

CFSP Watch 2005 – Danmark – by Jess Pilegaard¹

1. What are the priorities for your government in CFSP in 2005? What are the key issues for your country in 2005 (especially with regard to the negative referenda on the Constitutional Treaty in France and the Netherlands; after the recent EU enlargement and on behalf of the perspective of the upcoming accession round(s))?

The second negative referendum in the Netherlands left the Danish political elite baffled. There had been an abundance of warnings in the run-up to the French referendum, but judging by the reactions in Denmark, few had actually contemplated the practical consequences of a 'double' French/Dutch no-vote.

The Danish government has been a committed advocate of the Constitutional Treaty (see e.g. annex 1), and right up to the French referendum there was in fact a comfortable popular majority in favour of the Treaty. The traditionally sceptical Danes were actually in favour of the Constitutional Treaty, but within a fortnight this majority had disappeared.

The Danish Government and the leading opposition parties (the Social Democrats, the Liberals, and the Socialist People's Party) have sought not to dramatize the current political impasse, calling instead for a time of 'critical reflection', during which Danish EU priorities should be discussed in public debates. In the immediate situation, the Danish government and the leading opposition parties are backing the efforts of the UK Presidency to obtain an agreement on the budget.

The Danish Government and the leading opposition parties have sought to distance the coming Danish debate from the confines of the Constitutional Treaty, calling instead for a broad and open debate on what the central Danish EU priorities should be. Following the European Council in June 2005, the Danish Prime Minister, Mr. Anders Fogh Rasmussen, presented five key priorities of the Danish Government: 1) The EU should focus its efforts on creating economic growth and employment by investing in research. 2) The EU should reduce and simplify the number of public transfers, and target support for the less affluent countries. 3) The EU should intensify efforts to create an internal market for services. 4) The EU must strengthen cooperation to combat terrorism and international crime, and 5) The EU must strengthen its role in global affairs, developing a stronger stand in terms of international development co-operation, international environmental regulation, and a stronger position vis-à-vis the Middle East.

The leader of the Social Democrats, Helle Thorning-Schmidt presented this 'time for reflection' as an invaluable opportunity: Danes now have the opportunity to discuss what they actually want to do with Europe, instead of having to react to a negotiated agreement (op-ed in *Politiken* 23rd June 2005). The Social Democrats are also calling for economic reform and a stronger focus on creating jobs. Echoing the Government, the Social Democrats are also

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calling for a stronger EU in international affairs: The external role of the EU must be strengthened in order to deal effectively with the new global challenges.

The Danish Government and the leading opposition parties have agreed to convene after the summer break in order to discuss how this period of 'critical reflection' and debate should be promoted.

2. Does your country adopt a more pessimistic or optimistic stance regarding the ratification crisis of the Constitutional Treaty? How might the rejection of the Constitutional Treaty in France and the Netherlands influence the ratification debate in your country and also have an impact on the outcome of the referendum?

Notwithstanding the efforts of the Danish Government to contain the domestic ramifications of the EU crisis, the general perception is arguably rather pessimistic.

Following the French 'no-vote' the Danish Government insisted that the Danish referendum be held as planned, on the 27th of September. The fact that France had rejected the Treaty should not be allowed to prejudice the outcome: The European electorates in the different member states should make up their own minds. The Dutch no-vote made it patently clear that a Danish referendum would be pointless: With France and the Netherlands out (and the British Government visibly relieved), the future of the Treaty was highly uncertain, making it difficult to justify a referendum. The Danish Government was clear on this point: The Danish referendum would have to await clarification from the European Council scheduled for 15th-16th of June. There would be no point in holding a referendum until the political situation had been clarified. The Danish Government was obviously reluctant to dismiss the Danish referendum *before* the European Council, lest it be accused of further weakening the Constitutional Treaty.

Following the European Council on June 15th-16th, the Danish referendum has been postponed for the foreseeable future. The Danish Government and the leading opposition parties maintain their favourable opinion of the political contents of the Treaty, but are now calling for a broader political debate on Danish EU priorities (see above).

A number of Danish politicians (from both Government and opposition parties) have called for a swift referendum on the Danish opt-outs, especially the opt-out from the security and defence policy, the argument being that this would make Denmark 'fit for fight' when the negotiations over the future of the Treaty resume. Two former Danish foreign ministers (Mogens Lykketoft, Social Democrats, and Niels Helveg-Petersen, Liberals) have put forward similar arguments. Most recently, a memo from the Danish Ministry of Foreign Affairs has called attention to the negative consequences of the opt-out on Danish security and defence policy (*DR Online News* 26th July 2005). According to the Ministry, the opt-out is not only weakening the position of Denmark inside the EU, but also eroding Danish influence in NATO because of the increasing coordination and collaboration between the two organisations on security and defence matters. The memo and the political reactions to the same clearly suggest that the present situation is untenable. Interestingly, public opinion polls show a

consistent majority in favour of scraping the defence opt-out (and a smaller majority in favour of dropping the EMU opt-out).

However, there are no plans to hold a separate referendum on any of the four opt-outs at this point in time and none of the leading political parties are intent on opening this debate in the immediate future.

3. National Perceptions and Positions with regard to CFSP/ESDP Issues in 2005

Please describe key positions and perceptions in your country with regard to EU foreign policy, taking into account:

- **The perceived success and/or failure of CFSP/ESDP (e.g. taking into account current developments like the current ratification crisis of the Constitutional Treaty);**

For the Danish Government and the leading opposition parties, the Treaty provisions for strengthening the international role of the EU were central. Successive Danish Governments have been very supportive of the CFSP, seeing it as an invaluable platform for the promotion of Danish foreign policy priorities. As argued above, the Danish government remains strongly committed to a strengthening of the international role of the EU. Given the Danish opt-outs from the ESDP, the official Danish position on this subject is more reserved. This being said, the Danish Government and the leading opposition parties are all clearly in favour of abolishing the opt-out in due course (see above).

- **The role of the EU in crisis management e.g. in Congo, Georgia, Darfur;**

Again, given the Danish opt-out, the official position of the Danish Government is supportive but non-committing. Denmark currently holds a seat in the UN Security Council, which clearly accentuates the dilemma: Denmark is in favour of the EU taking a broader responsibility in crisis management, but is currently unable to participate actively.

- **The perceived impact of EU enlargement on CFSP/ESDP;**

Successive Danish Governments have been firmly committed to the enlargement of the EU, and the enlargement process is consequently seen as strengthening the EU (provided, of course, the institutions are reformed accordingly). Also, the vast majority of the newcomers share the atlanticist inclinations of the Danish government, thus strengthening Denmark's traditional policy coalition.

- **The view of the European Security Strategy (ESS) as an instrument for enhancing coherence in the EU's security policy; how does your country view the ESS and which issues are of particular importance?**

The ESS has not been widely discussed in Denmark, but the thinking embodied in the document (in terms of policy coherence and broader notions of security) are clearly complementary to Danish security strategy thinking.

- **European Neighbourhood Policy and its implications;**

The Danish Government and the leading opposition parties are very supportive of the Neighbourhood Policy. The policy is clearly instrumental in furthering key Danish foreign policy priorities.

- **The creation of battle groups and their role for ESDP**

Again, given the Danish opt-out, the official Danish position has been somewhat reserved. However, the Danish Government is following the debate closely, focusing especially on the issue of NATO compatibility (Denmark being strongly opposed to any development that could be construed as a weakening of NATO or the transatlantic relationship).

4. The Constitutional Treaty and its future – National perceptions concerning a ‘plan B’?

Official positions on the Constitutional Treaty provisions on CFSP / ESDP and external relations?

See above: The Danish Government and leading opposition parties are strongly supportive of the CFSP and generally endorse the provisions of the Constitutional Treaty in this regard.

Constitutional Treaty or some version of ‘Nice Treaty Plus’?

Describe (briefly) the position of your country on the following key issues and the possibility of their realisation without a Constitutional Treaty as a ‘plan B’, ‘C’ or ‘D’:

- **External Representation: What is the final position of your country on the European foreign minister and the President of the European Council? Will / should there be a post resembling that of the Foreign Minister based on the Nice Treaty (something like an enhanced High Representative)? How could this be realised?**

The Danish Government and the leading opposition parties were supportive of the provisions of the Constitutional Treaty, although the titles ‘foreign minister’ and ‘president’ were somewhat difficult to swallow for a nation that vehemently defends the principle of national sovereignty. The debate on possible plans ‘B’, ‘C’ and ‘D’ have not really started yet (see above on the plans to convene after the summer break). Still, given the broad support for the idea of strengthening the CFSP, one would suspect that Denmark would be favourably inclined towards alternative solutions to the same effect.

- **Basic structures of the European External Action Service have already been developed. Now that the Constitutional Treaty might not enter into force, is your government in favour of developing such a body in order to support the High Representative?**

Again, the debate has not really started yet. Still one would suspect that Denmark would be favourably inclined (and presumably supportive of a minimalistic structure rather than a maximalistic).

- **Decision-making: Does your country opt for an extension of qualified majority voting in the field of CFSP? Will the Nice provisions be sufficient for an efficient CFSP/ESDP decision-making within the enlarged EU?**

Again, the debate has yet to take off. However, successive Danish Governments have emphasised the intergovernmental character of the Common Foreign and Security Policy.

- **Crisis management: What is the official position on expanding the Petersberg tasks and making reference to tasks that involve military resources? Which regions does your country consider as particularly promising for EU crisis management?**

Given the Danish opt-out, the official Danish position is somewhat reserved.

- **Defence: What is your country's position towards the establishment of the civilian-military cell at the EUMS? Was your government in favour of creating a full-fledged operational EU headquarters?**

Given the Danish opt-out, the official Danish position is somewhat reserved.

- **Is your country in favour of realising provisions such as the permanent structured cooperation even without the Constitutional Treaty? What measures would be preferred?**

Again, the debate has not really started yet.

- **Would your country support the creation of core groups inside or outside the EU in CFSP/ESDP if the Constitutional Treaty finally failed?**

Up to this date, successive Danish governments have been disinclined to support notions of a multi-speed Europe or a Europe of variable geometry. The Danish Government would presumably prefer a uniform structure, where everyone is on board.

5. Mapping of Activities in CFSP-related Research

Key researchers in the field of CFSP/ESDP include (the list is not exhaustive and the names appear in random order):

- Professor Ole Wæver, Institute of Political Science, University of Copenhagen
- Jean Monnet Professor Bertel Heurlin, Institute of Political Science, University of Copenhagen
- Jean Monnet Professor Knud-Erik Jørgensen, Institute of Political Science, University of Aarhus
- Associate Professor Mikkel Vedby Rasmussen, Institute of Political Science, University of Copenhagen
- Associate Professor Lene Hansen, Institute of Political Science, University of Copenhagen
- Senior Researcher Ulla Holm, Danish Institute for International Studies
- Professor Morten Kelstrup, Institute of Political Science, University of Copenhagen
- Head of Department Gorm Rye Olsen, Danish Institute for International Studies
- Professor Finn Laursen, Institute for Political Science, University of Southern Denmark
- Senior Researcher Hans Mouritzen, Danish Institute for International Studies.
- Associate Professor Marlene Wind, Institute of Political Science, University of Copenhagen
- Associate Professor Anders Wivel, Institute of Political Science, University of Copenhagen

- Associate Professor Henrik Larsen, Institute of Political Science, University of Copenhagen
- Associate Professor Sten Rynning, Institute of Political Science, University of Southern Denmark

Annex 1

NEW RULES FOR A NEW EUROPE - WHY WE SHOULD APPROVE THE CONSTITUTIONAL TREATY

Speech given by the Danish Minister of Foreign Affairs, Dr. Per Stig Møller at a public debate on the Constitutional Treaty on the 31st of March 2005. The Minister of Foreign Affairs of the Netherlands, Bernard Bot, participated in the meeting.

Dear colleague, ladies and gentlemen

I welcome this opportunity to discuss what the Constitutional treaty will mean for us and what we should take into account, when later this year both our countries will have to make up their minds on it.

The Constitutional treaty will enter into force on November 1st 2006, if it has been ratified by all the member states. Some members like Germany and Italy will ratify the treaty by a vote in Parliament, while others like Denmark, the Netherlands, France and Britain will consult their citizens in a referendum. Spain has already successfully completed their referendum.

The treaty cannot enter into force unless ratified by all 25 member states. If there is a "No" in a country that country must come up with suggestions for solutions and the other countries must accept them. But a country that says "No" also has responsibility to make sure that the community can develop and the country has to decide whether it wants to be part of the club at all. That goes for France, the Netherlands, Denmark and other countries.

So Bernard, we are both faced with the crucial job of explaining, why Europe is better served with a "yes" than a "no" to the treaty. With the Dutch referendum on June 1st and the Danish referendum on September 27th, I will have a bit more time than Bernard.

[States like Denmark and the Netherlands need a binding European co-operation]
We need however to take a step back from the day-to-day politics in order to clearly assess what is at stake for Denmark, the Netherlands and other EU member states. We miss the larger picture, if we focus narrowly on the paragraphs in the new treaty. It is necessary to put our experience with the European Union into a historical perspective to realize the importance of the choice we will be making in September. As I will argue, it is a choice, which is even more important for European countries like Denmark and the Netherlands with open economies based on external trade, which by the way was the reason why the Netherlands appointed the commissioner in 1605.

A political map of Europe from 1942 would show that only four independent democracies existed on our continent 63 years ago – Britain, Ireland, Switzerland and Sweden. In those darkest of times, dictatorship, occupation, war and genocide were the order of the day. Before the outbreak of the war, any concept of collective security had vanished, and states like Denmark and the Netherlands together with Belgium, Norway, Czechoslovakia, Greece, Austria and the three Baltic republics were left fending for themselves – oppressed and occupied by Hitler and Stalin. The very few international rules and agreements that existed at the time were ignored by the big military powers, and the League of Nations did not function.

Today, within the same geographical area, the number of free and independent European democracies has reached 46 in 2005. An outbreak of armed hostilities between EU member

states has become unthinkable. These political changes are astounding. It seems so rational today, but it is ahistoric to believe that the future will be the same as the present.

Equally so the economic progress enjoyed by European citizens in the same short time span. From a situation characterised by ration coupons in Denmark and outright starvation for many in the Netherlands, modern life nowadays implies an abundance of consumer goods and an unprecedented standard of living for Danes and Dutch alike.

My point is that we must learn from history in order not to repeat it. We should never take peace, democracy and prosperity for granted. This European success story is not the work of any single individual, country or institution. But the European Union has undoubtedly been the most important factor in promoting democracy and underpinning prosperity in Europe for the last fifty-years.

It has created the biggest free trade area in the world with 455 million consumers and helped democratic governments take root in Spain, Portugal, Greece and more recently on the Balkans. It has helped East European countries to get into the European framework with its values, democracy and rule of law, and they are all moving forward inside the EU with admirable speed. By offering the vision of possible EU membership, it today continues to promote reforms in Turkey and the Ukraine.

But what is the particular nature of the European co-operation? And why does this co-operation entail so many advantages particularly for countries like Denmark and the Netherlands?

The European Union is first and foremost a co-operation between independent states that is based on legally binding rules – for countries and their peoples alike. Rules which apply to all member states regardless of size and economic might and which are backed by an EU Court of Justice. If the treaties regulating how the EU works seem complicated and technical, it is precisely because of the rule-based nature of the EU co-operation. With 25 member states having different historical and cultural identities as well as 21 different languages, common rules that are democratically adopted become vital.

Secondly, the EU ensures the absence of the traditional great power politics in Europe. It ensures that we will not return to the zero-sum game of the past, where big military powers carved up Europe, and later the rest of the world into different spheres of influence. The smaller European states often became the biggest losers in this game, as they were dominated or subdued by larger neighbours. Treaties and international institutions had little effect and in terms of being able to pursue the national interest, the playing field was anything but equal in Europe. The small countries were in principle sovereign states, but they dared not do, what their mighty neighbours did not like them to do!

In stark contrast, take a look at the enlarged European Union. It is built by and for 25 democratic member states, which have all joined voluntarily. It relies on a firm legal framework, which places all member states on exactly the same and equal footing - no matter how big or how small. In the discussions leading up to a decision in Brussels, the political influence of Denmark or the Netherlands depends on the persuasive power of our arguments. The enlarged EU is based on shared European values and works to improve the daily lives of European citizens.

In this European context, countries like Denmark and the Netherlands have flourished. More than Britain, France and Germany, we needed the rules of the EU. Rules that politically provide a level playing field and economically opens the door for Danish, Dutch or Portuguese goods to be sold freely in France or Germany.

[Three good reasons to vote "yes" to the Constitutional Treaty]
But why do we need a new treaty? In fact, we do already have a democratic system in Brussels as well as the single market with the existing rules. The answer is simple: because neither Europe nor the world around us is standing still. We are not six, not twelve, not fifteen, but 25 and soon more member states.

We Europeans have always been eager to develop and improve our societies – economically, socially and environmentally. It is because of our fundamental individualism and scepticism that we continue to question our own social structures – and that we come up with new answers to each new challenge. Now, we need to do so again. And the Constitutional Treaty is the answer to the challenges facing an enlarged EU in a new century.

The pressure from the global economy on European jobs and prosperity is increasing and the threat from international terrorism and cross-border crime needs to be addressed. Concerted action on an international level is also required to protect our environment. The news media are regularly sounding the alarm bells about issues such as outsourcing of jobs from Europe or smuggling of illegal immigrants and drugs to Europe. We need rules in the EU in order to be able to respond effectively to these developments. The Constitutional Treaty lays down the basic rules for the enlarged EU of 25 for many years to come.

Let me briefly provide you with three reasons why I recommend a "yes" to the Constitutional Treaty.

Firstly, the treaty ensures that the enlarged EU of 25 or more member states will be able to function effectively in the future. We owe it to the new member states to make enlargement work in practise. With so many countries around the table, we risk political deadlock and decisions based on the lowest common denominator unless it becomes easier to reach decisions. The Constitutional Treaty introduces qualified majority voting in more policy areas. In this way, Europe will maintain its ability to act.

Secondly, the treaty defines clearly what the EU is and can and what it is not. The treaty establishes a clear division of labour between the Union and the member states. It makes it absolutely clear, that the EU is a voluntary co-operation of independent states, and it says, that the EU only possesses the authority, which the member states have conferred to it. Certain areas such as trade, competition and customs policy are handled most effectively at the EU-level, whereas income distribution, social affairs and foreign and security policy continues to be mainly the preserve of member states.

Thirdly, the treaty enables Europe to assume greater global responsibilities. The new "President" of the European Council and the EU "foreign minister" will allow Europe to speak with one voice in international affairs as long as we agree. The world needs a strong and coherent Europe, which can make a difference globally. Europe has a lot more to offer as an international partner for peace, development and security, and it should become capable of assuming the political responsibility that should go with our economic influence. The treaty

increases our ability to pursue a common European foreign policy and gives us the possibility to influence on world politics in a way we cannot do today.

[The EU matters also in our daily affairs]

Ladies and gentlemen,

I began by saying that the importance of the EU is clearly evident in a historical perspective. The three reasons just outlined may sound as if the European co-operation were mostly about big political issues or lofty ideals. But what about our daily life?

The Constitutional Treaty will allow the EU to make improvements within areas such as consumer protection, environmental standards, animal welfare or food safety. Policies that have a direct impact on how we all go about our daily business. Without the EU, today our continent would have had lower environmental standards, less consumer protection, more air pollution, less protection of minorities, unsafer nuclear plants etc., etc. With more qualified majority voting, the likelihood of one member state blocking progress, which 24 other European countries aim to achieve, is significantly reduced.

I am convinced that all the governments in all the member states are painfully aware that the EU needs to deliver concrete and tangible results for our citizens. Results that will help to create more jobs and more economic growth in Europe. Action is needed both at the European and at the national level. The Constitutional Treaty will enable us to take that action.

Let me conclude by underlining that we need the EU more not less. We need the enlarged EU to be more consistent and to have the impact that we would like both on our own continent and globally. We have to develop our common Europe and enable it to play its part in a world, which – whether we like it or not – is on the move!

Thank you.

