed through [http://europa.eu.int/comm/external\\_relations/indonesia/new\\_s/memo05\\_310.htm](http://europa.eu.int/comm/external_relations/indonesia/new_s/memo05_310.htm) on 20 September 2005.

<sup>25</sup> ISIS Europe, 'The EU's contribution to consolidating peace in Aceh'.

<sup>26</sup> *Ibid.*



## Does It Really Matter? The Danish Opt Out from the ESDP<sup>1</sup>

Gorm Rye Olsen, Danish Institute for International Studies, Copenhagen, Denmark

Since the end of the Cold War, successive Danish governments have fully endorsed the central foreign policy goal that Denmark should play a proactive role in international politics.<sup>2</sup> There has also been broad agreement that this 'active internationalist' foreign policy should rest on two central foundations. First, the new active foreign policy should be framed in close cooperation with other countries and in particular in cooperation with Denmark's partners in the European Union.

Second, for the past 15 years, Danish politicians have been willing to deploy soldiers not only in traditional peacekeeping but also in more offensive operations. The two trends were clearly manifest in Denmark's active participation in both traditional UN operations and in NATO's military operations in the former Yugoslavia. The conspicuous determination to use Danish soldiers in operations abroad has led Sten Rynning to argue that, during the 1990s, Denmark's international role evolved from being a 'civilian actor' to being a so-called 'strategic actor'.<sup>3</sup>

Denmark has followed a strategy of 'commitment' and in the EU has played a strong and proactive role in the development of the CFSP. Also, Danish decision makers have been willing to adapt national policy to the common policy when necessary. However, Denmark does not participate in cooperation on a common European defence policy. This is due to an option to opt out from cooperation on this particular policy issue which was granted to Denmark at the European Council in Edinburgh in December 1992.

This article briefly discusses the dilemma that Denmark faces when on the one hand, its declared aim is to seek international influence and on the other hand, it cannot work with its closest international partners in the EU when it comes to using one of its most important foreign policy instruments, namely the deployment of soldiers abroad. Small state theory<sup>4</sup> and adaptation theory as it has been developed by Danish researchers<sup>5</sup> predict that such an inconsistent foreign policy will affect

negatively the 'coalition power' of the country in question. This is due to the simple fact that Danish policy appears inconsistent and thus less credible. Exactly these circumstances are assumed to have a negative impact on crucial instruments of influence such as prestige, willpower, diplomatic manoeuvrability. 'Coalition power' is defined as 'the ability to form or operate as an influential party in winning coalitions'.<sup>6</sup> Moreover, it can be argued that common sense intuition points towards a similar conclusion.

Nevertheless, the argument here is that it is not possible to show that the Danish opt out from the cooperation on the ESDP has negatively affected Denmark's coalition power in the EU. There has not been a 'spill over' from defence policy into other policy fields of cooperation within the European Union. Surprisingly, it implies that the opt out from defence cooperation has not resulted in less Danish influence in the EU.

### The Danish opt out from defence cooperation in the EU

In June 1992, Denmark held a referendum to confirm Danish membership of the EU.<sup>7</sup> A very small majority of 50.7 per cent voted against Danish membership of the Union, while proponents mustered only 49.3 per cent.<sup>8</sup> Danish politicians were forced to find a special arrangement for Denmark in the areas where the Danish voters had problems with the new treaty. At the European Council meeting in Edinburgh in December 1992, Denmark succeeded in obtaining a special arrangement on four selected areas, of which defence policy was one. The other countries accepted that Denmark needed a legally binding arrangement in order to ratify the Maastricht Treaty. In return, Denmark had to promise not to obstruct any further developments, should the other countries wish to deepen their collaboration in, for example, the field of defence policy.<sup>9</sup>

In a new referendum on 18 May 1993 on the Maastricht Treaty and the Edinburgh Agreement, 56.7 per cent voted 'yes' while 43.3 per cent voted 'no'.<sup>10</sup> With the second referendum, the road was clear for Danish membership of the EU. In relation to the passing of the Amsterdam Treaty, the Danish opt outs were simply included in the Danish protocol to the Treaty. They existed, as it was formulated, 'before, during and after' the conference leading to Amsterdam.<sup>11</sup>

From the coming into force of the Maastricht Treaty on November 1, 1993 and up to January 1, 2003, Denmark activated its opt out on defence cooperation nine times. On each and every occasion, it was in relation to decisions pertaining to the soft end of the Petersberg tasks.<sup>12</sup> In short, the Danish opt out on defence seems mainly to have had symbolic significance, while the practical significance was limited. However, even if the EU had only carried out minor operations in the soft end of the Petersberg tasks, the inconsistency of Danish policy may have weakened Denmark's credibility as a coalition partner.

### **The EU's Military Crisis Management Operations**

The following brief examination of the EU's recent military crisis management operations has a dual aim. First, it is to show that Denmark's opt out towards this type of operations appears increasingly difficult to justify, because both the objectives of the operations and the actual implementation were clearly and unambiguously within the scope of proactive Danish foreign and defence policies. Theory as well as plain common sense would predict that the prospects for entering into winning coalitions would be negatively affected by this inconsistent policy. Secondly, the aim is to raise the critical question whether it is possible to show or indicate that Denmark's ability to operate as an influential party in winning coalitions has been affected negatively by the defence opt-out.

#### *Operation 'Concordia', Macedonia 2003*

On 31 March 2003, the EU launched its first military mission ever, which was given the code name 'Concordia' and took place in Macedonia. Because of its opt out, Denmark had to pull out its troops from Macedonia when the EU took over the peace supporting operation. It is worth noting that Denmark had to pull out its soldiers from a peace keeping operation which was acceptable as long as it took place under the aegis of NATO. Operation Concordia was finalised on 15 December 2003 and was followed by an EU police mission, which deployed 200 police officers. Because it was now a civilian operation, Denmark could again participate, and sent six Danish police officers.

It can be assumed that the lack of participation in the EU operation in Macedonia affected the coalition power of Denmark negatively. However, EU partners were fully aware of the Danish

position prior to the launching of 'Concordia'. It has not been possible to find indications that the non-participation in this particular EU operation had negative consequences for Denmark's possibilities to exert international influence. It may partly be explained by the simple fact that the other EU members have accepted the existence of the Danish opt out, as was made very clear at the 1999 Helsinki summit. This means that Denmark's partners did not expect anything from Denmark when it came to concrete defence operations under the EU's aegis.<sup>13</sup> It is interesting that this situation has not weakened the credibility and influence of Denmark within the EU more generally.

#### *Operation 'Artemis', Congo 2003*

On 12 June 2003, the EU Council of Ministers adopted a ground-breaking resolution within the framework of the ESDP. For the first time ever, the Council decided to deploy a pure EU military force in a crisis management operation outside Europe. The operation was given the code name 'Artemis' and was also the first ESDP operation in Africa.<sup>14</sup>

There was nothing in the aims or the implementation of Operation Artemis which made it impossible for Denmark to participate – if only the EU had not had the overall responsibility. Moreover, the mission was based on a clear UN mandate. Evaluated on the basis of Denmark's existing policy for peace support operations and the declared policy of Denmark in supporting the UN in situations like the one in the Democratic Republic of Congo, it surely must have been puzzling for partner countries to note that Denmark did not even provide a symbolic contingent of troops. It is highly unlikely that the policy strengthened Denmark's reputation and negotiation position within the EU given that, twice in a row, Denmark chose not to participate in a type of crisis management operations that successive Danish governments have traditionally supported.

Yet the European Union did not have any problems supplying the necessary troops for the operation and therefore, the lack of Danish soldiers participating did not affect the deployment of the EU force. Moreover, the EU partners knew in advance and accepted that Denmark had the opt out and there were consequently no expectations that Denmark would supply troops. It has not been possible to find indications that the circumstances around the Congo operations affected Denmark's

influence capabilities negatively. This may, of course, also be because of the committed work of Danish civil servants performed in order to 'compensate' for the official Danish policy. However, there is no available empirical evidence buttressing such a statement.

#### *Operation 'Althea', Bosnia-Herzegovina 2004*

In December 2004, the European Union launched its biggest military operation to date as it took over responsibility from NATO for the peacekeeping operation in Bosnia. EUFOR consisted of 7,000 soldiers coming from no fewer than 33 countries. Almost all EU countries participated with troops.

EUFOR was carried out with NATO support and in agreement with the Berlin Plus Deal. Even though the EU had formal command, it was clear that the EU and NATO would cooperate closely after the EU took over the responsibility for the peacekeeping. The EU and NATO agreed on the mutual use of tactical reserves which could be used both by the EU operation in Bosnia (EUFOR) and by NATO in its operation in Kosovo (KFOR). The opt out meant that Denmark had to make clear from the start that Danish armed forces deployed in the NATO operation in Kosovo could not be placed under EU command. Therefore, they could not be used as reinforcement of EUFOR should a crisis situation occur in Bosnia.<sup>15</sup>

Danish soldiers participated in the NATO-led force (SFOR) in Bosnia which was a new formation as the operative framework was NATO and not the UN.<sup>16</sup> However, the Danish soldiers were withdrawn in 2003 when it became clear that the EU would be taking over the NATO mission. When the EU in December 2004 took over the responsibility for the security in Bosnia-Herzegovina, the Danish soldiers had left the country long ago. Danish troops remained in Kosovo as part of the KFOR force, but with the strict reservations towards a possible reinforcement role in Bosnia.

It is possible to establish that Denmark stands out in two respects in relation to European developments. Obviously, the opt out means that Denmark has little or no influence on the development of the ESDP including the specific course it may take in the future. Moreover, it means that Denmark does not participate in the EU's development as a provider of European security even though Denmark still plays a role as 'subcontractor' of 'soft security'. The reservation towards the question of the possible reinforcement by KFOR troops in Bosnia may be

the first tangible issue where it is possible to indicate that the opt out has consequences for the country's international influence. The official evaluation of the Danish Ministry of Foreign Affairs<sup>17</sup> suggests that the reservations towards the reinforcement issue clearly make Denmark a less interesting partner for other countries not only within the EU but also for NATO non-EU members.

#### **Concluding discussion**

The aim of Denmark's active international engagement in the years after the Cold War has been to pursue a proactive foreign policy, aimed at exerting maximum influence on international developments. When Denmark in the fall of 2004 was chosen as one of the 10 non-permanent members of the UN's Security Council for 2005 and 2006, the country gained a unique possibility to pursue these objectives. One of the crucial aims for Denmark in the Security Council is to work in favour of improving the UN's ability in crisis management, to coordinate the UN's different efforts.<sup>18</sup> With its seat in the Security Council, Denmark would make a special effort for Africa and here in particular for the many conflict ridden countries.<sup>19</sup>

The Danish Minister of Foreign Affairs, Per Stig Møller, formulated the problem quite poignantly:

As a matter of fact, we can end in the paradoxical situation where Denmark will one day sit in New York and ask the EU to carry out crisis management tasks for the UN. But when the next day we sit in the Council of Ministers in Brussels, we may have to abstain from heeding the call of the UN, which we have actively participated in getting through the Security Council....The opt out prevents us from participating in a number of areas where the EU takes on the responsibility for meeting the new challenges which are also ours: To make peace and security in our neighbouring areas....<sup>20</sup>

Evaluated on the basis of the aims of the foreign policy, Denmark's membership of the Security Council may undermine the coalition power of the country both within the UN but even more so within the EU. The inconsistent Danish policy makes it very difficult, but not impossible for the Danish decision-makers to participate in 'winning coalitions'. However, the conclusion is

primarily valid for Denmark's coalition power and influence possibilities within the Union.

Yet, and this is important, it has not been possible to find indications that the inconsistent Danish policy towards the ESDP has had the negative consequences for Danish coalition power that could be expected. Denmark can still pursue an international proactive foreign policy within the EU framework as long as the EU does not integrate its civilian and its military operations more than is already the case. However, there are clear signs that the EU will launch operations that mix civilian and military instruments, as was the case in relation to the Sudan in 2005.<sup>21</sup> What remains is Danish participation in NATO-led operations like the one in Afghanistan or in American led coalitions like the one in Iraq.

Summing up, the available information points towards a conclusion that the opt out from defence has only had a limited negative effect on Denmark's ability to enter into winning coalitions in the EU as an influential party. The discussion here has been based on the assumption that deployment of armed forces can improve Denmark's influence capabilities in general. Nevertheless, the paper has not produced any strong evidence that this has actually been the case. This establishment leaves us with a problematic open end: maybe deployment of Danish military forces improves Denmark's influence capabilities as it seems to be the official political position. But, it may just as well be that deployment of Danish soldiers does not basically change Denmark's coalition power which is exactly what the theoretical framework inspired by small state theory and adaptation theory predicts.◇

<sup>1</sup> This is a much reduced version of an article to be published in *European Security*, vol. 14, no. 3, 2005 (forthcoming).

<sup>2</sup> H.H. Holm, 'Danish Foreign Policy Activism: The Rise and Decline' in B. Heurlin and H. Mouritzen (eds), *Danish Foreign Policy Yearbook 2002* (Copenhagen: DUPI 2002), pp. 22-23; N. Petersen, *Europæiske og Globalt Engagement. 1973-2003* (København: Gyldendal, 2004).

<sup>3</sup> S. Rynning, 'Denmark as a strategic actor? Danish Security Policy after 11 September', in P. Carlsen H. Mouritzen (eds.), *Danish Foreign Policy Yearbook 2003* (Copenhagen: DIIS 2003), pp. 23-46.

<sup>4</sup> H. Branner, *Det ny Europa – international politik i forandring* (Copenhagen: Columbus, 2005).

<sup>5</sup> C. Due-Nielsen and N. Petersen, 'Denmark's Foreign Policy since 1967: An Introduction', in Due-Nielsen and Petersen (eds.), *Adaptation and Activism: The Foreign Policy of Denmark 1967-1993* (Copenhagen: DUPI/DJØF, 1995), pp. 11-54; N. Petersen, 'National Strategies in the Integration Dilemma: The Promises of Adaptation Theory', in H. Branner and M. Kelstrup (eds.), *Denmark's Policy towards Europe after 1945: History, Theory and Options* (Odense: Odense

University Press, 2000), pp. 72-99.

<sup>6</sup> Petersen, (2000), p. 79.

<sup>7</sup> DUPI, *Udviklingen i EU siden 1992 på de områder, der er omfattet af de danske forbehold* (Copenhagen: DUPI, 2000), p. 226; Petersen (2004), op.cit., p. 506 ff.

<sup>8</sup> Petersen (2004), op.cit., p. 509, 511 ff.

<sup>9</sup> DUPI (2000), op.cit., p. 230; Petersen (2004), op.cit., p. 514 ff.

<sup>10</sup> DUPI (2000), op.cit., p. 232.

<sup>11</sup> Petersen (2004), op.cit., p. 235.

<sup>12</sup> DUPI (2000), op.cit. p. 24, [www.wu-oplysningen.dk](http://www.wu-oplysningen.dk).

<sup>13</sup> Confidential interview, Copenhagen August 2005.

<sup>14</sup> C. Gegout, 'Causes and Consequences of the EU's Military Intervention in the Democratic Republic of Congo: A Realist Explanation', *European Foreign Affairs Review*, vol. 10, 2005, pp. 427-43.

<sup>15</sup> Udenrigsministeriet, Notat, ESDPs udvikling med særlig henblik på oprettelsen af den civil-militære celle. J.nr.: SP,500.K.1-1, 13. juni 2005

<sup>16</sup> Petersen (2004), op.cit., p. 461.

<sup>17</sup> Udenrigsministeriet, 2005, op.cit.

<sup>18</sup> P.S. Møller, 'Udenrigsministerens besvarelse af folketingsforespørgsel om dansk FN politik (FT 55)', 27. april 2004a ([www.um.dk](http://www.um.dk)).

<sup>19</sup> MoFA, Ministry of Foreign Affairs, Africa in the 21st Century. An analytical overview, Copenhagen 2004.

<sup>20</sup> P.S. Møller, 'Tale ved DIIS-seminar i Eigtveds Pakhus', 16. september 2004b ([www.um.dk](http://www.um.dk)).

<sup>21</sup> Udenrigsministeriet, 2005, op.cit.



## The New Member States and EU Foreign Policy Making

Geoffrey Edwards, University of Cambridge, UK

There has been increasing and deserved attention paid to the process of Europeanisation, its definition as well as its possible impact on member states and the EU itself. The 2004 enlargement to include eight new Central and Eastern European countries (CEECs) offers a whole new series of questions. This short article does not profess to provide many answers but seeks to illustrate some of the trends that are already discernable in the way the new member states approach the EU's foreign, security, and defence policies.

During the accession negotiations, there were few major problems on the CFSP chapter, which was duly closed early and easily. That is not to say that expectations of the new member states were identical; Donald Rumsfeld in seeking to make a distinction between 'old' and 'new' Europe over the invasion of Iraq in 2003 highlighted the Atlanticism of the new CEECs – five of whom were formally about to become members of NATO (in March 2003), and three of whom had become members in 1999. Whatever the justification for Rumsfeld's remarks ('old' Europe, after all, seemed to encompass only France and Germany), Iraq certainly re-emphasised the transatlantic commitment of the new members - which was undoubtedly given an extra fillip with the shock exposure to Chirac's diplomacy over the letter of the so-called Vilnius 10.<sup>1</sup> But that Atlanticism was also reinforced by continued CEEC suspicions of the seeming accommodation of Russia by especially Germany, France and Italy. The Baltic states, for example, had been particularly alarmed by Western European attitudes to further NATO enlargement which seemed to suggest greater concern for Russian sensibilities than a Baltic sense of security. Clearly most of the CEECs have remained considerably more preoccupied with territorial defence and regional security than with global challenges and the security risks and threats as outlined in the European Security Strategy.

There was therefore a growing concern that, alongside everything else, decision-making in foreign and security policy would be subject to greater diversity of interests and become more difficult. What, after little more than a year, has

been the outcome? Has there been a significant degree of adaptation by the CEECs? The lengthy accession process inevitably indicated the paths along which policy could converge, and created pressures to adapt foreign policy processes and procedures to European decision-making. Key, in terms of their willingness to adapt, has been the extent to which the EU offers the opportunity successfully to 'upload' CEECs' concerns to the European level and how they might most effectively go about it.

As far as decision-making is concerned, the Council, even if generally less club-like (a trend noted by others after the last enlargement<sup>2</sup>), is more efficient - at least as reported in *European Voice*:

... because we are forced to be more business-like... Before ministers could afford to make longer speeches, side-remarks, jokes, because they were not under enormous time pressure. Now they know from the outset that they should only speak when they have to.<sup>3</sup>

Such changes have been helped by the fact that most of the new member ambassadors are younger and/or more focused than at least some of their peers. At the same time, though, there has been a greater sense of unpredictability in their behaviour in that there have also been greater uncertainties about the positions being adopted in national capitals, especially in response to electoral or prospective electoral change. Nonetheless, there have been changes in the reorganisation of Ministries of Foreign Affairs to meet the pattern of policy-making in the Council and to cover all issues on the CFSP agenda,<sup>4</sup> even if it has sometimes been patchy.<sup>5</sup>

In terms of negotiation strategies and tactics, the Poles, as the largest of the new members, have tended to take a different tack from the others, reflecting their sense of their own regional role. This was clearly outlined by their Foreign Minister, Adam Daniel Rotfeld, in his report to the Polish Parliament in January 2005, in terms of different areas of contact. Top of the list were bilateral relationships with the EU's Big 3 – the 'strategic partners'. Poland, as part of the Weimar group with Germany and France, has placed significant value on the relationship even if it does not seem to get much from it (as when, for example, the French and Germans pursued their own line with the Russians in Kaliningrad, or when, at Chirac's invitation, the French, Germans and Russians held a summit in March 2005 with the Spanish in

attendance rather than the Poles and discussed issues such as Ukraine and Kosovo as well as Iraq and the US). The third strategic relationship has been with UK, with whom, the foreign minister declared, 'we share the same appreciation of the significance of Transatlantic relations'. The second area is the regional one that includes relations with the other Visegrad countries, Hungary, the Czech Republic and Slovakia. The third area includes relations with other member states depending on the specific topic.<sup>6</sup>

Unsurprisingly, the other CEECs have sought different routes. For the other Visegrad countries, the emphasis has been particularly on Visegrad links themselves (Hungary, in taking over the chairmanship of the group in July 2005 has had particularly ambitious plans for cooperation). Other plans have included efforts since 2001 to extend the group to Austria (largely an Austrian initiative) and Slovenia, within the framework of a Regional Partnership – a grouping that inevitably has had a particular interest in the Western Balkans.<sup>7</sup> For their part, among the Baltic states, the Lithuanian 'Party Consensus' on foreign policy in 2004 had a different list of priorities: an emphasis on regional groupings especially, of course, among the three Baltic states themselves; improving the strategic partnership with Poland; and new formats of regional cooperation especially with the Scandinavians – but all these after the priorities of strengthening the Atlantic relationship and relations with the EU.<sup>8</sup>

In terms of the substance of foreign policy, there have inevitably been differences of emphasis – the interests of the Baltic states in the Western Balkans are not the same as those of the Hungarians, the interests of the Czechs and Slovenes not the same in relation to Belarus, Moldova or Russia, while the interest of most of the CEECs in the Mediterranean has been largely through its inclusion in the Neighbourhood Policy. As one Polish journalist noted:

The Mediterranean, seen from most of the European Union's new member states is a distant sea...It is a struggle to get our domestic politicians to take an interest in salient EU related issues let alone something they consider to be esoteric as a policy aimed at creating 'a region of peace, stability and prosperity' in the Mediterranean...<sup>9</sup>

On the Neighbourhood Policy, on the other hand, many of the CEECs have sought to exercise especially strong influence in extending the policy to the Caucasus. Indeed, they have been keen to

keep open the possibility of membership to Georgia et al – according to the Lithuanian Foreign Minister in February 2005:

Lithuania ... was one of the most vigorous supporters of the extension of the European Neighbourhood Policy to South Caucuses, [and] considers this EU decision as completing the geographical boundaries of the EU strategic interests in Eastern Europe...<sup>10</sup>

But key in terms of approaches to the EU have been the interconnected issues of relations with Russia and the United States. Most of the CEECs have been strongly Atlanticist because of history and geography. NATO meant real military capabilities under US leadership rather than promises for the future. As Rafal Trzaskowski and Olaf Osica put it:

Neither CFSP nor CESDP has ever enjoyed the respect of Polish public opinion or the political elite...The source of EU impotence was seen in the intra-European competition among main members who tended to set their own national interests over Community ones (for example, policy towards Russia) or attempted to hijack EU foreign policy for the sake of their own policies (for example Iraq).<sup>11</sup>

Indeed, as one sympathetic commentator also suggested, Paris, Berlin, London, Rome all seemed to have been 'vying to offer Russia favours'<sup>12</sup> – most obviously Mr Berlusconi who was reported as rushing to defend President Putin against 'media distortion' after the EU-Russian Summit of November 2003.<sup>13</sup> Nor did it help when Chancellor Schroeder questioned whether NATO was any longer the primary forum for the discussion of security and strategy without coming up with a better alternative. It simply reinforced the sense of vulnerability of many CEECs and their growing suspicion of a more assertive Germany, forgetful, as some have suggested (not least the Poles, resentful of the resurgence of German claims for property restitution) of its past.<sup>14</sup>

And yet there have been a number of factors working towards a more positive view of CFSP and the Union. There had been some alarm, for example, that NATO had not been considered the preferred vehicle for US post 9/11 policies, that, according to Rumsfeld, the thought of using NATO hadn't even crossed his mind.<sup>15</sup> The CEECs had, of course, responded to the Bush Administration's call for a coalition of the willing

in relation to Afghanistan and Iraq, despite increasing public disquiet. But US efforts to emphasise and exploit the divisions between old and new Europe were not much appreciated either. On the part of the Czechs, for example:

there was no joy over the US attempted strategy to split 'new' and 'old' Europe. The US left behind the feeling of mismanaging its Central European allies even more with its biased policy of awarding contracts for reconstruction of Iraq. The Czech public was from the beginning close to the general European mood and shared its very sceptical views of US military action.<sup>16</sup>

Or as the Poles put it in their own inimitable way, reflecting the strong Polish presence in the US - and its lobbying capacity in Poland:

We in Poland are aware that our close - even privileged - relations with the United States are not an alternative to our engagement in European integration. We ask ourselves this question: how can we take advantage of our particularly close relations with the United States to improve the Atlantic relations overall? Our commitment to improving the Transatlantic relations will not be credible unless it is coupled with an equally strong commitment to the development of European cooperation.<sup>17</sup>

That commitment to European cooperation has been reinforced by American proposals for the transformation of NATO, from being very clearly a defence organisation to something more involved in global security. For those still preoccupied with their territorial integrity, it was more than somewhat alarming:

Joining NATO in Polish eyes meant that when the Russians appeared on the country's eastern frontier at Białystok, the armoured might of the western alliance would stop them in their tracks. Instead 'new' and 'old' NATO members are being told to prepare for 'out-of-area' operations.<sup>18</sup>

This move away from core defence concerns has contributed to a greater appreciation of the potential of ESDP, even if as very much a second best, and for its preventive role. There has been significant interest, for example, in the battle group proposals put forward by Blair and Chirac in November 2003 with the Czechs joining the Austrians and Germans in one group, and among

the three promised in 2007, there is one comprising Italy, Hungary, and Slovenia, while among four promised in 2008, Sweden, Finland, Estonia and Norway will cooperate. There has also been greater interest in developing especially the civilian side of ESDP, the Lithuanian Foreign Minister calling for:

deeper EU involvement through the usage of available ESDP instruments. The role of the EU Rule of Law Mission, which has been launched in Georgia last summer under the Lithuanian initiative, could serve as a successful example of the benefits that EU could provide for the region...<sup>19</sup>

But most important, the Orange Revolution in Ukraine was a turning point, leading many CEECs to take the CFSP and the High Representative seriously. The mediatory role between Yanukovych, Kuchma and Yushchenko in late November and early December undertaken by Javier Solana, together with the Polish President, Alexander Kwasniewski, and the Lithuanian President, Valdas Adamkus, was seen by many as critical to the peaceful outcome to the Orange revolution.<sup>20</sup> The support given by the European Parliament and the Commission was also noted.<sup>21</sup>

The EU and older member states continue to make such a shift in opinion difficult. There is no 'Eastern dimension' to match even the limited 'Northern dimension' in security or other terms. The lack of coherence and continuity in relations with Putin's Russia continues. The vagaries and inconsistencies of the Neighbourhood Policy and relations with Ukraine still have to be sorted out. There remain suspicions of real or imagined directoire. And the US, even though the moves since Bush's re-election towards resolving Euro-American differences have been welcome, is not a neutral player. And yet, the CEECs are clearly prepared to be active in the EU framework; their preoccupations are therefore important, whether continuing the improvement in relations with the US, establishing an Eastern dimension that deals with Russia and which keeps open the possibilities of enlargement, especially to the Balkans, and to Ukraine (with Belarus and Moldova when possible) and even to the Caucasus, even if there is less enthusiasm for Turkey. On some of these issues, they will find ready allies elsewhere in Europe; on others they will discover the almost infinite opportunities for inconsistency and continued bilateralism. Yet it is clear that a process of socialization of officials is proceeding apace in terms of strategies and tactics which may begin to counter the weight of history and geography that still bears particularly and not surprisingly

strongly on their political leaders.◇

<sup>1</sup> See BBC News, 19 February 2003, for reactions to Chirac's warning that the EU's decision on membership had not yet been taken and that the Vilnius 10 (Albania, Bulgaria, Croatia, Estonia, Latvia, Lithuania, Macedonia, Romania, Slovakia and Slovenia [the Czech Republic, Hungary and Poland had declared their support earlier]) 'had missed an opportunity to keep quiet' <http://news.bbc.co.uk/go/pr/fr/-/2/hi/europe/2775579.stm>

<sup>2</sup> See, for example, the comments of some of the British Permanent Representatives in Anand Menon (ed), *Britain and European Integration: Views from Within*, Blackwell Publishing/The Political Quarterly, 2004.

<sup>3</sup> *European Voice*, 28 April 2005

<sup>4</sup> See, for example, the FORNET CFSP Watch Annual Reports.

<sup>5</sup> Jan Trzuszczński, Deputy Minister of Foreign Affairs reported (Institute for Strategic Studies and Office of the Committee of European Integration Conference, 20 December 2004) that parts of the Ministry of Foreign Affairs dealing with security policy were working well and were comparable with counterparts elsewhere in EU, '(b)ut, unfortunately, other parts of the MFA are still sleeping mentally. Poland must not only look towards the USA, it must also take active part in the EU otherwise Poland will be marginalized...'. <http://iss.krakow.pl/IMG/ksiazki/facts&myths.pdf> (accessed 18 October 2005).

<sup>6</sup> Foreign Minister Adam Daniel Rotfeld to the Polish Parliament, January 2005:

<http://www.msz.gov.pl/start.php?page=1020204001&page=1020204001&PHPSESSI> (accessed 18 October 2004).

<sup>7</sup> An interest that can be seen in the October 2005 meeting of the foreign ministers of the Partnership with the foreign ministers of the countries of the Western Balkans.

<sup>8</sup> [http://www.urm.lt/data/2/EF92017755\\_Enpolpartiesagreem entOct2004.htm](http://www.urm.lt/data/2/EF92017755_Enpolpartiesagreem entOct2004.htm)

<sup>9</sup> Krzysztof Bobinski 'European enlargement and the Barcelona process' in Andreas Jacobs (ed) *Euro-Mediterranean cooperation: enlarging and widening the perspective* Zentrum für Europäische Integrationforschung Discussion Paper C131, 2004

<sup>10</sup> Antanas Valionis, 8 February 2005

<http://www.urm.lt/index.php?2009173636>

<sup>11</sup> CFSP Watch 2004,

<http://www.fornet.info/CFSPwatchannualreports2004.html>

<sup>12</sup> Heather Grabbe in the Batory Foundation's *New Geopolitics of Central and Eastern Europe: between European Union and United States*, Warsaw, 2005, p. 91.

<sup>13</sup> see BBC News: <http://news.bbc.co.uk/go/pr/fr/-/2/hi/europe/3248995.stm> (accessed 19 October 2005).

<sup>14</sup> Schroeder 2 December 2004

[http://www.securityconference.de/konferenzen/rede.php?menu\\_2005=&menu\\_konferenzen=&sprache=en&id=143&](http://www.securityconference.de/konferenzen/rede.php?menu_2005=&menu_konferenzen=&sprache=en&id=143&)

<sup>15</sup> As reported by Robert Cooper in the Batory Foundation's *New Geopolitics of Central and Eastern Europe: between European Union and United States*, Warsaw, 2005, p. 112.

<sup>16</sup> CFSP Watch 2004.

<sup>17</sup> Adam Daniel Rotfeld see note 6. See also Marcin Zaborowski 'From America's protégé to constructive European: Polish security policy in the twenty-first century', Occasional Paper No 56 December 2004, Paris: EU Institute for Security Studies.

<sup>18</sup> Krzysztof Bobinski 'European enlargement and the Barcelona process' in Andreas Jacobs (ed) *Euro-Mediterranean cooperation: enlarging and widening the perspective*, Zentrum für Europäische Integrationforschung Discussion Paper C131 2004

<sup>19</sup> <http://www.urm.lt/index.php?209134013> accessed 19<sup>th</sup> October 2005

<sup>20</sup> Eberhard Schmeifer/Christoph Saurenbach 'Kiev's EU ambitions' SWP Comments 14 April 2005

<sup>21</sup> Rafal Trzaskowski and Olaf Osica, CFSP Watch 2004.

## A Comparative Approach to the EU's 'Great Split' in the Iraq Crisis

**Bernhard Stahl, Prota Mateja Nenadovic College of Economics, Valjevo, Serbia**

In the Iraq crisis between summer 2002 and summer 2003, analysts as well as the national publics were shocked when the 'ever closer Union' could not agree at all on a common position on a vital foreign policy issue. The evident split of the EU raised serious doubts as to whether the CFSP was anything more than a 'sunshine policy'. It is not public statements which lack definite obligations but the respective national identities – thus the line of argumentation here – which frame the potential of foreign policy change and thus make foreign policy convergence possible. And this takes some time since national identities tend to be sluggish.

A comparative approach to EU member states' foreign policies is a neglected but nevertheless important dimension of CFSP.<sup>1</sup> Regarding the future prospects of the CFSP, consistency of national foreign policy positions is a necessary (but, of course, not a sufficient) pre-condition for EU actorness. The states selected here have all been EU members since the inauguration of CFSP and are important players in the Iraq case (including small member states with a notable out-of-area engagement): Denmark, France, Germany, Greece, Italy, the Netherlands, Spain, and the United Kingdom (UK).

In the following, a traditional behavioural analysis is complemented by a sketchy national identity approach which simply focuses on the question of whether the respective state behaviour was domestically contested.<sup>2</sup> In a democratic society, it can be assumed that all decisions generally accord with national identity because they must be legitimised vis-à-vis the population and thus accord with its interpretation of its self-image. Therefore, it can be held that in democracies, foreign policy decision-makers do not normally exceed the range of behavioural options covered by the referential framework of national identity. When a government nevertheless does so, it runs the risk of contestation, meaning that the decision is likely to be challenged in public discourse. A vivid domestic contestation of foreign policy in regard of a particular issue can thus be interpreted as an indicator of a possible policy change in the future.



## The great split and the member states

When some observational criteria are used, the great split becomes extremely evident. Regarding political support for the US, the early positioners, the UK and Germany, marked the spectrum. While Germany ruled out any support even in case of a UN mandate, the UK's promotion of a tough stance vis-à-vis Saddam was widely shared by Denmark, Spain and Italy which all signed the famous 'letter of the eight' on 30 January 2003. Though the Dutch government did not sign it, it basically shared the US position.<sup>3</sup> The Greek government's attempt to act as an honest broker in the presidency role remained without success. This became obvious at the Union's extraordinary 'war summit' on 17 February. Substantially, Greece joined France and Germany in their scepticism.<sup>4</sup> Together with Russia, Germany and France even launched counter-proposals in order to obstruct the US, British and Spanish attempts to draft a second Security Council resolution.

The political support of the Atlanticist fraction in the EU for the war hardly translated into active participation in the military operations. Only the UK provided full-scale support for the US-led war campaign. Denmark followed and officially declared war on Iraq – a move unprecedented since the war against Prussia in 1864. It submitted its troops to US command and deployed a submarine, a destroyer and 160 troops to join the 'coalition of the willing'. In contrast, Italian Foreign Minister Frattini declared that Italy was not a nation at war and sent neither material nor troops but allowed the US to use bases and granted over-fly rights – a position which was shared by The Hague.<sup>5</sup> Aznar did not live up to his pre-war rhetoric when he decided that Spain would only deploy three ships and 900 troops for medical support and anti-mine capabilities in a 'humanitarian mission'.<sup>6</sup> Greece, France, and Germany rejected any participation in military operations. In February 2003, Germany, together with Belgium and France, even blocked a decision in the NATO Council regarding defensive missiles for Turkey for which led to a severe crisis in the Alliance.<sup>7</sup>

Support grew again when the immediate military operations ceased and the contribution of occupation troops was at stake. Now the Netherlands (1300 troops), Italy (3000), Spain (2000), and Denmark (510) all contributed significantly to the reconstruction efforts. But when violence increased in Iraq and the occupation policy ran more and more into disaster, the tide turned again. After one Dutch soldier died in combat, Prime Minister Balkenende

decided to withdraw the troops after the mandate's expiration in March 2005. Several hostage affairs put the Italian decision under constant domestic pressure - in particular when security agent Calipari was shot by US friendly fire after having managed to release the journalist Giulia Sgreba from an Iraqi terrorist group. Berlusconi surprisingly floated an Italian troop withdrawal but re-considered the decision the next day.<sup>8</sup> The Danish government objected to any US suggestions to extend the mission but remained determined even when one Danish soldier was killed.<sup>9</sup> After the Partido Popular surprisingly lost the general elections on 14 March 2004 in Spain, the newly elected government decided to immediately withdraw its troops from Iraq.<sup>10</sup> France, Greece and Germany rejected any direct participation in the occupation of Iraq. Instead, they preferred a contribution to the EU's, NATO's and the UN's assistance for the reconstruction of the country. While Germany trained Iraqi personnel outside Iraqi territory, France pushed for a UN Resolution providing the world organisation with a central role in the country's reconstruction.<sup>11</sup>

## Contestation and the likelihood of change

This short analysis reveals that the behaviour of the member states largely differs with a view to all observation criteria. But how substantial are these differences? The most visible contestations took place in Spain and the UK but also in Italy. In Spain and Italy, this led to a benign attitude with a view to military engagement, in Spain even to a government change and a 'correction' of its foreign policy under Zapatero.<sup>12</sup> The Blair government withstood massive domestic contestation characterised by extensive media coverage on the reasons for war, the 'Kelly affair', the resignation of ministers and civil servants, and the heavy losses of the Labour Party in the 2005 elections. It hardly survived its 'argumentative self-entanglement' and went on with a substantial loss of credibility.

The other five countries' foreign policy behaviour was hardly contested. In Greece, Simitis and Papandreou were 'walking a tightrope' between the role of a EU moderator and the country's traditional anti-war position.<sup>13</sup> In the Netherlands – which was mainly absorbed by domestic problems – the negotiating parties for government could not agree on a consistent Iraq policy. The (acting) Balkenende government refrained from taking a prominent stance on the issue, and this ambivalent stance was not contested. For instance, 'Iraq' was a rather marginal issue in the election campaign in January 2003.<sup>14</sup> In Denmark,

the desire to avoid any clear positioning in 2002 illustrates that Danish loyalty was divided between the UN and the US.<sup>15</sup> The slight signs of contestation – the end of the foreign policy consensus in the Folketing and the public's reserved attitude with a view to Iraq – did not jeopardise Rasmussen's victory in the 2004 elections and thus must be interpreted as a kind of permissive consensus about his Iraq policy.

In the Iraq crisis, the obstructive behaviour of Germany and France was most surprising. Their respective behaviour could by no means have been anticipated on the basis of their previous behaviour. It was the first time since the Suez debacle that France let the US down in a serious security crisis. Bearing this record in mind, there was a widespread bet that France would bow in on Iraq when push came to shove.<sup>16</sup> When Chirac justified his decision to use France's veto in case of a second draft Security Council resolution, the French élite and the population widely shared his argumentation. In the National Assembly, it even turned out to be difficult to generate any debate, and President Chirac harvested applause from all political sides, including the leader of the socialist party Hollande, right-wing Le Pen, and communist leader Buffet.<sup>17</sup> In terms of French identity, France acted as a Great Power against a unilateral US, on behalf of the majority of the Europeans and in the tradition of civilisation and international law represented by the UN. The French foreign policy change might be called extreme in comparative perspective, yet it was consensual and thus an expression of France's national identity.

The second miracle applies to Germany's dogmatic obstructor position. The fact that Germany isolated itself, blocked NATO, irritated its EU partners and – not least – sacrificed its good relations with the US is remarkable. Schröder's decision to object to any participation in the war put an end to the former (cross-party) discursive hegemony which had remained intact from the Kosovo war to the war against terrorism (but in fact had excluded the SPD's and the Green's pacifist wings). For a more prudent stance concerning Iraq, it would have been impossible to unite the Left and the government would thus have had to rely on the opposition's constructive behaviour.<sup>18</sup> Facing this situation, Schröder and Fischer opted for an unconditional anti-war stance re-uniting the Left while even splitting the opposition. The remaining fractions of the Atlanticists (Merkel) and 'Europeans'/'-multilaterals (Schäuble, Gerhardt), who all lamented the international isolation of Germany,

found themselves marginalised in the discourse since the population was highly satisfied with the government's course.<sup>19</sup> After having carried the day in the national election campaign, Germany's international isolation became more and more obvious. Yet the government was lucky: the French turn in January and the mass protests all over Europe on 15 February ended German isolation, and the ex post dismantlement of US justifications for the war played for the German government. No contestation occurred, the new discursive hegemony turned out to be stable, and the space of manoeuvre for German foreign policy was thus extended once more – unilateral action in major international crises had become a viable option.

## Conclusion

As the descriptive analysis revealed, the great split was more than evident. Yet an optimist might argue that the Iraq case was largely exceptional and that the behaviour of member states is thus not likely to repeat itself. But a quick view on possible contestations of foreign policy behaviour has cast some doubts on the likelihood of convergence and thus further consistency of the CFSP. The Atlanticist position is stable only for Denmark and – with some attenuation – for the UK. Greece's and the Netherlands' attitudes were uncontested and their (different) positions are thus likely to be stable. Spain's policy was re-aligned by the new government, Italy will most probably follow in case of a government change. The likely stability of France's and Germany's behaviour seems more alarming since this would mean less convergence but rather more divergence. In the Iraq crisis, the EU looked less consistent than ever. What has been analysed for the war against terror – that already existing differences between the member states tended to sharpen<sup>20</sup> – found its culmination point in the Iraq crisis. Not only have the big member states taken the most radical positions, but the lack of co-operation also applies more to the bigger member states than to the small. The outspoken non-interest of the Blair, Chirac and Schröder governments in their smaller partners, the Presidency, Solana, and the European Commission sheds some gloomy light on the perspectives of future foreign policy convergence. Indeed, 'the fiasco was an accident waiting to happen'.<sup>21</sup>◇

<sup>1</sup> Brian White, 'Foreign policy analysis and European foreign policy', in Ben Tonra and Thomas Christiansen (eds.), *Rethinking European Union Foreign Policy* (Manchester: Manchester University Press, 2004), pp. 55, 60.

<sup>2</sup> For an in-depth analysis see my research paper 'Understanding the 'Great Split' in the Iraq crisis: a comparative approach of the member states' foreign policy', paper prepared for presentation at the UACES conference in Zagreb, 5-7

September 2005, [http://www.politik.uni-trier.de/forschung/pafe\\_pubs.php](http://www.politik.uni-trier.de/forschung/pafe_pubs.php). For the underlying theoretical and empirical work, see also Britta Joerissen and Bernhard Stahl (eds.), *Europäische Außenpolitik und nationale Identität – Vergleichende Diskurs- and Verhaltensstudien zu Dänemark, Deutschland, Frankreich, Griechenland, Italien and den Niederlanden* (Münster: LIT, 2003).

<sup>3</sup> See [government.nl](http://government.nl), 12 February 2003.

<sup>4</sup> *AthensNews*, 4 October 2002.

<sup>5</sup> [www.iraqwatch.org](http://www.iraqwatch.org), 29 March 2003.

<sup>6</sup> *El Mundo*, 19 March 2003.

<sup>7</sup> *Financial Times Deutschland*, 11 February 2003.

<sup>8</sup> *EUobserver.com*, 16 March 2005.

<sup>9</sup> *Reuters*, 1 October 2005.

<sup>10</sup> *FAZ*, 16 March 2004.

<sup>11</sup> *Handelsblatt*, 21 July 2003.

<sup>12</sup> Admittedly, the change in government cannot entirely be attributed to the Iraq issue since the government's information policy on the Madrid bombing was the crucial factor for the election's outcome. Yet the analysis of the voters' motives clearly revealed that the war issue was one of the counting topics, in particular regarding first-time voters. Raj S. Chari, 'The 2004 Spanish election: Terrorism as a catalyst for change?', *West European Politics*, vol. 27, no.5, November 2004, p. 961.

<sup>13</sup> *AthensNews*, 4 October 2002.

<sup>14</sup> See Japp J.M. Van Holsteyn and G. A. Irwin, 'The Dutch Parliamentary Elections of 2003', *West European Politics*, vol. 27, no. 1, January 2004, pp. 157-164.

<sup>15</sup> Following Nikolaj Petersen's argument, cf. *Copenhagen Post*, 6 March 2003.

<sup>16</sup> *The Economist*, 1 February 2003.

<sup>17</sup> *The Economist*, 15 March 2003. Only the Atlanticist wing within the Gaullist UMP raised doubts as to whether the price to pay for France's obstructive stance would be too high considering the looming degeneration of Franco-American relations (*FAZ*, 1 March 2003, *Frankfurter Rundschau*, 28 February 2003). Moreover, some nouveaux philosophes deplored the lack of humanitarian considerations in the French position (*Le Monde*, 20 March 2003).

<sup>18</sup> Sebastian Harnisch, 'Deutsche Sicherheitspolitik auf dem Prüfstand: Die Nonproliferationspolitik gegenüber dem Irak', in S. Harnisch, C. Katsioulis, M. Overhaus (eds), *Deutsche Sicherheitspolitik. Eine Bilanz der Regierung Schröder* (Baden-Baden: Nomos, 2004), p. 174.

<sup>19</sup> Sabine Collmer, 'All politics is local: Deutsche Sicherheits- and Verteidigungspolitik im Spiegel der öffentlichen Meinung', in Harnisch, Katsioulis, Overhaus, (eds), *Deutsche Sicherheitspolitik*, p. 212.

<sup>20</sup> Christopher Hill, 'Renationalizing or Regrouping? EU Foreign Policy Since 11 September 2001', *Journal of Common Market Studies*, vol. 42, no. 1, 2003, p. 161.

<sup>21</sup> Fraser Cameron, 'After Iraq – Can there really be a future for CFSP?', *European Policy Centre – Repairing the damage: European disunity and global crisis*, Issue 9 2003, [www.theeppp.be/en/print\\_thipp.asp?page=CE/EN/direct&AI=280&1=&11=&t=](http://www.theeppp.be/en/print_thipp.asp?page=CE/EN/direct&AI=280&1=&11=&t=) [17 February 2005], p. 1.

## Cyprus and EU-Turkey Relations

Çiğdem Nas, Marmara University European Community Institute, Istanbul, Turkey

### The Cyprus question and EU involvement

The prospect of EU membership served as a very important catalyst challenging the status-quo in Cyprus. The parties, the Greek Cypriot community widely recognized as the sole representative of the Republic of Cyprus and the Turkish Cypriot community as the Turkish Republic of Northern Cyprus,<sup>1</sup> were closer than ever to a just and sustainable resolution of the question during the years between the opening of accession negotiations and eventual membership. 'The Comprehensive Settlement of the Cyprus Problem', the Annan plan for short, provided the framework for an end to the division of the island. However, that valuable and exceptional opportunity could not be utilised. The prospect of EU membership for the whole island provided an external leverage that triggered an essential policy shift in the north of the island. A majority of Turkish Cypriots supported change and inclusion into the EU as a constituent part of a bi-zonal bi-communal federation based on a just and equitable settlement of the problem. The final version of the Annan Plan was submitted to simultaneous and separate referenda in the north and south of the island, producing two contrasting outcomes: 64.90% of the Turkish Cypriots accepted the plan while the plan was rejected by 75.83% of the Greek Cypriot voters. Turkish Cypriots expressed their overwhelming support for uniting the island under UN terms and continued to support a solution to the problem even after the negative vote in the south. The pro-settlement, pro-EU Mehmet Ali Talat was elected as the president of the TRNC in April 2005 replacing Rauf Denктаş who was known for his hard-line policies. The pro-settlement Republican Turkish Party holds 24 of the 50 seats in the National Assembly.

Years of isolation by the international community, the ambiguity and unpredictability caused by the status quo on the island coupled with the promise of EU membership and the hope of acceding within a unitary state were important factors that stimulated a change in attitude and policy shift in the north of the island. The EU actively provided support to creating an EU awareness among Turkish Cypriots by emphasising the benefits that would accrue from a settlement of the problem, as may be observed in a financial assistance

package proposed by the European Commission for 2003: 12 million Euros for 2003 including aid for bringing the Turkish Cypriot community closer to the EU such as information seminars on the *acquis communautaire* and support to civil society and social partners.<sup>2</sup> Thus in addition to the promise of EU membership and the potential for change that this promise entailed, the EU actively advocated internal reform in the TRNC and supported the agents of change. The government in Turkey that was formed by the Justice and Development Party (Adalet ve Kalkınma Partisi- AKP) after the November 2002 elections provided a radical change in Turkey's approach to the issue. Prime Minister Erdoğan supported Mehmet Ali Talat and the Annan plan. The traditional foreign policy actors in Turkey, the Ministry of Foreign Affairs, the National Security Council in addition to the government also adapted to this shift and supported the Annan plan. No doubt the prospect of EU membership played an important role in triggering such a change in addition to several other factors such as the AKP's character as a new and non-systemic party, its majority in the National Assembly, and the favourable aspects of the plan itself.

The EU linked the resolution of the Cyprus problem with progress in Turkey-EU relations and Turkey's prospects for membership. In the Helsinki European Council conclusions of December 1999, the EU proclaimed Turkey as a candidate country. Paragraph 9 of the conclusions concerning the Cyprus issue stipulates that the European Council supports UN efforts regarding a solution of the problem and adds that '...a political settlement will facilitate the accession of Cyprus to the European Union. If no settlement has been reached by the completion of accession negotiations, the Council's decision on accession will be made without the above being a precondition.' In addition to recognizing the Government of Cyprus as the sole interlocutor in the conduct of negotiations, the EU also accepted in principle the accession of the island in the absence of a comprehensive solution. While the EU put pressure on Turkey to support UN efforts for a solution of the Cyprus problem and linked this issue with further progress in Turkey's relations with the EU, it did not impose such a condition on the Republic of Cyprus. The Greek Cypriots knew that they could still become members of the EU even if the UN efforts at ending the division of the island could not be brought to a successful conclusion. Thus the Greek Cypriot community did not have the same incentives and

willingness to work towards a settlement of the issue.

The negative result in the South was already apparent in opinion polls conducted in the run-up to the referendum. The Greek Cypriot leader Tassos Papadopoulos and AKEL (Progressive Party of Working People) publicly renounced the plan as imposing unfair conditions on the Greek Cypriots and called for a negative vote in the referendum. Papadopoulos made a public address on 7 April 2004 calling on the Greek Cypriots to reject the plan. He reminded the people that Cyprus would become an EU member even if the population in the south rejected the plan. He further asserted that the Annan plan was not the final initiative and added that it would be even better for the Greek Cypriots if Cyprus became an EU member without a settlement since Cyprus as a member state representing only the Greek Cypriots would be in a more powerful status and exert pressure on Turkey during the accession process:

What will be the consequences if the people vote no at the referendum? If the sovereign people with their vote reject the Plan, within a week the Republic of Cyprus will become a full and equal EU member. We will achieve a strategic goal that we have jointly set to upgrade and politically armor the Republic of Cyprus...The view that this will be the last initiative for a Cyprus solution constitutes dogmatism and indicates ignorance of the rule of international policy...On the contrary, I am saying that the pressure for a solution will be bigger...Turkey's accession course will also continue, thus Ankara will be under continuous evaluation for the adoption and implementation of the *acquis communautaire*, and Cyprus will be one of the evaluators.<sup>3</sup>

The negative vote in the south sealed the fate of the plan for the moment and closed the EU door for Turkish Cypriots. Thus an anomaly occurred whereby the party that supported a solution of the problem in accordance with UN proposals was excluded from the EU whereas the party that voted against settlement and thereby acted in contravention of UN proposals was not barred from the 'EU club'. As emphasised by the EU many times one of the criteria for membership was the solution of disputes with neighbouring countries. Thus the EU induced a process of reconciliation to bring stability and security to Central and Eastern Europe prior to the accession process, the so-called 'Pact on Stability on



Europe'. The aim of the Pact was expressed as follows: '...to contribute to stability by averting tension and potential conflicts in Europe, fostering neighbourly relations and encouraging countries to consolidate their borders and to resolve problems of national minorities'.<sup>4</sup> Within this framework more than 100 bilateral agreements were concluded that resolved outstanding disputes regarding borders or minority questions.<sup>5</sup> Candidate countries were asked 'to make every effort to resolve any outstanding border disputes and other related issues' by the Helsinki European Council of 1999. However in this case the Republic of Cyprus became a member of the EU one week after the rejection of a UN plan for a comprehensive settlement of the division of the island. Thus the Republic of Cyprus as an entity representing only the Greek Cypriot community carried with itself a critical problem that constituted the topic of numerous UN resolutions. That the Greek Cypriot leadership acted in contravention of the spirit of the EU was also acknowledged. The Commissioner responsible for enlargement in the European Commission, Gunther Verheugen, made a speech in the European Parliament on 21 April 2004 reacting to the stance taken by Papadopoulos against the Annan plan. He reminded the audience that the Greek Cypriot government had earlier pledged to support a settlement on the island and stated:

What Mr. Papadopoulos said after the negotiations in Switzerland is the rejection of that notion and I must draw the conclusion from his words that the government of the Republic of Cyprus opposes the international settlement and proposes the rejection of the Plan...I am going to be very undiplomatic now. I feel cheated by the Greek Cypriot government.<sup>6</sup>

After the referenda, the approval of the plan in the north was widely appreciated as a sign of the Turkish Cypriots' will to cooperate and bring the division of the island to an end:

The Secretary General applauds the Turkish Cypriots who approved the plan notwithstanding the significant sacrifices that it entailed for many of them...he hopes that ways will be found to ease the plight in which the people find themselves through no fault of their own.<sup>7</sup>

In a letter addressed to the UN Secretary-General, Tassos Papadopoulos wrote that the

Greek Cypriots did not reject a reunification or a UN-based solution but that the negative result of the referendum was a rejection of that particular plan. However, the fact that the plan was the only one on the table, the timing was optimal meaning that both communities were very close at least closer than ever to a solution of the problem due to impending EU membership, the plan was based on a bi-zonal, bi-communal solution which was at least in theory accepted by both sides, and the plan was perceived as having some disadvantages not only by the Greek Cypriots but also by the Turkish Cypriots and thereby both had to compromise to a degree, it may be suspected that the Greek Cypriots were in fact rejecting any UN solution to the problem based on a bi-zonal, bi-communal confederation. Thus the rejection of the plan by a majority of the voters and the calls made by the leadership against the plan may be perceived as a sign that the Greek Cypriot community made a choice to become an EU member without the Turkish Cypriot community and postpone the solution to a later date most probably when the Turkish Cypriots would be in a weaker position and - to end their isolation and relative deprivation - consent to a formula diminishing their rights and representation in the unitary state of Cyprus.

All in all, this result conveyed to the world the democratic choice of Greek Cypriots and therefore cannot be contested. Still the question arises: could not the EU show the same commitment towards preparing the Greek Cypriots towards a settlement that it had shown in the case of 'actions to bring the Turkish Cypriot community closer to the EU' or to induce Turkey to support a UN-based settlement? An evaluation of EU policy towards Cyprus points out that it did not work as a conflict resolution mechanism. EU policy was not balanced since while it could employ tools of inducement on one side it did not place a similar pressure or inducement on the other thus creating a condition that fell short of a successful resolution of the division of the island. After the referenda, promises were made that pledged to end the isolation of the Turkish Cypriot community:

The European Commission deeply regrets that the Greek Cypriot community did not approve the comprehensive settlement of the Cyprus problem, but it respects the democratic decision of the people. A unique opportunity to bring about a solution to the long-lasting Cyprus issue has been missed. The European Commission would like to warmly congratulate Turkish Cypriots for their 'Yes' vote. This

signals a clear desire of the community to resolve the island's problem. The Commission is ready to consider ways of further promoting economic development of the northern part of Cyprus.<sup>8</sup>

The Turkish Cypriot community have expressed their clear desire for a future within the European Union. The Council is determined to put an end to the isolation of the Turkish Cypriot community and to facilitate the reunification of Cyprus by encouraging the economic development of the Turkish Cypriot community.<sup>9</sup>

However, these promises were not followed up by actual measures. The draft regulations laying down special conditions for trade with and financial measures to support the north could not be concluded. The door was left open, however, for an eventual integration of the north. Protocol No. 10 annexed to the Act of Accession concerned the issue of the accession of the Republic of Cyprus before a solution was reached on the island. According to the Protocol the application of the *acquis communautaire* in the north was suspended in that case. A settlement of the problem would lead to the 'accession to the EU of the Turkish Cypriot Community' only by unanimous decision of the Council of the European Union. Such a situation could have grave consequences for the Turkish Cypriots since they could be induced to integrate on terms that would be much behind the terms that existed in previous UN initiatives.

### **EU-Turkey customs union and Cyprus**

The accession of Cyprus to the EU as a divided island had a negative effect on Turkey-EU relations. Turkey now found itself in the position of entering a custom union and signing a protocol with an EU member state which it did not legally recognize. Turkey was expected to open its harbours and airports to ships and aircraft coming from southern Cyprus. On 29 July 2005, Turkey signed the protocol extending the association agreement Ankara to the 10 new EU members with a declaration. The declaration underlined that Turkey did not recognize the Republic of Cyprus since 'The Republic of Cyprus referred to in the Protocol is not the original partnership State established in 1960'. The declaration also stated that 'Turkey will thus continue to regard the Greek Cypriot authorities as exercising authority, control and jurisdiction only in the territory south of the buffer zone, as is currently the case, and as not representing the Turkish Cypriot people and

will treat the acts performed by them accordingly'; and added that this situation will continue until a comprehensive settlement of the Cyprus problem is reached. This awkward situation caused further complications as the EU adopted a counter-declaration expressing its response to Turkey's declaration. The EU, regretting that Turkey made such a declaration, underlined that the declaration was 'unilateral, does not form part of the Protocol and has no legal effect on Turkey's obligations under the Protocol'. This understanding forms a point of contention since the Turkish Ministry of Foreign Affairs in its statement regarding the Protocol and Declaration plainly stated that the Declaration 'legally constitutes an integral part of our signature and letter' of the Protocol. The EU draws attention to the importance of 'full, non-discriminatory implementation of the Additional Protocol and the removal of all obstacles to the free movement of goods, including restrictions on means of transport'. The EU then calls on Turkey to normalize its relations with 'all EU member states as soon as possible'. Thus the expectation of the EU is that Turkey should lift the restrictions of harbours and airports to Cyprus planes and ships and recognize the Republic of Cyprus as soon as possible since 'recognition of all member states is a necessary component of the accession process'. Turkey is left in a difficult position whereby it is expected to recognize a state that does not represent around 22% of the total population of the island and that does not exercise control over the territory north of the buffer zone.<sup>10</sup> Thus the de facto situation on the island and the EU's expectations do not match. It is also peculiar that no references are made in the counter-declaration to the Turkish Cypriot community that is legally recognized as one of the two parties on the island in UN sponsored talks and its situation.

### **The ESDP, Turkey and Cyprus**

Turkey as a non-EU NATO member blocked the operationalisation of the European Security and Defence Policy for a time until it lifted its reservations at the 2002 Copenhagen European Council. In the declaration annexed to the Presidency conclusions it is stated that 'the "Berlin plus" arrangements and the implementation thereof will apply only to those EU Member States which are also either NATO members or parties to the "Partnership for Peace" and which have consequently concluded bilateral security arrangements with NATO.' According to this settlement, Cyprus and Malta, two new member states that are not members of NATO, are not

allowed to participate in 'EU military operations conducted using NATO assets' and cannot receive classified EU information containing classified NATO information.

Although Cyprus' policy regarding the Partnership for Peace is not yet clear, there are signs that an interest on the part of Cyprus towards the Partnership for Peace may be imminent, as put forward by George Kentas.<sup>11</sup> According to the negotiating framework approved by the EU foreign ministers on 17 October 2005: 'In the period up to accession Turkey will be required to progressively align its policies towards third countries and its positions within international organizations (including in relation to the membership by all EU member States of those organizations and arrangements) with the policies and positions adopted by the Union and its Member States.' This provision may have an impact on the prospects of Cyprus's application for participation in the Partnership for Peace, NATO or OECD and may signal even more critical days to come since such a move on the part of Cyprus would trigger a counter-reaction on the part of Turkey. The ESDP issue would, coupled with the extension of the Ankara Agreement to the 10 new member states, effectively amount to a tacit recognition of the Republic of Cyprus by Turkey which would run counter to Turkey's foreign and security policy interests. One of the primary aims of European integration is to turn zero-sum games into positive-sum games. Thus it is hoped that the EU process will also help in reconciling the approaches of all interested parties to the Cyprus problem. What is needed is a good-willed and constructive approach on all sides, to work to achieve a comprehensive settlement of the issue by compromise and understanding and to end the isolation of the Turkish Cypriot community that is definitely the party that has suffered the most throughout this 'dialogue of the deaf'.<sup>◇</sup>

<sup>1</sup> The status of the North is a point of contention. It is 'the Turkish Republic of Northern Cyprus' according to Turkey which is the only state that recognizes the 'stateness' of the Northern Cyprus Turkish Cypriot community, the 'occupied North' according to Greek Cypriots, 'northern part of Cyprus' or 'those areas of the Republic of Cyprus in which the government of the Republic of Cyprus does not exercise effective control' for the EU (see proposal for a Council Regulation on special conditions for trade with those areas of the Republic of Cyprus in which the government of the Republic of Cyprus does not exercise effective control).

<sup>2</sup> Council Regulation (EC) no 555/2000 pre-accession support to Cyprus and Malta.

<sup>3</sup> HR Net, Cyprus News Agency, News in English, 'Address to Cypriots by President Papadopoulos', <http://www.hri.org/news/cyprus/cna/2004/04-04-08.cna.html>, retrieved on 26 October 2005

<sup>4</sup> Council Decision 93/728/CFSP concerning the joint action on the inaugural Conference on the Stability Pact, OJ L 339, 31 December 1993, point 1.4.9 of EC Bull 12/1993.

<sup>5</sup> Bulletin of the EU, 3-1995, point 1.4.4.

<sup>6</sup> HR Net, Athens News Agency, Daily News Bulletin in English, 'Former FM Says There were no Behind-the-scene Agreements with the EU on Cyprus', Brussels, 24 April 2004,

<http://www.hri.org/news/greek/ana/2004/04-04-24.ana.html>, retrieved on 26 October 2005.

<sup>7</sup> UN Secretary-General Kofi Annan's statement as read by his Special Advisor on Cyprus Mr. Alvaro de Soto, 24 April 2004, Nicosia,

<http://www.un.org/apps/news/storyAr.asp?NewsID=10512&Cr=Cyprus&Cr1=>, retrieved on 26 October 2004.

<sup>8</sup> Commission statement following the outcome of the referendum in Cyprus, IP/04/537, European Commission, Brussels, 26 April 2004.

<sup>9</sup> Council Conclusions on Cyprus. DG E I 8907/04. Council of the European Union, Brussels, 27 April 2004.

<sup>10</sup> The separate and equal right of the two communities to self-determination was acknowledged before the British Parliament in 1956 and 1958. Alan Lennox-Boyd, then British Colonial Secretary, Address before the House of Commons (19 December 1956); Harold Macmillan, then British Prime Minister, Address before the House of Commons (during the debate on the Macmillan Plan), (26 June 1958) cited in Sulen Karabacak 'Turkish Cypriots and the EU', article to be published. This line of thinking was followed in the UN efforts to solve the problem.

<sup>11</sup> George Kentas, 'Time to Consider Accession to the Partnership for Peace', The Research and Development Center-Intercollege, Newsletter, Vol. 2, Issue 3, [www.rcenter.intercol.edu/Newsletter/issue8/art03.htm](http://www.rcenter.intercol.edu/Newsletter/issue8/art03.htm), retrieved on 28 October 2005.

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