Note from the Editor

Karen E. Smith, London School of Economics, Editor

Relations with EU neighbours are the subject of the first two articles of this issue of *CFSP Forum*. The issue then returns to a familiar theme, the future of the External Action Service, and to a familiar theoretical concern, explaining the 'failures' of EU foreign policy.

Vadim Kononenko opens the issue with an analysis of the EU's border assistance mission on the Ukraine-Moldova border (particularly significant given the upcoming 'referendum' on independence in Transnistria). Karolina Pomorska then reviews the EU's policy towards Belarus, and the challenges the EU has faced in trying to spread democracy to that country. Simon Duke asks whether a spate of recent EU reports regarding the institutions and mechanisms for EU foreign policy cooperation could eventually re-open the debate on implementing the External Action Service. Finally, Stephan Keukeleire opens a discussion on the popular explanation of EU foreign policy failures, 'a lack of political will'.

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EU BAM Moldova After One Year: Assessing the EU's Security Promotion at the Separatist Border

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On the last day of November, the staff of the EU's border assistance mission for the Ukraine-Moldova border, EU BAM Moldova, will celebrate the one-year anniversary of the mission's solemn inauguration in the Black Sea city of Odessa, Ukraine. The mission, now half-way through its two-year mandate, is often presented as a success story – the most effective and efficient of the EU's external security-promotion operations and a showcase of EU's policy of constructive engagement with its eastern neighbours. Amidst the jubilant praise, the time is right for a critical assessment of the mission's role in facilitating the resolution of the separatist conflict between Moldova and Transnistria as well as its ability to engage the Moldovan and Ukrainian governments in a joint policy action vis-à-vis the breakaway region. On a more general level, EUBAM Moldova presents a testing ground for the EU's commitment to promote security and stability around its extensive eastern border, as envisaged by the European Security Strategy.

To start with, one could examine how effectively the EU has gained a foothold in the region and whether it is moving towards achieving its objectives. According to its mandate, the EU's mission in Odessa is a non-military monitoring and assistance mission established to help Moldova and Ukraine harmonize their border management standards and procedures with those prevalent in the EU, and enhance the

professional capacities of the customs officials and border guards. All this is seen to ensure that the sector of Moldova's border that had fallen under control of the secessionist leadership of Transnistria is efficiently policed in order to prevent smuggling of goods and other illicit activity. Since 1992, Moldova and Transnistria have been locked in a vicious circle, putting forward mutually excluding proposals and effectively halting the negotiation process.

For the EU, however, Moldova's predicament prompted little alarm until it became clear that following Romania's and Bulgaria's forthcoming accession in 2007, Moldova and its troubled region will become the EU's immediate neighbour. Therefore, in 2004-2005 the EU significantly increased its presence in the region. In the wake of a fact-finding mission in October 2005, the 'Transnistrian dossier' was incorporated into the nascent European Neighbourhood Policy (ENP) and the country-specific Action Plan for Moldova. In addition, the EU concluded a memorandum of understanding with Ukraine and Moldova which legitimised the mandate of the new border mission.

However, the start of EU BAM was not entirely smooth as it revealed the internal problems of EU's external policy-making. The launch of the border mission was preceded by a confusing period of political shuffling between the European Commission and the Council on the subject of the status of the EUBAM as either part of the Commission-led ENP or the European Security and Defence Policy (ESDP), which lies in the area of responsibility of the Council. This reflects a hybrid nature of the border mission as it shares common features with other ESDP operations, such as EU BAM Rafah on the Israeli-Palestine-Egypt border, but operates in the region where the Commission takes the lead, as far as the EU's external policy is concerned. In this regard, the success of the mission depends to a great degree on how effectively it interacts with different strands of the complex EU policy-making machinery represented by the Commission's Directorate General for External Affairs (DG RELEX) and the EU Special Representative for Moldova, accountable to High Representative Javier Solana and the Council. In practice, the problem of the internal consistency of the EU's external policy-making might come to a head if the state of the conflict changes from a deep impasse to improvement or, which is not likely, drastic worsening. In any case, the EU will be called to take an active stance on the issue and the border mission will be likely to play a role. Overall, this criticism should also be addressed to

the ENP in general, which has been repeatedly criticized for lack of cohesion and discrepancy of its instruments.

Besides the obstacles stemming from the flaws of EU internal policy-making, the situation on the ground poses additional constraints. Since the beginning of the conflict settlement process in 1992, each party involved has been pursuing different goals which led to a continuing stalemate. Moldova has not been able to effectively control its de jure border whereas Transnistria has been profiting greatly from the presence of Russian peace-keepers, who were reported to assist with policing the Transnistrian sector of the border. The sole international organisation that has been accepted as a mediator, the OSCE, was instrumental to counterbalance Russia's unilateral pressure on Moldova but it was too weak to offer any substantial incentives or impose sanctions that would get the opposing parties back to the negotiation table. Ukraine had an ambivalent position supporting Moldova rhetorically but promoting close economic ties with the secessionist region. By the time of EU's involvement, however, Ukraine had drastically changed its foreign policy course under President Yushchenko and shown commitment to cooperate with Moldova in close rapport with the EU. In 2005, the two states concluded a joint declaration in which they pledged to strengthen their customs and border regime for Transnistria thus paving the ground for further work. Also, both states have reaffirmed their EU membership aspirations and thus appeared to be receptive to EU's concerns and recommendations as stated in the Action Plans and other agreements.

Still, the first months of its existence put the Odessa mission to a serious test. As Ukraine implemented the new customs and border regime terminating the transit of unregistered goods from Transnistria in March 2006, Tiraspol unleashed a PR-campaign appealing to Russia by sounding as if Ukraine and Moldova had tried to blockade the region and cut off its citizens, many of whom are Russian-speakers, from vital supplies as well as preventing any contact of the Transnistrians with the outside world. The EU's mission was driven into the scandal and had to play the role of a mediator, this time between Ukraine and Moldova which appeared to be poor team players. By summer, however, the 'customs spat' had died out with a growing number of Transnistrian companies getting proper registration from the Moldovan customs authorities. At the same time, Russia- Moldova relations have deteriorated to the degree that Russia banned the import of

Moldova's wine thereby undermining Moldova's wine-based national income.

Meanwhile, Transnistria shows no sign of tranquility. In July 2006, an explosion occurred in a taxi minivan in Tiraspol. A possible explanation was given of the accidental blowup of a hand grenade that had been carried by one of the passengers. Apparently, it is not impossible to get access to ammunition in Transnistria, be it stolen from the former Soviet arsenal or produced in the region. The accident took place two months before the referendum on the independence of Transnistria scheduled on 17 September 2006. With the help of the referendum, the Transnistrian leadership seeks to demonstrate the will of its people to stay independent from Moldova and thus garner 'democratic' support for its non-cooperative and authoritarian policies. Another important feature of this referendum is that it asks a question whether Transnistria's population wants to see their region re-integrated with Moldova or integrated with Russia. Brussels has recently announced that the referendum's result would neither be recognised nor approved by the EU and warned that the referendum would only further complicate the negotiation process. This can be particularly true, if the results turn out to be in favour of unification with Russia. It remains to be seen what Russia's response on the issue of referendum will be. Still, these recent developments show the complexity of Transnistria's problem and the many challenges that the EU is facing.

What lessons should the border mission and the EU at large draw from the first year of its engagement at this troubled border? First, it is clear that to make a difference in Transnistria, the EU should expand its policy of engagement beyond the scope of border management. The EU BAM alone cannot be expected to solve the root cause of the problem of separatism; the mission can only limit, to a degree, its harmful circumstances.

Therefore, the EU should have a comprehensive approach to the problem. It should try to reach out to the people in Transnistria including the most active groups of students, civil activists and business community. The EU should cater to the interests of each of these groups promoting the ideas of freedom of speech and information, pluralism, democracy and transparent economy. This can be realised through student exchanges and information trips for entrepreneurs. The overall goal should be to help the people in the region get rid of the 'island' or 'fortress mentality' and seize the opportunities of cooperation with Europe. In doing so, the EU should seek close interaction with other international actors, such as the UN, OSCE and the Council of Europe.

Secondly, in light of the ongoing review of the Action Plan for Moldova, the EU should increase its weight in this country in order to further persuade the government to activate structural reforms in the country. A future re-integration of Moldova will need to take place based on democratic, transparent and viable Moldovan state and a prosperous economy. As for the relationship between Moldova and Transnistria, the EU should work towards removing the element of intolerance and revengeful attitude on the part of Moldova. This also concerns the economic and social aspects of the negotiation process: the language minorities and business community on both sides should be ensured that they both have a stake and a say in building a common future.

Thirdly, Ukraine is an indispensable partner and a key player in the region. There are several ways in which the EU could foster its ties with Ukraine on the issue of Transnistria. Apart from cooperation with the customs and border guards agencies, the EU could network Ukraine's business community that have built stable relations with their counterparts both in Moldova and Transnistria. In this regard, the EU should make better use of the existing and forthcoming instruments for cross-border cooperation and regional development such as the European Neighbourhood and Partnership Instrument (operational as of 2007). The EU should also invest into information work in order to raise its visibility in the Odessa region and in the Southern and Eastern Ukraine.

Fourthly, the EU should ponder the ways to engage Russia into a constructive dialogue. It is true that with the Russian contingent stationed in Transnistria, it is much more difficult to negotiate with the Smirnov regime.. Russia has the means to affect the situation in the region other than the troops, for instance by playing on energy prices or imposing trade sanctions, as the recent 'wine spat' with Moldova demonstrated. Russian-speakers constitute the third largest language group in the country and the second largest in Transnistria and many of them have Russian citizenship. Therefore, with or without its troops in Transnistria, Russia will continue to have leverage in the region.

In this regard, it should also be noted that

Transnistria is not the only example of a secessionist conflict in the EU's vicinity. With its unresolved issues of separatism in Abkhazia and South Ossetia, Georgia is another case in point. As in Transnistria, Russia plays a pivotal and controversial role of a mediator and an indirect patron of the separatists. However impossible such a mission may seem, the EU should try to engage Moscow in a pragmatic relationship seeking convergence of its ENP and the EU-Russia 'strategic partnership' in such spheres as external security and justice and home affairs.

That said, the resolution of the problem of Transnistria calls for a long-term commitment and significant investment into strategic thinking on the part of the EU. This comes at the time when the EU is preoccupied with pressing issues in the Middle East and Iran. Still, the Transnistrian problem should not be overlooked. This troubled border at the doorstep of the enlarged Union puts to a test the EU's ability to promote security and democracy beyond its own borders.◊

The EU and Belarus: The Challenges of Promoting Security in the Neighbourhood after the 2004 Enlargement

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Since the recent enlargement the EU has become a direct neighbour of Belarus. It is not linked to it by any formal agreement and restrictive measures have been placed on high level politicians by both sides. Such a situation poses an evident challenge for the Union, which has recently called promoting security in its neighbourhood among the top three strategic objectives.[2] Prior to 2004, Belarus remained largely off the EU political radar, but this has changed since the new member states joined the negotiating tables in the Council. The EU's interest in the East was further prompted by the developments in Georgia (2003), Ukraine (2004) or more recently in Uzbekistan (2005) which proved that there were unstable states on the Union's doorstep and the revolutionary movements could take them in different directions.

Still, in spite of the EU's ambitions to promote democracy as a 'force for good', its policy has hardly impacted on Belarus and neither conditionality nor the restrictive measures had any effect. Instead, the EU has found itself in an impasse with no exit strategy at the moment, facing 'the challenge of fostering the conditions for democracy in a climate hostile to its fundamental principles'.[3]

Is there consensus on the common goals?

Reaching a consensus among the member states regarding the policy goals and means are pre-conditions for conducting an effective and coherent policy towards any external parties. Most actors in Brussels agree on the limitations on what the EU can realistically achieve in its relations with Belarus. As one EU official pointed out, in order to achieve better effectiveness, there would first have to be an agreement on specific goals and as long as there is no majority in the Council, the EU remains locked in an impasse.[4]

There is a general consensus regarding the very broad long-term policy goals. The European

Security Strategy (ESS) called for building security in the neighbourhood, to be achieved by promoting 'a ring of well governed countries to the East of the European Union'.[5] The Union defined its long-term goal for Belarus 'to be a democratic, stable, reliable, and increasingly prosperous partner with which the enlarged EU will share not only common borders, but also a common agenda driven by shared values'.[6] The clear desire to foster democratic change was also expressed by one of the senior advisors to Javier Solana, who recently stated that the aim of the EU was to 'support the Belarusian population in assuming control of its own destiny, through the establishment of the democratic process'.[7]

Nevertheless, the formulation of these goals remains very vague, both long and short term. Most member states are reluctant to subscribe to the US approach, which openly calls for regime-change describing Belarus as the 'last dictatorship in Europe' or an 'outpost of tyranny'. The discourse used by the American administration is in clear contrast with that of Commissioner Ferrero-Waldner, who talks instead of 'changing mindsets, not regimes'.[8]

This, arguably, leaves the EU with a temporary agreement what goal it does not want to work towards, but little alternative. The proponents of the current policy argue that it is the population in the country that has to decide that 'enough is enough' and are against providing support to any particular opposition leader, on the grounds that democracy cannot be forced from outside.

The idea of further engagement with Belarus is sometimes brought up in informal talks. The current political situation after the undemocratic conduct of the presidential elections however, prevents any serious talk on the matter. Nonetheless, there are informal requests made to future Presidencies to launch the discussion on the possible future change in the policy.[9] As one Swedish diplomat claimed: 'the attention should be shifted towards young Belarussians, including the officials at different levels of administration, as they posses the knowledge that may be useful in times of changes'.[10] It is argued that only by socializing the mid-level administration or engaging in a dialogue with officials and politicians, can the EU exert any effect on the actual policy conduct.

The new member states

Some new member states from Central Eastern Europe (CEE) are very vocal and outspoken about the Union's policy towards Belarus. A few diplomats from the old member states and EU institutions perceived theirs as an aggressive or even 'revolutionary' approach.[11] The newcomers often argue for stricter isolation of the regime and blame the Commission for ineffective and inflexible management of instruments. As a diplomat from a new member state described the situation: 'there are two ways: a radical one or cooperation with the regime and we have to make a choice, because the in-between does not bring any results.'[12]

The discrepancy between the approach of some old and new member states became apparent on occasion of the visit of the opposition leader Aleksandr Milinkevich to the Council on 31 January 2006. Lithuania and Poland organised it on the same day as the meeting of the General Affairs and External Relations Council (GAERC). This was not well-perceived by some old member states' diplomats and EU officials. They argued it was not a principle of the EU to provide support for any individuals, but for the democratic conduct of the elections.

There is then a tension in the new member states' attempts to define the main policy lines towards Belarus. On one hand, any state should avoid isolating the neighbouring country for practical reasons, such as the need for cross-border cooperation. As one of new member states diplomats explained, 'in a country that is based on hierarchy, without the ministerial contacts you cannot get anything done'.[13] Poland for example argued for minimising the official contacts instead of completely abolishing them, which was accepted by other member states in November 2004. Lithuania and Poland were also actively promoting fostering people-to-people contacts, preferably by the means of visa facilitation. They also supported the idea of preparing a 'shadow Action Plan' for Belarus already in 2004, which was rejected, but then carried out by the Commission two years later. On the other hand, there is a strong pressure in the new member states for punishing the undemocratic regime and not compromising on human rights.

Reaching agreement on policy instruments

As it was the case in the past, as far as there is an agreement on promoting democracy and human rights among the member states, there is less agreement on what policies are most effective.[14] In its relations with Belarus the EU has combined positive incentives with restrictive measures. It pursued an official two-track

approach: on one hand, official bilateral contacts are restricted to the Presidency, Secretariat General of the Council / HR for CFSP, the Commission and the Troika; on the other, there are assistance programs implemented to support democratic change, civil society and an independent media.

The Union has frequently repeated that Belarus would be eligible to participate in the ENP, provided it would 'embark on fundamental democratic and economic reforms to bring the country closer to European common values'.[15] The ENP Strategy Paper establishes that the EU long-term goals will be reinforced through the ENP, but only after fundamental political and economic reforms. The main carrot offered to the countries eligible for the ENP is a 'stake in the EU internal market'. For the policy of conditionality to work, however, it is crucial for the incentives to be viewed as rewarding enough by elites to introduce potentially risky reforms.[16] This does not seem to be happening in the case of Belarus.

Furthermore, the EU has continuously linked re-establishing of the bilateral relations with Belarus with the democratic reforms. However, the principle was 'turned around' when Belarus linked opening the Commission's regionalized delegation in Minsk with the "normalization" of bilateral relations.[17] This proposal was rejected by the EU, and no office can be opened without the official permission from the government.

The EU has also condemned the actions of Belarusian government.[18] However, there are serious doubts regarding the actual effectiveness of such declaratory policy. Considering the fact that they are unavailable in Russian or Belarusian and that the information blockade is exercised by the government, the civil society does not even recognize their existence. Even if they were widely known, the Union is perceived by a large part of the population as an association of states which are anyways already unfriendly to Russia and Belarus.[19] In this sense, the policy of the EU might be already reaffirming the negative attitudes in the society.

Mounting pressure through sanctions?

The EU has applied restrictive measures towards Belarus. Recently, following the conduct of the presidential elections in March 2006, which were pronounced by OSCE/ODIHR International Election Observation Mission (IEOM) as failing to meet the OSCE standards for free elections, travel restrictions were imposed on those responsible. In total, the current visa ban list consists of 31 names. There have been diverging views among the member states on the actual effectiveness of such a list and on how many people should be covered by it. In addition, the Union introduced financial restrictive measures and froze all funds of individuals responsible for the violations of international standards during the elections,[20] in practical terms freezing the bank accounts of Lukashenka and another 35 officials. Nonetheless, the expectations are not very high with regard to the practical effects of such measures.

As one official described the current situation: 'We undertake these policies, which we know we have to take, because they [Belarusian authorities] don't respect human rights. But at the end we know they are not going to react to them (…) we have manoeuvred ourselves into the position that we have no exit strategy.'[21] It is a general principle of effectiveness for coercive diplomacy that the conditions set for targeted country seem realistic to fulfil and urgent. The Union has demanded *fundamental* changes in the policy of the authorities, but has not backed this with a powerful threat or incentives. Hence, the measures have been perceived by many as just a symbolic gesture, targeted mainly at the EU domestic audience and used by the regime as a tool in its propaganda against the West.

The use of sanctions can be seen as a proof of the EU's growing interest in the country, especially since they were imposed in a situation that was less likely to turn into a crisis compared to the situations in other regions like the Mediterranean.[22] On the other hand, it has to be noted that so far they failed to achieve their goal and there is no agreement on introducing any more severe ones. There is a possibility of applying smart sanctions, aimed against specified Belarusian companies. However, as some diplomats informally admit, this would not only require a bold political decision, but also a lot of effort to single out specific companies and persons. In this process, the possible clash between the member states could occur and hence, for now, the possibility is not seriously considered.[23]

Conclusions: limits on managing relations with difficult neighbours

There is an agreement among the member states regarding the overall goal of promoting democratic changes in Belarus, but there is less

harmony beyond that. Unlike in many other states in the region, where conditionality was successfully applied, in Belarus the democratic changes are not on their way. Therefore, what the EU is trying to achieve are fundamental changes in the regime. Pursuing this goal, it has engaged itself in the policy of coercive diplomacy. Nonetheless, neither the 'sticks' nor the 'carrots' have been successful so far. Additionally, there is no final agreement among the member states themselves what should be the mid-term goals in the EU policy towards the state, but rather different clusters of preferences with neither one prevailing. As a result, the policy is continued, albeit with some changes recently related to introducing further restrictive measures.

Many diplomats and officials admit that there are serious limits to promoting democracy from abroad, especially if there are no democratic changes on the way and civil society is practically non-existent. On the other hand, the EU has repeatedly expressed the willingness to do exactly that, and was subsequently accused of ineffectiveness. Such a situation resembles the classic 'expectations – capabilities gap', except that the expectations are not set by external actors, but by the EU itself. This shows the crucial importance of careful strategic planning and a reassessment of the aims.◊

[1] The paper is based on empirical data gathered during fieldwork in Brussels in 2005 and 2006. For reasons of confidentiality, I mention neither the names nor the respective institutions of the interviewees. I thank all the officials who kindly agreed to meet me and Dave Allen for constructive comments.
[2] 'European Security Strategy: A Secure Europe in a Better World', Brussels, 12 December 2003.
[3] B. Ferrero-Waldner, *European Strategies for promoting Democracy in Post-Communist Countries*, speech delivered at the Institute for Human Sciences, Vienna, 20 January 2006, SPEECH/06/35.
[4] Interviews, Brussels 2006.
[5] 'European Security Strategy', op. cit., p. 8.
[6] European Commission, 'European Neighbourhood Policy – Strategy Paper', COM(2004) 373 final, p. 11.
[7] P. Tapiola, 'European Union Policy towards Belarus: An Extended Hand', in Forbrig et al. (eds) *Prospects for Democracy in Belarus,* Washington: The German Marshall Fund of the United States, 2006, p. 70.
[8] Ferrero-Waldner, op. cit.
[9] Ibid.
[10] Jan Henrig quoted in M. Wągrowska, (ed.), *Białoruś i jej sąsiedzi*, Conference proceedings, Warsaw: Centre for International Relations, 2006, p. 8.
[11] Ibid.
[12] Ibid.
[13] Interview, 2005.
[14] K. Smith, *European Union Foreign Policy in a Changing World*, Cambridge: Polity Press, 2003.
[15] Council Conclusions (GEARC), 22-23 November 2004.
[16] P. Kubicek, 'The European Union and Democratization in Ukraine', *Communist and Post-Communist Studies*, no. 38, 2005, p. 274.
[17] Interviews, Brussels, 2006.
[18] When the EU-Belarus relations were formally suspended in 1997, the EU expressed its 'deep concern' regarding arbitrary arrests of opposition. Over the years the discourse became much stronger. Only recently, the GAERC referred to the undemocratic conduct of the Presidential elections of 19 March 2006 and 'condemned' (the wording was repeated three times) the use of violence by the government against the opposition, the mistreatment of the detainees and the actions towards EU citizens.
[19] D. Lynch, 'Catalysing Change', in D. Lynch (ed.), *Changing Belarus*, Paris: EU ISS Chaillot Paper no 85, 2005, p. 102.
[20] Council Regulation (EC) No 765/2006 in the Official Journal of the European Union (O.J. L134), 20 May 2006.
[21] Interviews, Brussels 2006.
[22] C. Portela, 'CFSP Sanctions and the European Neighbourhood: "Borders Matter"', *CFSP Forum,* vol. 4, no. 3, 2006, p. 13.
[23] Even less likely seems the applicability of the conventional sanctions, as some member states are strongly opposed to the idea, on the grounds that it would harm the people.

Outcomes Before Dogma: Restarting the External Action Service Debate?

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The past few weeks have been notable for a flurry of reports and recommendations in the EU external relations area. Together they suggest that the momentum that existed during and after the Convention on the Future of Europe for fundamental change in EU external relation is being rediscovered, albeit after a period of halting uncertainty. It would be an exaggeration to call this a new constitutional debate since the debate, such as it is, remains heavily sectorised – with external relations and the area of freedom, justice and security achieving considerable attention from within the EU as well as the member states. This brief overview attempts to consider the direction of the debates in external relations, to identify the major issues and to look at the chances for consensus.

Before we commence, it is worth reiterating that the debates over the constitutional treaty were not primarily about external relations, except in so far as EU enlargement impinged on the consciousness of European citizens. The factors that led to the negative referendums in France and the Netherlands had more to do with issues of openness on the part of the EU institutions; with social issues; with a number of economic issues; as well as factors un-related to the direct questions posed in the referendums, such as public satisfaction with the state of their respective governments. The true innovations of the constitutional treaty, especially those in external relations, were thus thrown out with the metaphorical bath water. The referendum results did not, however, remove the entire rationale underpinning the need for reform in EU external relations. It was perhaps no accident that the Communication from the Commission, presented to the European Council in June 2006, harkened back to the findings of the Convention's Working Group on External Action.

The Commission's report, *Europe in the World – Some Practical Proposals for Greater Coherence, Effectiveness and Visibility*,[1] touched on many of the shortcomings in EU external relations identified by the Working Group. The report stops short of claiming to relaunch the constitutional treaty, noting that 'it is not intended to re-open a debate on the future of the Constitutional Treaty', but that there are a number of steps that could be taken within the scope of the current Treaties that build upon the spirit of the constitutional treaty. As with the proposals emanating from the Convention's Working Groups, the report is bold on vision but it is also tempered by pragmatism, referring to the need to combine Community and intergovernmental methods 'on the basis of what achieves the desired outcome, rather than institutional theory or dogma'.

The main points of interest lie in the need to enhance the external projection of internal policies, especially since most areas of Community activity have important external ramifications that are often difficult to divide from the internal aspects (the Lisbon agenda, the 'internal' market, competition policy, energy policy and, in particular, the area of freedom, security and justice, are all mentioned). All of these internal policies impact on international relationships and play 'a vital part in the EU's external influence' while, conversely, the effective use of the Union's external policy instruments can influence the attainment of internal goals.

The report calls for better strategic planning and, accordingly, calls for the strengthening of the role of the External Relations Group of Commissioners (the *famille Relex*) 'under the authority of the President in identifying strategic priorities'. For some, this will be seen as an overdue attempt by Barroso to impose a firmer hand on a *famille* that, like many, has been occasionally fractious. The association of the High Representative with the work of the Relex group is stressed, but gives rise to the question of whether this may not 'be seen as giving Solana the powers he would have had if the constitution had been approved ...'.[2] This argument though has a certain counter-intuitive quality to it since it could be argued that, by settling for this type of association, the High Representative may undermine hopes for eventual upgrading to Foreign Minister status.

Barroso also proposes greater co-ordination between the Commission, the High Representative and the Council in strategic planning, especially the development of joint assessments, joint strategies and joint action. In practice this co-operation already happens,

although it is by no means a two-way street or, as Barroso remarks, reporting and the exchange of information should be done on the 'basis of reciprocity'. A number of improvements in the areas of public diplomacy, working methods and procedures and financial procedures are also touched upon. This is accompanied by specific suggestions to improve co-operation between the EU Institutions and the Member States, including an 'enhance programme of exchange of personnel with diplomatic services of the Member States and the staff of the Council Secretariat, both in Delegations and at Headquarters'; training schemes might also be opened up; Heads of Delegation might be double-hatted with the role of EU Special Representative in appropriate scenarios;[3] and, finally, Commission delegations might play a supporting role in consular assistance, especially in crisis situations.

Barroso's suggestions, when taken together, clearly suggest that the 'overall effectiveness and therefore the global influence of the EU depend on optimal use of all available leverage in support of external goals'. Although it would be an exaggeration to claim that this is the reintroduction of the abandoned talks on the European External Action Service (EEAS), it is nevertheless easy to see that the discussion on how to implement Barroso's many suggestions will take the discussions along the same path. The benefit of the Barroso approach is that it emphasises co-operative measures, while the EEAS, because of the surrounding context of the constitutional treaty, inevitably put institutional questions to the fore. Ultimately, both discussions seem to point to the same end – a fundamental reform of EU external relations roles and institutions – but from different starting points.

Michel Barnier's report, *For a European civil protection force: europe aid*, is an altogether longer report but nevertheless with some interesting overlap. It will be recalled that Barnier led the Convention's working group on defence and thus must have seemed the obvious candidate to pen the report commissioned by the Austrian Presidency. The report calls for the establishment of a European civil protection force, confusingly (and unnecessarily) called 'europe aid'. The report draws heavily upon the EU's troubled response to the tsumani tragedy and noted the lack of 'systematic scenarios or protocols at European level' for responding to a variety of man-made or natural crises.[4] He buttresses his central proposition by arguing that it should be supported from the 'seven outermost regions' of the Union; a Civil Security Council

should be established; there should be a 'one-stop' shop for EU humanitarian response and an integrated European response to crisis anticipation; six EU delegations should specialise in crisis management and, more generally, the delegations and member state embassies should support a clearer EU information system for citizens travelling overseas; consular resources should be pooled and consular 'flying squads' should be created, along with a European consular code.

The report was described, politely, by the outgoing Austrian Presidency as 'a useful input for our work'. Much of it was then sidelined in favour of adapting existing practices and mechanisms: for instance the production of an operational 'Manual on EU emergency and crisis coordination' was preferred by the Council in lieu of the Operations Centre suggested by Barnier; the civil protection force was abandoned in favour of pre-identified 'operational networks and emergency support available in Member States...';[5] the suggestions made regarding the Commission's delegations and consular assistance were watered down to include reference to 'a catalogue of best practices in third countries' and 'a pragmatic support role of Commission delegations in providing logistics and staff in a consular crisis ...' and the consular code became the EU Consular Brochure.[6]

Significantly, both reports focus on a number of common points:

a) *The role of the Commission and delegations*: Both reports promote the role of the Commission, specifically DG RELEX and the External Service. If implemented, both reports would centralise the role of the Commission President and the *famille* RELEX and take them firmly into areas of competence that are currently very contentious (civil protection being a perfect example since it is abundantly clear that there is a strong CFSP interest). Nevertheless, it is clear that in their everyday activities the delegations have already crossed this threshold since most aspects of external relations have some security implications and the Council Secretariat, unlike the member states and the Commission delegations, is only represented in two locations outside Brussels (Geneva and New York);

b)   *Both acknowledge the need for better strategic planning and early warning*: This is again an area where the Commission, notably its delegations, can and does play an important role. However, the fledgling nature of the security culture in some parts of the Commission may see traditional reluctance on the part of the member states, as well as the crisis management institutions in the Council Secretariat, to embrace proposals for a greater Community role in strategic planning and early warning;

c)   *Both acknowledge the importance of better co-operation between the EU institutions and the member states*: The need for better sharing arrangements between EU institutions and the member states is evident, whether it is for the management of civil protection resources on a delegated basis or the inclusion of EU staff in national diplomatic training schemes. Although the logic is persuasive, it is easy to underestimate the acute sensitivity (admittedly stronger amongst some than others) to hints of *communautarisation* of important areas of external relations, especially when contained in documents that apparently stress the need for a stronger Commission role;

d)   *Both recognise the arbitrary nature of dividing between internal and external policies*: External challenges can of course be addressed by using available internal *and* external policies more coherently and effectively, but (again) this seems to only cloud the issue of where Community and CFSP (as well as third pillar) competences lie. Even if the internal/external dynamics are clear, the question of who may act in the significant areas of grey in between the respective pillars makes this a highly politicised issue, especially with a significant pending case before the Court of First Instance.[7]

Conclusions

The reports referred to above both appeared during what is euphemistically referred to as the period of reflection. Of course this is no accident since they are all, indirectly, part of a slowly emerging specialised reflection in external

relations. In many ways the reports display the understandable awkwardness whereby more functional approaches to improving EU external relations, in light of the fact that the institutional discussions are frozen for the time being. Yet, they remain artificial in the sense that there are clear institutional implications raised by the reports that seem to suggest that, try as we might, the discussions will sooner or later end up looking suspiciously like the tentative discussions surrounding the EEAS.

The Austrian Presidency, for better or for worse, watered down the Barnier proposals while the Commission report was seen as a thinly veiled attempt to revive the 'EU diplomatic service plan'.[8] Would this necessarily be a bad thing though? Both reports certainly contain the fundamentals of a much-needed debate on the future of EU external relations, which may eventually lead us back to the idea of the Service. The debate will require a number of pieces to fall into place: it will demand careful steering from the current Presidency (arguably, one that is well-placed for such a role) prior to the 'conclusions' of the period of reflection under the following (German) Presidency; a clear statement from the High Representative on how the Council Secretariat's role might change or be adapted and; finally, active national and public engagement from the member states in an area where, as one *Eurobarometer* poll after another shows, citizens really do care about the EU's role on the international stage.

The Commission report in particular has done us a favour by steering the debate towards 'outcomes' whilst reminding us that, sooner or later, the institutional issues (where there is still a good deal of dogma) will have to be faced. The suspended, or frozen, talks on the EEAS met early and strong common agreement that Europe really does need a more effective and coherent external policy. Even if it is popular to proclaim talks on the Service dead, the underlying issues that led to the proposals in the first place are very much alive. If this eventually leads to renewed discussions on the Service, so be it -- they may be some of the most important to come out of the 'period of reflection'. The Commission has lit the touch paper.◊

[1] COM (2006) 278 Final, Brussels, 8 June 2006.
[2] Simon Taylor, 'Commission seeks to revive EU diplomatic service plan', *European Voice*, 1 June 2006.
[3] The appropriate scenarios would logically be limited to Special Representatives with country-wide responsibilities.

Many are appointed with a wider regional mandate which means that even if double-hatted with a particular country in the region, the problems of coordination with the other delegations would remain.

[4] Michel Barnier, *For a European civil protection force: europe aid*, at http://ec.europa.eu/commission_barroso/president/pdf/rapport_barnier_en.pdf, p.12.

[5] *Reinforcing the European Union's emergency and crisis response capacities*, Report from the Presidency to the European Council, 10551/06, Brussels, 15 June 2006, Para. 12.

[6] Ibid. Paras. 26-30.

[7] *Action brought on 21 February 2005 by the European Commission against the Council of the European Union,* Case C-91/05. In this case, the Commission requested the annulment of a Council decision of December 2004, 'for lack of competence', regarding an EU contribution to ECOWAS in the framework on the Moratorium on Small Arms and Light Weapons (SALW). The Commission also argued that existing legislation, in this case the Cotonou Agreement, covers inter alia the spread of SALW. It is therefore now up to the Court of Justice to review the legality of the Council decision.

[8] Simon Taylor, 'Commission seeks to revive EU diplomatic service plan', *European Voice*, 1 June 2006.

EU Foreign Policy and (the lack of) 'Political Will'

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The existence of or, more commonly, the lack of 'political will' is one of the most popular explanations for the success and, particularly, failure of the EU to strengthen its foreign policy and to tackle effectively specific international crises or challenges. Subsequently, finding or strengthening political will is often presented as an obvious solution that will allow the EU to pack a stronger punch on the international stage. For instance, in a recent speech, European Commissioner for External Relations and European Neighbourhood Policy, Benita Ferrero-Waldner, argued that a 'stronger EU foreign policy is largely a question of mustering sufficient political will to act' and that '[w]e must respond to the needs of the moment by finding the political will for a strong EU foreign policy, capable of delivering results'.[1]

However, 'political will' is all too often and too easily prescribed as the magic cure to all the EU's foreign policy ills. Recognising its absence too often becomes a convenient shortcut for practitioners and analysts and excuses them from further clarifying and tackling the reasons behind the EU's problems. It is therefore useful to consider the complex reality concealed behind the 'lack of political will' facade. The purpose of this article is to give an impetus to a more refined analysis of the factor 'political will' in the development of EU foreign policy.

'Political will' refers to the degree of determination of political leaders to pursue and implement a policy. 'Lack of political will' then points to the absence of determination. Analytically, a first step is to assess whether the lack of determination is indeed what matters. In many cases, when the 'lack of political will' is used as an explanation, the main problem is not - or not only - a lack of determination of the actors concerned. It often hides other major problems. Member states can in principle be determined to support foreign policy actions of the EU towards a specific foreign policy problem, but EU foreign policy actions can be hampered or made impossible because the member states have different interests to defend, different views on the causes of the problem, and different opinions on how to tackle the problem and on the organisational setting in which this should occur (national, EU, NATO, UN, etc.). They can have a shared determination to support EU

actions, but the EU can lack the necessary instruments, influence and leverage to translate its words into deeds. There can be sufficient political will to tackle a problem, but EU action may be impeded by its institutional setup, its decision-making system or it's insufficiently developed diplomatic and bureaucratic apparatus to take and implement decisions. In all these cases, the 'lack of political will' is simply a wrong explanation for the EU's problems, with the obstacles in reality being related to different *interests*, different *interpretations* of the issue at hand and the approach to be followed, inadequate *institutions* and *instruments*, and/or insufficient external *influence*. Tackling these five 'I's is then the message.

However, it is also possible that there is no real divergence in interests and interpretations among member states, that the institutional setup, instruments available and influence that can be exerted are adequate – or that these factors are not the main or only problem. The lack of determination, of political will, can in fact be a real problem and be presented as a valid explanation for the EU's failure or limitations as an international actor. However, also in this case, it is analytically useful to proceed to a dissection of this '(lack of) political will' factor. Even if there is indeed a lack of determination of the political leaders to pursue and implement a foreign policy towards a specific crisis or issue, this 'lack of political will' is a too general explanation and conceals a more complex reality: that is that there are different kinds of 'lack of political will'. The so-called 'lack of political will' can be broken down in several dimensions. We discern here five dimensions:

• *The general lack of will to strengthen the EU (as such or as an international actor).* In this case, the 'lack of political will' is not related to the issue at hand, but is the result of the reluctance or refusal of member states to allow the EU to play a more active role in this particular issue or in general. This can stem from various motivations: a rejection of any initiative that could strengthen the EU and the process of European integration in general, a reluctance to accept initiatives that can strengthen the EU as an international actor (in general or with regard to a specific area of foreign policy), or an eagerness to avoid any further loss of autonomy of one's own national foreign policy (in general or with regard to a specific area of foreign policy). In short, the lack of political will refers in this case to the determination *not* to strengthen the EU or not

to strengthen *EU* foreign policy.

• *A lack of political will to be influential in foreign policy and to take the lead.* The problem in this case is not the attitude of the member states towards the EU and EU foreign policy as such, but the limited willingness – and eagerness - to play an active role or to be influential and take the lead in international politics. This reluctance can be explained by the limited power of the majority of member states. However, it is partially also the result of 45 years of peace and stability under the east-west 'order' and of the long-standing Atlantic security architecture in which leadership and responsibility for security and for external actions indeed rested nearly exclusively in American hands - with only France and the UK deviating to some extent from this norm. American dominance in NATO led to a situation in which leadership and autonomous action from European countries were not required, not requested and often not even tolerated (which was and is reflected in the US's reservation towards an autonomous ESDP). The result is a Europe that is accustomed to powerlessness in international relations, with most member states not having the motivation, ambition and tradition to be decisive in important matters of international relations.

• *A lack of political will to accept costs and risks.* The problem in this case is the limited willingness to accept the political, moral, financial, human and other costs linked to a more active and assertive EU foreign policy. These risks and costs can be related to budgetary concerns or limitations, the reaction of public opinion, considerations of internal party politics, the good relationship with third states (and the US in particular), the risk of harming one's own reputation, the risk of economic damages or other counter-reactions, the risk of failure as such, and obviously the risk of casualties. The latter refers to the limited willingness to accept 'sacrifice as a price for influence'.[2]

• *A lack of common political will.* Another perspective to the problem is that, in their attitude towards foreign policy, the member states of the EU do not demonstrate a lack of political will, but a lack of 'common' political will focused on common priorities. The problem is not that there is no political will, but that there are too many different political wills. Most member states demonstrate a genuine political will to undertake external action and to support assertive external actions by the EU in some specific fields of international relations, but this

existing political will focuses on different aspects of international politics or exists for different courses of action. In some countries, there is a strong political will to promote EU intervention in for instance Central Africa, while in other countries there is a strong political will to support EU action in the Baltic area, the Balkans, or Northern Africa. In some countries there is sufficient political will to accept autonomous military intervention of the EU without the support or mandate of the UN or OSCE, while in other countries there is a sufficient political will to even accept the risks of casualties in the own military forces if the EU action fits within a UN led operation. In some countries there is a very strong political will to increase development spending beyond 0.7% GNP and to strengthen EU development policy as a central instrument of foreign policy, while in other countries there is political will to use power politics and putting strong pressure on third states to force their compliance with EU demands. In short: the problem is not the lack of political will, but the lack of a common political will. However, in an EU with 25 or more member states the question arises whether it is still feasible and necessary to presume that a common political will of all 25 member states is necessary, and whether a common political will of the most concerned, interested and relevant states is not sufficient.[3]

• *A lack of public will.* From this perspective the previously mentioned dimensions of 'lack of political will' merely reflect public attitudes in the member states. Even when political leaders are convinced that the EU should be strengthened as an international actor, that Europe should take the lead, and that Europeans have to accept costs and risks, they do not uphold these positions in the EU as they feel that they have no backing for this in their own public opinion. A paradox exists with regard to the relationship between public opinion and EU foreign policy. On the one hand, the *Eurobarometer* public opinion polls demonstrate systematically that foreign and security policy is one of the domains where the European population wants an active EU and accepts further integration.[4] In other words, on this issue there is a clear 'common' public will. On the other hand, public opinion for two reasons acts as a brake for an assertive EU foreign policy. The first reason is that, beyond this general support, major differences in opinion exist with regard to concrete dossiers of foreign policy and to the questions whether, to what extent and how the EU should act in these cases. The second reason is that European

public opinion in general became accustomed to peace, with the post-World War II order allowing them to embrace several illusions: the illusion of peace (peace is evident and enduring); the illusion of distance (conflicts and violence happen far away); and the illusion of time (important decisions for our security and welfare can be postponed to the distant future).[5] Even if the terrorist attacks in London and Madrid slightly changed this picture, these illusions are not yet replaced by a sense of urgency and by a feeling that an activist foreign policy is a matter of necessity to secure European peace and prosperity, let alone a matter of survival.

To summarize: the 'lack of political will', which often is considered as a major obstacle for an effective and active European foreign policy, in fact refers to different kinds of obstacles and problems. From a practical point of view, this implies that 'solving' the problem of a too limited political will is not just a matter of convincing the member states to prioritize more EU foreign policy, as it reflects more fundamental obstacles and features that are not easily changed.

It is clear that a further break-down is possible in most of the five dimensions discussed here and that more dimensions can be detected in this 'lack of political will'-phenomenon. This article concludes therefore with an invitation to further scrutinise this often mentioned, but not often analysed factor. Further research can focus on developing a more elaborated dissection of the factor 'lack of political will' and on its relationship with other factors, such as strategic culture, role definition, and values and principles in and of the EU and the member states.[6] Research can also examine whether and how institutional arrangements do or can contribute to overcome the lack of (particular dimensions of) political will and to generate (dimensions of) 'political will'. Other possibilities for research are a discourse analysis, focussed on the use of the 'lack of political will' argument, and case-studies that assess the different dimensions of 'lack of political will' in the foreign policy of the EU towards specific issues.◊

[1] Benita Ferrero-Waldner, *Managing Globalisation – the case for a European foreign policy*. Speech for the Chatham House Members Meeting, London, 10 February 2006 (http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/06/75&format=HTML&aged=0&language=EN&guiLanguage=en).
[2] Jean-Louis Bourlanger, 'Les Européens malades de la PESC', *Politique Internationale*, 74, 1996, pp. 207-228.
[3] See Stephan Keukeleire, '"EU Core Groups" - Specialization and division of labour in European Union foreign policy', *IIEB Working Paper*, Institute for International and European Policy - K.U.Leuven, 2006, 21 pp. (forthcoming).
[4] See http://ec.europa.eu/public_opinion/standard_en.htm.
[5] Luc Reychler, 'The Art of Conflict Prevention: Theory and

Practice', in Werner Bauwens and Luc Reychler, eds, *The Art of Conflict Prevention*, London: Brassey's, 1994, pp. 11-13.
[6] See in this context Christoph Meyer, 'Convergence towards a European strategic culture? A constructivist framework for explaining changing norms', *European Journal of International Relations*, vol. 11, no. 4, 2005, pp. 523-549; Ole Elgström and Michael Smith, eds, *The European Union's*

roles in international politics: concepts and analysis, London: Routledge, 2006; Sonia Lucarelli and Ian Manners, eds, *Values and principles in European Union foreign policy*, London: Routledge, 2006.

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Charles Grant and Mark Leonard, 'How to strengthen EU foreign policy', Centre for European Reform, Policy Brief, July 2006. Available from www.cer.org.uk

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Various reports and papers on 'Europe's Global Responsibilities', published by Bertelsmann Stiftung (www.bertelsmannn-stiftung.de), including 'Die Kosen des Nichtandelns'.

Annegret Bendiek and Hannah Whitney-Steele, 'The Financing of the EU's Common Foreign and Security Policy', SWP Comments 16, June 2006, Stiftung Wissenschaft und Politik (www.swp-berlin.org)