

## NOW WHO ANSWERS THE PHONE IN EUROPE? COOPERATION WITHIN THE CFSP AFTER THE ENLARGEMENTS AND THE LISBON TREATY

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### Abstract

*Despite its alleged inconsistency, the foreign policy of the European Union was successful with the enlargements of 2004 and 2007. The enlargements resulted in an increased number of EU members with important votes in qualified majority voting (QMV) and crucial influence over the unanimous decision-making. Meanwhile, the Lisbon Treaty is meant to foster greater cooperation among the member-states and make the EU speak with one voice in terms of foreign policy. This article analyses the political and institutional dynamics in the EU foreign policy decision-making process after the enlargements and in the wake of the Lisbon Treaty. Focusing on the Common Foreign and Security Policy (CFSP), the article tracks the dynamics in the CFSP evolution and identifies the potential impact the Lisbon Treaty may have on the consistency and coherence of EU foreign policy. The findings show that contrary to predictions the enlargements did not have negative effects on the institutional or political dynamics of the CFSP. However, the Lisbon Treaty, by introducing new institutions and responsibilities as part of creating more efficient institutional framework, has instead created confusion and institutional competition.*

**Keywords:** cooperation; EU foreign policy; decision-making; representation; Lisbon Treaty; enlargement

### Introduction

The abundance of the terms describing the European Union (EU) and trying to capture its nature points to the disagreement not only in the academic circles but also to current inability of the EU to “speak with one voice”. Despite the adoption of a common foreign policy, individual member-states do not yet act unanimously on foreign policy issues, the Iraq war being a prime example.

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The descriptions of the EU range from the sympathetic “normative power”,<sup>1</sup> “quiet superpower”,<sup>2</sup> to the fashionable “metrosexual power”<sup>3</sup> and the rather negative “irrelevant” and “neo-colonialist” entity.<sup>4</sup> The negative descriptions reach their peak usually when dealing with EU foreign policy because European governments seem to be “entirely preoccupied with their internal, intra-European machinations”<sup>5</sup> and are reluctant to cooperate, leaving the EU’s foreign policy inconsistent even in times of important international developments like the Georgia-Russia crisis of 2008 and earlier crises in Albania, Kosovo, and Rwanda. Thus, scholars mention the non-cooperation of member-states as the biggest obstacle towards the effective and coherent EU foreign policy.<sup>6</sup> The EU’s foreign policy consists of the least arguable options for actions, ones to which even the most reluctant member-state could, theoretically, agree.<sup>7</sup> This disagreement over interests and preferences and the constant search for consensus blocks the creation of a supranational mechanism of foreign policy-making, as does the member-states’ unwillingness to pool their sovereignty or alter their preferences so they can stay in full control of their foreign policies.<sup>8</sup>

It might have seemed that Kissinger’s complaint of having no phone number for Europe would have been even more relevant after the enlargements of 2004 and 2007 as those gave 12 more internally preoccupied governments access to the EU foreign policy process. However, the Lisbon Treaty, initially also referred to as the Reform Treaty, which finally entered into force on 1 December 2009, is designed to give the EU a single voice, increase the effectiveness of its institutions and improve the “coherence of its action”.<sup>9</sup> Thus, while the enlargement from 15 to 27 member-states has raised doubts about increasing the capacity of the EU to act as a unified actor,<sup>10</sup> the Lisbon Treaty, according to the two largest members of the EU, Germany and France, would make EU foreign policy more coherent and compatible with contemporary challenges.<sup>11</sup>

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<sup>1</sup> Ian Manners, “Normative Power Europe: A Contradiction in Terms?”, *Journal of Common Market Studies*, vol. 40:2 (2002): 235-58.

<sup>2</sup> Andrew Moravcsik, “The World’s Quiet Superpower”, *European Voice* (2007).

<sup>3</sup> Parag Khanna, “The Metrosexual Superpower”, *Foreign Policy* (2004). By comparing the EU to a metrosexual man based on the example of football player David Beckham, the author argues that the EU has become more effective in spreading its message than the US because, unlike the latter, it uses both its “hard power and its sensitive side” (p. 66) of a norm generator and promoter.

<sup>4</sup> Clive Crook, “Think Again: Europe”, *Foreign Policy* (2007); Robert Kagan, *Of Paradise and Power: America and Europe in the New World Order* (New York: Knopf, 2003).

<sup>5</sup> Crook, *Think Again Europe*, 22.

<sup>6</sup> Stanley Hoffmann, “Towards a Common European Foreign and Security Policy?”, *Journal of Common Market Studies*, vol. 38:2 (2000): 189-198; and Karen Smith, *European Union Foreign Policy in a Changing World* (Oxford: Polity Press, 2008).

<sup>7</sup> Smith, *European Union Foreign Policy in a Changing World*, 10.

<sup>8</sup> Philip H. Gordon, “Europe’s Uncommon Foreign Policy”, *International Security*, vol. 22:3 (1997): 81.

<sup>9</sup> Preamble to the Lisbon Treaty, p.3. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2007:306:0001:0010:EN:PDF>.

<sup>10</sup> Antonio Missiroli, “EU Enlargement and CFSP/ESDP”, *Journal of European Integration*, vol. 25:1 (2003): 1-4.

<sup>11</sup> *The New York Times*, “European Leaders Vow to Fight Financial Crisis”, October 4, 2008, <http://www.nytimes.com/2008/10/05/business/worldbusiness/05euro.html>; The European Parliament, “Thursday plenary: Sarkozy sets out priorities for French EU presidency”, July 11, 2008, <http://www.europarl.europa.eu/sides/getDoc.do?language=EN&type=IM-PRESS&reference=20080627STO32900>; Gesa Stefanie Brincker and Jochen Eisenburger, “Implementation of the Lisbon Treaty: a question of leadership?” EU-27 Watch, <http://www.eu-27watch.org/?q=node/711>; and Bruno Waterfield, “David Cameron warned by Angela

Though it has been just few months since the enforcement of the Lisbon Treaty, doubts have already been voiced as to its ability to unify the foreign policy actions of EU member-states and institutions even by its most prominent supporters.<sup>12</sup> Consequently, the purpose of this article is to understand the political and institutional dynamics within the EU foreign policy-making and to analyse the implications of the enlargements and the potential implications of the Lisbon Treaty on the possibilities of cooperation within the framework of the EU foreign policy. Cooperation between the member-states and between the institutions on foreign policy is analysed in the light of the enlargements and the enforcement of the Lisbon Treaty, as the absence of cooperation is often quoted as the main obstacle to a coherent EU foreign policy.

This article examines the following aspects of the EU foreign policy: what role the member-states and EU institutions have in EU foreign policy development; how important cooperation is for EU foreign policy development; and how cooperation after the enlargements and the Lisbon Treaty correlates with the chosen analytical framework. Particularly close attention is paid to the issues of representation and decision-making. The article first discusses the concept of cooperation in the light of international relations theories and explores the possibilities of cooperation under anarchy. The analytical framework of cooperation is then applied to cooperation within the EU. Before the Lisbon Treaty abolished the pillar system of the EU, foreign policy issues were handled not only under the auspices of the Common Foreign and Security Policy (CFSP) pillar but also within the Community and Justice and Home Affairs (JHA) pillars. Thus, the focus is narrowed to the CFSP development and implementation only because despite the institutional spread of foreign policy issues, they are mostly dealt with within the CFSP.

The main finding of this research shows that the recent enlargements had only marginally negative effects on cooperation within EU foreign policy and the usual habit of scholars or member-states of blaming other member-states for non-cooperation is not fully justified. Meanwhile, the Lisbon Treaty has little chances of solving the EU's problems of coherent foreign policy or of increasing the potential of speaking with one voice. Consequently, the incoherence of EU foreign policy is rather an aggregate result of the increased number of reluctant member-states working within an institutional framework which is not the most conducive to cooperation.

## **Framing and Achieving Cooperation**

As the cornerstone of the debate between neorealists and neoliberalists, cooperation has been one of the most contested issues in international relations. The neorealists (defensive and offensive) have claimed that cooperation is basically impossible, and if possible, then only in the case of

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Merkel over Lisbon Treaty”, *The Telegraph*, May 11, 2009, <http://www.telegraph.co.uk/news/newstoppers/politics/5308820/David-Cameron-warned-by-Angela-Merkel-over-Lisbon-Treaty.html>.

<sup>12</sup> Ian Traynor, “Gordon Brown rejects German call to make changes to Lisbon treaty”, *The Guardian*, March 26, 2010 <http://www.guardian.co.uk/world/2010/mar/26/brown-merkel-lisbon-treaty>.

economic issues but not the political ones.<sup>13</sup> Contrary to the views of neorealists, neoliberalists have argued that possibilities of cooperation are not conditioned by the type of the issue – high (security, foreign policy) or low (economy) politics<sup>14</sup> – and conflict is unnecessary and avoidable. In addition, neoliberalists hold to the conviction that institutions are the most effective tools for overcoming conflict on the way to cooperation. Alternatively, neorealists argue that the effectiveness of institutions depends on whether both parties believe that cooperation would result in common advantage. Intergovernmentalists agree that institutions can help to overcome the obstacles to cooperation, but at the same time, they argue that institutions are used by more powerful states as tools for pursuing their own interests. While these three camps of scholars would still agree to the functioning of EU foreign policy, though a weak one, a scholar stressing the importance of a defined identity would be more sceptical.<sup>15</sup> Hill considers effective foreign policy to be dependent upon a “shared sense of national identity and shared history”, while the EU lacks those components.<sup>16</sup>

Though there is no clear consensus amongst scholars on the requisites of cooperation. Neorealists and neoliberalists alike, nevertheless, agree that there is a lack of authority genuinely able to impose binding agreements on states. This can be claimed to be true also in the case of EU foreign policy development, which is still largely an intergovernmental process; however, the EU creates a certain framework for cooperation and decision-making. For cooperation to take place, the involved actors must accommodate their preferences to the interests and behaviour of their counterparts.<sup>17</sup> Cooperation also requires “the presence of common problems and tasks”, is derived from “concrete needs”<sup>18</sup> and supposes “self-governing, self-provisioning communities interacting with each other through consensus”.<sup>19</sup> Largely because of the economic interdependence of states,<sup>20</sup> liberalists have always been more sympathetic towards cooperation, believing that international institutions have the potential of assisting in prevailing over self-centred behaviour of states.<sup>21</sup>

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<sup>13</sup> Kenneth Waltz, *Theory of International Politics* (New York: McGraw-Hill, 1979); John Mearsheimer, *The Tragedy of Great Power Politics* (New York: W. W. Norton & Company, 2001). Though both defensive (Waltz) and offensive (Mearsheimer) realists believe that states are rational actors in an anarchical international system, they disagree on whether the states should always maximize their relative power. While defensive realism regards the ultimate goal of the state security and accepts the balance of power, offensive realism opts for survival as the ultimate goal and regards power maximization and, in the best-case scenario, hegemony as the best tool to achieve it.

<sup>14</sup> Robert Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy* (Princeton University Press, 1984); and Robert Keohane, *International Institutions And State Power: Essays In International Relations Theory* (Boulder: Westview Press, 1989).

<sup>15</sup> Christopher Hill, *The Actors in Europe's Foreign Policy* (London: Routledge, 1996), 8.

<sup>16</sup> *Ibid.*

<sup>17</sup> Robert Axelrod and Robert Keohane, “Achieving Cooperation under Anarchy: Strategies and Institutions”, *World Politics*, 38:1 (1985): 226-254.

<sup>18</sup> Helga Welsh and John Willerton, “Regional Cooperation and the CIS: West European Lessons and Post-Soviet Experience”, *International Politics*, 34 (1997): 37.

<sup>19</sup> Michael Edwards, *Future Positive: International Co-operation in the 21st Century* (London: Earthscan Publications Ltd, 2004), 11.

<sup>20</sup> Robert Keohane and Joseph Nye, *Power and Interdependence: World Politics in Transition* (Little, Brown and Company, 1977); Keohane, *After Hegemony: Cooperation and Discord in the World Political Economy*.

<sup>21</sup> Stephen Walt, “International Relations: One World, Many Theories”, *Foreign Policy*, 110 (1998): 29-46.

Cooperation problems within world politics are usually divided into more institutionalized political-economic and less institutionalized security-military issues.<sup>22</sup> Three dimensions borrowed from a game-theoretical approach should be taken into consideration – (i) the mutuality of interest, (ii) the shadow of the future and (iii) the number of players<sup>23</sup> – in an analysis of the potential success of cooperation. The payoff structures possibly inducing the actors to cooperate or defect is referred to as the mutuality of interests and is based on the actors' perceptions of their own interests. As the empirical research shows, the degree of conflicts of interests in the payoff structure of economic issues is less than that of security issues;<sup>24</sup> however, there is no theoretical reason to assume that this is always the case.<sup>25</sup> The shadow of the future can be understood as the “long time horizons, regularity of stakes, reliability of information about others' actions [and] quick feedback about changes in the others' actions”,<sup>26</sup> and cooperation requires future payoffs to be valued over the current ones. Thus, in the course of interaction, the chances of cooperation increase if the actors have sufficient information about their counterparts and know that cooperation is likely to result in regular rewards (political or economic benefits). There is a guaranteed quick feedback both in the case of cooperation and in that of defection from the agreed course of action. Due to the higher chances of retaliation in the case of defection from the economic cooperation, there is a noticeable difference in the potential of cooperation in economic and in security/political issues.

The potential of cooperation also depends on the number of actors and the structure of the relations between the actors, yielding a key function to reciprocity.<sup>27</sup> This dimension includes the ability of actors to identify the defectors, the ability to focus retaliation on defectors and the presence of incentives to punish the defectors.<sup>28</sup> Converging interests of parties supported by regular rewards, information, feedback, identification and sanctioning of non-cooperation increases the likelihood of cooperation. The context of interaction understood as shared norms and values and the absence of competition between the actors is another important condition of cooperation. Although this framework was developed to analyse cooperation among independent states, it can also be applied to the case of the EU. As such, in EU foreign policy development, cooperation is necessary not only between member-states but also between the EU's institutions involved in the process. The above theoretical framework offers insight into the convergence of interests between the member-states and the EU institutions. Such a framework also helps to examine whether there is any kind of sanctioning or penalty in case of non-cooperation or defection, provided the member-states have previously agreed on common objectives of the foreign policy. Table 1 presents the considered conditions for cooperation with the ultimate objective of more coherent and consistent CFSP leading to the increased actorness of the EU. The conditions vary in their degree of conduciveness to cooperation, with “high” being the most likely to result in cooperation.

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<sup>22</sup> Charles Lipson, “International Cooperation in Economic and Security Affairs”, *World Politics*, 37:1 (1984): 1-23.

<sup>23</sup> Axelrod and Keohane, “Achieving Cooperation under Anarchy: Strategies and Institutions”.

<sup>24</sup> Lipson, “International Cooperation in Economic and Security Affairs”; Kenneth Oye, “Explaining Cooperation under Anarchy: Hypotheses and Strategies”, *World Politics*, vol. 38:1 (1985): 1-24.

<sup>25</sup> Axelrod and Keohane, “Achieving Cooperation under Anarchy: Strategies and Institutions”, 232.

<sup>26</sup> *Ibid.*, 232.

<sup>27</sup> Robert Axelrod, *The Evolution of Cooperation: Revised Edition* (Basic Books, 1984).

<sup>28</sup> Axelrod and Keohane, “Achieving Cooperation under Anarchy: Strategies and Institutions”, 234-238.

**Table 1. Dimensions of cooperation within the EU CFSP**

	<b>High</b>	<b>Medium</b>	<b>Low</b>
<b>Mutuality of interest</b>	rhetorical and behavioural commitment	only rhetorical commitment	no commitment
<b>Long-term cooperation</b>	fixed term policy with a specific outcome	fixed term policy without a specific outcome	no fixed-term policy
<b>Regular rewards</b>	regular material rewards	irregular material or social rewards	no rewards
<b>Information</b>	fast feedback on actions	late feedback on actions	no feedback on actions
<b>Feedback</b>	full information sharing	partial information sharing	no information sharing
<b>Identification of non-cooperation</b>	yes	sometimes	no
<b>Sanctioning non-cooperation</b>	withdrawal of a membership benefit	Social shaming	no sanctioning

*Source:* Author's compilation based on Axelrod and Keohane (1985) for the variables.

## Exploring the EU Common Foreign and Security Policy

In the case of the EU, foreign policy usually entails “the capacity to make and implement policies abroad which promote the domestic values, interests and policies of the actor in question”,<sup>29</sup> and to manage relations with other international actors.<sup>30</sup> The creation of its own foreign and security policy was an answer to the regional conflicts in Europe and a means to combat terrorism, which convinced European leaders that the EU should have institutionalized diplomatic and intervention instruments. Globalization and the increasing interdependence of member-states have also motivated the EU to create a foreign policy enabling it to act as a unified actor. Understanding that in an interdependent world where there are more opportunities for the EU to act autonomously, multilateral action is more effective and sometimes even desirable.<sup>31</sup> In addition, the economic success of the EU has pressed it to “externalize”<sup>32</sup> its economic power and to exercise political influence beyond its borders, especially in countries which aim to have closer economic or political cooperation with the EU. From the perspective of the member-states’ internal affairs, a unified EU foreign policy can afford greater leverage to the national interests of a member-state if the same interest is also pursued by other member-states, or it can serve as a “shield”<sup>33</sup> when implementing domestically unpopular measures.

<sup>29</sup> Hazel Smith, *European Union Foreign Policy: What it is and What it Does* (London: Pluto Press, 2002), 7.

<sup>30</sup> Smith, *European Union Foreign Policy in a Changing World*, 2.

<sup>31</sup> Smith, *European Union Foreign Policy in a Changing World*.

<sup>32</sup> Roy Ginsberg, “Conceptualizing the European Union as an International Actor: Narrowing the Theoretical Capability-Expectations Gap”, *Journal of Common Market Studies*, vol. 37:3 (1999): 437.

<sup>33</sup> Joseph Weiler, “The Evolution of Mechanisms and Institutions for a European Foreign Policy: Reflections on the Interaction of Law and Politics” (*EUI Working paper 85/202* 1985), 21. Regarding the “shield” concept: this is the

Though the foundations of EU foreign policy were laid as early as March 1948 with the Brussels Treaty of collective defence,<sup>34</sup> the CFSP institutional structure was distinctively set up by the Maastricht Treaty of 1993, which also introduced the three-pillar system of the EU. The Maastricht Treaty allowed the European Council to set broad guidelines for the CFSP action for which qualified majority voting (QMV) could be used (though member-states have always insisted on consensus), while the Council of Foreign Ministers was to implement those. While the European Commission was at the same time fully involved with the possibility of initiating proposals, the European Parliament was mostly left out of the process as its decisions were communicated to the Council but were not required to be incorporated into the CFSP. The Amsterdam Treaty of 1999 allowed QMV and abstention for Council's common strategies.<sup>35</sup> However, QMV was possible only for the policy implementation but not decisions.

It also created the position of the High Representative for the CFSP who led the EU troika on external relations, which comprised himself, the foreign minister of the country holding the Presidency of the Council of the European Union and the Commissioner for External Relations and European Neighbourhood Policy. Due to the rotating presidency, the composition of the troika changed every six months, thus creating inconsistency in policy cooperation. Moreover, as in the case with QMV, the institutions were important in coordinating policy, while the intergovernmental decision still dominated the decision-making. The Treaty of Nice of 2001 introduced changes into the QMV voting weights making those more in line with the population size of each member and assigned voting weights to the then candidates.

These mechanisms of the CFSP decision-making process are supposed to promote specific foreign policy objectives outlined in the treaties. Because objectives operationalize interests,<sup>36</sup> the objectives of the CFSP show the EU's determination to increase its actorness. However, the accomplishment of these objectives requires sacrifices in time, finance etc<sup>37</sup>. For the first time the EU's objectives within the CFSP were defined by the Maastricht Treaty and were supposed to be achieved "by establishing systematic co-operation between Member States in the conduct of policy"<sup>38</sup> The objectives themselves were somewhat vague and general reflecting the strong preference of the EU to act in consensus rather than a strong unified position on a foreign policy issue:

- to safeguard the common values, fundamental interests and independence of the Union;
- to strengthen the security of the Union and its Member States in all ways;

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case when a member-state justifies adhering to an unpopular policy by its commitment to the EU's or other supranational entity's rules and principles.

<sup>34</sup> Treaty of Economic, Social and Cultural Collaboration and Collective Self-Defence.

<sup>35</sup> Common strategies cover areas of particular interests to the member-states and are implemented through common positions and joint actions.

<sup>36</sup> Gunnar Sjostedt, *External Role of the European Community* (Lanham: Lexington Books, 1977).

<sup>37</sup> Arnold Wolfers, *Discord and Collaboration: Essays on International Politics*, (Johns Hopkins University Press, 1965).

<sup>38</sup> The Treaty of Maastricht, Article J1.3. <http://eur-lex.europa.eu/en/treaties/dat/11992M/htm/11992M.html>

- to preserve peace and strengthen international security, in accordance with the principles of the United Nations Charter as well as the principles of the Helsinki Final Act and the objectives of the Paris Charter;
- to promote international co-operation; and
- to develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms.<sup>39</sup>

The EU initiated further attempts through the Amsterdam and Nice treaties at specifying its objectives; however, they were still rather general and not prioritized.<sup>40</sup> Although the promotion of democracy or international and regional cooperation may serve for the advancement of the EU's interests, the effects, if any, of these activities are likely to occur in only long run. This may be the case because the mutuality of interests of all EU members might not be high and instead of setting specific objectives that might create further discord; the EU opts for vagueness for the sake of cooperation.

The Lisbon Treaty established a longer list of more specified objectives. The dominance of economic issues over military and security ones is in line with the EU's positioning itself as a normative rather than military power<sup>41</sup> but goes in contrast with the *raison d'être* of the CFSP of preventing regional conflicts. A list of some of the Treaty's objectives, follows, which in theory allow the EU to:

- safeguard its values, fundamental interests, security, independence and integrity;
- consolidate and support democracy, the rule of law, human rights and the principles of international law;
- preserve peace, prevent conflicts and strengthen international security, in accordance with the purposes and principles of the United Nations Charter, with the principles of the Helsinki Final Act and with the aims of the Charter of Paris, including those relating to external borders;
- foster the sustainable economic, social and environmental development of developing countries, with the primary aim of eradicating poverty;
- encourage the integration of all countries into the world economy, including through the progressive abolition of restrictions on international trade;
- help develop international measures to preserve and improve the quality of the environment and the sustainable management of global natural resources, in order to ensure sustainable development;
- assist populations, countries and regions confronting natural or man-made disasters; and

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<sup>39</sup> Ibid.

<sup>40</sup> Smith, *European Union Foreign Policy in a Changing World*, 9.

<sup>41</sup> The EU is often called a normative power as opposed to a military power, such as the United States. See Ian Manners ("Normative Power Europe: A Contradiction in Terms", *Journal of Common Market Studies*, vol. 40:2, 239) who defines "normative" as the ability to define and spread the conceptions of normal; in this case the EU bases its power on ideational matters, giving preference to its accepted norms rather than to economic or political power.

- promote an international system based on stronger multilateral cooperation and good global governance.<sup>42</sup>

The development and implementation of these objectives are channelled through intergovernmental decision-making and thus are limited to those that do not offend member-states' sensitivities over certain foreign policy issues because a non-decision in case of a lack of consensus is always possible. The efforts to reach consensus are praiseworthy but can decrease the possibilities of cooperation because the member-states realize that no decision can be taken without their full endorsement. In addition, the focus on more economic and neutral issues is a move by the EU to guarantee agreement by member-states and avoid internal conflict. However, these "soft" objectives and this type of approach may influence the EU's international image negatively if they do not result in tangible outcomes e.g. the advancement of democracy promotion, the resolution of conflicts or a decrease in organized crime. This clearly shows that the mutuality of interests among the member-states is rather low in security issues but can be rather high in economic issues. Nevertheless, the EU needs to support its economic and political aspirations with a strong stance on security and military issues at the same time not aggravating its relations with NATO. With regard to security issues, the EU demonstrates divergence not only in the mutuality of interest dimension but also in the shadow of the future one (see the three game-theory dimensions, p. 4). One of the main involvements of the EU in security issues is its endeavour to facilitate conflict resolution in war-torn or conflict-ridden regions (e.g. the Balkans and the South Caucasus). However, the divergent geopolitical interests of the member-states do not always allow them to utilize EU resources to the fullest extent, with member-states unable to agree on a joint action, as in the case of the Georgia-Russia conflict.<sup>43</sup> The CFSP has always rested on reaction to emerging or frozen conflicts (like in the Balkans or the South Caucasus) rather than on proactive development of a coherent and generally applicable foreign and security policy. Without setting concrete goals, such as the resolution of a specific conflict through proactive and consistent engagement, that derive from concrete needs (e.g. the protection of EU borders while appealing to the members that do not share a border with non-members) and delivering concrete results (e.g. actual advancement in conflict resolution), the EU is unlikely to gain the status of a global power for which it strives, and is doomed to remain merely a financial donor attractive to less developed neighbours but not taken seriously by more powerful counterparts.

## **The EU's Common Foreign and Security Policy after the Enlargements and the Lisbon Treaty**

During the EU enlargement of 2004, scepticism prevailed over the EU's ability to solve problems efficiently. Moreover, sceptics put forward a view that further enlargements would

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<sup>42</sup> The Lisbon Treaty, Article 21, p.3. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2007:306:0001:0010:EN:PDF>

<sup>43</sup> For examples of EU responses to the conflict see: BBC News, "UK urges tough response to Russia", <http://news.bbc.co.uk/2/hi/europe/7583486.stm> (accessed November 7, 2010); and *Spiegel Online*, "Blame Game? EU looks for common response on Russia", <http://www.spiegel.de/international/world/0,1518,571858,00.html> (accessed November 7, 2010).

decrease the efficiency hopes even more.<sup>44</sup> After 2004 the EU became larger and more politically, economically and culturally diverse. The foreign and security policies and preferences of the eight newly added Central and Eastern European countries were arguably tricky to integrate into the CFSP due to their Soviet-dominated past and different geostrategic preferences, especially as regards Russia. Furthermore, it seemed unlikely that some of these countries would readily relinquish their newly acquired sovereignty from the USSR once in the EU and without the accession conditionality looming over them. Complete integration into the CFSP and the unequivocal cooperation might have also increased the gap between the old and new members. The latter were largely viewed by scholars and politicians as unequal to the EU-15 in terms of their economic and political leverage and were sometimes reprimanded by politicians<sup>45</sup> on controversial issues like the Iraq war. Apart from the Iraq war, the dividing lines between the old and new member-states have emerged due to divergent positions on Russia, which France and Germany consider to be a vital member of a multi-polar world, and on the relationship with the European Neighbourhood Policy partner countries.

After the eastern enlargements, the possibilities of cooperation within the CFSP might have seem to decrease because the number of actors increased and the mutuality of interest decreased even more while the institutional framework remained the same. The enlargements of 2004 and 2007 did not improve the coherence of the EU’s CFSP. However, the inclusion of 12 new member-states after the enlargement of 2007 did not have negative effects on the CFSP either.<sup>46</sup> Thus, the Slovenian representative, speaking at the EU convention before the accession, seemed to be right when arguing that “the problem of the efficiency of the CFSP has nothing to do with the forthcoming enlargement of the EU”.<sup>47</sup> The analyses of post-enlargement CFSP activities<sup>48</sup> show that contrary to predictions, the number of joint actions and common positions increased instead of decreasing in all the issues and geographic areas of the EU foreign policy (see Table 2). Thus, the problem of incoherence in the CFSP lies instead with the institutional and decision-making design of EU foreign policy-making, which creates a framework that is not conducive to effective cooperation.

**Table 2. CFSP Decisions 1993–2007**

Subject	Maastricht Treaty 1993-1999			Amsterdam Treaty 1999-2003			Nice Treaty 2003- 2007			Total
	Joint Actions	Common Positions	Others	Joint Actions	Common Positions	Others	Joint Actions	Common Positions	Others	

<sup>44</sup> For more on euroscepticism see Helene Sjursen, *Questioning EU enlargement: Europe in search of identity* (London: Taylor & Francis, 2006).

<sup>45</sup> Jacques Chirac, “Chirac lashes out at ‘new Europe’”, *CNN*, February 18, 2003, <http://www.cnn.com/2003/WORLD/europe/02/18/sprj.irq.chirac/> (accessed March 28, 2010).

<sup>46</sup> Ana Juncos and Karolina Pomorska, “Does Size Matter? CFSP - Committees after Enlargement”, *Journal of European Integration*, 30:4 (2008): 493-509.

<sup>47</sup> M. Nahtigal, “Intervention by Dr. Nahtigal at the plenary session of the European Convention”, July 11, 2002, on external action of the EU, <http://european-convention.eu.int/docs/speeches/2231.pdf> (accessed November 7, 2010).

<sup>48</sup> Smith 2008: 241-3.

Europe	34	26	6	33	20	24	68	29	78	<b>318</b>
Mediterranean and Middle East	6	3	1	7	4	1	18	14	6	<b>60</b>
Africa	10	22	3	6	30	2	30	38	28	<b>169</b>
Asia	1	12	0	3	16	0	15	13	8	<b>68</b>
Latin America	0	3	0	0	0	0	0	0	0	<b>3</b>
Security	26	5	2	6	11	32	19	21	49	<b>171</b>
Misc	0	1	1	0	2	0	0	1	1	<b>4</b>
<b>TOTALS</b>	<b>77</b>	<b>72</b>	<b>13</b>	<b>55</b>	<b>83</b>	<b>59</b>	<b>150</b>	<b>116</b>	<b>170</b>	<b>795</b>

*Source:* Smith 2008: 241-3.

The Lisbon Treaty was supposed to overcome the institutional obstacles by eliminating the pillar system and urging the institutions to “practice mutual sincere cooperation”.<sup>49</sup> The Lisbon Treaty also stresses the importance of “strengthening systematic cooperation between Member States in the conduct of policy”<sup>50</sup> to “conduct, define and implement a common foreign and security policy, based on the development of mutual political solidarity among Member States, the identification of questions of general interest and the achievement of an ever-increasing degree of convergence of Member States' actions”.<sup>51</sup> The role of the Commission in foreign policy-decision making remained practically unchanged, but its powers of representing the EU have been limited by the exclusion of CFSP matters. The status of the Parliament as a passive observer, which is supposed to be regularly consulted and informed, remains unchanged. The European Council and its president (now an official position as per the Lisbon Treaty) retain the most powerful position within the CFSP as it is to “identify the strategic interests and objectives” of the EU and adopt CFSP decisions mainly based on unanimity, and QMV is not applicable in matters of defence and security matters.

The major innovation of the Lisbon Treaty has been the introduction of a new position of the High Representative of the Union for Foreign Affairs and Security Policy (HR). For many academics and politicians the position of the HR has entailed the capacity “to unite EU’s diplomatic, economic and military capabilities”.<sup>52</sup> This position combines the responsibilities of the former High Representative and the Commissioner in charge of External Relations. The creation of this position and the description of its responsibilities implied having more coherent EU foreign policy. Among the responsibilities of the HR, appointed by the European Council and subject to the vote of consent by the European Parliament, is to contribute to the development of the CFSP with proposals, represent the EU for matters related to the CFSP, and express the EU’s position in international organizations and in international conferences. Another major responsibility is to implement the CFSP based on the resources of the EU and the member-states. However, the most challenging responsibility of the HR may be chairing the Foreign Affairs Council, where the incumbent is supposed to reconcile the conflicting stances of

<sup>49</sup> The Lisbon Treaty, Article 9, p.3. <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2007:306:0001:0010:EN:PDF>

<sup>50</sup> The Lisbon Treaty, Article 12(C).

<sup>51</sup> The Lisbon Treaty, Article 10(C)(2).

<sup>52</sup> Smith, *European Union Foreign Policy in a Changing World*, 43.

the member-states. Thus the Lisbon Treaty seems to introduce the missing link of cooperation within the CFSP with the HR that provides information and feedback to the member-states attempting to increase the mutuality of their interests.

However, the perspective of institutional cooperation in Europe with one voice becomes less promising when other institutions' capacities and responsibilities specified in the Lisbon Treaty are scrutinized. Thus, a closer reading of the Lisbon Treaty reduces the great expectations and induces consent with the European Council President van Rompuy who admitted "that it is a lot of heads for one body".<sup>53</sup> Though the HR has the key jurisdiction over the CFSP, the European Council President and the head of state or government of the country having a Presidency in the Council can also represent the EU. The Treaty clearly states that the European Council President shall represent the EU on the matters of external relations "without prejudice to the powers of the High Representative of the Union for Foreign and Security Affairs" (Art 9B). However, the limits of the prejudice to the HR are not clarified. At the same time the Commission can represent the EU in external matters apart from the CFSP, and again there is no clear dividing line between the two, and along with the HR make proposals on external action to the European Council.

The current situation within the CFSP shows that EU institutions would prefer the EU to have a coherent foreign policy but there is a lack of coordination between them and no clear division of labour. Though all the institutions apparently strive for effective and efficient EU policies, the lack of coordination between them and sharing the same responsibilities may result in competition for visibility resulting in ineffective policies. On the other hand, the member-states, which are supposed to act in the context of shared values and norms, rhetorically support one-voiced EU but in practice prefer total control over their foreign policies. Rhetorical commitment puts the EU halfway through, however the decades-long history of its foreign policy shows that only rhetorical commitment is not enough for an effective foreign policy. The vague objectives indicated in the treaties also fail to indicate what the incentives are for the member-states to cooperate over EU foreign policy at the expense of their own geopolitical interests besides spreading democracy and human rights (see Table 3).

With the enforcement of the Lisbon Treaty, the member-states are required to cooperate over the CFSP more than before. Each member-state has to consult with others before taking actions that might be contradictory to the EU's interests. Thus, though the perspectives of increasing the mutuality of interest due to the Lisbon Treaty are insignificant, the perspectives of preventing the member-states from defection based on information-sharing only are seemingly strong. The Lisbon Treaty aims to extensively reduce the sovereignty of member-states on foreign policy matters, constraining their foreign policy action and compelling them to consult with each other. However, it is still silent on what happens if a member-state rejects cooperation and acts solely based on its national interests. Nevertheless, while the member-states are encouraged to

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<sup>53</sup> Herman Van Rompuy, Speech by the President of the European Council at the "Klausurtagung" of the CSU-Landesgruppe, Wildbad Kreuth, Germany, January 7, 2010, [http://www.europa-eu-un.org/articles/en/article\\_9392\\_en.htm](http://www.europa-eu-un.org/articles/en/article_9392_en.htm).

cooperate, the institutions come into tension over their competencies and responsibilities reducing the effectiveness of new “cooperative” clauses of the Lisbon Treaty.

**Table 3. Framework of cooperation within the CFSP after the Lisbon Treaty**

	<b>EU Institutions</b>	<b>Member-states</b>
<b>Mutuality of interest</b>	medium	medium
<b>Long-term cooperation</b>	medium	medium
<b>Regular rewards</b>	N/A	medium or low
<b>Information</b>	high	high
<b>Feedback</b>	low	low
<b>Identification of non-cooperation</b>	high	high
<b>Sanctioning non-cooperation</b>	low	low

*Source:* Author’s own compilation.

### **Conclusion: Call Someone Else?**

The unwillingness of member-states to cooperate over issues sensitive to their own sovereignty, usually receives the biggest portion of blame when the inconsistency and incoherence of the EU foreign policy are criticized. Scholars have also voiced concerns that further enlargements would aggravate the situation and the EU would not be coherently represented in international politics. The Lisbon Treaty has been regarded as a panacea for EU’s maladies of reduced actorness and inefficiency and was designed to encourage cooperation and produce consistency. By analysing the framework of the EU foreign policy-making, its representation, and implementation, this paper argues that the overall EU mechanism of foreign policy development and implementation should equally share the incoherency and inefficiency burden with the member-states. In other words, not the enlargements and the increased number of member-states with sometimes diverging interests were so negative for the EU but rather the foreign policy-making and implementation mechanisms did not provide a clear division of labour between its own institutions.

Though the Lisbon Treaty has managed to pull a portion of sovereignty from the member-states in foreign policy matters, instead of creating a cooperative environment for its institutions conducive to establishment of a one-voiced body, it has rather created a competitive environment. Confusion of responsibilities among the EU heads is apparent: when the EU’s top diplomat is late with response to Haiti earthquake because she is, as she put it, “neither a doctor, nor a fire-fighter”,<sup>54</sup> the development commissioner rushes to the scene. Thus, there is not only a lack of cooperation but even a lack of coordination. Without a doubt the personalities of the

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<sup>54</sup> High Representative for Foreign Affairs and Security Policy of the EU, Baroness Catherine Ashton, speaking to the European Parliament on January 19, 2010, <http://www.europarl.europa.eu/sides/getDoc.do?language=EN&type=IM-PRESS&reference=20100119IPR67605> (accessed 19 October 2010).

incumbents also play an important role; however, the confusion over who “answers the phone” for Europe is visible from the very text of the Lisbon Treaty. Such inefficiency on the part of an entity that claims to be a global actor has the dangerous potential to affect its relations with other international actors negatively and to damage its image and credibility with countries in which the EU promotes its norms and values. The EU pursues a benign idea that collectively its members will be stronger than separately, though there is still little evidence that member-states are indeed ready to give up their sovereignty, especially after the enforcement of the Lisbon Treaty drafted by the same member-states. However, developing feasible policies for the sake of results rather than for the sake of ticking the boxes would help the EU to come closer to the global power status it is longing for.