

CFSP Forum

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Note from the Editor

Karen E. Smith, London School of Economics, Editor

Happy new year!

This issue of *CFSP Forum* begins with two articles on European peacekeeping and crisis management. Matthias Dembinski first looks at the European contribution to UNIFIL II; Catherine Gegout then analyses the various EU missions in the Democratic Republic of Congo. The security theme continues with an article by Pablo Blesa Aledo on collective defence and the EU. Alexander Warkotsch then examines the EU's promotion of democracy in Central Asia.

Finally, Miguel Medina Abellan compiled a database on all the ESDP missions launched so far, and it is included here. *CFSP Forum* readers will hopefully find this very useful.

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Europe and the UNIFIL II Mission: Stumbling into the Conflict Zone of the Middle East

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On 25 August 2006 the General Affairs and External Relations Council (GAERC) announced in the presence of UN Secretary-General Kofi Annan that EU member states will make substantial contributions to the UNIFIL II mission in Lebanon. To end the 'summer war', this emerging force was tasked by the UN Security Council with enforcing a cease-fire between the Hizbollah militia and the Israeli Defence Forces. With this decision, the Middle East and the Palestinian-Israeli conflict were finally put firmly on the agenda of the European Union. Of course, the EU has been involved in the Palestinian-Israeli and Arab-Israeli 'peace processes' for quite a while. The EU has not only been part of the 'quartet' and the most important financial benefactor of the Palestinian Authorities; it has also maintained two operations in the area: the EU Border Assistance Mission at the Rafah crossing point (EU BAM-Rafah) and the police training mission in the Palestinian Territories (EUPOL COPPS). However, both missions are rather small, and the role of the Europeans in the peace process has at times been reduced to that of a bystander.

The decision to contribute to UNIFIL II could mark a watershed. It could usher in a much deeper European involvement in the conflicts of the Middle East. In fact, at their Gynmich-style meeting in Lappeenranta in early September 2006, the Foreign Ministers began a new round of in-depth discussions on the European role in the

region and on ways to restart the peace-process. Since then, the Middle East conflict has been a regular and prominent topic on the Council's agenda. Not surprisingly, this step has been accompanied by high-flying rhetoric. Javier Solana characterized the contribution to UNIFIL II as the most important decision that the EU has taken in the last years.¹ German Foreign Minister Frank-Walter Steinmeier added that with this decision, Europe is taking on its historic responsibility. Yet it remains an open question whether the European involvement in UNIFIL II should be regarded as a success story or whether the EU has tricked itself into deploying substantial amounts of troops and investing large stocks of political capital on a murky and ill-defined operation.

The magnitude of the European contribution to UNIFIL II is indeed remarkable, at least if compared with past commitments. EU member states supply about half of the operation's total personnel of 15,000 troops. With more than 7,000 soldiers, the European contribution to UNIFIL surpasses the troop levels of the Althea operation in Bosnia-Herzegovina, presently Europe's largest mission. Moreover, EU states provide crucial military components as well as the operational command for UNIFIL-II. Quite rightly, the European contribution has been characterized as the backbone of the new force. Compared with the approximately 30 police officers at the Rafah crossing, this is indeed an impressive commitment. The risks involved are equally extensive. The tasks and goals of the new force, as laid down in UN Security Council Resolution 1701 of 11 August 2006, are far-reaching, yet ill defined and contradictory.² And whether the rules of engagement provide UNIFIL II with enough flexibility and autonomy so as to secure its effectiveness remains an open question. UNIFIL's operations are not based on Chapter VII. Its main function consists in helping the Lebanese army to create a buffer zone in South Lebanon stretching from the Blue Line to the Litani river. Additionally, UNIFIL is tasked with preventing the supply of unauthorized weapons and related material into Lebanon. So far, the UN force controls the sea lanes and the southern border. The government of Lebanon could, however, request UNIFIL to help it with securing its entire border. In other words, it remains disputable whether and to what extent UNIFIL can operate independently of the Lebanese government, whether it is supposed to contribute to the disarmament of Hizbollah and whether it is obliged to prevent all infringements of the buffer zone by Israeli forces. The mandate is kept deliberately ambiguous in order to

accommodate two conflicting perspectives. Israel expects UNIFIL to serve its goals of keeping Hizbollah away from its border and gradually disarming the Shiite organization. Hizbollah, perceiving itself as the prevailing party in the summer war, demands that its victory be reflected in the future political order and power structure of Lebanon.

Whether the EU member states will be able to manage UNIFIL II in a way as to reconcile these conflicting perspectives remains to be seen. The origins of the European contribution, at any rate, do not augur well. They testify not only to the tentative approach of most European states vis-à-vis conflicts in the Middle East. They also reveal that the effectiveness of the European policy is at times hampered by internal disagreements as well as by the clumsiness of the European decision-making process. In many regards, UNIFIL-II is a unique operation, and the European contribution to it a peculiar undertaking. Unlike EU BAM Rafah and EUPOL COPPS, UNIFIL II is not an EU operation, and the proper European security institutions are not involved. Individual EU member states contribute troops directly to UNIFIL, and not through the European Union or as part of an EU force package. The EU does not even serve as a clearing house for the management of national contributions, as was proposed by the EU Council General Secretariat.³ Political responsibility for the operation rests squarely with the UN Security Council. UNIFIL II, however, is also not a typical UN peace-keeping operation. The European contribution is clearly visible, and operational as well as strategic control rests to quite an extent with EU member states.

Hostilities between Hizbollah and the Israeli Defence Forces broke out on 12 July 2006 after Hizbollah fighters had attacked Israeli posts and abducted two Israeli soldiers. Although the magnitude of the ensuing destructions and human sufferings as well as the potential repercussions for the security of the entire region called for swift and decisive interventions of the international community to end the fighting, and although an international consensus emerged rather early that the deployment of a stabilization force would be necessary to enforce a cease-fire, it took until 11 August for the UN Security Council to adopt Resolution 1701. The resolution called for a cessation of hostilities as well as the deployment of a reinforced UNIFIL mission. Hostilities dragged on for so long because two related issues were politically contested. Should the cease-fire be conditioned on the release of the abducted Israeli soldiers?

And should a cease-fire take effect immediately or should Israel, as was alluded to by the American government, be given enough time to destroy the military infrastructure of Hizbollah?

The question whether pressure should be applied on Israel to accept an early cessation of hostilities turned out to be a thorny issue for Europe as well. While many member states, including Finland – which held the EU Presidency, argued that the EU should demand an early and basically unconditional cease fire, Germany, the UK and the Czech Republic adopted a more ambivalent position. Although the EU involved itself at an early stage in the conflict, its diplomatic initiatives were hampered by these internal disagreements. For example, on 17 July 2006 a GAERC resolution called for an immediate cessation of hostilities but went on to state that 'The EU recognises Israel's legitimate right to self-defence, but it urges Israel to exercise utmost restraint...'⁴ On 1 August, the GAERC again adopted a compromise conclusion. While the Finnish draft had called for an immediate and effective cease-fire, the final conclusion used a weaker formulation. Its key sentence reads as follows: 'The Council calls for an immediate cessation of hostilities to be followed by a sustainable cease-fire.'⁵ After the meeting, Germany's foreign minister, Steinmeier, declared that the resolution does not imply an immediate cease-fire.⁶ During the crisis, Javier Solana, as well as the Troika and Commissioner Stavros Dimas, responsible for the Civil Protection Mechanism, travelled to the region. However, Dimas restricted himself to the discussion of humanitarian issues. Solana, too, had no mandate to speak out on behalf of the 25 member states on the political questions concerning the conditions and timing of a cease-fire. This weakness was recognized by European leaders. After the war, Jacques Chirac, complained that 'Europe was insufficiently active in the Lebanese crisis ...'⁷

At a rather early stage of the conflict, European leaders agreed in principle that a cease-fire would have to be accompanied by the deployment of a stabilisation force. Initially, there was some debate within Europe on who should lead this force. The Israeli proposal of a NATO role was quickly dismissed on the grounds that NATO was perceived by actors in the region as an American-inspired organization and thus not as neutral. On 17 July, Finnish Foreign Minister Tuomionen asked publicly whether the EU or the UN should lead the efforts to restore peace.⁸ However, for a couple of reasons the idea of an EU-led operation was not seriously

pursued. UNIFIL was already in place, and Kofi Annan had argued in favour of a follow-on operation. France insisted on a substantial contribution from Muslim states, preferably from Turkey. Again, it was perceived that Ankara would rather prefer to provide troops to an UN-led operation than to an EU-force. Last, but not least, in this case EU member states shied away from taking on the sole responsibility. Instead, European leaders agreed to provide troops to a successor of the existing UNIFIL operation. At its 1 August meeting, the GAERC declared that 'once this framework (for a lasting political solution) has been established, EU Member States have indicated their readiness to contribute to such an operation together with international partners.'

Although UNSCR 1701 was inspired by American-French initiatives, France was hesitant to provide troops. Initially, Paris had signalled that it would contribute up to 2000 soldiers and assume the command of the operation. Paris, however, was rather adamant that this offer was contingent on two preconditions: the existence of a robust mandate, and the significant contributions of other European and Muslim states. At the first conference of troop providers on 17 August, France, to the disappointment of the United States and its European partners, offered just 200 soldiers. Paris justified its reluctance with the ambivalent mandate of UNIFIL II and asked for strong rules of engagement before it would fulfil its earlier promise. The other two large EU states hesitated as well. The UK pointed to its commitments in Iraq and Afghanistan, while in Berlin opposition parties as well as members of the governing coalition alleged that German history prohibits the deployment of German troops next to the borders of Israel.

This picture changed only after the Italian cabinet decided on 19 August to offer a large contingent. Additionally, Rome declared its willingness to provide the operational command for UNIFIL II.⁹ After Italy had committed itself, other European states followed suit (see Appendix). Shortly before the meeting of the EU foreign ministers with Kofi Annan, even France increased its offer. Paris committed itself to provide up to 2000 troops, and France will continue to exert operational control of UNIFIL until February 2007 when Italy will take over. At the same time, President Chirac continued to express scepticism by questioning the sense of deploying up to 15,000 troops on a relatively small strip of land.

Comments in the French press remarked that without Italy surging forward, France would not have augmented its contributions to UNIFIL. In

other words, the impression remains that due to the rather uncoordinated way in which EU member states generated troops for UNIFIL II France, and with it the EU, did not succeed in getting a robust and precise mandate in return for its pledge of troops. To be sure, some improvements have been achieved that will allow European states to exert a considerable degree of control. The rules of engagement, accepted on 28 August, authorize UNIFIL to take necessary action to fulfil the mandate. More importantly, UNIFIL II is governed by a unique structure of command. European force providers will exert operational control within the theatre. At the strategic level, for the first time a strategic military cell, commanded by an Italian General, has been created at UN Headquarters. Instead of the UN Peacekeeping department, which is usually in charge of commanding UN operations, the UNIFIL commander will directly report to this cell, which itself will be answerable to the Secretary General. Hopefully, this arrangement will be more effective than the traditional chain of command that has often hampered swift and effective decisions of previous UN operations.¹⁰

Nevertheless, the impression remains that the rules of engagement do not rectify the deficiencies of Resolution 1701. So far, this ambiguity has caused frictions in the relationship between UNIFIL and Israel. It has been reported in the press that at several occasions, European troops felt threatened by aggressively approaching Israeli aircraft. However, it is not unlikely that the relationship between UNIFIL on the one hand and Hizbollah as well as the Lebanese government on the other hand will turn out to be even more conflict-ridden. Without progress in the peace process and without a solution of the Lebanese power struggle, UNIFIL II might sooner or later find itself confronted with a re-ignition of the militarized conflict. It remains to be seen whether the strong European component within UNIFIL II will enable the UN force to respond effectively to provocations. The recent disagreements as well as the unintended consequences of the force generation process should dampen the optimism about the European capacity to respond to violent conflicts in the Middle East. ♦

⁵ Council of the European Union (GAERC), 'Council Conclusions', 1 August 2006.

⁶ Süddeutsche Zeitung, 1 August 2006.

⁷ Andrew Rettman, 'EU foreign policy failed on Lebanon, Chirac says', euobserver.com, 28 August 2006.

⁸ Spiegel Online, 17 July 2006.

⁹ Süddeutsche Zeitung, 19 August 2006.

¹⁰ Pirozzi, 'UN Peacekeeping in Lebanon: Europe's contribution'.

APPENDIX

Contributions of EU member states to UNIFIL:

Italy provides up to 3000 soldiers and will assume the command in February 2007.

France supplies 2000 troops and the command until February 2007.

Spain sends 950 soldiers.

Belgium commits 300-400 soldiers including de-mining experts.

Poland will augment its 200 troops with additional 250 troops.

Finland will send 200 troops.

Germany, the Netherlands, the UK, Sweden and Denmark will contribute ships for the surveillance of the Lebanese coast. The German contingent will comprise up to 2400 sailors and airmen.

Other European countries contribute smaller amounts of troops, equipment or logistical assistance.

¹ Horst Bacia, 'Die wichtigste Entscheidung seit Jahren', Frankfurter Allgemeine Zeitung, 4 September 2006.

² See United Nations Security Council Resolution 1701 (2006).

³ See Nicoletta Pirozzi, 'UN Peacekeeping in Lebanon: Europe's contribution', in European Security Review, No. 30, September 2006.

⁴ Council of the European Union (GAERC), 'Council Conclusion on Middle East Peace Process', 17 July 2006.

The EU and Security in the Democratic Republic of Congo in 2006: Unfinished Business

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This article analyses the EU's presence and security policies towards the Democratic Republic of Congo (DRC) in 2006, a year during which the Congolese voted for their President and their Assembly for the first time since 1965. The EU's main mission was that of EUFOR DR Congo, a localised military operation conducted on the ground from June until December 2006 to help ensure the safety of the Congolese people during these elections. In terms of mandate, this EU policy was successful: it conducted its mission on time, reinforced its military capacity when needed, supported MONUC (UN Mission in the DRC) in Kinshasa, and used its technology to enforce the ban on weapons in Kinshasa. However, in order to assess EU policies in the DRC, it is necessary: 1) not only to analyse EUFOR DR Congo but also all the EU's economic and security policies and; 2) to evaluate the EUFOR DR Congo mission from a local perspective (i.e. within the DRC), and over a long period of time.

An overview of the situation in the DRC is followed by a detailed analysis of EU policies towards the DRC. Finally, an assessment of EUFOR DR Congo is offered. I argue that EUFOR DR Congo was decided for the 'wrong' reasons, and will have no impact in the long term in the DRC. EU policy towards DRC remains unfinished business.

Precarious Political, Security and Social Situation in the DRC

The DRC faces serious on-going instability. In 2006, the International Rescue Committee estimated that 1,200 people, half of these, children, died each day in the DRC as a direct or indirect cause of the conflict.¹ An estimated 400,000 refugees (or IDPs – internally displaced people) have fled DRC to Burundi, Rwanda and Sudan. In Eastern DRC, foreign armed groups (Rwandan former FAR/Interahamwe, and various Ugandan groups) are a continuing source of instability.² For instance, in July 2006, 17,000 people moved away from the fighting in Ituri. MONUC stated that the humanitarian situation in North Kivu remains 'precarious'.³

After the 'Agreement on Transition in the Democratic Republic of Congo', signed in Pretoria on 17 December 2002, the government of transition faced the restructuring of the whole state system. Two reforms were particularly vital: that of the security sector, and that of the organisation of elections to end the transitional period and establish a legitimate government.⁴

The reform of the security sector was, and still is, one of the most important aspects of the construction of a functioning DRC state. The following section shows the extent to which the EU takes part in this reform. The DRC needs to 1) train the national army, and 2) reintegrate former militia soldiers into the state system. The national Congolese armed forces, named FARDC comprising 100,000 men (Forces Armées de la République Démocratique du Congo) has to deal with internal problems. These soldiers are underpaid, and come from previous groups which fought one another, namely the NDLR (former governmental troops), former Ituri armed groups and Mai-Mai. As a result, the security of civilians is unsure. Some militia groups have still not been integrated into the state system, and even those who have, could decide to go back to the bush if they are underpaid.

Already in 2000 (Presidential Décret, 09/06/00), the DRC regime acknowledged the necessity of having a coherent 'Demilitarisation, Demobilisation and Reinsertion' (DDR) programme (a PNDDR). In 2002, a global and inclusive agreement was signed. It stated that armed groups in Eastern DRC needed to be included in the DDR programme. The official PNDDR was launched in 2004. The CONADER (Commission Nationale de Désarmement, Démobilisation et Réinsertion) is the body responsible for implementing the PNDDR. CONADER is funded by the World Bank's Multicountry Demobilization and Reintegration Programme (\$200m), and the international community is actively involved in this programme. The Congolese army was supposed to include eighteen integrated brigades by election time, but only three brigades were created. Belgium organised the one in Kisangani, Angola that in Kitona, and South Africa and Belgium that in Kamina.

More than 75,000 ex-fighters have been demobilised, and 19,000 reintegrated into civilian life by April 2006; 85,000 elements still have to undergo the DDR process.⁵ As a specific example, a pilot programme was developed in

Ituri, and was quite successful as 6500 arms were found, and 15000 out of 16000 militia troops have been through the DDR programme, although a thousand militia members still need to be integrated.⁶

In terms of elections, a referendum creating a new constitution took place in December 2005. The turnout was about 60% nationwide (out of an electorate of 26 million), and 83% of the people voted in favour of the constitution.⁷ Elections also had to be held to choose a president, a parliament and provincial authorities. The election process started in July and finished in December 2006. Turnout was high (75%). The first round was on 30 July 2006. A second round of voting was necessary, and took place on 29 October 2006. In mid-November 2006, the *Commission Electorale Indépendante* (CEI) announced that the incumbent President Joseph Kabila had won the second round of the elections with 58%, while his rival Jean-Pierre Bemba polled 42%, and the 83-year old Lumumbaist Antoine Gizenga – who was subsequently nominated Prime Minister – received 13% of the votes. Bemba won most of the votes in the west of the DRC, and Kabila in the east of the DRC. The inauguration of the new President Joseph Kabila took place on 6 December 2006.

Approximately 17,000 MONUC troops, and election observers in 50,000 polling stations supervised the election process. Two thousand foreign observers came from the following countries and organisations: the EU (200), the African Union (AU), the Southern African Development Community (SADC), the Economic Community of Central African States (ECCAS), South Africa, Republic of Congo and Nigeria.⁸ MONUC was helped by EUFOR DR Congo in ensuring the safety of the Congolese people during the elections.

EU Action in the DRC : Supporting the DRC Government in the Economic and Security Fields

The EU accompanies the political process in DRC by acting mainly in the economic and security sectors. EU cooperation with the DRC resumed in 2002 under the Cotonou Agreement. Since then, the EU has spent EUR 750 million. There can nevertheless be problems with the delivery of aid. According to Oxfam, donor countries contributed only one sixth of the total funding they promised.⁹

In the security field, the EU acted militarily for the first time in Africa in the DRC in 2003. In conformity with Resolution 1484 of the UN Security Council, it helped MONUC in Bunia, Ituri by providing approximately 2000 troops. In 2006, the EU was present in the DRC with the following missions: EUSEC DR Congo (EU security sector reform mission), EUPOL KINSHASA (EU police mission in Kinshasa for the Integrated Police Unit), and EUFOR DRC. The EU was also a prominent actor in the organisation of the elections. I will now detail these policies and their impact in the DRC.

On an 'official request by the DRC government',¹⁰ the EU created EUSEC DR Congo in March 2005. This mission provides advice and assistance to the Congolese authorities in charge of security while ensuring the promotion of policies that are compatible with human rights and international humanitarian law, democratic standards, principles of good public management, transparency and observance of the rule of law. It has assigned six experts in all to the private office of the Minister for Defence, the combined general staff, including the integrated military structure (IMS), the army general staff, the National Committee for Disarmament, Demobilisation and Reintegration (CONADER), and the Joint Operational Committee.¹¹ It has given advice on the reform of the army. Its first mission went to Goma, to audit the accounting of the integrated brigades in that region. Africa Confidential however deplores the fact that few European officers work for EUSEC, they have a limited budget, and no helicopters and no way of moving cash from the Central Bank to active units.¹²

EUPOL KINSHASA was launched in April 2005 'in response to an invitation of the DRC government'. This mission of thirty experts gives advice to the Congolese Integrated Police Unit (IPU) which trains approximately a thousand police. IPU training and equipment is financed by the EU.¹³ EUPOL also supported the security of the elections, as well as the coordination of the maintenance of law and order in the city of Kinshasa.

The UN asked the EU to support MONUC on 27 December 2005. The EU agreed in principle, but it took several meetings to determine which state would take the leadership of the EU mission. EUFOR DRC was finally decided on 23 March 2006, and launched on 12 June 2006. The official reasons for this delay are the following: France argued it had already taken the lead of Artemis in 2003, the UK said it was already involved in

Afghanistan and Iraq, and Germany faced pressure at the Bundestag not to intervene in an African state.¹⁴ According to an EU official, Germany did not want to be 'instrumentalised by Paris, which was pushing Germany into Africa.' Instead, it wanted former colonisers, and not itself, to deal with the problem.¹⁵

EUFOR's mandate is defined in UNSC resolution 1671. According to the EU, the decision to launch EUFOR was taken in close relation with the DRC government, neighbouring countries and the AU.¹⁶ As Germany had accepted to take the leadership of the mission, the EUFOR headquarters was based in Potsdam (with 120 officials). But France was responsible for organising the deployment of 800 military personnel in Kinshasa. Another battalion-size 'on-call' force (1100 personnel) was based in Gabon.

Twenty two states (including Turkey) took part in EUFOR. Approximately 2000 troops were deployed. Germany deployed 780 troops (280 in Kinshasa and 500 in Gabon), and France approximately 500 troops. Portugal and Spain contributed with 100 troops each, Belgium and Sweden 50 troops each. Poland was also present.¹⁷ EUFOR could use the following military material capabilities: eight cargo-planes C-130 et C-160 and a Turkish Hercules in Gabon; three German CH-53 helicopters and four Belgian UAVs (B-Hunter type) at Kinshasa-N'Dolo; and three French f1CR Mirage planes based in N'Djamena.¹⁸

EUFOR RD Congo acted under Chapter VII of the United Nations Charter. Its mandate (Resolution 1671) was as follows: EUFOR RD Congo was authorized to take all necessary measures to support MONUC in case the mission faced serious difficulties in fulfilling its mandate; contribute to the protection of civilians under imminent threat of physical violence, without prejudice to the responsibility of the Congolese Government; contribute to airport protection in Kinshasa; ensure the security and free movement of EUFOR RD Congo personnel and the protection of its installations; and execute limited operations to extract individuals in danger.

As regards specific assistance to the 2006 elections, the EU covered 80% of their overall costs.¹⁹ The EC gave EUR 149 million and EU states gave EUR 100 million for the election process. In addition, the EU deployed an Election Observation Mission (EOM) of approximately 200 observers across the

country. They liaised with other international observer missions, in particular those from the African Union and the Southern African Development Community. The EU coordinated its EOM with the AU, SADC and ECCAS.²⁰

With the nomination of Kabila as President, the EU withdrew EUFOR from the DRC. Currently, EUSEC and EUPOL are still active, and the EU plans on giving EUR 400 million to the DRC for the period 2008-2013.²¹

Evaluating EUFOR: an Effective Policy in 2006, but No Provisions for 2007

Despite the fact that it was conducted effectively in the short term and it was considered as legitimate, it was decided for the 'wrong' reasons, and has no impact in the long term in the DRC. EUFOR DR Congo is unfinished business.

The EU showed it was capable of acting militarily with a limited number of troops and could be perceived as an important actor. The military all agreed the mission had been a success.²² When it faced tensions, it reacted by strengthening its forces. Between 20 and 22 August, after the publication of the first election results, Kabila's and Bemba's troops fired at one another. After this event, three helicopters, fifty French, Portuguese and Swedish special forces, and two hundred German forces were moved from Gabon to Kinshasa.²³

EUFOR was legal. The EU was asked to intervene by the UN, and EUFOR was endorsed by the DRC's Supreme Defence Council.²⁴ However, when it was launched, EUFOR was not perceived as legitimate: people did not believe it was neutral, and the opposition and media condemned the EU mission. In May and June 2006, demonstrations took place in Kinshasa against an EU intervention; some Congolese complained that 'foreigners want to rule Congo', and believed the EU would only protect its own citizens and not be neutral.²⁵ The EU was accused of pro-Kabila bias by the Roman Catholic bishops of Kinshasa and Bas-Congo, the UDPS (led by opposition leader Etienne Tshisekedi), the *Alliance pour le Renouveau du Congo* (ARC) and others, including the Bundudia Kongo sect. Congolese expatriates in Brussels also demonstrated against the EU force, saying it was sent to protect Kabila's 'criminal regime'.²⁶ The EU Special Representative to the Great Lakes, Aldo Ajello, explained that EUFOR was not welcome because of an internal campaign led by Bemba.²⁷ In addition, South

African Defence Minister Mosiuoa Lekota said that EU troops would not be necessary during the elections.²⁸ People seemed to have changed their mind during the election process on the legitimacy of the mission. In Kinshasa, it was eventually perceived as neutral and effective, as it did not only concentrate on the peaceful conduct of the elections, but also on humanitarian affairs, such as rebuilding some roads, schools and hospitals, distributing clothes and making a shelter for the train station.²⁹

EUFOR does not seem to have been launched first and foremost for humanitarian reasons. For Germany, leading EUFOR presents the advantage of responding to two German foreign policy aims: reinforcing the UN system, and developing CFSP. Germany wanted a permanent seat at the UNSC, and needed to show its support for the UN system. According to Mogg, a socialist MP (SPD), Germany has to act as a responsible EU member.³⁰ In addition, the German army stressed the importance of supporting MONUC during the elections in order to prevent migration from DRC to Europe. A staff member at the Bundeswehr command academy said: 'in reality it is a matter of migration pressure. Every day of political unrest in [DR]Congo is felt at the border fences of the Spanish exclaves or later at the German registration offices.'³¹ The Minister for Defence, Jung, underlined that: 'Africa is Europe's neighbour. We have a humanitarian obligation... and it is in our interest to stabilise Africa to prevent migration flows.'³²

Although France had the capacity to lead an EU mission in the DRC, and effectively did so during the elections, it did not want to do so 'on paper'. France wanted Germany to intervene. Colonel Claver, who works at the French military representation to the EU, explains that:

it was Germany's turn to be responsible as a 'framework nation', after France with Artemis in the DRC, and Britain with Althea in Bosnia, but we had to overcome German reluctance... German military officials were unwilling to intervene in Black Africa, a territory they have not been on since the colonial period. Diplomats feared they would not be able to convince the Bundestag, which agreed on the mission on 1st June 2006.³³

Once Germany had taken the decision to lead the mission, French officials underlined that this

EUFOR mission was an example of European unity. The French General Christian Damay in Kinshasa believed the mission was positive for the future as it showed 'the beginning of a European army'.³⁴ In fact, when discussions on an extension of the EUFOR mandate were taking place, a French official wanted to make sure the pressure on the German government 'would not harm trust among European partners, and the establishment of a European defence force'.³⁵ Through EUFOR DRC, European Foreign and Security Policy is no longer only a Franco-British matter; it is widened to Germany. In addition, France succeeded in making African matters a part of European responsibilities – and not just French responsibilities.

An official in Kinshasa stated that 'the Europeans wanted to prove they were capable of leading a successful European mission'.³⁶ Although Europeans did manage to prove this, the DRC in the long term, is left with its own weak military structure and MONUC, to deal with security problems. When EUFOR withdrew from the DRC in December 2006, tension was still high in Kinshasa. A MONUC official stressed that nothing had been solved in the security field.³⁷ General Carl Modey, also a MONUC official, argued that withdrawing EUFOR could send a negative signal to political opponents and their supporters.³⁸ If EU states' interests were to help strengthen a weak third state, rather than to prove to the world that the EU is capable of speaking and acting albeit on a very low scale, it is likely that EUFOR DRC would have been extended to 2007, and could have helped further with securing the safety of the Congolese. ♦

¹ UNICEF Document, 'Child Alert: Democratic Republic of the Congo', 24 July 2006, <http://www.unicef.org/childalert/drc/martinbell.php>.

² UN IRIN, 'Congo-Kinshasa: UN Says \$687 Million Needed in Humanitarian Support', 14 December 2006.

³ AllAfrica.com, 'Precarious Humanitarian Situation in North Kivu', 13 December 2006, <http://allafrica.com/stories/200612130733.html>.

⁴ A third vital reform policy, that to end corruption, is not addressed here, as this article focuses mainly on security issues.

⁵ Africa Confidential, vol. 47, no. 13, 23 June 2006; MONUC Document, 'Twenty-second report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of Congo', S/2006/759, 21 September 2006, <http://www.un.org/Depts/dpko/missions/monuc/monucDrp.htm>.

⁶ UN Radio, 'Interview with William Swing', 17 October 2006, <http://www.un.org/french/radio/story.asp?NewsID=607>.

⁷ The Constitution guarantees checks on presidential powers, increases decentralisation, and establishes an independent judiciary.

⁸ African Union Document, 'Communiqué de Presse du Conseil de Paix et de Sécurité sur le Processus Electoral en RDC', Addis Abéba, 24 July 2006, www.africa-union.org/root/ua/Actualites/2006/juillet/PRESS%20COMMUN

[IQUE%20%20RDC%20FR.pdf](#); Auswaertiges Amt Document, 'The EU mission in the Democratic Republic of the Congo', 2006, <http://www.auswaertiges-amt.de/diplo/en/Aussenpolitik/RegionaleSchwerpunkte/Afrika/Kongo-Einsatz.html>.

⁹ Oxfam particularly criticised the contributions of the United States and Japan which it qualified as 'minuscule' compared with the size of their economies, those of Germany and France which 'committed little' and that of Italy which gave nothing. BBC NEWS, 'Oxfam criticises DR Congo donors', 13 May 2006, <http://news.bbc.co.uk/1/hi/fr/-/2/hi/africa/4767685.stm>.

¹⁰ EU Document, 'Background Note - The European Union's engagement towards stability and security in the Democratic Republic of Congo (DRC)', 23 May 2005, <http://www.consilium.europa.eu/uedocs/cmsUpload/Background-23.5.05.en.pdf>.

¹¹ The UK is providing two members to EUSEC to assist with the army integration process, while France, Belgium, Germany and the Netherlands provide the remaining experts.

¹² Africa Confidential, vol. 47, no. 13, 23 June 2006.

¹³ The mission staff includes 29 expatriates (12 French, 6 Portuguese, 4 Italians, 2 Dutch, 2 Belgians, 1 Swede and two staff from invited countries: Canada and Turkey). During the elections, it was strengthened by 29 police staff (11 French, 1 Dane, 1 English, 13 Angolans, 2 Malians, 1 Rumanian), for a period of five months (EU Document, 'Dossier Information EUPOL - KINSHASA - la première Mission européenne de Police en Afrique', Octobre 2006, http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=1035&lang=en). EUPOL is financed by the European Development Fund, managed by the European Commission, and by a joint action covering contributions from the budget of the CFSP and of the Member States.

¹⁴ Le Monde, 'L'UE peine à mettre sur pied une opération militaire au Congo', 19 February 2006, <http://www.lemonde.fr/web/article/0,1-0@2-3214,36-742740@51-742836,0.html>; Europolitique, 'UE-RDC: Compromis franco-allemand sur la mission de sécurisation', 22 March 2006.

¹⁵ Le Figaro, 'Des soldats allemands sur le fleuve Zaïre', 31 July 2006.

¹⁶ EU Document, 'Soutien de l'UE à la MONUC pendant le processus électoral en RDC', September 2006, http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=1095&lang=en.

¹⁷ Le Nouvel Observateur, 'L'Allemagne prête à diriger la force de l'UE en RD Congo', 20 March 2006, <http://archquo.nouvelobs.com/cgi/articles?ad=etranger/2006/0320.REU19403.html&host=http://permanent.nouvelobs.com/>

¹⁸ Air & Cosmos, 'Ailes européennes au Congo', 25 August 2006.

¹⁹ EU Document, 'Background Note, DRC Elections 2006, EU support to the DRC during the election process', June 2006, http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=1095&lang=en; EU Document, 'Résumé des propos de Javier SOLANA, Haut Représentant de l'UE pour la PESC, lors de la conférence de presse tenue au quartier général de l'EUFOR, à l'occasion de sa visite à Kinshasa', S255/06, 13 September 2006.

²⁰ Digitalcongo.net, Kinshasa, 'Zoom sur la force de l'Union européenne de sécurisation des élections en Rdc', 07 June 2006, <http://www.digitalcongo.net/article/34317>

²¹ Agence France Presse, 'La force européenne, témoin de l'engagement prioritaire de l'UE en RDC', 25 July 2006.

²² Die Welt, 'Europa kann es. Das ist die wichtigste Botschaft', 15 December 2006, <http://www.welt.de/data/2006/12/15/1145696.html>

²³ Air & Cosmos, 'Ailes européennes au Congo', 25 August 2006.

²⁴ Auswaertiges Amt Document, 'The EU mission in the Democratic Republic of the Congo', 2006, <http://www.auswaertiges-amt.de/diplo/en/Aussenpolitik/RegionaleSchwerpunkte/Afrika/Kongo-Einsatz.html>.

<http://www.auswaertiges-amt.de/diplo/en/Aussenpolitik/RegionaleSchwerpunkte/Afrika/Kongo-Einsatz.html>.

²⁵ Die Welt, 'Die Europäer werden mit Mißtrauen erwartet', 18 May 2006, <http://www.welt.de/data/2006/05/18/888644.html>.

²⁶ Africa Confidential, vol. 47, no. 13, 23 June 2006.

²⁷ Digitalcongo.net, 'Eufor/Rdc : Fin de la mission : Aldo Ajello fait les comptes', 21 December 2006, <http://www.digitalcongo.net/article/39736>.

²⁸ Africa Confidential, vol. 47, no. 5, 03 March 2006.

²⁹ Digitalcongo.net, 'L'Eufor, pompier de la dernière chance', 09 October 2006, <http://www.digitalcongo.net/article/37828>.

³⁰ Ursula Mogg, 'Europa stellt sich seiner Verantwortung', Berliner Republik, vol. 8, no. 3, 2006, pp. 73-76.

³¹ Die Welt, 'Germany's DR Congo mission could be more extensive than first planned', 22 April 2006.

³² Die Welt, 'Es ist richtig und klug, Krisen dort einzudämmen, wo sie entstehen', 03 December 2006, <http://www.welt.de/data/2006/12/03/1132818.html>.

³³ La Croix, 'L'Union européenne appuie l'ONU en RD-Congo', 09 June 2006.

³⁴ Die Welt, 'Die deutschen Soldaten packen zusammen', 01 December 2006, <http://www.welt.de/data/2006/12/01/1130996.html>.

³⁵ Le Figaro, 'Vote au Congo-Kinshasa sous contrôle de l'UE', 27 October 2006.

³⁶ Agence France Presse, 'L'Eufor fait ses valises dans un climat encore tendu à Kinshasa', 30 November 2006.

³⁷ Agence France Presse, 'L'Eufor fait ses valises dans un climat encore tendu à Kinshasa', 30 November 2006.

³⁸ Le Figaro, 'Vote au Congo-Kinshasa sous contrôle de l'UE', 27 October 2006.

Siamese Twins: NATO, The EU And Collective Defence

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NATO's feverish activity

NATO's summit at Riga, in the last days of November 2006, has again shown that the Organisation is no longer a military alliance *strictu sensu*, but a politico-military forum, or as qualified during the 1990s, 'an OSCE with rifle', or as referred to in 2006, considering its permanent, ongoing enlargement, 'like a kind of United Nations in military uniform'.¹

Together with an 'open door policy', successfully implemented during the last decade, equally appreciable is NATO's permanent effort to transform its defence structure – an operation efficiently carried out during the Riga summit with the NATO Response Force (NRF) declared fully operational, the endorsement by NATO Heads of State and Government of 'Comprehensive Political Guidance' (a major political document that sets out the framework and priorities for all Alliance capability issues, planning disciplines and intelligence for the next 10 to 15 years), and a new call for member states to increase defence expenditure. These three measures are added to the adaptation of NATO's Strategic concept twice since the fall of the Berlin Wall – the last one, approved in 1999 at the Washington Summit, still considered to 'remain valid'.²

Finally, at the operational level, who would contradict the words of General Jones (SACEUR) when stating that NATO 'has never been busier'?.³ After a relatively boring Cold War for Alliance military personnel, the last decade, and particularly the last five years, has been agitated: together with the harsh test of ISAF in Afghanistan, NATO has deployed troops in Kosovo (KFOR), has recently provided humanitarian assistance in Pakistan, and is training soldiers in Baghdad. Today, NATO manages six different missions in three different geographical locations.

In general, there is little doubt, even for its critics, that NATO was a genial invention, has been an enterprise of resonant military success

and is today, bigger, more active and better adapted to function in a new strategic environment, the essential forum for transatlantic dialogue on security.

Action with crisis

However, the robustness of NATO, its well-gained reputation as 'indispensable', and the fact that prophecies about its dissolution proved wrong and 'were premature', are all arguments that are not always incompatible with analysis that warns of NATO's 'structural crisis'. That structural crisis could be the result of 1) systemic changes occurred in the world order; 2) the existence of centripetal and disruptive forces within the Alliance itself and, fundamentally, 3) the direct consequence of article 5 being superseded by events and affected by a sort of necrosis since the end of the Cold War. NATO's crisis is chronic for the simple and serious fact that article 5, the heart of the North Atlantic Treaty – *la raison d'être* of the Organisation, its condition as bed-rock of the collective defence of its members – seems to have lost its validity in the 21st century. Permanent reforms that seek only to improve structures and procedures, and 'feverish activity' that only mask the lack of a strong mission 'will fail to solve the underlying problems' of NATO.⁴

Recently, another two factors concur to darken the gloomy prospects of NATO as hallmark of the collective defence of its members for the coming future: the first one, the rift of its two arms, the European and the American, in Iraq; and second and complementary, the fact that, as a spill-over of that rift, around the same dates, the Europeans, although divided over the Iraq invasion, were able to reach a historical agreement in the context of the European Convention and finally agree to enshrine a collective defence clause in the Constitutional Treaty that duplicates NATO's article 5. Iraq will be over some day; the pains and scars stemming from that crisis will be probably healed, but the clause approved by the Europeans will continue to be there, interrogative and surprising for its exceptionality.

The 'exceptionality' of the EU collective defence clause

The clause is exceptional on three accounts: in the first place, it is the last stage of the ongoing process of dissolution of the WEU and the symbiotic transfer of its article V into the framework of the EU; in the second place, it is

the result of an ongoing process of convergence of the security interest of two traditionally recalcitrant groups of countries - one set on the paramount centrality of NATO (Atlanticists), and the other set on the paramount value of the EU as a 'civil power' (neutrals) - with the positions sustained by a third group, the so called 'Europeanist countries', which, led by France and Germany, aspire to build and transform the EU into a *Europe puissance*.

In the third place, this unexpected convergence of the three tribes, and agreement on the wording of article I-41.7 of the Constitutional Treaty,⁵ was a surprise for two reasons: it is all in all admirable that the more humble and practicable Franco-German proposal submitted to the Convention - 'closer cooperation' in defence attached to the Treaty through an annexed protocol to be ratified by a number of countries under an 'opting-in' formula (and whose origins can be traced back to the Treaty of Amsterdam in 1996, under the so-called Westendorf formula)⁶ - progressed to become, by general consent, a binding article of the Constitution. Then, and even more surprising, this qualitative step was not the result of a proposal put forward by the Conventionalists, but the output of the negotiating process unleashed by the Heads of State and Government in the Intergovernmental Conference (IGC) that followed the Convention. What the Conventionalists did not even dream of discussing - and was pre-empted by the Working Group⁷ - was what the IGC agreed in one of the most delicate areas of national sovereignty, defence.

Will the EU substitute NATO in tomorrow's collective defence?

The very serious question opened by article I-41.7 of the *non-nata* Constitution is whether or not the cross-lines created by the progressive disentanglement of NATO as a collective defence guarantor, on the one hand, and the progressive entitlement of the EU as a collective defence organisation (which is juridical, institutional and capability based), on the other hand, transform the Union into a military alliance that will substitute the Atlantic Alliance to become, eventually, the bed-rock of the collective defence of EU countries. Certainly, that is a task and a future not very clear for all the members of the Union - not to mention Washington, in spite of the spirit of the Treaty which explicitly refers, as one of the aims of the Union, to keep its 'integrity'.

Those doubts, both of interpretation and conviction, are the result, in my opinion, of five different factors: 1) the historical tradition, the genetics of the Union and the sentimental attachment to the notion of Europe as a 'civil power'; 2) the unquestionable fact that the United Kingdom, the most loyal of all loyalists to NATO, could have consented to equip the Union with the core mission of NATO; 3) the fact that the United States, in spite of having less interest in a Europe in peace and peaceful, pacified and pacifist, civil and civilized, and more and more irrelevant as a security partner; and in spite of the difficulties of dealing with very troublesome and 'ungrateful' Europeans, have worked with intensity to transform NATO and keep its centrality; 4) NATO is not dying and, additionally, the military capabilities of the Europeans are negligible and neglected, so much so that the question arises if they could back up its collective defence commitment with muscle and military beef; and finally, 5) the collective defence clause enshrined in the Constitutional Treaty does not replicate with exactitude the clause of Article V of the Modified Brussels Treaty of 1954.

1) Schoutete is right when he emphasises that 'for an organization that was generally described as a civil power' the change of culture that has been taking place speedily since 1998, with the development of the Common Security and Defence Policy (CSDP), 'était abrupt'.⁸ Diverse sensibilities, fundamentally antagonistic in its motivations, converged in the conviction that the 'civil' character of the Union is a plus to be preserved: non-aligned countries, Atlanticists, Green parties, Communist parties, and a range of other political groups with factions of antiglobalizers and pacifists, together with a non-negligible list of experts, understand that the Union loses more than it gains from its 'militarization'.

For the non-aligned countries, more and more numerous with the successive enlargements of the Union, the paramount issue is the incompatibility between their constitutional order and the transformation of the Union into a military alliance; hence, their position of principle is that 'we want the EU to continue to develop as a political alliance with reciprocal solidarity, not as a military alliance with binding defence guarantees'.⁹

For the Atlanticists, the objective is to keep the EU demilitarised at all cost, in order to guarantee the centrality of the Alliance as bed-rock of the collective defence of its members.

The position of antiglobalizers, Greens and Communists was clearly expressed in the Convention's debates by Silvie-Ivonne Kaufmaan, for whom the EU has no need for a defence policy, but rather a peace policy, and no need for an armament agency, but a disarmament agency.

Finally, a large number of academics and experts, among them Karen E. Smith, understand that 'the end of civilian power image would entail giving up far too much for far too little'¹⁰ or, in the words of Vogler and Bretherton, that 'the appearance of uniforms in the once exclusively civilian Council of Ministers' is, for many, a 'distinctly retrograde step (...)'.¹¹ Nevertheless, reality and realism find its way: for Mario Telo, the fact that the Union remains limited 'to the aspiration of being nothing more than a kind of "world's Scandinavia" could be seen as equivalent to sticking one's head in the sand or, at the very least, of playing *Candide*'.¹² In a world where security is again up in the agenda, he is not being unreasonable.

2) For many, the fact that the United Kingdom and other Atlanticists finally ratified the collective defence clause of the Constitutional Treaty is enough to interpret it in a restrictive fashion. Right, certainly there are restrictions: that the European clause must be compatible with the defence policy of NATO is one of them. But this is no more than one of the particularities of the clause, its idiosyncrasy, and in no way alters its mandatory character, or its nature. On the other hand, it is also certain to point out, and remember, that the British representatives at the Convention judged the clause, initially and after the Franco-German version, as 'both divisive and militarily unworkable';¹³ and that is the reason why the Barnier Report affirms that 'a collective defence clause was considered unacceptable by some members who considered that collective defence was covered by the Atlantic Alliance'.¹⁴ But what must be taken into consideration, in the end, is that during the Intergovernmental Conference, the British Government accepted this clause, and it did so intelligently and on purpose because the security interests of France, Britain and Germany have converged; because the UK has sought a position of leadership in Europe in the defence policy, and could not tolerate opting out of the creation of a 'European Defence Union' founded by Germany and France under 'closer cooperation'; because in the act of including imperfectly the collective defence clause of Article V of the Modified Brussels Treaty of 1954, the British have

intentionally sought to avoid its obsolescence; and, finally, because, as was written in a moment of sincerity by the Minister of Foreign Affairs, Jack Straw, 'Britain is well aware of the dangers of Europe relying on the US armed forces (...)'. Improved capabilities and the ability to operate effectively without relying on US troops lay behind Tony Blair's initiative for a common European security and defence policy'.¹⁵ The British did not veto the collective defence clause, simply redirected it towards Atlanticism. Hence, no restrictions are to be applied in the process of interpreting the clause.

3) A third element that has created some confusion in the interpretation of the clause is the visual fact that NATO is not dying; moreover, in Riga the Heads of State and Government ratified that 'the primary finality of our Alliance is a strong collective defence'.¹⁶ The United States has continued to invest in NATO, in spite of Iraq and the polemic over the 'coalitions of the willing', so that the organisation could retain its strategic relevance and its centrality. In this tune, former Secretary of Defence, Donald Rumsfeld, declared in a moment of crisis, that 'NATO is a terrific organization (...). We have been providing energy in that organization (...). We have been participating in that institution fully, and it is a valuable one'.¹⁷ For Eric Remacle, the constitution of the NRF 'indicates the presence of an American interest in investing in the military structures of the Organization'.¹⁸ Nevertheless, and as we have elucidated in these pages, the traditional heart of NATO has stopped beating, and other missions help to keep the organisation alive.

4) Some have seen the lack of military capabilities of the EU to back up its words with muscle as a clear expression of the decorative character of the clause. Sure, the investments of EU countries in defence are low – rarely more than 2% of GDP; a comparison of research and development budgets in the defence domain between the United States and the EU makes us blush: 53 billions Euros against the 10 billions of the combined budget for the entire EU. As a corollary of these trifling European budgets, pragmatism is the norm in the European capitals, and pragmatism and financial figures lead invariably to Atlanticism. Hence, the former Minister of Defence of Spain, Federico Trillo Figueroa, had strong arguments to defend the Atlanticism of European defence. He wrote that 'from the Spanish Government, and in the boards both of the North Atlantic Council and the Ministers of Defence of the EU, I always defended that our continent must continue to be anchored in Atlanticism. There isn't sufficient and autonomous military capacity in the EU'.¹⁹ A

similar opinion is held by his Finnish colleague, who wrote that 'it is self-evident that only NATO can give such military guarantees in today's Europe. If Finland were to give up its military non-alignment (...) it is to NATO we would send our application'.²⁰ However, it must be kept in mind that the European clause was not expected to be executable in the short term (in the best case, the Treaty would be in vigour after 2011); that the member states compromised to invest more and better in defence; that the 'structural cooperation in defence' among some members and the European Defence Agency will contribute decisively to that end; that we have given ourselves a 'Headline Goal 2010'; that the Union possesses by now permanent politico-military structures that will create a momentum of their own; and that the threats to the collective security of the EU countries are today less massive than those we confronted during the Cold War. In brief, the clause is not decorative, although it will take a decade to amass the military fibre necessary to make it credible to our allies and our enemies alike.

5) Finally, the collective defence clause enshrined in the Constitutional Treaty is not identical to article V of the foundational Treaty of the Western European Union. Many, among them the European Parliament, complained that 'the mutual assistance clause falls short of the wording used in Article V of the Brussels Treaty'.²¹ True, the language used in Article V transmits more automatism in the response to an aggression and is, therefore, more exigent, from which can be deduced that the Union has imperfectly inherited the WEU clause and, on the contrary, perfectly inherited its weaknesses and its 'deterrence' character, not against enemies, but against a possible American abandonment of Europe.

Conclusion

In brief, NATO is alive, and thank goodness, because we need it. But in a not very distant future, it will be up to the EU to cope with 'out of area' operations and with collective defence alike. Like it or not, the Heads of State and Government agreed that the EU should become a military alliance - without means, so far. The clause of Article I.41.7 of the Constitutional Treaty is what it is: a collective defence commitment that, in spite of contorted interpretations, to which the five factors listed above contribute, could not be read otherwise. This development is welcome. Yet, we are not ready to deploy a few thousand troops abroad

and we have given the EU another mandate with which it cannot cope now. ♦

¹ *The Economist*, 'Nato's Future', 23 November 2006.

² [Http://www.economist.com](http://www.economist.com)

³ 'Comprehensive Political Guidance', endorsed by the NATO Heads of State and Governments on 29 November 2006, Riga, Latvia.

⁴ James Jones, US Marine Corps General, SACEUR, Press Conference 'SACEUR Reviews NATO Operations, and earthquake relief effort', Mons, Belgium, 19 October 2005.

⁵ Rafael Bardají, 'NATO: An Alliance for Freedom', FAES, Madrid, 2005, p. 15.

⁶ Article I-41.7 reads: 'If a Member State is the victim of armed aggression on its territory, the other Member States shall have towards it an obligation of aid and assistance by all the means in their power, in accordance with Article 51 of the United Nations Charter. This shall not prejudice the specific character of the security and defence policy of certain Member States (...)'.
⁷ Franco-German Contribution to the European Convention, Paris and Berlin, 15 January 2003.

⁸ Barnier Report, Final Report of Working Group VIII on Defence, 16 December 2002, paragraph 50: 'the aim of that policy is not to transform the EU into a military alliance (...)'.
⁹ Philippe Schoutete, 'La Cohérence par la défense. Un autre lecture de la PESD', Cahiers de Chaillot n° 71, edited by the EU Institute of Security Studies, Paris, October 2004, p. 19.

¹⁰ Laila Freivalds, Swedish Foreign Minister, and Erkki Tuomioja, Finnish Foreign Minister, article published in the daily Dagens Nyheter, 11 November 2003.

¹¹ Karen E Smith, 'The Instruments of European Union Foreign Policy', in Jan Zielonka, ed., *Paradoxes of European Foreign Policy* (The Hague: Kluwer Law International, 1998), p. 79.

¹² Charlotte Bretherton and John Vogler, *The European Union as a Global Actor* (New York: Routledge, 2006), p. 190.

¹³ Mario Teló, *Europe: A Civilian Power?* (Palgrave, 2006), p. 58.

¹⁴ Gisela Stuart, Contribution to the Defence working group, London, 22 November 2002.

¹⁵ Barnier Report, paragraph 62.

¹⁶ Jack Straw, 'Don't write off Europe's global role', *IHT*, 27 March 2003.

¹⁷ Déclaration Du Sommet De Riga, OTAN Communiqués de presse (2006) 150, 29 November 2006, paragraph 1.

¹⁸ US Department of Defence, Office of the Assistant Secretary of Defence, Public Affairs, 'Remarks by Secretary Rumsfeld at the 41st Munich Conference on European Security Policy', 12 February 2005.

¹⁹ Eric Remacle, 'Vers des coopérations renforcées dans la politique européenne de sécurité et de défense?', pp. 155-171, p. 162.

²⁰ Federico Trillo Figueroa, Prologue to the book by Pablo Besa Aledo, *De la Defensa de Europa a la Europa de la Defensa. La Transformación de la Unión Europea en Actor militar global del Siglo XXI*, (Murcia: Editorial Quaderna, 2006), p. 18.

²¹ Erkki Tuomioja, 'Europe needs to work as a whole on defence', *Financial Times*, 28 October 2003.

²² European Parliament, 'Resolution on the annual report from the Council to the European Parliament on the main aspects and basic choices of CFSP, including the financial implications for the general budget of the EU', Strasbourg, 23 October 2003, paragraph 16.

The Rhetoric-Reality Gap in the EU's Democracy Promotion in Central Asia

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This article examines European Union democracy promotion in Central Asia. It is argued that the policy is high on rhetoric but remains low on delivery. Relatively low levels of assistance are provided, concentrating mainly on good governance instead of democratisation. Furthermore, strong instruments are hardly ever used; even the principle of positive conditionality lacks observance. At first sight, this result is surprising. Considering Central Asia's non-conformity with liberal principles, one would have expected a more resolute approach. Talk of prospects for democratisation in Central Asia seemingly represents the 'triumph of hope over experience'.¹ Presidents have gained wide powers to rule by decree. Parliaments and courts are weak and routinely ignored. Opposition has been circumscribed, co-opted, and/or repressed and almost all elections have had dubious legitimacy. In short, substantive democracy is either absent (Turkmenistan, Uzbekistan) or falls short of the mark (Kazakhstan, Kyrgyzstan and Tajikistan).

EU democracy promotion within the bilateral relations framework

The promotion of human rights and democracy in Central Asia has been incorporated into the network of the EU's regional agreements, purportedly as a shared value and objective. For example, the Partnership and Cooperation Agreements (PCAs) with the Central Asian republics start with a declaration on 'general principles', which declares that 'respect for democracy, principles of international law and human rights [...] underpin the internal and external policies of the Parties and constitute an essential element of partnership'. Moreover, Article 1 of all the PCAs explicitly refers to the 'consolidation of democracy' as a main objective. Broadly speaking, the instruments that the EU uses to promote these goals are political dialogue, conditionality, and the provision of aid.

Political dialogue is lightly embodied in the PCAs. The PCAs are documents of some 60 pages, but there is only a brief section (one

page) relating to political dialogue. MacFarlane is right, this brevity is somewhat odd, given that political issues are given pride of place in the PCAs' declaration of principles.² Pursuant to the PCAs, dialogue rests mainly with the Cooperation Council, which, however, meets only annually at ministerial level, making high-ranking dialogue anything but intensive. Moreover, Cooperation Council talks are conducted in a very reserved manner; sensitive subjects are seldom discussed in detail.³ By contrast, the Euro-Mediterranean Committee for the Barcelona Process, composed of senior (foreign ministry) officials of the EU member states and Mediterranean partners, meets on average every two to three months. But not only is the PCA dialogue half-hearted and rare; other high-ranking contacts are seldom seen as well. For example, in March 2004, then External Affairs Commissioner Chris Patten toured Central Asia; so far, this is the only trip to the region by an EU commissioner in ten years.⁴

The EU has repeatedly proclaimed that the OSCE functions as the primary organisation for security management in Central Asia.⁵ Its security concept contains a strong 'human dimension' and this has seemingly tempted some EU officials to believe that issues like human rights can therefore be left to that organisation. Accordingly, the EU's technical and financial aid concentrates on 'good governance' instead of fostering democracy in its narrower sense (civil and political rights; institutions of democratic representation; democratic civil society). EU democratisation aid in its narrower sense is covered by the EIDHR programme. However, its Annual Work Programme 2005 limited support to Kazakhstan, Kyrgyzstan and Tajikistan, leaving out the region's worst human rights offenders Turkmenistan and Uzbekistan.

An important tool of external democratisation policy is political conditionality. The EU generally prefers a positive approach. In practice, however, compliance with liberal-democratic rules doesn't seem to be an important factor for EU aid allocations. For example, Turkmenistan, one of the world's most dictatorial regimes, ranks third with regard to TACIS per capita allocations towards the five Central Asian republics. Regarding sanctions, it was only recently that the EU first applied sanctions in the wake of the Andijon massacre in Uzbekistan, in which hundreds of civilians are believed to have been killed by Uzbek security forces. According to Youngs, the EU does not usually react to gradual declines into authoritarian practices but to sudden and highly visible violations of democratic principles.⁶ The Central Asian case

obviously corroborates this finding.

Explaining the rhetoric-reality gap

From the above examination, it is evident that EU democracy promotion in Central Asia has not lived up to expectations created by its general policy rhetoric. First, aid disbursement is largely unconditional. Second, high-level EU-Central Asian dialogue is both rare and relatively tame. Third, there is much emphasis on the promotion of good governance, leaving aside democracy and human rights issues. Moreover, EIDHR programming astonishingly ignores Uzbekistan and Turkmenistan, the region's worst human rights violators. Three propositions are outlined here to explain the rhetoric-reality gap, drawing on the EU's multi-level system of governance, the structure of resonance and the resource relations between the EU and the target states.

The EU's multi-level character

In promoting democracy abroad the EU is acting within the realm of shared competences. Thus, the multi-level character of the EU is relevant as member states could have interests in a third state which diverge from those of the EU. Two complicating issues have to be considered: first, the special relations of some member states with Russia; and second, the participation of member states in the war against terrorism. In dealing with Russia's self-prescribed role as a hegemonic power in the post-Soviet space, the EU, urged by its larger member states Germany, France and Italy, has always acted very carefully, trying to reassure Moscow that it is not its intention to question Russia's position in its Central Asian backyard. However, an aggressive EU democratisation policy could exactly provoke this: Putin's 'guided democracy' has few difficulties in dealing with the despotic rulers of Central Asia and is skilfully exploiting opportunities stemming from the more and more similar patterns of rule. Second, with the beginning of the war on terrorism some European leaders have increasingly shown a split personality on the promotion of democracy. More often than not, they put aside their democratic scruples as they need the assistance of the Central Asian states to conduct Operation Enduring Freedom in neighbouring Afghanistan. Furthermore, the EU not only tacitly accepted that Central Asia's newly obtained strategic importance paved the way for a new phase of domestic repression, it also doubled annual allocations for TACIS projects from €25 million to €50 million.

Turning a blind eye to conditionality holds especially true for Germany which put some 300 troops at the southern Uzbek city of Termez to support NATO's International Security Assistance Force (ISAF). Allegedly, it was Germany that long prevented EU sanctions against Uzbekistan in the EU Council of Ministers, before it had to give in, in autumn 2005.⁷ Furthermore, the credibility and symbolic value of these EU sanctions has been undermined also by Germany when Uzbek Interior Minister Zokirjon Almatov – literally and figuratively at the top of a visa ban list – received medical treatment in Germany.

Structure of resonance

The central assumption here is that the EU is especially active in countries which provide a favorable context for democracy promotion. This follows the Council's 'common position' that increased democracy support is to be considered where positive changes have taken place, that is, democratization aid falls on fertile ground.⁸ Given the (semi-) authoritarian character of the Central Asian regimes, the EU's approach of 'democratisation producing democracy aid'⁹ is certainly an important factor that accounts for the low level of resources allocated to Central Asia. Democratisation projects are especially complicated by ways in which these societies are structured. First, the social fabric of Central Asian societies is made up of an intermixture of traditional institutions like family, kinship and clan affiliations and loyalties. The underlying culture of these networks is not democratic, but authoritarian, patrimonial and personal; all of them hardly compatible with democratic norms. Furthermore, the absence of recognition in Islamic thought for the legitimacy of an independent political and public sphere as well as the supposed predominance of a corporatist spirit is not particularly conducive to individualism, making Central Asian societies inhospitable places for the emergence of democracy.¹⁰ Second, as the Tajik civil war has shown, Central Asia's clan based societies are highly fragmented along ethnic and regional lines and prone to the 'democratisation-stabilisation dilemma'¹¹: democratic competition is inherently difficult in such societies because of the strong tendency towards politicisation of particularistic demands, with in turn often leads to the growth of zero-sum, winner-take-all politics in which some clans are permanently included and some excluded. Against this background, it is not too astonishing that the EU concentrates in Central Asia largely on issues of state-building than on democracy-building.

Resource Relation

In general, we can observe that on economically potent targets, there are no strong instruments applied and only a very weak political dialogue is set up. In such cases the EU tries to push through its values via alternative arenas (e.g., WTO, UN, OSCE). At first sight, EU Central Asian economic relations are hardly overwhelming. Trade is lopsided with 20 percent of the Central Asian exports going to the EU while only about 0.5 percent of EU exports are shipped to the region. However, EU stakes significantly increase after including the energy issue as part of a larger trade dimension into the calculation. The region is part of a 'strategic energy ellipse', reaching from the Persian Gulf to the Caspian Sea and Russia. For example, Turkmenistan ranks three among the world's largest gas reserves and Kazakhstan has oil in the global ten. Since energy security has risen sharply on the European policy agenda, it cannot be ruled out that the choice of democratisation instruments is influenced by such energy policy issues.

Conclusion

The EU, under its current German presidency, wants to develop a new comprehensive strategy towards Central Asia. German Foreign Minister Frank-Walter Steinmeier gave three reasons why the region is of importance to Europe: first, it is located in the immediate neighbourhood of instability around Afghanistan, Pakistan and Iran. Second, Central Asia itself is threatened by Islamic fundamentalism, and thirdly, Europe is interested in the region's abundant raw materials. Steinmeier admitted that many countries in the region have yet to embark on the road of democracy; nevertheless, the reasons outlined above would be sufficient for upgrading the EU's engagement with Central Asia.¹² Given the predominance of strategic thinking in Steinmeier's remarks, one can assume that the subordination of human rights and democracy policies to self-regarding issues of security and/or material interests is to be continued.♦

¹ S. Blank, 'Democratic Prospects in Central Asia', *World Affairs*, vol. 166, no. 3, 2004, p. 133.

² N. MacFarlane, 'European Strategy Toward Kazakhstan', in: R. Legvold (ed.), *Thinking Strategically. The Major Powers, Kazakhstan, and the Central Asian Nexus* (Cambridge: MIT Press, 2003), p. 148.

³ M. von Gumpenberg, *Usbekistan. FES-Studie zur länderbezogenen Konfliktanalyse*, Bonn, 2002, p. 39,;available at <<http://library.fes.de/pdf-files/iez/01934.pdf>>.

⁴ A. Lobjakas, 'Central Asia: EU Commissioner Begins Rare Tour of Region', *RFE/RL Newslines*, 15 March 2004.

⁵ N. Swanström, 'The Prospects for Multilateral Conflict Prevention and Regional Cooperation in Central Asia', *Central Asian Survey*, vol. 23, no. 1, 2004, p. 48.

⁶ R. Youngs, *The European Union and the Promotion of Democracy. Europe's Mediterranean and Asian Politics* (Oxford: Oxford University Press, 2002), p. 22.

⁷ This point was raised by the German news report 'Monitor' in a broadcast on 19 May 2005.

⁸ Council of the European Union, Common Position of 25 May 1998 concerning human rights, democratic principles, the rule of law and good governance in Africa (98/350/CFSP), Official Journal of the European Communities, L 158/1, 2 June 1998.

⁹ T. Carothers, *Aiding Democracy Abroad* (Washington D.C.: Carnegie Endowment for International Peace, 1999), p. 44.

¹⁰ See, for example, S. M. Lipset, 'The Centrality of Political Culture', in L. Diamond & M. F. Plattner (eds.), *The Global Resurgence of Democracy*, (Baltimore, Johns Hopkins University Press, 1996), pp. 150-153; E. Gellner, *Conditions of Liberty: Civil Society and Its Rivals* (New York: Penguin, 1994), pp. 15-29.

¹¹ K. Collins, 'Clans, Pacts, and Politics in Central Asia', *Journal of Democracy*, vol. 13, no. 3, 2002, p. 148.

¹² A. Lobjakas, 'EU: German Presidency's Focus on Central Asia, Black Sea, Russia', *RFE/RL*, 19 December 2006.

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Franck Petiteville, *La politique internationale de l'Union européenne*, Paris: Presses de la Donation Nationale des Sciences Politiques, 2006.

Database of ESDP Missions

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Mission	Geographical Scope	Legal Act	Objectives	Mandate	Kind of mission	Timing	Control and Planning	MS taking part	Financing	Size of the mission	Comment
	Europe										
EUPM	Bosnia-Herzegovina	Council JA 2002/210/CFSP, 11 March 2002	Establish a sustainable, professional and multiethnic police service operating in accordance with best European and international standards.	UN's IPTF	Police mission	Since 1 Jan 2003	Political and Security Committee (PSC) provides political control and strategic direction. Guidance and Coordination: EU Special Representative (EUSR) in BiH, Christian Schwarz-Schilling. Head of Mission (HoM): Vincenzo Coppola	EU 25 Member States (MS) + Bulgaria, Canada, Iceland, Norway, Romania, Russia, Switzerland, Turkey, Ukraine	€14.4 m	406 personnel (198 int'l, 208 national)	1st civil mission of the EU
EURFOR-Althea	Bosnia-Herzegovina	Council JA 2004/570/CFSP, 12 July 2004	Help BiH make further progress in the context of the SAP. Ensure continued compliance with the Dayton/Paris Agreement and contribute to a safe and secure environment in BiH.	EU-led mission	Military operation	Since 2 Dec 2004	PSC political control and strategic direction. Guidance and Coordination: EUSR, Christian Schwarz-Schilling. Major General Gian Marco Chiarini	22 MS (excl Malta, Denmark and Cyprus) + Albania, Argentina, Bulgaria, Canada, Chile, Morocco, Norway, New Zealand, Romania, Switzerland, Turkey	€71.7 m	7000 troops	EU's biggest crisis mgmt operation
Concordia	FYR Macedonia	Council JA 2003/92/CFSP, 27 Jan 2003	Contribute further to a stable secure environment	EU-NATO	Military operation	31 Mar 2003 – 15 Dec 2003	PSC provided political control and strategic	21 EU MS (excl Cyprus, Denmark,	€4.7 m	400 personnel	1 st ESDP military operation

			and to allow the implementation of the Aug 2001 Ohrid Framework Agt				direction. SG/HR gave guidance to the Head of EUPAT through the EUSR, Erwan Fouéré. Framework nation: France. Operation Commander: Admiral Rainer Feist	Ireland and Malta) + Bulgaria, Iceland, Norway, Romania, Turkey			
EUPAT	FYR Macedonia	Council JA 2005/826/CFSP, 24 Nov 2005	Monitor and mentor the country's police on priority issues in the field of border police, public peace and order and accountability, the fight against corruption and organised crime	EU-led operation	Police advisory team	15 Dec. 2005 – 14 June 2006	PSC provided political control and strategic direction. SG/HR gave guidance through the EUSR Erwan Fouere. HoM: Jürgen Scholz	Not specified	€1.5 m	30 police advisors and 20 nationals	3 rd EU mission in FYROM
Proxima	FYR Macedonia	Council JA 2003/681/CFSP, 29 Sept 2004	Monitoring, mentoring and advising the country's police, thus helping to fight organised crime as well as promoting European policing standards	EU-led operation	Police mission	15 Dec 2003 – 14 Dec 2005	PSC provided political control and strategic direction. SG/HR gave guidance through the EUSR, Erwan Fouere. HoM: Chief Commissioner Bart D'Hooge	23 EU MS (excl Ireland and Malta) + Norway, Switzerland, Turkey, Ukraine	€7.3 m	200 personnel	A EU civil mission taking over a EU military mission, Concordia
Border Assistance to Moldova and		Council JA 2005/776/CFSP, 7 Nov 2005	Prevent smuggling, trafficking, and customs fraud, by	EU-led operation	Border assistance	Since 1 Dec 2005	PSC political control and strategic direction. Coordination	Not specified	€430,000	119 personnel (69 from MS, 50 local staff)	1 st EU mission in Moldova

Ukraine			providing advice and training to Moldovan and Ukrainian border and customs services.				by the EUSR for Moldova, Adriaan Jacobovits de Szeged. HoM: Brigadier General Ferenc Banfi				
	Caucasus										
EUJUST Themis	Georgia	Council JA 2004/523/CFSP 28 June 2004	Support Georgian authorities in addressing urgent challenges in the criminal justice system, and in developing a co-ordinated overall approach to the reform process.	EU-led operation	Rule of law	16 July 2004 – 14 July 2005	PSC provided political control and strategic direction. SG/HR gave guidance though the EUSR for the Southern Caucasus, Peter Semneby. HoM Mission: Sylvie Pantza	Denmark, France, Germany, Greece, Italy, Latvia, Lithuania, Netherlands, Poland, Spain, Sweden	€2.05 m	13 personnel from MS and 14 local staff	1 st mission of the EU to strengthen the Rule of Law
	South-east Asia										
AMM	Banda Aceh	Council JA 2005/643/CFSP9 Sept 2005	Monitor implementation of various aspects of the peace agr set out in the Memorandum of Understanding signed by the Govt of Indonesia and the Free Aceh Movement (GAM) on 15 Aug 2005	EU-ASEAN	Monitoring mission	Dec 2005 – Dec 2006	PSC exercises political control and strategic direction. HoM: Pieter Feith	EU 25 MS + Norway, Switzerland, Thailand, Malaysia, Brunei, Philippines and Singapore	€9.3 m	174 personnel (90 from EU and 84 from ASEAN)	1 st ESDP mission in Asia
	Middle East										
EUJUST Lex	Iraq	Council JA 2005/190/CFSP, 7 March 2005	Address urgent needs in the Iraqi criminal	EU-led operation	Integrated rule of law	Since 1 July 2006	PSC exercises political control and strategic	Czech Republic, Denmark, Finland,	€11.3 m	16 experts from the EU (located in Brussels)	Civil mission to promote the Rule of Law

			justice system by training high and mid level officials in senior mgt and criminal investigation				direction. HoM: Stephen White	Germany, Italy, Netherlands, Portugal, Spain, UK, Sweden		and 5 experts in Baghdad	
EUBAM Rafah	Palestinian Territories	Council JA 2005/889/CFSP, 12 Dec 2005	Monitor operation of Rafah Crossing Point (Gaza), in accordance with Agreement between Israel and Palestinian Authority (PA)	EU-led operation	Border assistance	Since 30 Nov 2005	PSC political control and strategic direction. SG/HR gives guidance to the Head of EUPAT through the EUSR, Marc Otte. HoM: Major-General Pietro Pistoiese	Denmark, Finland, Italy, Netherlands, Portugal, Romania, Spain	€11.3 m	70 personnel (60 int'l and 10 national)	1 st EU Mission in the Middle East
EUPOL COPPS	Palestinian Territories	Council JA 2005/797/CFSP, 14 Nov 2005	Provide enhanced support to the PA in establishing sustainable and effective policing arrangements, with long term reform focus	EU-led operation	Police mission	Since 1 Jan 2006	PSC political control and strategic direction. SG/HR gives guidance to the Head of EUPOL COPPS through the EUSR, Marc Otte. HoM: Jonathan McIvor.	Not specified	€6.3 m	14 personnel (14 int'l and 3 national)	1 st EU civilian mission in the Middle East
	Africa										
Artemis	DR Congo	Council Decision 2003/432/CFSP, 12 June 2003	Contribute to the stabilisation of the security conditions and improvement of the humanitarian situation in Bunia	UNSC resolution	Military operation	12 June 2003 – 15 Sept 2003	Coordination by UN Mission in the Democratic Republic of the Congo (MONUC) and the Joint Military Commission (JMC). EU represented	22 EU MS (excl Denmark, Finland and Luxemburg) + Brazil, Canada, South Africa	€7 m	1800 troops	1 st out of area and autonomous military operation of the EU

							through the EUSR for the African Great Lakes Region, Aldo Ajello				
EUROPOL Kinshasa	DR Congo	Council JA 2004/847/CFSP, Dec 2004	Monitor, mentor and advise the Integrated Police Unit (IPU), set up following an official request of the Congolese government	EU-UN	Police mission	Since 9 Dec 2004	PSC political control and strategic direction. SG/HR gives guidance through the EUSE, Aldo Ajello. HoM: Adilio Custodio	Belgium, Germany, Hungary (in the field) + Denmark, Ireland, Luxemburg, Netherlands, Sweden, UK (financial contribution)	€4.4 m	93 personnel (27 int'l, 8 national and 38 temp. reinforcement staff)	1 st out of area civil EU operation. It takes over Artemis
EUSEC DR Congo	DR Congo	Council JA 2005/355/CFSP, 2 May 2005	Provide advice and assistance to the Congolese authorities in charge of security while promoting policies that are compatible with human rights and international standards.	EU-led operation	Security sector reform	Since 8 July 2005	PSC political control and strategic direction. SG/HR gives guidance through the EUSR, Aldo Ajello. HoM: General Pierre Joana	Not specified	€4.3 m	37 personnel (9 int'l)	Out of area civilian mission to strengthen the Rule of Law
EUFOR DR Congo	DR Congo	Council JA 2006/319/CFSP, 27 April 2006	Help the MONUC in securing the region during the elections in DRC	UNSCR	Military support MONUC	Since 27 Apr 2006	PSC political control and strategic direction. SG/HR gives guidance through the EUSR, Aldo Ajello. Operation Commander: Lieutenant General Karlheinz Viereck	Belgium, France, Germany, Portugal, Spain, Sweden	€16.7 m	1450 troops	4 th military operation in DRC
AMIS II	Sudan	Council JA	Ensure	African	Support	Since	PSC political	Austria,	€4.1 m	62	1 st EU

		2005/557/CFSP, 20 July 2005	effective and timely assistance to AMIS II enhancement. EU action to support the AU and its political, military and police efforts to address the crisis in the Darfur region	Union request	to AMIS II	18 July 2006	control and strategic direction. SG/HR gives guidance through the EUSR, Pekka Haavisto	Denmark, France, Italy, Netherlands, Sweden, UK		personnel (32 civilian and 30 military)	mission in cooperation with the African Union. Civilian and military mission
	Possible future										
EUPT Kosovo	Kosovo	Council JA 2006/304/CFSP, 10 April 2006	Initiate planning to ensure a smooth transition between selected tasks of UNMIK and a possible EU crisis management operation	EU-led operation	Rule of law	Since 12 Apr 2006	PSC political control and strategic direction. SG/HR gives guidance through the EUSR to the Kosovo future status process, Stefan Lehne. HoM: Casper Klyngie	Not specified	€3.1 m	24 personnel	1 st EU mission in Kosovo