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Session II: European norms, concepts and capabilities for security cooperation

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Does the European Union have a security concept? At first glance, this may seem a very odd question to ask. After all, the European Union has since its inception in 1992 pursued a Common Foreign and Security Policy, and has set up, within that framework, a rapidly developing European Security and Defence Policy since 1999. It has formally passed a common European Security Strategy in 2003, and there are paragraphs both within the presently relevant version of the Treaties of the European Union (agreed by the European Council in Nice in 2000), and in the Lisbon Treaty version, which now seems likely to come into force soon.

Before returning to those documents and the European concept of security it is worth noting, however, that the EU really does not have a security concept in many traditionally highly relevant aspects of security. Security in the traditional sense is national security - but the EU is not a nation-state. National security involves the defence and protection of the territory, the sovereignty and political autonomy, the people of a state and its basic values and way of life, as well as his system of government and, by extrapolation, frequently also the security of a regime's hold on power. This security was seen at risk if and when a state was confronted with another state (or a coalition of states) with (potentially) hostile intentions and the military capabilities to endanger some or all of the dimensions of national security mentioned above. In this traditional perspective, security can be enhanced through military responses, such as the capability to defend the state, deter an attack, or to strike first.

None of this really figures in the EU's security concept: the EU does not engage in collective defence or extended deterrence,¹ let alone pre-emptive or preventive first strikes. Since 1999, the EU has been engaged, however, in a whole range of activities, including purely military missions, under its ESDP. Those missions have primarily been peace-keeping or peace-building missions, often - such as in the Balkans - in connection with state-building efforts, and sometimes also humanitarian interventions.

Constitutional and conceptual foundations of European Security Policies

The Treaties of the European Union (TEU) do, of course, talk about a Common Foreign and Security Policy (CFSP), and the Lisbon Treaty also explicitly refers to a "Common Security and Defence Policy" (thus renaming what until now has been referred to as the European Security and Defence Policy (ESDP)). The treaties also identify a number of

¹ The Lisbon Treaty, Chapter 2 ("Specific Provisions on the Common Foreign and Security Policy"), Section 1 ("Common Provisions") Art. 11 still envisages a common defence as a rather distant possibility: "The Union's competence in matters of common foreign and security policy shall 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". This formula already existed in this form in the previous Maastricht Treaty; there has thus been no formal advance on this issue. Beyond that, there are only hints in the Treaties which suggest collective solidarity in the face of traditional security threats.

objectives and aspirations which are to guide this policy. The Maastricht Treaty version of the TEU committed the CFSP

- to protect the common values, the basic objectives and the independence of the Union,
- to enhance the security of the Union and all its member states in all its forms,
- to safeguard the peace and strengthen international security in accordance with the Charter of the United Nations, as well as the principles of the Helsinki Final Act and the Conference on Security and Cooperation in Europe (CSCE) Charter of Paris,
- to advance international cooperation, and
- to develop and strengthen democracy and the rule of law and to advance the respect for human rights and basic freedoms.

The EU has also assumed responsibility for the so-called Petersberg Tasks of the Western European Union, a largely irrelevant collective defence arrangements concluded in 1956 which was superseded by NATO as the guarantor of Western Europe's collective defence, which was absorbed by the EU in 2000. Those tasks include crisis management, humanitarian and rescue operations, peace-keeping and peace-building, but also peace-enforcement - all of which might require the deployment of European forces. In 2003, in the midst of a severe crisis within the Western alliance over Iraq, the EU adopted its European Security Strategy (ESS) which comes closest to stating the EU 's concept of security in a comprehensive manner. ESS defines "global challenges and key threats" to European security: terrorism, proliferation of weapons of mass destruction, regional conflicts, state failure, organized crime. The implementation report by the High Representative added energy security, cyber security, climate change. None of the threats, the document notes, are purely military, nor can purely military responses tackle them adequately: this would require a mixture of instruments, both military and civilian. The security concept formulated in the ESS puts a strong emphasis on cooperative conflict and threat prevention through socio-economic development, rule of law and "good (democratic) governance". Traditional security concerns are largely missing; the concept seems mostly concerned with diffuse new threats, which put citizens and public welfare at risk. This concept thus reflects, in a perhaps particularly pronounced form, a broader shift in security policies from "national" (state) to "individual" (citizen) security.

The EU has also explicitly taken up the concern with "human security", and Javier Solana, the EU's High Representative, has associated himself with the so-called Barcelona Report on Human Security. In this document, the term "(h)uman security refers to freedom for individuals from basic insecurities caused by gross human rights violations," and it argues that "(t)he main sources of political insecurity are either authoritarian states that repress their own citizens or a combination of state and non-state armed groups in conditions of state failure". In effect, this report completely abandons any

notion of national security in favour of a universal approach, in which any massive violation of human security anywhere in the world represents a threat to (implicitly) EU security and that of its member states. The report then proposes principles and guidelines, a legal framework and dedicated military-civilian capabilities to enable the EU to contribute to human security across the globe.

While the Barcelona Report (and its follow-up, the Madrid Report) is not an official document, it illustrates the tendency of EU security policy towards what academics call "normative power Europe"² or "civilian power Europe"³. Central to its security concept are the adherence to, and the further development of, international law and organisations, multilateral treaties and regimes, and the belief that global security can best be achieved through economic development and democracy. Thus, the ESS argues: "The best protection for our security is a world of well-governed democratic states", and suggests that the EU should "promote a ring of well-governed countries around the EU" towards the East and along the southern Mediterranean shore.⁴ This security concept thus might be described as transformational: it aims at enhancing European and global security through helping to transform politics within and between states through sustainable development, democracy and good governance within, and through an effective multilateral system for relations between states. Effective multilateralism thus is the key concept in the ESS, a means as well as an end in itself to promote security through international rule of law. Moreover, the EU's concept of security is also rather "soft" - it is skewed in favour of basic human needs, development and environmental protection, although it does include the possibility of military enforcement.

The EU thus does have a security concept. But it is also far from obvious that this concept genuinely guides EU security policies. Two major reasons argue against this. First, CFSP and ESDP are basically intergovernmental activities: policies are thus the result of complex interactions between member governments, and as such unlikely to represent strategic behaviour. Second, CFSP and ESDP are supplemental activities: they are not meant to replace national foreign and security policies. The EU's security concept is therefore only one of 28 such concepts which exist in the Union: the other 27 are those of the member states themselves. And within the EU, there are two great military powers - France and the UK - and one lesser military power, Germany. While Germany, for historical reasons, shares the reluctance of many smaller European countries to get involved in military operations, France and the UK still come closer to being "warrior states". Their governments enjoy greater leeway than others in using military force, but they usually are no longer willing nor able to act on their own. As a consequence, both have accepted the need to develop collective European military security capabilities, and

² Manners, Ian: Normative Power Europe: A Contradiction in Terms? in: *Journal of Common Market Studies*, 40:2 (2002), pp.235-258

³ Duchêne, François: Die Rolle Europas im Weltsystem: Von der regionalen zur planetarischen Interdependenz, in: Kohnstamm, Max/ Hager, Wolfgang (eds): *Zivilmacht Europa- Supermacht oder Partner?* Frankfurt/M.: Suhrkamp 1973, pp.11-35

⁴ A Secure Europe in a Better World, European Security Strategy, Brussels, Dec. 12, 2003 (ESS), p. 10, 8

since 1998 have been cooperating on developing ESDP. The problem here is that while both pursue strategic visions in the efforts to enable ESDP, those visions are not identical, indeed not even fully compatible: while France aims at a European Union able to act independently as a Great Power in international relations, the UK wants an ESDP closely aligned with, and ultimately subordinate to, the United States. Moreover, the desire of both their governments, as well as that of the other member states, to retain as much national prerogatives and influences as possible over security policy decisions also prevents deeper security policy integration within the ESDP. The ESDP thus is a peculiarly handicapped policy: while its institutional underpinnings and its multilateral military activities have developed rapidly, it has remained politically profoundly deficient. Thus, Matlary concludes that there is a fundamental paradox at the heart of ESDP: the EU may be able "...to deploy force with increasing capability and legitimacy; but it cannot be expected to threaten the use of force effectively".⁵

The European Union: Regional or Global Security Focus?

As we have noted already, the focus of EU security efforts is global in principle, but even the ESS puts considerable emphasis on security in the EU's neighbourhood. This includes Eastern Europe (including Russia), the Balkans, the southern shore of the Mediterranean Sea, including the Israeli-Arab conflict, and Africa south of the Sahara. In all those regions, the EU has tried to pursue, through various institutional arrangements such as the Lomé and Cotonou conventions, the Barcelona process, the Euro-Mediterranean partnership, and the New Neighbourhood Policy, its transformational security concept. The most powerful lever in that respect, of course, so far has been the perspective of eventual membership in the European Union; presently, negotiations are ongoing with Croatia, Macedonia and Turkey.

Beyond its security concerns with its neighbourhood, the key security concept of European security policy is effective multilateralism. Again, this is a transformational concept in a double sense: first, it implies the transformation of existing international relations to make it fully compatible with the presently existing normative framework of international law, notably the Charter of the United Nations and regional and global security regimes nested under its roof. Actual foreign policy behaviour still importantly diverges from the spirit, if not the letter of international law, as demonstrated perhaps most obviously by the problems of nuclear proliferation. But the EU's global security objectives are also transformative in the sense that the EU aspires to an evolving, that is, a deepening and broadening of international law and institutions. Both transformations are to be achieved through effective multilateralism, that is, through close cooperation of the EU with its partners, among which the United States still ranks first.

⁵ Haaland Matlary, Janne: European Union Security Dynamics, In the New National Interest, Houndmills, Basingstoke: Palgrave Macmillan 2009, p. 204

In this European security concept, EU relations with other regions are the weakest element. Although the EU's regional transformation efforts extend - through the Cotonou Convention with APC countries - into the Pacific and the Caribbean, and its network of bi-multilateral and multi-multilateral (or "inter-regional") relations is far-flung and dense, this dimension clearly takes a backseat in comparison with efforts focused on the EU's neighbourhood and on the global level. In some sense, this is entirely understandable, as there are few, if any, important European security interests which are specifically regional in Asia or Latin America. Yet there is more to it than that: even in regions where the European Union clearly does have vital security interests, such in the Persian Gulf or in Central Asia, which are both highly important for European energy security, the EU has not been particularly active.⁶

Again, we have to distinguish here between European security policies and those of member states. France and the UK, in particular, still have far-flung colonial possessions and a residual military presence; both, but also other member states, also have security policy interests in other regions through their networks of bilateral or multilateral security cooperation agreements and their roles as arms exporters. Yet member states are unlikely to engage, individually or even jointly, in regional security activities beyond the wider region outside the institutional context of the UN or NATO (as some presently do in Afghanistan).

All this does not preclude modest but useful security policy contributions of the EU in other regions, such as European participation in KEDO, the ESDP mission to Aceh, or its participation in negotiations with Iran through the so-called 3+3 process. But the EU will almost certainly for the foreseeable time not be a major security player beyond its wider neighbourhood, and any contributions it would make would be in reaction to demands from important partners, be it the US or others whose pleas the EU would feel obliged to heed.

Are EU norms flexible enough?

This probably is not the real issue. The security concept of the EU suffers from two major problems: it is wildly ambitious, overly normative and as such hardly credible, coherent and consistent as a strategy in the true sense of the word; and it is not necessarily the concept upon which European actual security policies are based, either individually or even collectively. For it is also true that the EU has not only one, but 28 security concepts and policies - one for the European Union as such, and 27 national security concepts and policies. The question therefore is not so much whether the principles and the specific norms of Europe's security concept are flexible enough but whether, to what extent and how they are relevant as guidelines to EU security policies.

Actual European security policies are shaped not primarily by efforts to implement the European security concept, but by the security policy dynamics produced by the

⁶ Youngs, Richard: *Energy Security, Europe's New Foreign Policy Challenge*, London: Routledge 2009

interaction of what Matlary calls the "new national interest" of member states.⁷ Her argument builds on a number of plausible assumptions: thus, she points out that military security policy has by now become an almost completely "normal" field of policy-making, by which she means that security policy is as much open to domestic political pressure as any other policy. In this "post-modern security paradigm", governments in any military mission will have to put a premium on force protection because their publics will not tolerate high casualties. Because defence expenditure is not popular, governments will also be pushed into integrating their military with others in any mission, and to develop multilateral military cooperation. This impulse is also supported by the fact that European countries no longer face individual threats or risks; their problems and enemies are common to all of them. Moreover, collective military action provides international legitimacy. Third, governments will seek to blame others when things go wrong - and the European Union makes a good scapegoat. Moreover, "Europe" can also be instrumentalised to pursue domestic political agendas in other ways but blaming the problems on the EU. On the other hand, governments are also keen to participate in multilateral operation because participation ensures influence and provides standing.

European security policies thus are severely constrained. Several fundamental restrictions inhibit or at least complicate strategic policy (i.e., purposeful, consistent and coherent) behaviour: actual policies reflect the outcomes of complex multi-level games within and between member states, in which public tolerance for military action involving casualties both among its own soldiers and the people in the theatre of operation is quite limited. Moreover, not only is the strategic rationale of the EU less than persuasive, it also has to contest with the - partly incompatible - national strategic ambitions which France and Britain entertain for ESDP.

Are EU capabilities adequate?

As is well known, EU military capabilities were never fully in line with ambitions, and despite the rapid evolution of ESDP and its numerous missions, the deficiencies have remained. Basically, this reflects two of the fundamental constraints under which ESDP is operating: the reluctance of most member countries to expand the share of defence expenditure in government spending and gross domestic product, and their equally strong reluctance to abolish national prerogatives in military posture. This produces huge inefficiencies in European defence expenditure, due to duplication and prestige considerations. On the other hand, the EU has been quick to recognise the importance of civilian capabilities for the kind of operations in which the ESDP has mostly engaged - namely, missions of peace-building through state-building.

The question is whether the military deficiencies matter all that much for the kind of operations which the ESDP has conducted so far. In practice, the bulk of the EU's security policy activities has been at the lower end of those Petersburg tasks, and the majority have

⁷ Matlary, *op.cit.*, pp.7ff and *passim*

been civilian or mixed, rather than purely military, operations. In fact, a case could be made that civilian, rather than military deficiencies are critical from the perspective of the EU's security concept. Of course, civilian gaps may be easier to fill, by drawing on the support of NGOs and thus on a broader base of societal resources. But this still leaves critical issues of formulating and coordinating the implementation of appropriate and effective strategies of state-building from outside. So far, there is little evidence that the EU has been successful in its transformative efforts beyond the perspective of membership.

What would be needed?

What, then, should the EU do? Whatever the specific answer to this question (and there are many possible answers, depending on the role the EU would aspire to play in future international relations), it would have to start with the fundamental political deficiencies at the heart of the EU's security policies, and its external relations in general. To enable the CFSP politically would constitute a considerable challenge, which could be overcome only through a major political effort by a coalition of determined and like-minded governments, presumably coalescing around a Franco-German or Franco-British-German core. This is not completely inconceivable: the EU at times has been able to act reasonably consistently, coherently and effectively - e.g., in the implementation of the Dayton and Kosovo agreements in the Balkans, or in the negotiating process with Iran. Yet to enable the EU to play a significant role in future international relations would require more than common policies on specific issues - it would require a qualitative upgrade on CFSP. Initially, this could be done through a political heavyweight appointment in one of the key positions in the future EU/CFSP setup (such as the new president or the new High Representative who would simultaneously serve as vice president of the EC Commission in charge of external relations), followed by sustained support for his/her efforts to foster effective common policies. In the longer run, it would probably need institutional changes, as well.

A second key requirement for the EU would be a systematic mobilisation of public support at the national level for an effective CFSP. While CFSP is popular, this support is probably rather soft, and unlikely to extend to a significant shift of resources away from other priorities. Without broad public recognition that effective European foreign and security policies are indispensable for the well-being of European peoples, political efforts to upgrade CFSP will hardly be sustainable.

Assuming these two basic conditions were met: what else would be needed to realise the EU's ambitious transformational security concept (if that were still to be the guideline)? The concept would still be extremely ambitious. Yet again, it does not seem impossible, and there are specific examples where the EU was able to achieve significant elements of transformation in international relations, such as the establishment of the International Criminal Court or advances in climate policy. What will be needed above all from the EU to build on those achievements, and to move forward in the direction of a

transformation of world politics in line with 21st century realities of interdependence and vulnerability, are two qualities: leadership by example and skilful coalition-building with other global players.