EU-NATO relations - working paper

Chris Smith

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Chris SMITH (Nordregio, Sweden)

Abstract

This EuroBroadMap working paper focuses on relationship between NATO and EU. Changes involved by the end of the Cold-War, and evolution of European Union's foreign policy are here examined. The 'Arab spring' and especially the intervention in Libya helps to highlight main differences and expectations regarding these two institutions. The task repartition (hard power for NATO and soft power for EU?) is also examined in a critical way.

Key-words: NATO, European Union, Arab spring, foreign policy, international relations

Résumé

Ce *working paper* du projet EuroBroadMap s'intéresse aux relations entre l'UE et l'OTAN. Les changements provoqués par la fin de la guerre froide et l'évolution de la politique étrangère de l'Union européenne sont au cœur de l'analyse. Le "printemps arabe", et notamment l'intervention en Libye, permet de mettre en évidence les divergences et les attentes relatives à ces deux institutions. La répartition des taches (*hard power* pour l'OTAN et *soft power* pour l'UE?) est également examinée avec un regard critique.

Mots clés : OTAN, Union européenne, Printemps arabe, politique étrangère, relations internationales

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NATO and the EU make very poor friends. Even though the membership of both institutions is nearly identical, the two barely talk.
Valasek T (2007) The roadmap to better EU-NATO relations
Centre for European Reform briefing note, p.1.

Starting points: The basic arithmetic

Questions over the nature of the relationship between NATO and the EU are, at one and the same time, both entirely straightforward and intensely complicated to answer. They are straightforward because in a legalistic or institutional sense the relationship is clearly defined - indeed, institutionally, the EU does not have a relationship at all with NATO, the ESDP[1] (in terms of its actors and institutions) does. Complications however emerge because, clearly, the formal relationship represents only a small element in the totality of relations between the two organisations. The problem however is that the informal relationship is both predicated on the history of, and provides a running commentary to, the development of the wider trans-Atlantic relationship in general since 1945 and on the changing nature of current American foreign policy (specifically its focus on Europe) in particular.

In addition, while the NATO press office would doubtless immediately direct enquiries towards a bland statement outlining its track record of, and desire to continue, working together with the EU across a number of fields in the pursuit of 'effective multilateralism'[2] it would be somewhat disingenuous to label this a fully operationalised 'institutional view' as NATO is an international organisation which ultimately reflects the views (plural) of its constituent member states[3].

The situation is, moreover, complicated further by the fact that the membership lists of NATO and the EU seem initially so similar with 78% of EU members also belonging to NATO while 75% of NATO members belong to the EU. The problem is that while this sounds encouraging and conducive to the development of a stable and shared institutional view the reality is rather

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[1]Since Lisbon the ESDP (European Security and Defence Policy) has been re-christened the CSDP (Common Security and Defence Policy) as such, this title will be used unless a clear historical reference is being made to the pre-Lisbon ESDP.

[2]The notion of 'effective multilateralism' emerged into the political discourse of European foreign policy around 2003 and was used by Javier Solana as a cornerstone of the first European Security Strategy, *A Secure Europe in a better World* (European Council: 2003). See also Gowan R (2008) 'The European Security Strategy's global objective: Effective Multilateralism' in Biscop S and Andersson J J (eds), *The European Union Security Strategy - Forging a Global Europe* (London: Routledge).

[3]Such statements can be found in 'NATO-EU: a strategic partnership' on the NATO website at: http://www.nato.int/cps/en/natolive/topics_49217.htm and in 'EU-NATO: The framework for permanent relations' on the ESDP website at: http://www.consilium.europa.eu/uedocs/cmsUpload/03-11-11%20Berlin %20Plus%20press%20note%20BL.pdf.

less clear cut as the differences between the two organisation's membership lists remain more important than the similarities[4]. To put it bluntly, one body contains the globe's only true 'superpower' and the other does not. Similarly, one body is strictly intergovernmental in character relying on consensus to create policy while the other is a much less traditional structure where consensus remains important but where it is not the only mode of decision making and where cross-sector bargaining is often utilised[5].

To complicate things further, if further complication was required, the accession candidates to each body are unlikely to help simplify the institutional picture to any great extent. While most of those European countries that are currently NATO but not EU members are likely to seek EU membership in the future those that are EU members but not NATO members are all, for various reasons, unlikely to want to join NATO. This leaves NATO's main player, the USA, outside the EU and a group of, for want of a better label, 'former neutrals' in the EU who are unlikely ever to join NATO. When we throw Turkey and its never-ending EU accession process into this mix, we can see that NATO and EU membership is not about to coalesce, in terms of major players at least, anytime soon. Furthermore, it is now also clear that the prevailing post-Cold War 'conveyer-belt model' of NATO accession leading eventually to EU accession; a model which portrayed NATO and the EU as two sides of the same 'grand institutional design' for European security, is now seriously under threat. In terms of EU accession, only the current Nordic non-members are likely to be allowed to accede anytime soon with the countries of the Western Balkans acceding only in the medium term at best while fundamentally important political obstacles remain in respect of any serious consideration of Turkish membership. In part because of the slowing of the EU accession 'conveyor-belt' future NATO accession also seems likely to be confined to the countries of the Western Balkans and is likely to definitively exclude the expansion into the Black Sea and Caucuses areas which was once perhaps envisaged.

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[4]Thirty two European countries (plus the USA and Canada) are members of either the EU or NATO. Twenty one are members of both organisations: Belgium, Bulgaria, the Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and the UK. Five European countries (plus the USA and Canada) are members of NATO but not of the EU: Albania, Croatia, Iceland, Norway and Turkey - all five are likely or potential future EU members. Six European countries are EU members but not NATO members: Austria, Cyprus, Finland, Ireland, Malta and Sweden - with NATO membership rated as 'rather unlikely' for the foreseeable future in any of them.

[5]See for instance the edited work by Evans P B, Jacobsen H K and Putnam R D (1993) *International Bargaining and Domestic Politics: Double-Edged Diplomacy* (Berkeley: University of California Press) and particularly Putnam's chapter in this volume, 'Diplomacy and Domestic Politics: The Logic of Two-Level Games'. In the literature on the EU and NATO, Janne Haaland Matlary (2009) leans heavily on the work of Putnam in his book *European Security Dynamics: In the new national interest* (Basingstoke: Palgrave MacMillan).

Notwithstanding the importance of the issues alluded to above - US-EU relations, the lack of a firm institutional relationship between NATO and the EU and the problems associated with the differing current and future membership rosters of the two bodies, the issue of economics must also be considered here. The specific impact of the financial crisis and the tensions it brings in respect of European defence spending will be discussed below however the impact of the sovereign debt crisis in the Euro-zone and its impact on European integration more generally remains a major factor in the broader trans-Atlantic relationship because it will define the nature of the integration process for a generation to come[6].

Together these meta-issues - US foreign policy and the changing nature of the US commitment to Europe and European integration and enlargement - define the boundaries within which the emerging institutional relationship between NATO and the EU is and will be shaped. Historically they have been separate but interrelated processes with the Europeans being very keen to encourage and bolster the US commitment to European defence and security while the Americans were cognisant of Europe's centrality to their own defence. Such traditionally accepted understandings are however now increasingly coming under threat. Europe is no longer the locus of US security while the Europeans seem either unable or unwilling to either pay to retain a full-scale US commitment to Europe or to pay to adequately replace it.

Ends and Beginnings - From post-Cold War to (post) post-Cold War

Since the end of the Cold War the 'institutional debate' on European security has *sotto voce* concerned the issue of whether, eventually, the European Union would coalesce into a sufficiently strong and stable political actor such that it would replace NATO as the preeminent European security institution. This discussion has been mirrored by a series of much broader politico-ideological debates over US 'decline' and 'the rise of Europe' in the 21st century[7].

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[6]In the aftermath of the Greek bail-out in March 2010 the way in which the decisions were taken and the implications for Europe-wide economic management led to a major discussion over the likely increasing dominance of Germany in the future integration process. See for example, Paul Taylor (26/3/2010), 'Euro zone deal points to a more German Europe', Reuters.

[7]On the former, see for example Kagan R (2002) *Of Paradise and Power: America and Europe in the New World Order* (New York: Knopf), Nye J S (2004) *Soft Power: The Means to Success in World Politics* (New York: Public Affairs), Vedrine H (2007) *History Strikes Back - How States, nations and conflicts are shaping the 21st century* (Washington DC: Brookings Institution Press), Darwin J (2007) *After Tamerlane: The Rise and Fall of Global Empires, 1400-2000* (London: Penguin), Kagan R (2008) *The*

The end of the Cold War utterly transformed Europe and the limits of the European project. After the integration 'hiatus' of the 1980s steady progress was made throughout the 1990s and after the turn of the century in each of the four main realms of integration, economic/monetary, citizens/social Europe, foreign policy and enlargement. On a more general level, however, the slow if perpetual change in the nature of the state saw, in Bobbit's terms[8], a metamorphosis from the nation-state dominated system of the 19$^{\text{th}}$ and 20$^{\text{th}}$ centuries to the market state system of the 21$^{\text{st}}$ century. This created a very different world to that which had existed pre-1989 and threw up many novel problems.

The end of the Soviet Union saw the end of the 'existential' nuclear threat, but in its place emerged a host of second order conflicts and disputes previously suppressed by the Cold War system of international relations - religious, sectarian, nationalist, ethnic, socio-cultural, economic and environmental which quickly became 'securitised' in the context of the so-called 'new security agenda'[9]. Europe was thus now surrounded by potential 'instability' from the Balkans to North Africa, the Middle East/Central Asia and Eastern Europe and the Caucasus. The existential but effectively 'managed' danger of the Cold War had been replaced by a series of lower level but completely unmanaged threats to peace and general security in Europe.

Crucially however this was a world in which the EU was expected to increase its influence. The EU was viewed as a rising power - economically and, increasingly also it seemed, politically - with a bright future in which it was well placed to exploit the changing nature of international relations after 1989. The end of the existential 'threat' of nuclear war and the subsequent de-nationalisation and de-territorialisation of security helped shift the

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Return of History and the End of Dreams (London: Atlantic Books) and Chua A (2009) *Day of Empire - How Hyperpowers Rise to Global Dominance, and how they fall* (New York: First Anchor Books). On the latter, see also Reid T R (2004) *The United States of Europe* (London: Penguin), Rifkin J (2004) *The European Dream - How Europe's vision of the future is quietly eclipsing the American Dream* (Cambridge: Polity Press), McCormick J *The European Superpower* (Basingstoke: Palgrave MacMillan), Leonard M (2005) *Why Europe will run the 21st Century* (London: Harper Collins), Cooper R (2007) *The Breaking of Nations - Order and Chaos in the 21st Century* (London: Atlantic Books) and Youngs R (2010) *Europe's Decline and Fall - The Struggle against Global Irrelevance* (London: Profile Books).

[8]For an exposition of the theory that changes in the nature of the state bring about, in a progressive cyclical manner, changes in the nature of the international system they constitute, see Bobbit P (2002) *The Shield of Achilles: War, Peace and the Course of History* (London: Penguin). The changing nature of the state in globalisation is a huge topic, other labels for the new state form include the ubiquitous neo-liberal state and the 'service' state. See, Laffan, Brigid, R. O'Donnell and M Smith (2000) *Europe's experimental union: Rethinking integration* (London: Routledge).

[9]The two 'classic' works in this field are Buzan B (1991) *People, States and Fear: An Agenda for International Security Studies in the Post-Cold War Era* (Hemel Hempstead: Harvester Wheatsheaf) and Ole Weaver *et al.* (1993) *Identity, Migration and the new Security Agenda in Europe* (London: Pinter Publishers).

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focus away from the state and towards the multilateral level thus providing 'space' for a functional security policy based not on defence of the motherland but on rather less tangible issues such as human rights and individual security[10]. The object, in terms of the development of the EU's 'human security paradigm' was not to seek 'victory' in the traditional sense but instead to facilitate the possibility of allowing 'politics' to reassert itself in a conflict situation. The EU, with its traditional concentration on a multilateral approach to international problems, reflecting its own internal structures and mechanisms designed to promote consultation and compromise combined with its traditional 'civilian power' heritage in respect of foreign policy thus seemed to 'fit the bill' perfectly as an emerging post Cold War security actor. This cosy vision was rather quickly exposed however as untenable by the emerging conflicts across Yugoslavia where the EU suffered grievously from believing too much in its own rhetoric and, ultimately, in its inability to back up its words with tangible force[11].

In terms of EU foreign policy in particular Keukeleire and MacNaughton (2008) neatly summarise the areas of tension arising at the end of the Cold War by identifying the four binary choices which functioned as the 'historically embedded' primary concerns in the European security field up to 1989. They were the choices between European integration and Atlantic solidarity, civilian power and military power, intergovernmentalism and the 'Community Method' and external objectives and inter-related integration and identity objectives. During the Cold War clear choices were made in respect of the Atlantic solidarity, civilian power, intergovernmentalism and integration and identity objectives[12], these traditional choices were however to come under serious pressure during the post-Cold War era.

While the purpose of this paper is not to give an historical account of the metamorphosis of European security provision over the last twenty years it is nevertheless important to make the point that the optimistic vision of a Europe released from the bonds of the Cold War to help fashion the post-Cold War world in its own institutional/multilateral image has not come to pass. Indeed, as Toje noted in the shadow of the outbreak of armed conflict

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[10]See Haaland-Matlary J (2009) *European Union Security Dynamics: In the New National Interest* (Basingstoke: Palgrave MacMillan) p.23.

[11]For a contemporary account of the crisis see Smith C J (1996) 'Conflict in the Balkans and the possibility of a European Union Common Foreign and Security Policy', *International Relations*, XIII(2).

[12]Keukeleire S and MacNaughton J (2008) *The Foreign Policy of the European Union* (Basingstoke: Palgrave MacMillan). Perhaps the most significant impact of the end of the Cold War was however that the collapse of the Soviet Union brought an end to the notion that the European Union could become a traditional state - even a federal one - requiring the setting of a hard boundary to the east and the permanent exclusion of Russia from the EU. Subsequent CEE entry into the EU in 2004 thus fundamentally changed the integration calculus. This point is made by Jean-Marie Gueherro (1993: 77) in *La Fin de la démocratie* (Paris, Flammarion) quoted in Majone G (2009a) *Europe as the Would-be World Power - The EU at Fifty* (Cambridge: CUP).

between Russia and Georgia:

> *For nearly two decades our times were designated as an appendix - the 'post-Cold War' era. Many thought that we were venturing towards a global society based on shared ideals and regulated by supranational institutions. A world where 'soft power' and international inclinations would be more important than interests and power resources. There are signs that we are moving in the opposite direction.* Toje A (2008) The EU, NATO and European Defence - A slow train coming, Occasional Paper n°74 European Institute for Security Studies, p.8.

The world changed again. A reliance on Atlanticism was not enough and the Europeanisation - to some extent at least - of security and defence provision became necessary; but just as the European Union had put in place the mechanisms to give procedural and institutional clarity to its civilian power posture or 'corporate image' the disadvantages of using this approach alone became apparent; in response to the problems associated with political splits over the Iraq War the Constitutional Treaty and the subsequent Lisbon Reform Treaty compromise saw the end of the pillared arrangement used since Maastricht with a consolidation, if not a true 'communitisation', of foreign and security policy structures replacing existing *ad hoc* arrangements; and finally, real effort was made to ensure that the EU had a discernable impact on actual foreign policy issues rather than simply being used to buttress internal European coordination thus attempting to address the eternal questions over 'actorness' and the 'capabilities/expectation gap'.

The exact date of the end of the post-Cold War remains a matter of some conjecture but the effect of a raft of global developments such as the wars in former Yugoslavia, 9/11 and the European response to them, the subsequent prosecution of the 'War against Terror', the rise of the BRICS - and of China in particular - and the global (though predominantly western) financial crisis of 2007 have all impacted significantly on both the 'settled view' of European security outlined by Keukeleire and MacNaughton (2008) above and on the optimistic post-Cold War visions of Europe's new place in the world forwarded in the immediate aftermath of the Cold War.

While the debate about US decline remains ongoing it is increasingly clear that expectations in respect of the emergence of a stronger European political actor have not been fulfilled. Yes, much of the EU now uses the Euro and yes, the EU now has a Common Foreign and Security Policy, its own diplomatic service and the possibility to generate, sustain and direct small-scale operations with military forces[13] in the context of a Common Security

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[13]For information on all such EU operations up to 2007 see the short monograph by Bastian Giegerich (2008) *European Military Crisis Management: Connecting ambition with reality* (IISS: Adelphi Paper 397) and, for a more detailed analysis, Merlingen M

and Defence Policy but while the tools may be theoretically 'available' the political consensus and consent to use them often is not[14]. The EU has not 'filled the gap' and the bi-polar 'west', the notion at the heart of much of the debate in this field since the beginning of the 1990s, has failed to materialise.

The post-Cold War notion of the EU as a 'rising' power of significant economic importance and with major roles to play in both international norm generation and in peace and stability operations, both globally and regionally, is clearly reflected by Javier Solana in relation to the European Security Strategy:

> As the EU grows to encompass 25 countries with some 450 million inhabitants producing one quarter of the world's GDP, we have a duty to assume our responsibilities on the world stage. As a global actor the Union must now face up to its responsibility for global security. Solana J (2003) 'The EU Security Strategy: Implications for Europe's role in a Changing World' EUHR Speech, Berlin 12 November.

Clearly such claims now look rather shallow. The EU is increasingly viewed by third parties as a declining economic force in relative terms, norm generation through 'soft power' has proved difficult, the EU countries have found it difficult to maintain the notion that their 'postmodern' continent can be isolated from the chaos of the world outside and EU military operations have failed to really break the mould of previous policy actions.

It is then in this light that the current EU-NATO 'relationship' should thus be viewed. Particularly in the way that it sheds light on both internal European developments and on the way in which the emerging European construction is viewed and understood by other non-EU actors.

EU defence and security: the institutional set up post-Lisbon

Before briefly outlining the post-Lisbon institutional set up in respect of EU foreign policy and defence cooperation it is perhaps necessary to reiterate the key point here in respect of 'EU behaviour' in the context of NATO, the EU states do not act - or even attempt to act - as a combined grouping of countries in this multilateral forum. When NATO-wide issues are discussed there is no pre-meeting of an 'EU caucus' which defines an 'EU-view' and adopts a settled position to be taken into the discussion with the non-EU members

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and Ostrauskaite R (Eds) *European Security and Defence Policy: An Implementation Perspective* (London: Routledge).

[14]This is true of NATO also when the Americans choose for whatever reason not to lead as indeed we will see in the context of the Libyan crisis 'case study' outlined below.

of NATO - primarily, the USA, Canada and Turkey[15]. The EU Commission, moreover, has only a very constrained role to play in foreign and security policy beyond facilitating CFSP actions which require EC 'tools' (e.g. in respect of sanctions, trade or development-related financing) - again unlike the situation in respect of the WTO for instance where the Commission has the sole right of initiative in terms of setting policy agendas.

In terms of EU foreign policy making more broadly however, as Keukeleire and MacNaughton (2008: 110) note:

> *Although on paper the 2nd pillar would seem to be the locus for EU foreign policy, in practice the greater availability of instruments and useful budget lines in the 1st pillar, and the relative autonomy of the Commission in implementing EC policies and budgets, means that the 1st pillar is more involved in foreign policy making than one would expect from a purely institutional standpoint.*

The CFSP is not really a 'common' policy - in the sense that was to emerge more generally in connection with the Maastricht Treaty reforms - at all, but rather a 'co-ordination mechanism' which sees input from both the Member States and Community institutions. Moreover, the Member States pursue their own national foreign policies in parallel and maintain control over the fiscal, diplomatic and military resources that can potentially be accessed by the EU. This generally precludes the EU from acting in a consistent and predictable manner with other international actors[16]. Under Maastricht's pillared structure arrangement, the CFSP remained intergovernmental in nature and thus institutionally and structurally different to the 'communitised' External Relations element of EU 'foreign policy'[17].

In this context Gegout provides a useful typology of 'CFSP issues' thus clarifying the different kinds of 'foreign policy' produced by the EU:

- Exclusively CFSP issues, such as declarations, common positions, joint actions and common strategies [Declaratory Policy];

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[15]This point is, for instance, made by Hanna Ojanen (2011), The EU as a security actor: in and with the UN and NATO (p.72) in Blavoukos S and Bourantonis D (eds) *The EU Presence in International Organizations* (London: Routledge). See also, Tomas Valasek (2007) The Roadmap to better EU-NATO relations (Centre for European Reform briefing note) p.5: 'If the EU insisted on having its own personality in NATO before Europe could truly speak with one voice, it would only frustrate the Americans and discourage them from taking NATO seriously."

[16]Toje A (2010) *The European Union as a Small Power - After the Post-Cold War* (Basingstoke: Palgrave MacMillan) p.16

[17]It is important to note here that the totality of EU 'foreign policy' in the broad sense cannot however be restricted to the CFSP as this is to give it far too narrow a focus. Indeed, throughout the 1990s, after the setback to a more ambitious policy approach in Yugoslavia, the EU Commission sought to develop its own 'communitised' foreign policy dynamic in relation to trade policy, development co-operation, various association agreements and enlargement etc., see Keukeleire and MacNaughton (2008) p.12.

- Mixed CFSP-EC issues, namely CFSP issues requiring EC decisions in order to be implemented ['Soft power' issues];

- ESDP issues, relating purely to defence and security policy ['Hard' power][18].

It must nevertheless be reiterated once again here that the foreign and security policy of the EU is not a substitute for national foreign and defence policies but rather an addition to them. This reality is enshrined in relation to EU competences and the conferral of powers. The EU can only act within the limits of the powers conferred on it by the member states in the treaties. Competences not conferred thus remain with the member states.

As Keukeleire and MacNaughton (2008: 99) again note, this principle is

> crucial to understanding the nature of the EU's foreign policy. It implies that the Union has no general legal basis authorising it to act vis-a-vis the external environment. Hence when we evaluate the EU's foreign policy, we should never expect the EU to have an exclusive or all encompassing foreign policy. In fact, given its institutional competences, the expectation should rather be that the EU would not act in certain aspects of foreign, security and defence policy.

The Common Security and Defence Policy was clearly a major element in the Reform Treaty process, well over one third of the changes made to the treaties related in one way or another to this particular policy area while the reform process as a whole was billed as making the EU 'a more effective global actor'. As such, the Lisbon Reform Treaty sought to introduce a number of quite significant changes to the way in which foreign policy operated in an EU context, namely;

- the dismantling of the pillar system and the drawing together of all of the Union's external activity under one treaty title (Title V)[19];

- the Union as a whole, not just the EC was granted 'legal personality';

- the creation of a High Representative for Foreign Affairs and Security Policy (combining the posts of Representative for CFSP and Commissioner for External Relations) heading up the new External Action Service;

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[18]Gegout C (2010) *European Foreign and Security Policy: States, Power, Institutions and American Hegemony* (Toronto: University of Toronto Press) p.10.

[19]The *de facto* distinction between pillars one and two nevertheless remains in respect of external relations on the one hand and foreign and defence policy on the other as issues pertaining to the former are discussed within the context of the Treaty on the Functioning of the EU (TFEU) while the latter is discussed on the basis of the Treaty on European Union (TEU). See, Gegout, *ibid*, footnote 1 p.199.

- the creation of a new post of European Council President;

- the significant enhancement of the original 'Petersburg Tasks'[20], the creation of a new 'EU solidarity clause' and the setting up of the European Defence Agency (dealing with military equipment procurement issues); -

- added joint disarmament, post-conflict stabilisation and the 'fight against terrorism' to its original list of tasks, thus expanding the original 'Petersburg' list;

- the possibility of permanent structured cooperation (PESCO).

The focus here on humanitarian and rescue tasks, peacekeeping tasks and crisis management up to and including peace-making by the original WEU declaration reflects not only the prevailing European security situation in 1992 but also an appreciation of the primacy of NATO in institutional terms and of the history of EU competences in the foreign policy field - relating specifically to the 'civilian power' tradition. As such, while all aspects of defence and security were to be discussed within this framework it was clear that traditional territorial defence would remain in the purview of NATO while 'new security agenda' issues in keeping with the pervasive de-territorialisation and de-nationalisation of defence were adopted by the WEU/EU. This position was further strengthened after the EU enlargement of 1995 which saw Austria, Sweden and Finland join the EU, indeed Sweden and Finland in particular were to play a key role in the promotion, adoption and development of the EU's civilian crisis management potentials alongside those of military crisis management stressed since the original formulation of the Petersburg tasks[21]. Notwithstanding these advances however, EU foreign and security policy and the defence provisions which form a part of that of policy area remain resolutely intergovernmental, indeed as Toje notes: 'Although certainly an achievement, the treaty is a far cry from making the EU into a 'single state with one army, one constitution and one foreign policy' as called for by Joschka Fisher in 1998'[22].

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[20]The original 'Petersberg tasks' formed an integral part of the European security and defence policy (ESDP). They were explicitly included in the Treaty on European Union (Article 17) and cover various actions associated with humanitarian and rescue tasks, peacekeeping and crisis management/peacemaking. These tasks were set out in the Petersberg Declaration adopted at the Ministerial Council of the Western European Union (WEU) in June 1992. Here, the WEU Member States declared their readiness to make available to the WEU, but also to NATO and the European Union, military units from the whole spectrum of their conventional armed forces.

[21]Sweden and Finland advocated the inclusion of the Petersberg crisis management tasks (humanitarian and rescue tasks, peacekeeping, crisis management and peace-making) into the 1997 Amsterdam Treaty, favouring a strengthened independent European ability to act in these areas. See, for example, Toumioja E and Lindh A (30/4/2000) 'Katastrofhjalpen duger inte' *Dagens Nyheter*.

[22]Toje (2010), *ibid* p.22.

While Verola similarly notes:

> *The CFSP provisions do not limit the competences of the member states in foreign policy matters. They do not grant the power of initiative to the European Commission and do not affect the specific nature of the common and security policy of the member states.*[23]

It thus seems clear that the traditional difference between the 'community method' of pillar one and the intergovernmentalism of pillar two remains though a significant body of opinion suggests that this should be seen more as a continuum than as a dividing line. 'Both formally and in practice pillars and methods are blurred' argue Keukeleire and MacNaughton (2008: 66). This relates in particular to the general academic discussion - concerning EU policy across the board - of the dual processes of 'Europeanisation' and 'Brusselisation'. In response to the demands being placed upon it significant changes have occurred in recent years over the way in which the EU treats the issues of defence and security. Where once, for example, the subject of European defence was 'taboo' and thus specifically avoided by the EU in order not to jeopardise the integrity of the Atlantic alliance[24] with the USA it is now actively pursued in order to maintain the residual Atlantic alliance and to help retain some level of American troop commitment to European defence.

EU-NATO relations (ESDP-NATO) 'Berlin plus' and beyond

As noted previously, defence had long been something of a 'taboo' subject in relation to European integration. After the outbreak of the Korean War, the USA chose to pursue its security requirements in Europe through NATO. NATO's task, so succinctly defined by Lord Ismay (first Secretary General of NATO) was 'to keep the Russians out, the Americans in and the Germans down.' NATO remained the primary and unquestioned[25] European defence and security institution until the 1990s. By then however a combination of

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[23]N Verola (2010) 'The New EU Foreign Policy under the Treaty of Lisbon' in F Bindi (ed) *The Foreign Policy of the European Union: Assessing Europe's Role in the World* (Washington DC: Brookings).

[24]The classic text in this regard is Fursdon E (1980) *The European Defence Community: A History* (London: MacMillan Press).

[25]The major exception here was the attitude of France which, under De Gaulle, had left the integrated common structure (though not the political alliance) of NATO in 1967. Gaullist policy attempted to steer a separate path from that of the Americans in global politics which included the promotion of a far greater European defence effort - based around the EU and the logic of integration - in an attempt to promote Europe as a balancing geostrategic pole to American dominance.

the end of the Cold War, the changing nature of the security threat and the emergence of an EU with, after Maastricht, significant foreign policy ambitions, prompted change. Indeed, the foreign policy objectives of the EU set out at Maastricht were encompassed in the following objective; 'to assert its identity on the international scene, in particular through the implementation of a common foreign and security policy, including the framing of an eventual common defence policy, which might in time lead to a common defence.'

This aspiration must however be seen in the context of the ongoing struggles between federalists and intergovernmentalists in the EU and between 'Gaullists' and Atlantacists in NATO. As we saw in the previous section however the emerging CFSP did not, in practical terms, really progress the debate much further forward and the whole process quickly came to a grinding halt when faced with the outbreak of violence in the Balkans which ushered in the break-up of Yugoslavia. European foreign policy then settled down once again to being 'structural'[26] in nature and promoted by the Commission primarily with, so-called, 'pillar one assets.'[27]

Continued EU impotence in the Balkans, specifically relating to the Kosovo crisis, saw the Americans again take the lead in a 'European' crisis at a time when the broader geostrategic debate about US decline and the rise of Europe was at its most intense. It was in this context that the Anglo-French summit at St Malo in 1998 saw a historic rapprochement between Britain and France over the EU's role in the European security architecture that was eventually to lead to the creation of the ESDP (European Security and Defence Policy). The compromise being that, given the changes in US views on NATO and European security, in order to keep the Americans engaged in Europe the creation of the ability for the EU states to act 'independently' was now necessary as the Americans were clearly no longer willing to pay for the cost of European security alone.

This is not to imply that national interest had been put aside and that Britain and France now agreed on tactics - nor, indeed, that the Americans were initially happy with the outcome of St Malo - indeed it was to take two years before the ESDP was incorporated into the EU (2001 Treaty of Nice) and over four years before a compromise was struck with the Americans and

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[26]Keukeleire and MacNaughton (2008) differentiate between 'conventional' and 'structural' foreign policy, defining structural foreign policy as 'a foreign policy which, conducted over the long term, seeks to influence or shape sustainable, political, legal, socio-economic. security and mental structures. These structures characterise not only states and inter-state relations, but also societies, the position of individuals, relations between states and societies, and the international system as a whole' p.25-26.

[27]Illustrative of this development was perhaps the development of the 'Rapid Reaction Mechanism' for international civil crisis management which was developed as a 'Community mechanism' (Pillar 1) for civil protection. See Council Decision of 23/10/2001 establishing a Community mechanism to facilitate reinforced cooperation in civil protection assistance interventions 2001/792/EC. Official Journal L297, 15 November 2001, pp 7-11 Article 1.1. The mechanism has been used on a number of occasions.

other non-EU NATO members (primarily Turkey) over EU-NATO relations which came to be called 'the Berlin plus arrangements'.

Still concerned over the potential for a vigorous and 'Gaullist' EU to challenge American supremacy in the western alliance the then US Secretary of State, Madeleine Albright, agreed to the ESDP and thus to a potentially increased EU role in the defence and security of Europe under three conditions - subsequently to become known as 'the 3 D's'. These conditions were designed to ensure that the EU would not seek to Duplicate NATO assets, Discriminate against non-EU NATO members, or attempt to Decouple the EU from NATO[28].

The Berlin plus arrangements brought to a close one of the three interlocking European security debates that had been ongoing since the end of the Cold War - namely over the new 'institutional framework' of European security[29]. Since the St Malo meeting between Britain and France a number of key developments had taken place:

- NATO's 50th Anniversary (April 1999);

- NATO enlargement to include Poland, Hungary and the Czech Republic;

- The European Council meeting in Cologne (June 1999) which saw the WEU (Western European Union) folded into the EU and the EU claim that it would have a functioning Defence Policy by 2001;

- Javier Solana appointed head of the WEU in addition to his role as High Representative for CFSP;

- Helsinki European Council (December 1999) - in response to the Kosovo crisis - mandated that the EU would be able to deploy up to 60 000 troops within 60 days for at least one year in relation to so-called 'Petersburg tasks' operations;

- In addition a number of new bodies were set up under the European Council.

What then did the Berlin plus arrangements specifically entail? The EU was guaranteed access to NATO planning capabilities for the preparation and execution of EU-led crisis management operations. The EU may also request that NATO provide a NATO European command option, under

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[28]Madeleine Albright, The Right Balance Will Secure NATO's Future, *Financial Times*, December 1998.

[29]See M E Brown (forthcoming, 2011) *European Security: The Defining Debates* (Boston: MIT Press). For Brown the other two defining debates concern the European response to the requirements for intervention - primarily in the Balkans - and the question of how far both NATO and the EU should enlarge.

DSACEUR[30] for an EU-led operation. In addition, the EU has what was termed 'presumptive access' to NATO assets and capabilities. This template reduced the level of tension that had emerged in the relationship between NATO and the EU, in the best diplomatic tradition effectively 'squaring the circle' to some extent by confirming the integrity of the former while enabling progress towards a common security and defence policy for the latter. Fears over the potential emergence of an 'autonomous' EU defence actor were decisively addressed in relation to the setting up of an independent EU planning cell outside NATO - which would not now happen. However, NATO's claim to 'primacy' was questioned while the legitimacy of the EU's pursuit of a more autonomous security policy was undoubtedly enhanced[31].

These arrangements were quickly tested as in March 2003 the EU's first operation was launched as NATO's *Operation Allied Harmony* was replaced by the EU's *Operation Concordia*. The core aim of *Operation Concordia* was, at the explicit request of the fYROM government, to contribute further to a stable secure environment and to allow the implementation of the August 2001 Ohrid Framework Agreement[32]. The operation contributed to the efforts to achieve a peaceful, democratic and prosperous country, as part of a region of stable countries, where an international security presence is no longer required. This operation was completed on 15 December 2003.

Similarly, the Council of the European Union decided on 12 July 2004 (Council Joint Action 2004/570/CFSP) to conduct a military operation in Bosnia and Herzegovina in the framework of the EU Common Security and Defence Policy (CSDP) launching the EUFOR Althea operation on 2 December 2004 to replace NATO's SFOR. In this instance cooperation works well with NATO's DSACUR acting as operational commander of the EU force (EUFOR Althea), interacting regularly with the EU's Political and Security Committee and facilitating meetings with the NAC (NATO's North Atlantic Council). Regular meetings are held along the length of the command chain from Secretary General level all the down to daily contact between officials on the ground in Bosnia. However as Howorth perceptively notes:

> *The fact that Bosnia is the sole example underscores the dramatic reality that political disagreements between member states - and particularly between Turkey and Cyprus - have essentially held the entire ESDP-NATO relationship hostage for years. What works*

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[30]DSACEUR (Deputy Supreme Allied Commander Europe) is always staffed by a European while SACUER is always an American.

[31]See J Sperling (2011), 'The European Union and NATO: subordinate partner, cooperative pillar, competing pole?' in Blavoukos S and Bourantonis D (eds) *The EU Presence in International Organizations* (London: Routledge).

[32]A peace deal signed by the government of the Republic of Macedonia and ethnic Albanian representatives on August 13, 2001. The agreement ended the armed conflict between the National Liberation Army and Macedonian security forces and set the groundwork for improving the rights of ethnic Albanians in the territory.

well in Bosnia is not allowed to work at all in either Kosovo or Afghanistan - to the considerable detriment of all sides.[33]

As the Berlin Plus arrangements were however originally conceived at a time where the EU was seeking to expand its physical capabilities and its capacity for independent action in relation to the changing strategic context around it such action was envisaged as likely to be taken without the Americans. Instead what has actually occurred in the Balkans, Afghanistan and now Libya is that the two organisations, NATO and the EU, have tended to work side by side - sometimes cooperatively as in Afghanistan, sometimes competitively, as in the Sudan and Kosovo. As such, the Berlin Plus arrangements as they are used in Bosnia are likely to be the second and last time that this approach to coordination is used.

The major reason for this relates not to practical implementation issues - the question of capabilities - but rather to more prosaic political and ideological differences between Europeans and Americans and specifically to the evolution of European thinking on the nature of security policy. Unlike its forerunner the ESDI (European Security and Defence Initiative) which was a limited concept to help the EU gain access to NATO capabilities, the ESDP is a fundamentally novel EU political project embracing the precepts of 'comprehensive security' (de-nationalisation, de-territorialisation, sovereignty pooling and the replacing of traditional state-based security with societal security). As such, while on the one level the 'fit' between NATO and the EU (hard power/soft power) would seem to be a good one in reality the situation is not quite so simple. American and European 'visions' of European security are actually diverging not converging, Americans - especially during the Bush-era - see NATO as being 'out of area or out of business' while the EU is uneasy about continuing to play a 'subordinate role' in the Western alliance. While, in practice, both need each other's political or material help the 'fit' is not automatic as neither side is willing to accept that such a 'division of labour' as has occurred in the Balkans and Afghanistan should be permanent.

NATO-EU Problems - A relationship 'on hold'?

In this light the question was often asked, are NATO and the EU complementary or competitive institutions? The answer to this question however presupposes that decisions are taken on a range of much broader issues relating to the direction and indeed the ultimate destination of the process of European integration. The problem here, however, is that such a decision on the *finalité* of the integration process is something that is likely to 'break' rather than 'make' the European Union as a global actor.

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[33]Howorth J (2009) 'NATO and ESDP: Institutional Complexities and Political Realities' *Politique Étrangère* (English Edition 4) p.95).

The NATO-EU relationship is thus to some extent at least 'on hold' and indeed has been since the beginning of the century. In this context we can identify three problematic dyads, EU-USA, EU-Turkey and UK-France that, when taken together, go some way to defining the inherent problems in the NATO-EU relationship.

The EU-USA relationship[34] is now, as we have already seen the key factor in the new European security environment but it is not a simple or straightforward relationship and is clearly not best served by being conducted within a wholly institutionalised NATO-EU context. American expectations in respect of European defence and security policy have changed dramatically since agreement was reached in 2003 on the so-called 'Berlin plus' arrangements. Indeed, as Toje notes, the Americans now want more not less EU defence policy[35] - a theme to which we shall return in the final section on the current Libyan crisis.

This aspiration - for more not less European defence - is however easier to promote than to achieve for a number of reasons. With the exception of Britain and France the EU countries are generally not equipped - either physically or psychologically - to play a robust leadership role in defence policy beyond basic territorial defence. After generations of peace and stability, a concentration on building the welfare state and the institutions of European integration, the end of the era of European colonialism, the democratisation of foreign policy making and the placing of constraints on executive power to 'make' war and peace[36] as well as the decline of 'existential' threats to the citizenry, neither states nor societies across most of Europe retain a real 'martial' ethic[37].

In addition, modern European states' defence budgets are, moreover, limited and declining further in light of the financial crisis, even in Britain

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[34]The EU has recognised that US-EU relations should be put on a new footing, see for example, 'EU wants a new Atlanticism' EurActiv.com (29/3/10) downloadable at http://www.euractiv.com/en/priorities/eu-wants-new-atlanticism-news-391583.

[35]Toje (2008) *ibid.*

[36]Germany's Basic Law is a good, if historically understandable, example here of the political and legal constraints imposed on most EU states - or more precisely their national governments - who simply do not have the ability to take executive decisions on issues of war and peace beyond the tight multilateral framework of shared institutions that exist within Europe and at the global level. Germany has increasingly, from a British and French perspective at least, sought to use this reality to its advantage to increasingly 'free-ride' on the defence contributions of others. This is clearly the case in respect of its vastly inferior level of defence spending as a percentage of GDP (1.4% as compared to France and the UK's 2.5% on average), its contribution to the ongoing conflict in Afghanistan and, more immediately, its stance on the Libyan conflict which included its abstention - with China and Russia - in the UNSC on Resolution 1973 authorising 'all necessary measures' to be taken to protect civilians threatened by the Gaddafi regime.

[37]See for instance here the rather provocative work by Peter van Ham (2008) The Power of War: Why Europe Needs It, The Hague: Clingendael Diplomacy Papers No. 19, and for the other side of the debate, James Sheehan (2007) *The Monopoly of Violence: Why Europeans Hate Going to War*, London: Faber and Faber.

and France. While Britain, France, Germany and Italy were all among the top ten defence spenders, in cash terms, in 2010, with Britain and France ranked 3rd and 4th respectively behind the USA and China and with Russia just behind in 5th place, all four EU countries are nevertheless declining (in 2010) in terms of the percentage of GDP spent on defence, with Britain and France spending around 2.5% and the rest of the EU countries between 1-1.8%[38]. At the same time the new global powers, the BRIC countries, are all increasing their defence spending as a percentage of GDP - the BRIC powers are 2nd China, 5th Russia, 9th India and 11th Brazil in the ranking of global defence spenders.

These economic and social observations are moreover compound by continuing American-led advances in militarised technology which is helping shape America's new military doctrine for the 21st century - often referred to in shorthand as 'the revolution in military affairs' (RMA)[39]. This has a number of effects on European-US and EU-NATO relations.

The interoperability of US and European forces is becoming increasingly difficult, particularly for the smaller European states, thus many are in effect reduced to the role of 'political cheerleaders' for US foreign policy - a role which many find acutely uncomfortable at times given their own domestic concerns

Many European states are effectively being forced to 'choose' between spending their declining defence budgets on high-end and high-tech warfighting capability or low-end peacekeeping and crisis management capabilities. Both are necessary but what effectively has happened has been a *de facto* division which has seen a US-dominated NATO address the former while the EU is, largely, left with the latter. This is not true for all EU states but it is the case for most.

This reality sets the parameters for one of the most significant NATO-EU 'problems', namely, the existence of parallel sets of capability and equipment procurement lists. NATO has its Prague Capabilities Commitments (PCC) while the EU has the European Capabilities Action Plan (ECAP). The differences are certainly significant if not massive but competition undoubtedly weakens defence capability and often it is the case that governments fearful of domestic level political backlashes against defence spending use the existence of two competing lists as an argument to comply with neither, fearing that compliance with one would bring questions about why compliance with

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[38]Figures from SIPRI. Greece, which spends 3.2% of GDP on defence is a well known exception here.

[39]Perhaps the most often cited definition is given by Krepinevic A (1994) 'Cavalry to Computer: The Pattern of Military Revolutions', *The National Interest*, 37, p.30. 'It is what occurs when the application of new technologies into a significant number of military systems combines with innovative operational concepts and organizational adaptation in a way that fundamentally alters the character and conduct of conflict. It does so by producing a dramatic increase - often an order of magnitude or greater - in the combat potential or military effectiveness of armed forces.'

the other was not forthcoming.

These basic facts make NATO-EU relations quite difficult. American global priorities are shifting - hence the desire now for more European defence - and the acceptance of a more 'independent' Europe. NATO and the EU claim to be complementary organisations but in practice their relationship is increasingly difficult as they compete for resources, capabilities and missions[40].

The second problematic dyad in the NATO-EU relationship is that of EU-Turkey. Turkey lodged it application for EU membership in 1987 and has had a structured economic relationship with the EU since the early 1960s. It has become clear that the EU member states are deeply divided over Turkish accession. Turkey is however a significant player in NATO and has the largest military establishment in 'NATO/EU Europe'. During the 1990s when a more significant European 'pole' for the Atlantic alliance was being discussed - primarily within the context of the WEU (Western European Union) - Turkey played an active role in this process but was subsequently sidelined by the emergence of the EU-centred ESDP.

At the strategic level Turkey is unhappy about potentially diminishing the tried and tested partnership with the USA and NATO and replacing it with an untried and in places, sub-optimal, CSDP. In addition, there is clearly also linkage here between Turkey's behaviour in NATO and its fraught path towards EU accession which it sees as being blocked, politically, by France and Germany. Moreover, the accession of a divided Cyprus to the EU in 2004 further angered Ankara.

Finally, it is also clear that since the late 1990s Turkey has enjoyed something of a strategic renaissance that has seen its geopolitical status change from 'forgotten Cold War outpost' to 'major regional power' in the greater Middle East and Central Asia. Indeed, as we will see in the following section, although the Turkish model of 'Islamic democracy' may be welcomed by the west as a useful template for the countries of North Africa and the Middle East currently caught up in the so-called 'Arab spring', Turkey itself is no longer necessarily wedded to the Eurocentric 'script' in terms of the teleological development of the European 'space' moving towards a zone of perpetual peace and social, political and economic integration - based on Eurocentric principles alone. With significant 'soft power resources' of its own across the region - particularly in terms of popular culture - Turkey is already effectively promoting an alternative 'vision' of the region to that of the EU in a similar manner to that promoted by Russia since the emergence of Putin[41].

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[40]In 2005, because neither could agree about suitable roles, both the EU and NATO ended up sending entirely separate missions to Darfur in the Sudan creating massive duplication and redundancy in terms of resource provision and ultimately wasting a lot of money.

[41]This point is particularly well made by Krastev I *et al.* in their monograph for

These historical and strategic factors provide the essential backdrop to the NATO-CSDP problem expressed in the context of the EU-Turkey dyad. Fuelled by these concerns Turkey has sought, from before the conclusion of the 'Berlin plus agreements' to the present time (including the current NATO-led operation in Libya), to stifle all possibilities for cooperation on a practical level between the EU and NATO. It is for this reason that NATO-CSDP cooperation is confined to *Operation Althea* in Bosnia and why NATO-ESDP discussions on Kosovo and Afghanistan were not possible. Turkey effectively blocked the signing of the Berlin plus agreement for over two years and a compromise was only reached when Cyprus and Malta were excluded from the deal - on the basis that they were not members of NATO's Partnership for Peace (PfP) arrangements and thus, Turkey argued, sensitive information could thus not be shared with these countries[42].

In retaliation, Cyprus has been known to block EU business, for instance Turkey's participation in the EDA (European Armaments Agency) or prospective EU-NATO cooperation in respect of counter-terrorism, on the grounds that Turkey is not currently in compliance with its obligations under the terms of the current accession negotiations process to open its ports to Cypriot-flagged vessels[43].

Armed effectively with vetoes then, Turkey - in NATO but not in the EU - and Cyprus - in the EU but not in NATO - can stifle any initiative for greater CSDP-NATO cooperation should they decide that a tactical advantage will accrue to them in their wider struggles over the status of the Northern Cyprus territory and Turkish EU accession - the generally poor state of CSDP-NATO cooperation is effectively 'collateral damage' here[44]. Nevertheless,

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the European Council for Foreign Relations (2010) *The Spectre of a Multipolar Europe* (London: ECFR). Here they posit the notion that: 'The European Union has spent much of the last decade defending a European order that no longer functions, while hoping for a global order that will probably never come [. . .] The EU's 'unipolar moment' is over. In the 1990s, the EU's grand hope was that American hard power would underpin the spread of European soft power and the integration of all Europe's powers into a liberal order - embodied in NATO and the EU - in which the rule of law, pooled sovereignty and interdependence would gradually replace military conflict, the balance of power and spheres of influence. However, the prospects for this unipolar multilateral European order are fading' (p.1). Their thesis is that what is actually happening now in Europe is the mutual pursuit of at least three separate models of European development, the EU 'model' as described above, a Russian model under Putin and a Turkish model - all with rather different views on the future architecture of European security.

[42]See for instance the briefing paper produced by Paul Cornish for the European Parliament, 'EU and NATO: Co-operation or Competition? PE 348.586 (October 2006), p.10. Note also that Malta rejoined the PfP programme in 2008 and thus is now no longer an obstacle to NATO-ESDP cooperation.

[43]See J Howorth (2009) *Ibid*, p.97.

[44]The Turkish side of the dispute is given by Sinan Ulgen (undated), The Evolving EU, NATO, and Turkey Relationship: Implications for Transatlantic Security (http://www.acus.org/publication/us-turkey-relations-require-new-focus/ulgen). Ulgen uses this opportunity to shift much of the blame for the ongoing problematic nature

the gnawing fact remains - and is alluded to across the literature - that the 'Turkey/Cyprus problem' has, to a certain extent, become a rather 'useful' distraction from the reality that both the EU and NATO need to address a number of internal and external issues which have hitherto escaped real discussion, namely, the continuing expansion of missions for NATO and its attempt to move into 'soft security' and the continuing lack of real collective 'political will' in the EU to pay the costs of its expressed desire for 'global actorness'.

The third and final problematic dyad in NATO-CSDP relations is that between Britain and France the countries which have historically represented the two main strands of thought on Europe's possible institutional futures in terms of security architecture[45]. Although France engaged in the 1998 'rapprochement' with Britain at St Malo - which, as we have seen, led eventually to the setting up of the ESDP - and, in 2010, agreed both to rejoin NATO's military command after 43 years in semi-isolation while also signing a 50-year Defence Treaty with the UK, covering a number of force capability questions and nuclear weapons testing cooperation[46], it is clear that significant differences remain between British and French views in respect of the future development of the European defence and security architecture.

The reason for this is that while there is a basic acceptance in both London and Paris that 'things cannot go on as before' given the changes taking place in Washington and in the way the Americans view the newly emerging multipolar world of the 21$^{\text{st}}$ century, the rapprochement that has taken place, since 1998, between Britain and France is decidedly pragmatic and is based primarily on necessity rather than on a broader shared vision of the future - welcome to the *entente frugale*, indeed.

Britain understands that retaining an American commitment to European defence means that there is a pressing need to create a stronger European 'pole' to the Atlantic alliance - and that, institutionally, this can only mean a stronger EU defence component in the context of European security - hence the original British acceptance of what was to become the ESDP at St Malo. While for France, reintegration into NATO was seen as a price

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of NATO-EU/CSDP relations onto Cyprus.

[45]The basic history of this divergence of views - between Atlanticism and Europeanism - is well know and does not warrant repeating at length here. See for instance the chapters on Britain and France, both written by Jolyon Howorth, in Howorth J and Menon A (eds) (1997) *The European Union and National Defence Policy* (London: Routledge). A useful run through of the history of European views in general, and British and French views in particular to European defence cooperation and the link to European integration is provided again by the same author in Howorth J (2007) *Security and Defence Policy in the European Union* (London: Routledge), pp.146-60. See also Lindley-French J (2010) *Britain and France: A Dialogue of Decline - Anglo-French Defence Cooperation and implications for the European and Euro-Atlantic Security and Defence Relationships* (London: Chatham House).

[46]In addition to the Lindley-French reference above see also, Gomis B (2011) *Franco-British Defence and Security Treaties: Entente while it lasts?* London: Chatham House.

worth paying to retain the US commitment to Europe - now that even the Gaullist rhetoric of 'independence' from US foreign policy has been dropped.

Similarly, bilateral defence cooperation between the two is equally pragmatic[47] given the ferocious nature of the current round of defence cuts in both countries necessitated by the economic recession in Europe precipitated by the global financial crisis. Differences between the two have narrowed dramatically in terms of capability requirements and 'hardware' while even in the field of threat perceptions and broader defence doctrine[48] similarities are emerging. This is not however to suggest that broad foreign policy goals - particularly over the *finalité* of European integration - are shared between Britain and France.

Two issues are particularly illustrative here. On the British side the suggestion that it was possible to view Anglo-French defence cooperation in the context of the provisions of Permanent Structured Cooperation (PESCO), as outlined in the Lisbon Treaty, was quickly squashed[49]. With the coming to power of the new British coalition government opinions have, if anything, hardened against any notion of an institutionalised Defence Europe outlined at St Malo with even the EDA (European Defence Agency) looked at suspiciously as an 'agent' of the European Commission[50].

On the French side, despite NATO reintegration and the understanding that the EU and NATO must work together to keep the Americans 'engaged' in European defence, the feeling remains that the current French approach will not survive the current President as attitudes in the French Socialist Party and even in the Quai d'Orsay are critical of elements of the Sarkozy approach. Moreover, the narrow view that NATO should primarily remain a 'collective defence' organisation based on 'Article 5' (collective self-defence provision) and the attempts to block the NATO's development towards it adopting a more comprehensive approach to security (l'Approche Globale), sometimes also equated with the term 'reverse Petersburg' - where not only would NATO lend assets and capabilities to the EU for operations that it was

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[47]This was very much how it was viewed in the UK press, see for instance the piece in the generally Europhile *Guardian* (2/11/2010) 'Anglo-French defence deal is a triumph of pragmatism over ideology' by Richard Norton-Taylor, downloadable at http://www.guardian.co.uk/politics/2010/nov/02/britain-france-defence-pragmatism-analysis?intcmp=239.

[48]See Bickerton C (2010) 'Oh bugger, they're in the tent': British responses to French reintegration into NATO, *European Security*, 19(1). In particular Bickerton relates that: 'According to a specialist in European defence issues, the British were regularly consulted and asked for advice in the course of the drafting of the 2008 White Paper' (interview with Bickerton, 4/12/09), p.117.

[49]'The November 2010 Anglo-French summit in London resulted in agreement on bilateral defence collaboration, but did not place this in the wider context of the CSDP'. Menon A (2011), European Defence Policy from Lisbon to Libya, *Survival*, 53(3) p.88.

[50]Liam Fox, 'The EU should only act when NATO cannot', 11 February 2010, at http://www.conservatives.com/News/Speeches/2010/02/Liam_Fox_EU_should_only_act_when_NATO_cannot.aspx.

not itself engaged in, but conceivably, the EU would then also lend NATO its civilian crisis-management assets etc., in places like Afghanistan - mirrors current British concerns over the EU as a defence actor.

As such then while grand statements of collaboration in respect of NATO-EU relations have been made, with some useful cooperation in the Balkans initially taking place, and while the basic problems preventing the emergence of a better NATO-EU relationship have been identified and are now recognised by everybody concerned, the basic geo-strategic, administrative and political problems remain and while some may be amenable to solution - Britain and France agree on the need to maintain a US commitment to European defence and security and the poor current state of European defence budgets - others such as the Turkey-Cyprus issue and the 'strategic' differences between Britain and France over European defence and the EU's role seem altogether more intractable.

The 'Arab spring', the EU, Libya and R2P: A test-(ing) case?

Since the end of the colonial era the institutionalisation of EU policy as regards the countries of the southern and eastern shores of the Mediterranean - be it through traditional Association Agreements, the Barcelona process or, latterly, through the Mediterranean and Neighbourhood policies - has essentially had a single red line running through it. This was the choice between fostering democracy and buying security. Of course it was never promoted as such and the choice was never absolute because the two facets are complimentary to some extent. Nevertheless, the elevation of the security prerogative for Europe - in terms of access to resources, immigration control and latterly, the fight against Islamic radicalism and terrorism - has generally superseded the desire to help facilitate the emergence of fully democratic regimes in North Africa and in the Middle East[51].

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[51]A detailed study of the EU's institutional interaction with the Southern and Eastern shore of the Mediterranean is not practical to undertake within the time and resource constraints of the current paper. As however the Libya case study included in the last section of the current paper illustrates, this institutional relationship has been a primary factor - for good or ill - in the evolving relationship between the EU and its southern neighbours, and something which, since the beginning of 2011, the dramatically unfolding of the events of the 'Arab spring' have increasingly questioned. A certain level of scepticism towards these various instruments in not however completely new, see, Fröhlich S (2007), The European Neighbourhood Policy: An Adequate Instrument for Democratisation? in Varwick J and Lang K O (eds) *European Neighbourhood Policy - Challenges for the EU-Policy Towards the New Neighbours* (Opladen and Farmington Hills: Barbara Budrich Publishers) and Bicchi F (2010), The Impact of the ENP on EU-North Africa Relations: The Good, the Bad and the Ugly, in Whitman R G and Wolff S (eds) *The European Neighbourhood Policy in Perspective - Context, Implementation and Impact* (Basingstoke: Palgrave MacMillan). On the Mediterranean Union see Liberti F (2008), The European

Such introspection and 'Eurocentrism' is not of course completely beyond comprehension. The struggle for 'energy security' is now a major foreign policy focus, while the fear of Islamic radicalism and terrorism - and thus the willingness to 'turn a blind eye' to authoritarian regimes who claimed that they were the only bulwark against such an outcome - was a judgement that was tested as early as 1992 with the coup in Algeria in the face of the impending victory of the FIS in national elections. The potential impact of the immigration/refugee issue has moreover been starkly highlighted by the current crisis in Libya with increasing numbers of 'boat people' seeking to make the journey from North Africa to 'Europe', principally via the islands of Malta and Lampedusa[52].

It is in this context that initial French reactions to the emerging 'Arab spring' movement promoting change, greater openness and democratisation in Tunisia[53] should perhaps be understood. As the initial protests were met with violence by Tunisian security forces, French ministers proceeded to make a number of comments unequivocally favouring the Ben Ali regime. While human rights groups condemned a series of murders carried out by Tunisian police, the French foreign minister, Michèle Alliot-Marie, said French police would lend their own 'savoir faire'[54] on dealing with civil disturbances to

Union and the South Mediterranean Partners: L'Union pour la Méditerranée, a French Attempt to refocus the EU Engagement Towards the South in Delcour L and Tulmets E (eds), *Pioneer Europe: Testing EU Foreign Policy in the Neighbourhood* (Munich: Nomos).

[52]The ramifications of the Libyan conflict on illegal immigration to the EU have been significant both in terms of raw numbers and in terms of percentage casualties. Simon Tisdall in *The Guardian* (11/5/2011) 'Helping Libya's refugees is the better way to beat Gaddafi', conservatively suggests that some 10% of those trying to reach Europe die in the process - 1.200 out of 12.000 in the period from the beginning of March and mid-May 2011. He also suggests that Gaddafi's forces may be forcibly expelling sub-Saharan migrant workers to remind Europe of the consequences of regime change. Pre-conflict it was undoubtedly the case that Italy and France in particular had sought to 'engage' Gaddafi in relation to Libya's perceived role as the gateway between Europe and the flow of economic migrants from central Africa. See, for instance, 'Libya is bigger issue for EU than US' downloadable at http://www.europeaninstitute.org/February-2011/libya-is-bigger-issue-for-eu-than-for-us.html. In terms of internal EU ramifications the entire edifice of visa-free Schengen has been threatened in a war of words primarily between Italy and France but spilling over across the entire Schengen area; see *The Telegraph* (11/5/2011), 'Denmark announces decision to reintroduce border controls ahead of Schengen meeting', John Lichfield *The Independent* (19/4/2011) 'EU border deal under threat over Italy's migrant burden', Burno Waterfield *The Telegraph* (22/4/2011) 'France threatens to 'suspend' the Schengen Treaty' and finally, Michael Day *The Independent* (14/5/2011) 'Flood of North African refugees to Italy ends EU passport-free travel.'

[53]Interestingly, Robert Fisk dates the beginning of the 'Arab spring' to Lebanon 2005 and to the civil society reaction to the assassination of ex-Prime Minister Rafiq Hariri and the demand for the withdrawal of the Syrian army from Lebanon. See, Fisk R (15/4/2011) *The Independent* 'The Arab awakening began not in Tunisia this year, but in Lebanon in 2005.'

[54]Naturally there was a explosion of anger at such comments and at those of Alliot-Marie in particular, see Liberation.fr (11/1/2011) 'MAM propose le savoir-faire français à la police tunisienne'. Alliot-Marie was subsequently replaced as Foreign Minister by Alain

help Ben Ali's forces maintain order. The French culture minister, Frédéric Mitterrand, said Tunisia was not an 'unequivocal dictatorship' and the agriculture minister, Bruno Le Maire, said Ben Ali had 'done a lot for his country.'

After Tunisia came Egypt and once again the public relations failures of French diplomacy were exposed as were the existence of deep personal links between the French governing class and local political elites - Hosni Mubarak the Egyptian President who had been seen by France as the major southern interlocutor for the French President's 'pet' project the Union of the Mediterranean finally relinquished office on the 11th of February[55]. The focus of attention quickly then moved to Libya but unlike Tunisia and Egypt the level of regime-sponsored violence in response to the demands of the protestors quickly escalated beyond what the international community deemed 'acceptable' and by February 20th 'protestors' had become 'rebels' nominally in control of Benghazi, Libya's second largest city[56]. On February the 22nd Gaddafi made his infamous speech branding the rebel residents of Benghazi 'cockroaches' and 'rats who did not deserve to live' and to whom he would show 'no mercy' while going 'house by house' to root them out[57].

By the time this moment arrived the French were in full 'repair-mode' in terms of their reputation which had taken a major buffeting over their ambivalent responses to the Tunisia and Egypt crises and President Sarkozy was thus determined to be 'out in front' of the Libya issue[58]. Joining him at the head of the queue was British Prime Minister David Cameron; he had however reached this point by a similar if rather more circuitous route. The prevailing sense of the 'Arab spring' in the UK had been entirely positive and

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[55]See David Tresilian, 'Friends in High Places' in *Al-Ahram weekly* online (17th-23rd Feb 2011), downloadable at, http://weekly.ahram.org.eg/2011/1035/eg1902.htm.

[56]It should be noted here that Libya - ruled by Gaddafi for 40 years - is a very different proposition to either Tunisia or Egypt. Libyan society is still effectively based on a 'tribal' system while the structures of the Libyan state have been eroded over time in response to Gaddafi's political philosophy. See for instance the *Newsweek* article by Dirk Vanderwalle, 'After Gaddafi' (27/2/2011).

[57]As *The Economist* (19/5/2011), 'The lessons of Libya', notes, this was 'language chillingly reminiscent of the broadcasts of Radio Mille Collines, which spurred on the perpetrators of Rwanda's genocide in 1994.'

[58]It is undoubtedly the case that re-election considerations were viewed - at least by his opponents - as being prominent in Sarkozy's decision making process over Libya, see Jonathon Freedland, *The Guardian* 'Libya crisis may save Nicholas Sarkozy from electoral humiliation' (20/3/2011), downloadable at http://www.guardian.co.uk/world/2011/mar/20/libya-crisis-nicolas-sarkozy-electoral. While the same paper also reported claims from one of Gaddafi's sons that Libya had financed Sarkozy's election campaign and that they now wanted their money back! See, Ian Black and Kim Willsher, *The Guardian*, 'Sarkozy election campaign was funded by Libya - Gaddafi son' (16/3/2011), downloadable at http://www.guardian.co.uk/world/2011/mar/16/sarkozy-election-campaign-libya-claim?CMP=twt_gu.

while there were numerous 'skeletons in the cupboard' in respect of recent British policy in relation to Libya, not least the release from custody in Scotland of the 'Lockerbie bomber'[59], Cameron was quick to lend his voice to that of Sarkozy demanding military action if the slaughter of civilians in Libya did not stop.

Cameron's unease over Libya was however based on past not current misdemeanours, not his own but his Party's. The British political class - and the Conservative Party in particular - was scarred by the Bosnia crisis of the mid-1990s and specifically by the events at Srebrenica, where up to 8.000 Bosnian Muslim men and boys were murdered - while ineffectual UN peacekeepers looked on. At the time the Conservative government and its leading figures had been firm in their 'Realist' stance that engaging in the civil war in Bosnia was not in the British national interest, a view which, to be fair, was not hotly disputed by many other governments across Europe. Only after the horror of Srebrenica was revealed, and the analogies with the 'final solution' against the Jews in WW2 drawn, did this position begin to change. This approach was of course decisively overturned by Labour Prime Minister Blair's adoption of an 'ethical foreign policy' and subsequently of the doctrine of 'Liberal interventionism' during his three-term premiership. In their long period out of office the Conservatives drew the appropriate lessons.

Even before the infamous Gaddafi broadcast threatening to 'root out' his opponents in Benghazi the 'spectre of Srebrenica' was, moreover, evident in the British public debate on Libya[60]. There is no doubt then that this was a significant 'shapin' factor in British Libyan policy.

The 'Arab spring' pushed a lot of buttons in European foreign policy circles, as the wave of 'democratisation' swept from Tunis to Cairo and onwards it seemed to vindicate the cautious approach adopted by much of Europe to the Bush-era's programme of robustly 'encouraging' Middle East democratisation - specifically in Iraq - which had since become beset with difficulties. The 'revolutions' in Tunis and Cairo seemed however to represent the ultimate victory of 'soft power'. The protesters wanted food, jobs and freedom from oppression from an arbitrary state but they also wanted more 'abstract' things like democracy and an ability to more fully participate at all levels in their society[61].

The scene was then set. With the EU demanding to play a greater role

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[59]Although technically the responsibility of the devolved Scottish government - because Scotland has a different legal system from that operative in the rest of the UK - there was significant disquiet over the circumstances surrounding the release, in May 2009, of the 1988 bomber of Pan Am flight 103, Abdelbaset Ali Mohmed al-Megrahi. See for instance, Jason Allardyce 'Lockerbie bomber set free for oil' *The Sunday Times* (30/8/09), downloadable at, http://www.timesonline.co.uk/tol/news/politics/article6814939.ece.

[60]See for instance, economist.com (15/3/11) 'Bosnia's long shadow over British foreign policy.'

[61]Joe Nye intervention into the 'Arab spring' debate.

in global affairs, the Lisbon Treaty changes deployed with a view to enabling this, a costly new actor - the European External Action Service - headed by High Representative Baroness Ashton - ready to prove its usefulness and the EU's two major military powers Britain and France determined, for the reasons outlined above, to become 'engaged', albeit initially through the UNSC, a major international crisis on Europe's doorstep would surely present an opportunity to see how far the EU had come from the nadir of Jacques Poo's 'this is the hour of Europe' speech at the outbreak of the Yugoslav conflict some twenty years before.

In addition, NATO was seen as a potentially problematic vehicle through which to channel a response to the crisis because of the initial American approach to the prospect of intervention which - Secretary of State Clinton apart - was at best 'lukewarm', while another NATO member, Turkey, was engaged in projects of its own and did not, initially, want to be seen to be party to the use of force against Libya. Using NATO, it argued, would be 'provocative' and would send the wrong signals to the region - particularly after French Interior Minister Claude Gueant characterised the intervention as 'a crusade'[62].

Before any action could be taken however the necessary multilateral blessing had to be obtained in the form of a UN resolution at the Security Council. Under combined Anglo-French pressure the Americans had - by March 17th - been persuaded that intervention was necessary and they now increasingly led the charge for the imposition of a 'no-fly zone' as one element in an approach including 'all necessary measures' to protect Libyan civilians, and specifically those in imminent danger in the city of Benghazi, from the depredations of the loyalist Gaddafi forces poised on the outskirts of that city.

The tabled resolution (1973) followed on from the 26th February resolution imposing sanctions on the Libyan regime but went much further in granting that 'all necessary measures' could be taken to protect civilians. The justificatory norm deployed to legitimate the action was that of the newly formulated 'R2P' (Right to Protect)[63] - when a sovereign state fails to prevent atrocities, foreign governments may intervene to stop them. Euro-

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[62]See, Delphine Strauss on ft.com (24/3/2011) 'Turkey attacks France on Libya crusade'. In the end Turkey chose to argue for a NATO-led force rather than *ad hoc* 'coalition of the willing' which France seemed initially to prefer.

[63]The 'R2P' norm was adopted at the UN 2005 World Summit and was an attempt to 'repackage' the traditional 'norm' of humanitarian intervention which had been deployed, it is argued in the literature, but subsequently not by the states themselves who claimed 'self-defence', on three famous occasions in the 1970s - by India in East Pakistan (1971), by Vietnam in Kampuchea (1978) and by Tanzania in Uganda (1979). While the backdrop to each of these interventions was provided by a massive humanitarian catastrophe, 'power politics' considerations were the intervening state's major policy driver in each case. The humanitarian intervention 'norm' was subsequently to become so contested that it was unusable and as the Cold War intensified in the early 1980s it was dropped. The wider issue was not to return to international attention until the mid-1990s with

pean nations were at the heart of a process displaying the merits of 'effective multilateralism' in global politics.

And then came the bombshell. Although resolution 1973 was passed by the Security Council with veto holders China and Russia only abstaining along with other influential BRIC members - and fierce protectors of the traditional norm of the supremacy of 'state sovereignty' - they were also joined by Germany which broke ranks with its EU partners calling into question Germany's support for the 'R2P' norm, its commitment to 'effective multilateralism', the CFSP's desire to 'speak with a common voice' and indeed the entire edifice of an EU-based Common Security and Defence Policy. What prompted such a decision, particularly as German Foreign Sectary, Guido Westewelle[64], had been among the first to show solidarity with those involved in the 'Arab spring' by actually going to Tahrir Square in the centre of Cairo?

Let us first remind ourselves of the purpose of the CFSP. It is designed to cover 'all areas of foreign policy and all questions relating to the Union's security including the progressive framing of a common defence policy that might lead to a common defence.' Surely Libya represented an event the magnitude of which the EU - particularly given the wider 'Arab spring' context - simply could not ignore?

While it is not certain that the EU would have taken the lead role in 'Europe' response to the Libyan crisis had Germany not acted as it did in the UNSC, both Britain and France clearly wanted American participation in the enforcement of the 'no-fly zone' as neither had the capability to quickly 'shut down' the Libyan air-defence grid, it is interesting to briefly recall the pressures being exerted on Germany at this time in order to understand how their Libya-policy was produced - in the same way as the basic motivations for French and British policy have also been outlined above.

The motivations for German policy are many and varied. It is undeniable that, like France and Britain, Germany had significant economic and business-related ties with Libya[65] - Germany gets 11% of its oil from Libya

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Rwanda/Srebrenica etc. Libya was the first time that 'R2P' had been deployed by the international community as a whole though in 2008 Russia deployed it as justification for its conflict with Georgia over the breakaway region of Abkhazia while, again in 2008, France threatened to deploy it against the government of Myanmar if it continued to block the outside delivery of aid to the country after the cyclone. For more on R2P see, http://www.responsibilitytoprotect.org/index.php/about-rtop.

[64]Timothy Garton Ash is particularly scathing of Westerwelle and of the consequences of German policy more generally. See, guardian.co.uk (24/3/2011) 'France plays hawk, Germany demurs. Libya has exposed Europe's fault lines', downloadable at, http://www.guardian.co.uk/commentisfree/2011/mar/24/france-hawk-germany-demurs-libya-europe?INTCMP=SRCH.

[65]The EU was hitherto Libya's largest trade partner taking 70% of its exports. Libya was Europe's third largest energy supplier and was becoming increasingly involved in cooperation over undocumented migration, receiving to this end some 60 million euros in 2010. See, Simon McMahon, 'Where is Europe on Libya?'

it is claimed - and perhaps there was pressure not to disrupt such a lucrative market position[66] though of course this seems to have been a 'pressure' that France and Britain were both able to resist, so perhaps we should look elsewhere.

Dettke is probably closer to the mark when he notes that the Libyan crisis came to a head during 'perfect storm' conditions for the German government - realisation that the initial measures taken in respect of the European sovereign debt crisis were unlikely to be enough to save the Euro, and that German taxpayers would probably once again have to 'dig deep' to finance any new proposals, the Japanese tsunami and subsequent nuclear accident at Fukushima which seemed to decisively turn an already highly sceptical country against nuclear power, and the fact that the first tranche of 2011 state elections were about to be run with the junior partner in the centre-right coalition government - Mr Westerwelle's own FDP - struggling to maintain the 5% threshold required for representation in the state legislatures[67]. In this situation the German government was paralysed with fear of its own electorate and the short-term party political consequences of regional elections were elevated above any notion of defining the 'national' interest never mind the Europe-wide ramifications of an abstention over resolution 1973.

Joschka Fischer ridicules Westerwelle and highlights the German government's lack of anything resembling a strategic culture when he notes that 'foreign policy isn't just about cutting a good figure on the international stage and otherwise focusing on the next provincial domestic election. It means taking responsibility for hard strategic choices even when these are unpopular at home.'[68]

The implications of the German decision were precipitous. At no point was the EU even considered to be the lead-partner in the Libyan operation simply because there was no consensus view of what could, or should, be done. Disunity in the European position had been obvious since the EU Foreign Ministers' Brussels meeting on 22nd February which discussed sanctions in respect of Libya, with Malta, Italy and Cyprus showing reservations[69] while a subsequent emergency summit meeting called by Cameron and Sarkozy designed to place the threat of the imposition of a 'no-fly zone' at the heart of the EU statement of March 11th was decisively rebuffed by

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(18/5/2011) Europe on the Strand, an ideas on Europe blog, downloadable at, http://europeonthestrand.ideasoneurope.eu/2011/05/18/where-is-europe-on-libya/.

[66]See for example the rather forthright but hardy balanced piece in Black Star News 'Quest for economic riches drove Germany's Libya policy', downloadable at http://www.blackstarnews.com/news/135/ARTICLE/7167/2011-03-07.html.

[67]Dettke D (2011) Germany says no again, AICGS Advisor.

[68]Fischer J (2011) 'I feel ashamed' The German Times for Europe, downloadable at http://www.german-times.com/index.php?option=com_content&task=view&id=41470&Itemid=197

[69]See, EUbusiness (23/2/2011) 'EU nations eye Libya sanctions but Italy, Malta object'.

Germany and Sweden[70]. After the meeting, in a joint press conference with the Hungarian Prime Minister Viktor Orban, EU President Herman von Rompuy stated that 'we don't live in a colonial era any more where foreign powers intervene where they like.'[71]

The result was that by the time resolution 1973 was passed France in particular argued that precipitate action was required to reduce the potential of a massacre occurring in Benghazi at the hands of Gaddafi-regime troops. Sarkozy announced, in the middle of the 19th March Paris meeting of interested parties, that such action would be taken with French planes already in the air thus the intervention began on the basis of support from a 'coalition of the willing' - e.g. those willing to enforce UNSC resolution 1973. The EU was nowhere to be seen as, for operational military reasons, the Americans took the lead in what was to become known as *Operation Odyssey Dawn*[72].

Even when the Americans began to wind down their front-line contribution to the military effort - Obama faced significant domestic pressure not to become 'involved' in another conflict in the Middle East, with the prevailing US view being that Libya was primarily a 'European' concern - it was NATO rather than the EU or an *ad hoc* group of 'EU member states plus' that assumed control of the operation.

Criticism of the EU, both internally and externally, was withering. *Le Monde* noted:

> *The European Union has, for its part, failed miserably. 'Institutional' Europe has not faced up to the challenge. In the North African saga it does not exist. It is incapable of agreeing on how to act, on whether to recognise the Libyan opposition, and most of all, on the legitimacy of the use of force. The disunity is total and particularly striking when it is a question of deciding on war - that is to say when history becomes tragedy and it is necessary to move from frothy rhetoric about the rights of man. (Le Monde (31/3/2011) quoted in, and translated by, Menon (2011) ibid.)*

EU diplomats were, it seems, even harsher. In what is perhaps the best quote to date on the consequences of the conflict, with an eye on the growing row within NATO about how the intervention was going to be run, one EU

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[70]See Nicholas Watt and Ian Traynor, *The Guardian* (11/3/2011) 'Libya no-fly zone setback for David Cameron'.

[71]See *The Times of India* (13/3/2011) 'No military intervention in Libya, says European Council', downloadable at http://articles.timesofindia.indiatimes.com/2011-03-13/europe/28685917_1_military-intervention-libya-options.

[72]*Operation Odyssey Dawn* was the title of the US-led operation in Libya. When NATO subsequently assumed sole command of the operation on 31/3/2011 the new name given was *Operation Unified Protector*. In addition, individual participants in the coalition each had their own names for their own military contribution operations, such as, for instance, *Operation Ellamy* for the UK and *Opération Harmattan* for France.

insider dryly noted, 'the CFSP died in Libya - we just have to pick a sand due under which we can bury it.'[73]

The role of EU high representative for Foreign Policy, Baroness Ashton, and the new European External Action Service (EEAS) that she heads, came in for a significant amount of criticism from some, for not doing enough, and from others for seeking to do too much[74]. It is clear however that Ashton was hamstrung from the outset as clearly no 'common' position emerged between the member states. While the Lisbon Treaty gives the High Representative some 'latitude' to broker a compromise in such situations what it does not do is give it the right of initiative over that of individual states.

This point was further emphasised when, at the beginning of April, the High Representative finally emerged with a plan to deliver humanitarian assistance to Libya - principally to the city of Misrata. The European Union Council adopted the decision to launch an EU military operation in support of humanitarian assistance efforts in Libya. The Council's decision, known as EUFOR Libya, established the legal framework for the mission - with actual operation plans and rules of engagement set to be implemented by UN request only. But EUFOR Libya remains stillborn. The UN has not called for the mission to be implemented and EU foreign ministers subsequently failed on April 12th to approve a basic 'concept of operation.'[75]

In reality neither the EU nor NATO is likely to come out of the Libyan crisis with its reputation enhanced. The EU was simply unable to agree a compromise between the various competing positions of the member states, the Lisbon Treaty gave it no additional mechanisms to do so, nor did it enable the High Representative for Foreign Policy and her European External Action Service to work in parallel with the member states in order to define alternative solutions. Ashton was essentially rendered silent by the need to find a lowest common denominator position among the member states - a position that did really move much further beyond 'sanctions' and eventually

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[73]Alvise Armellini (24/3/2011) 'Diplomats mourn 'death' of EU defence policy over Libya' Deutsche Press-Agentur, downloadable at http://www.monstersandcritics.com/news/africa/news/article_1628333.php/Diplomats-mourn-death-of-EU-defence-policy-over-Libya.

[74]See, *The Economist* (27/5/2011) 'Low ambition for the High Representative.' The point is made here about the differing ways in which the EEAS is viewed by large and small countries in the EU. 'For the small countries it is a megaphone, for the large ones, a limitation.' See also, Toby Vogel (24/3/2011) EuropeanVoice.com, 'Running out of friends.'

[75]Swedish Foreign Minister Carl Bildt blocked the adoption of a proposed operational plan for the humanitarian mission at the April 12th meeting of EU foreign ministers. Bildt argued that adopting the plan would send the wrong signal since the United Nations still had access to the Libyan city of Misrata, which was, at the time, under heavy siege by Gaddafi loyalist forces. See, Ivy Mungcal, (15/4/2011) 'EU divided over military mission for Libyan humanitarian response' downloadable at, http://www.devex.com/en/articles/eu-divided-over-military-mission-for-libyan-humanitarian-response?source=ArticleHomepage_Center_3.

settled on humanitarian assistance. Moreover, the often cumbersome process of ensuring that a consensus position is reached clearly suggests that the CSDP process is simply not designed for high-intensity interventions where rapid decision making with 'real time' implications is required. The defining purpose of cooperation in the foreign policy and defence fields remains internal EU coordination not external problem-solving. The overriding goal of 'speaking with one voice' sometimes means that silence is the only option.

Despite the move towards greater 'institutionalisation' in terms of both foreign and defence policy, and the process of 'Brusselisation' that is often said to accompany it, the member states remain the major players here - for the smaller states cooperation acts as a megaphone but for the larger states it is a limitation. Even if it is clear that sub-optimal positions are adopted for the EU as a whole the domestic imperatives of the major EU states rather than any conception of the wider 'European interest' predominates - all member states however use and manipulate decision-making processes at the EU to feedback into the domestic level debate while, at the same time, citing domestic level concerns as a factor in their foreign policy making processes.

In terms of EU-NATO relations Libya seems to have been very much a case of 'business as usual'. In administrative terms, a number of meetings were held, such as that between the NATO and EU ambassadors in Brussels on the 6th of May. At Turkey's stipulation however the meeting was designated as 'informal' and thus no formal decisions could be taken. At the implementation level the traditional characterisation of NATO-'hard power / EU-'soft power' seemed to make a return with the EU confined to imposing sanctions and contemplating 'humanitarian relief' missions. Indeed, as *The Economist* succinctly put it: 'While Britain and France engage Libyan forces Mrs Ashton engages "civil society" in Benghazi. The big states fly combat missions; the EU flies the flag.'[76]

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[76] *The Economist* (27/5/2011) 'Low ambition for the High Representative.'