Common Foreign and Security Policy
of the EU – Limits of Functional Intergovernmentalism

by Dr. Sandro Knezović

The Common Foreign and Security Policy (CFSP) of the EU, introduced in 1993 by the Maastricht Treaty, represented a logical continuation of a successful economic co-operation among the member states. The essential idea was to provide a newly established EU with ‘a political face’ in an increasingly complicated and challenging international arena. Having a ‘single voice’ on issues in the field of foreign and security policy meant not only strengthening the role of the EU as a relevant player at the global stage, but also an opportunity to decrease the influence of the United States and NATO in the post-Cold War European security architecture, characterised by a limited or non-existent threat from Moscow.

The endeavour was seen pragmatically in national capitols as an opportunity for the member states to contextualise more efficiently their efforts in pursuing national interests in the aforementioned fields. Hence, the concept of intergovernmentalism in decision-making was predominant from the beginning, in particular due to the sensitivity of foreign and security policies.

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The development that followed during next two decades saw increased co-ordination and institution-building in the field of the CFSP. Apart from that, different decision-making mechanisms and procedures were adopted. There was a traceable improvement in the overall performance of the EU as a player at the international arena. However, the ambitions
were not always entirely met, especially in the period of crisis when national interests and capacities frequently prevailed and cast a shadow over the European joint approach.

Current challenges

Currently, the EU faces several serious challenges that are putting its compromise-building and decision-making capacity in the field of CFSP under severe pressure. Relations with Russia, the fight against terrorism and the management of an uncontrolled influx of immigrants are not only very complicated, but also highly interconnected.

Relations with Russia entered a very difficult stage with the conflict in Ukraine and the Russian annexation of Crimea. It returned conventional warfare to the eastern outskirts of the EU, changing the security outlook of the European continent and ending its post-Cold War setting. Diverging interests of the EU member states vis-à-vis Russia, together with complicated decision-making procedures, made the response of the EU lukewarm in the first stage of the crisis. While a challenging compromise on sanctions against Russia was achieved in March 2014, which seems to be having a visible impact on the trade balance between the EU and Russia, the impact on policymaking at the highest level in Russian establishment is still difficult to estimate. Predominantly, the high dependency on the import of Russian oil and gas, and the deterrence capacity of the Russian military have prevented it from going one step further in pressing Russia to avert its policies in Ukraine.

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The emergence of ISIL, coupled with all its consequences, represents an exceedingly serious threat to the stability of the EU. Recent deterioration of public security in France and Belgium after Paris terrorist attacks clearly showed that. The fight against terrorism is a matter of a broad compromise at the level of the transatlantic community and beyond; however, when it comes to implementation and burden-sharing, the policy does not appear to be coherent at the EU level. Namely, creating conditions in the Middle East to defeat ISIL requires ‘thinking out of the national box’ in a strategically critical region, which is easier said than done. Energy resources in that part of the world have an important role for the sustainability of the economy of the most developed EU member states and the diversification of their supply scheme. This is only one of the reasons why it is immensely difficult for the EU to have a single voice in the Middle East. Russia’s recent active participation in the Syrian conflict additionally complicated the strategic posture of the wider region and Russia’s relation with the transatlantic community.

As a consequence of this conflict, the EU is now coping with the uncontrolled influx of a
large number of refugees, representing another challenge for its policies and overall stability. Namely, not only does it represent a serious test for the joint immigration policy, but it also may endanger the functionality of the Schengen Agreement based on one of the fundamental EU values, the freedom of movement of persons. As in any other crisis, the issue of burden-sharing raises a number of concerns and negatively affects the capacity of the EU to respond with a coherent and sustainable policy. The process of decision-making in the field of CFSP, and, in particular, its intergovernmental character that has marked this policy from its first days, have only added to the overall complexity.

An overview of the development of the CFSP

The aforementioned complexity characterised the process of development of the policy in our focus from its first years onwards. The idea of a political union actually developed immediately after the successful initiation of the European Coal and Steel Community (ESCS) in the early 1950s, influenced heavily by the dynamics of the Korean War and increased polarisation of international relations at the early stage of the Cold War. The idea of a European Defence Community with integrated military forces was abandoned after the rejection of the French national assembly to ratify it in 1954. After a 15-year stalemate, the establishment of the European Political Cooperation (EPC) at the entirely intergovernmental form of cooperation, with information exchange and mechanisms for the co-ordination of activities in the field of foreign policy, represented a first step in the building process of what we know today as the CFSP.

The fall of the Berlin Wall and its numerous consequences faced the EPC with substantial challenges and increased the necessity for adequate and coordinated responses. The CFSP, introduced by the Maastricht Treaty in 1993 as one of three pillars of the newly established EU, was actually based on existing core elements of the EPC. One of the most important changes was the introduction of the High Representative for the CFSP with the Amsterdam Treaty, who was authorised to arrange agreements with third parties on behalf of the EU as an attempt to obtain a personification of the policy, better recognisability at the global stage, and greater coherence at the EU level.

Rapid changes in the international political arena in the late 1990s fostered the creation of the European Security and Defence Policy (ESDP) as an integral part of the CFSP, giving the EU an increased implementing capacity in this specific policy field. In other words, it was the first time in history that European states decided to start developing a common defence policy as a concrete support to a credible CFSP. It encompassed the creation of capacities to deploy rapid reaction forces and conduct peacekeeping operations (both civilian and military), implying the formation of different joint political-military structures.

The Lisbon Treaty formulated the authorities of all relevant EU institutions in the field of the CFSP, with the special role of a double-hatted High Representative of the EU for Foreign Affairs and Security Policy and the Vice President of the EC responsible for External Relations. This post reflected an idea to
personalise additionally the EU at the global stage, with the support of the newly established European External Action Service (EEAS). The treaty introduced a symbolic change in the denomination of the ESDP into the CSDP (Common Security and Defence Policy).

Additionally, a significant amount of solidarity was added to the policy with the introduction of the clause of mutual assistance in the occasion of armed assault, as well as in the case of a terrorist attack, or natural or other disasters.

**Administrative setting after Lisbon – increased Europeanisation and persisting intergovernmentalism**

The institutions and decision-making procedures of the CFSP/ESDP have gone through a constant transformation and strengthening over the last 15 years. The member states have been pooling human resources and sharing capacities to establish a functional institutional setting, but have also been retaining final decision-making authority. Therefore, while the process of Europeanisation of foreign and security policy shifts the ability to take actions to the European level, the veto power remains at the national level. Obviously, the latest reforms have not changed the essential nature of the CFSP decision-making procedure, but attempted to address the dysfunctional aspects of the previous institutional set-up. On the other hand, there is an increasing self-perception of the EU, or, at least, an expectation, to once become a globally relevant factor at the international arena.

This indicates a long lasting ‘capabilities-expectations gap’ and a permanent search for adequate policy consensus, but not the political will to advance to community level of decision-making. There are several reasons for the reluctance of member states to cross the threshold of deliberative intergovernmentalism and make the CFSP more coherent and functional by adopting the decision-making provisions and establishing joint institutions comparable to those of the European Monetary Union.

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The first one relates to the very nature of foreign policy and the significance of the capability to pursue independently national interests in that specific field. It relates directly to the core tasks of the state, representing a symbol of its sovereignty and legitimacy, even in the contemporary period with an increasing number of non-state actors in international relations. Therefore, the state would be willing to concede only if it proves incapable of protecting national interests or if the alternative – in this case, the CFSP – shows the capacity to outperform the national foreign policy. Since the later would require a supranational approach and a capacity to find compromises among 28 member states in an efficient way, the former is unlikely to happen soon.
The debate about the overlap between the CFSP and NATO is obsolete, but a vast majority of EU member states are also NATO members, and the CFSP extensively uses NATO infrastructure and capacities under the so-called Berlin Plus agreement to be operational. A proven and tested structure capable of effective actions at the international arena, especially in the defence field, with international legitimacy and recognisable US leadership still appears to be reliable, especially vis-à-vis the developing model of the CFSP.

While having plenty in common, especially in terms of the nature of the political systems and their main determinants, the member states differ significantly in their foreign policy priorities and interests, which makes it complicated to achieve compromises and especially to be able to react swiftly to an emerging crisis with such a complicated decision-making procedure.

Last but certainly not least is the issue of legitimacy and justification. Namely, the main officials in the field of foreign policy of the states, in the current setting of the political system, are responsible to their national electorate and are under the control of national parliaments and the public. Sharing sovereignty and competences in sensitive fields, like foreign and defence policy, raises the issue of the legitimacy of the decisions made by a supranational body. Obviously, the current decision-making concept, however imperfect, provides the most appropriate amount of legitimacy, which has proven to be functional in NATO as an alliance of national states with no ambition to acquire a supranational character.

Looking ahead

The entire process of European integration was guided by the objective to build a peaceful community of nations in Europe based on a broad set of liberal-democratic values. In that context, the very concept of military power was somehow erased from the mainstream discourse. Therefore, the real burden of European security during the Cold War was carried by NATO and the US, in particular: A simple, comparable analysis of defence spending on two sides of the Atlantic in any specific period from the early 1950s onwards clearly confirms this argument. While this conclusion still appears to be relevant, the contemporary security environment and emerging threats obviously pressure the EU to prove it wrong. In fact, the emerging multipolar world with numerous conventional and unconventional threats leaves the EU no choice but to try to develop joint defence capacities not only to be viewed externally as a relevant international player, but also to be able to guarantee the defence and security of its citizens internally.

It is clear that the coordination in the field of foreign and security policy represents a substantial achievement for a regional economic organisation. However, despite significant institutional development, the member states remain the epicentre of authority for almost any form of decision-making, including the future design of common institutions. In such a system, there is obviously a reciprocity between institution-building and intergovernmental
cooperation that led to the progressive expansion of both.

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The international security environment is rapidly changing. The post-Cold War mainstream estimations of the irrelevance of conventional warfare and symmetric threats on the European continent have proven to be incorrect, which is clearly displayed by the conflict in Ukraine. In the environment of an immediate threat – be it the conflict in Ukraine or the uncontrolled influx of immigrants as a consequence of lack of the EU’s capacity to have a single voice in a strategically important region such as the Middle East – the member states show signs of regression from the adopted joint concept of EU as a normative power and frequently give the priority to defending national interests. This is due to three pragmatic reasons. First, the aforementioned fact that the legitimacy of their authority, in general, as well as in this specific policy field lies with the electorate at the national level. Second, the fact that the costs of any crisis and of the role of the EU as a normative power/global player predominantly fall to the national budgets. This is the essence of the problem with crisis-management burden-sharing in the EU, which was displayed by the recent immigrant crisis. Third, the fact that any crisis requires a rapid reaction with adequate political volume, which was always easier at the national than at European level.

However, regardless of the facts mentioned above, the founding principles of the EU, such as basic democratic principles and human rights, should not be forgotten during the time of crisis, and problems with decision-making and burden-sharing should be tackled appropriately in order to preserve the very essence of its existence. The CFSP is obviously a policy in the process of development. In the long run, the EU clearly needs the development of a security culture of its own that should yield the emergence of a common doctrine, able to define the most appropriate ways of responding to emerging security threats. It assumes in practice not only shared values, but also a growing synergic effect of joint actions that is able to overcome diverging national interests of member states in sensitive fields like foreign and security policy. That reminds us of the divergence between current EU’s capacities and expectations about its future role in the international arena, pointing at the importance of rational assessment of the CFSP.

Hence, it is understandable that the CFSP should not be burdened by comparisons with foreign policies of the most influential national states, such as the US, Russia and China. This creates distorted images that prevent the development of appropriate strategic thinking at the EU level.
In its absence, and without the political will of member states and relevant European institutions to rationally assess the balance between intergovernmentalist and community approaches, the sustainable development of functional CFSP would be difficult.

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