

The EU's comprehensive approach towards security: the Lisbon Treaty and “smart power”

Michael Matthiessen, *Visiting EU Fellow, Lee Kuan Yew School of Public Policy*

Abstract

The European Union (EU) has increasingly become a comprehensive security actor. With the development of the Common Foreign and Security Policy (CFSP), including the Common Security and Defence Policy (CSDP) as a reaction to the failure of the EU to act during the wars in Yugoslavia/Western Balkans in the 1990s, the EU has a wide range of instruments for crisis prevention, crisis management as well as post-crisis intervention at its disposal. Observers typically agree that “hard power” is no longer sufficient to address the complex security challenges of today's world while the EU, often criticised for only utilising “soft power”, is now able to exercise “smart power”. Through a comprehensive approach, facilitated by the Lisbon Treaty, the EU can now use the various instruments at its disposal, such as diplomacy, development aid, humanitarian assistance, trade, sanctions, international cooperation and crisis management capabilities in a joined-up manner. This mix of tools and instruments is helping the EU to achieve the aim set out in its European Security Strategy: “a secure Europe in a better world”.

Introduction

Even though Asian press headlines about Europe in the past few years mostly refer to the “Euro-crisis”, there are many other developments in the European Union (EU) which also deserve equal attention in Asia. One of which is that the EU has increasingly become a comprehensive security actor.

Conventionally, security is defined as freedom from threat and identified with the security of the state. Three assumptions have shaped traditional ideas about security: that security is focused on states; that security policy seeks to preserve the status quo; and that military threats and the need for deterrence are the primary concerns.

However, since the end of the Cold War, the concept of security in Europe has been broadened

to take into account not just states, but also individuals and communities. It has also moved from being status-quo oriented to being more future-oriented. Strategic problem solving is more about building peace rather than preserving order and stability. Most importantly, security is no longer synonymous with military threats but has been widened to include many other types of threats, such as environmental degradation, economics, mass refugee movements, and so on. Security is now interpreted as meaning more than stability or non-war, but one which embraces societal and individual dimensions. By the mid-1990s the concept of “human security”, made popular by the 1994 United Nations Development Programme (UNDP) report, had become a widely accepted framework. Some observers find this concept too vague, and many now prefer to divide the security concept into traditional and non-traditional security.

The development of CFSP and ESDP and the European Security Strategy (ESS)

The Maastricht Treaty entered into force in 1993 against the backdrop of the end of the Cold War and German reunification. With this Treaty, the European Community was transformed into the European Union, composed of three pillars of policy cooperation: the European Community, Justice and Home Affairs, and the Common Foreign and Security Policy (CFSP). While the first pillar was supranational, the two others were intergovernmental. Through CFSP an additional policy initiative was added to the long list of policies which had been developed through various Treaties since the start of the European integration process in the 1950s (for instance, the common agricultural policy, common commercial policy, internal market). The aim of CFSP was for the EU to be a coherent actor on the world stage.

The crisis in Yugoslavia in the early 1990s showed that CFSP lacked the instruments to deal with such conflict situations, even if they took place in the vicinity of the EU. The fact that the war in Bosnia could only be stopped in 1995 after the US and NATO had intervened was a strong signal to European leaders that more was needed. This led to a number of changes in the next Treaty, the Amsterdam Treaty, which entered into force in 1999. The most important change was the creation of the post of High Representative for CFSP, who would concurrently be Secretary General of the Council (HR/SG). The inspiration for this function came from the post of Secretary General of NATO and its aim was to give the EU a focal point anchored within the EU institutions in

Brussels, which could provide more visibility and continuity. The Treaty also included the setting up of a Policy Planning and Early Warning Unit, composed of seconded diplomats from member states, supporting the work of the High Representative to help the EU make a transition to a less reactive and more proactive actor in the area of international security. Finally, the Treaty created the European Security and Defence Policy (ESDP) as an integral part of CFSP. The aim of the ESDP was to provide the EU with an autonomous military capability for crisis management outside the EU's borders. Territorial defence was left to NATO, an organisation in which most EU countries were already members.

When the US and NATO had to intervene once more in lieu of European action, this time in Kosovo in 1998-1999, European leaders acknowledged the need for an ESDP with greater capabilities. The bilateral Summit between French President Jacques Chirac and UK Prime Minister Tony Blair in St. Malo in 1998 and the EU leaders' decision in 1999 to appoint former NATO Secretary General Javier Solana as the first High Representative for CFSP were both highly instrumental in developing the ESDP.

In December 1999 member states agreed on a military headline goal, to be reached by 2003, of being able to deploy a 60,000-strong corps in six weeks and sustain it in the field for a year in support of crisis management, humanitarian missions and peace-keeping operations. A similar civilian headline goal of 5,000 police officers by 2003 was agreed six months later.

In order to support the CFSP and ESDP, new EU structures were developed, thereby moving more responsibility from the capitals of member states to Brussels while maintaining the intergovernmental nature of the policy. A number of committees were created to ensure member states' involvement, notably a Political and Security Committee (PSC) composed of Brussels based ambassadors dealing exclusively with CFSP and ESDP (inspired by the North Atlantic Council at NATO). In order to provide advice to the PSC, a Military Committee composed of Brussels based senior military representatives and a Civilian Crisis Committee were established. As regards the Council Secretariat under HR/SG Solana this was expanded to include not only the Policy Planning and Early Warning Unit (called Policy Unit) but also: a military staff, two politico-military directorates dealing with both military and civilian crisis management, and a situation centre. These new structures had to work closely with existing EU institutions not least the European Commission and the rotating six-month member state Presidencies.

The year 2003 then saw two important developments; first, the launch of the EU's first crisis management operations under ESDP: a civilian police mission in Bosnia (EUPM) and a military operation in the Democratic Republic of Congo (ARTEMIS), both under UN Security Council mandates. This signalled and confirmed that the EU had become operational in the field of crisis management. Since then 27 more operations and missions have been launched on three continents: Europe, Africa and Asia.

Second, the adoption of the European Security Strategy (ESS) entitled: "A Secure Europe in a Better World". The strategy, drawn up by HR/SG Solana, defines how the EU sees itself as a global actor. The text lists the key global challenges and threats faced by the EU. These threats include terrorism, proliferation of weapons of mass destruction, regional conflicts, state failure and organised crime. On this basis the strategy enumerates the key objectives in addressing the threats - building security in the EU's neighbourhood and contributing to an international order based on effective multilateralism. The ESS emphasizes the comprehensive approach towards security by pointing out that none of the threats identified can be tackled by purely military means. Instead a mixture of instruments is required. For example, proliferation can only be contained "through export controls and attacked through political, economic and other pressures", while dealing with terrorism may "require a mixture of intelligence, police, judicial, military and other means". In resolving regional conflicts and failed states, military instruments may be needed to restore order and undertake humanitarian assistance first, but other economic and civilian instruments will need to be deployed subsequently to help the reconstruction and rebuilding of institutions.

The strategy further emphasises the need for the EU and its member states to act together and use the different instruments and capabilities in a coherent manner in order to achieve the best results. The strategy ends by calling for a more active, more capable and more coherent EU, working with its key partners towards "an effective

multilateral system leading to a fairer, safer and more united world”.

The ESS was slightly updated in 2008 to take recent global developments into account. To the list of key threats identified in 2003 the following were added: piracy, climate change, energy security and cyber-attacks.

The ESS became the strategic framework in which CFSP, including ESDP, has developed over the years. Some have called for an update of the strategy, but no agreement has been reached so far.

One of the challenges under the Amsterdam Treaty was the fact that the various instruments at the disposal of the EU for crisis prevention, crisis management and post-crisis intervention were divided between different EU institutions (Council and Commission) and member states. Furthermore the use of these instruments had to follow different decision-making procedures under the responsibility of different political leaders (High Representative for CFSP in the Council, Commissioners for External Relations and for Development in the Commission as well as the rotating six-month member state Presidencies). This did not make the implementation of the aims set out in the European Security Strategy any easier.

The Lisbon Treaty: the High Representative/Vice-President, the EEAS and CSDP

After many years of negotiations and various delays the Lisbon Treaty entered into force at the

end of 2009. This latest Treaty regulates a European Union composed of 27 member states (28 when Croatia joins on 1 July 2013) with a total population of half a billion people, the world's largest economy and trading block, stretching from the Arctic in the North to the shores of North Africa and the Middle East in the South, and sharing borders with Russia, Belarus, Ukraine, Moldova, Turkey and what was once Yugoslavia in the East.

The aims of the new Treaty were to make the EU more democratic and transparent, ensure faster and more efficient decision-making, and modernise its institutions. The key features were the creation of a new institution, the European Council, composed of heads of states and governments, with a permanent President (a post filled by Herman Van Rompuy) and with regard to external relations the establishment of a new position of High Representative for Foreign Affairs and Security Policy, who is also Vice-President of the Commission (HR/VP) and Chair of the Foreign Affairs Council. Baroness Catherine Ashton, who became the first holder of this “triple-hatted” function, is in fact replacing the High Representative for CFSP, the External Relations Commissioner in the Commission as well as the Foreign Minister under the six-month rotating member state Presidencies. In order to carry out her various tasks, she is assisted by the European External Action Service (EEAS), the EU's new diplomatic corps.

The EEAS started in January 2011 when staff from the European Commission (almost all of DG External Relations and some from DG Development) was merged with staff from the

Council Secretariat. In addition, diplomats from member states were recruited to bring national diplomatic expertise into the Service. The EEAS is composed of a headquarters in Brussels and 140 delegations across the world, covering 170 countries and all international organisations. The EU delegations formally replaced the delegations of the European Commission. The EEAS works closely with the diplomatic services of the 27 member states and the European Commission.

In fact, the EEAS at the European level is a combination of a “foreign ministry” with geographical and thematic desks – covering the whole world – and a “defence” or “crisis management” ministry – as it also includes a military staff (EUMS), a civilian operations headquarters (CPCC), an intelligence centre (INTCEN) and a situation room (SITROOM) as well as directorates for crisis response, security and conflict prevention and crisis management planning. It works closely with the relevant DGs of the European Commission, not least Development (DEVCO), Humanitarian assistance (ECHO) and Trade and Enlargement, which are under the political authority of individual Commissioners.

As mentioned, the new service is under the political authority of the HR/VP, Baroness Ashton, while also supporting the President of the European Council and the President of the Commission. Baroness Ashton's role is to conduct the CFSP, including the ESDP, renamed Common Security and Defence Policy (CSDP) in the Lisbon Treaty, and to coordinate the EU's external action. She chairs not only the monthly meetings of EU Foreign Ministers, but also the regular meetings of

Defence Ministers and Development Ministers, *and* is a Vice-President of the Commission. The reason for having one person chairing all three ministerial discussions and doing so over a period of 5 years, instead of three different individuals for six months at a time, as well as being a member of the Commission, is to bring coherence and continuity into the system. Internally, the HR/VP is chairing the crisis management board, which brings together around one table in the EEAS all the stakeholders in the “EU toolbox”, including from the relevant Commission services.

It should also be noted that with the Lisbon Treaty, all Committees and working groups dealing with external relations have permanent chairs. These replace the chairpersons associated with the six-month rotating member state Presidencies. Instead of being attached to the rotating EU Presidency, the new arrangement places all staff as belonging to the EEAS, ensuring coherence and continuity in its operations.

With the Lisbon Treaty, CSDP is still an integral part of CFSP, and “it shall provide the Union with an operational capacity drawing on civilian and military assets”. These assets are for missions outside the EU in view of “peace-keeping, conflict prevention and strengthening international security” (Treaty of the EU [TEU] art. 42). This includes: “joint disarmament operations, humanitarian and rescue tasks, military advice and assistance tasks, conflict prevention and peace-keeping tasks, tasks of combat forces in crisis management, including peace-making and post-conflict stabilisation. All these tasks may contribute to the fight against terrorism, including by

supporting third countries in combating terrorism in their territories” (TEU art. 43).

Since 2003, the EU has launched and conducted a total of 29 crisis management operations and missions – both military and civilian, of different size, on three continents (Europe, Africa and Asia), involving a total of 80,000 personnel. Of these missions, one-third have been terminated and the other two-thirds are still on-going. Furthermore, approximately two-thirds of the missions are civilian, while the rest are military. The chain of command and financing of the two types of missions are different, but they all come under the political authority of the Council and the High Representative and with the Political and Security Committee exercising political control and strategic direction. However, the missions are increasingly of both civil and military character, thus reflecting the comprehensive approach of EU crisis management.

The CSDP missions vary significantly in size. The largest missions are the civilian rule of law mission in Kosovo (EULEX Kosovo), which counts approximately 2000 personnel, and the military anti-piracy operation off the coast of Somalia (EUNAVFOR), which counts approximately 1200 personnel. Other missions are much smaller with some 200 personnel, such as the on-going border monitoring mission in Georgia (EUMM Georgia) or the former monitoring mission in Aceh/Indonesia (AMM Aceh). That being said, however small a CSDP-mission might be, its political significance cannot be underestimated given its “boots on the ground” factor.

With regards to geographical scope, the first missions and operations were deployed in the EU’s neighbourhood, that is, in the Western Balkans (Bosnia and Macedonia), but also in Africa (DRC). Later the area of operation was expanded to the Caucasus (Georgia), the Middle East (Palestinian Territories and Iraq) as well as to Asia (Afghanistan and Indonesia). Lately, most missions and operations have been launched in Africa, not least in the Horn of Africa (off the coast of Somalia and in neighbouring states) as well as in the Sahel (Niger and Mali). The last mission launched in May 2013 is deployed in Libya. There is no “out of area” for CSDP-missions, which by definition have to take place outside the EU. However, some argue that the missions should be concentrated in the neighbourhood of the EU, whereas others maintain that the EU, as a global actor, should be able to deploy crisis management operations also far from Europe.

The types of missions have increased over time. In the beginning they were mostly composed of either military or police personnel. However, based on the experience and the demands to the EU, the missions today also comprise the following types: integrated rule of law (police, but also prosecutors and judges), border control and monitoring and efforts towards security sector reform.

Almost all missions have been deployed under a mandate from the UN Security Council. In the few cases where this was not so, the host country has invited the EU to deploy its crisis management assets on its territory. Most CSDP missions are conducted in close cooperation with international organisations, not least the United Nations and

NATO and there are many examples of the EU moving in before – or after – a UN peacekeeping operation (seen both in the Western Balkans and in Africa). With regards to NATO, some military CSDP operations are planned and conducted with NATO assets (as has been the case in the Western Balkans under the so-called “Berlin Plus formula”). Other military missions have been autonomous and led from one of the EU operational headquarters (as has been the case for all operations in Africa). However, cooperation between EU and NATO is often very close on the ground, as EU civilian missions cooperate closely with NATO military operations in the same theatre (this is presently the case in Kosovo and Afghanistan). It should be noted that CSDP operations are increasingly working with the African Union, including its peacekeeping missions.

A large number of third countries have participated in CSDP missions since the launch of the first mission in 2003. Countries like Norway, Switzerland, Turkey and Canada are among the most frequent contributors to EU crisis management operations. It is interesting to note that the US is now also contributing to CSDP by deploying personnel to EU-led missions in Kosovo and in DRC. Of particular interest in an Asian context is the participation of five ASEAN member states in the EU-led Aceh monitoring mission in Indonesia in 2005-2006 (Brunei, Malaysia, Philippines, Singapore and Thailand).

Smart power: The EU’s comprehensive approach

According to the Harvard academic Joseph Nye, “soft power” is “the ability to get what you want through attraction rather than coercion or payments. It arises from the attractiveness of a country’s culture, political ideals, and policies”.

The EU (like the US) has generally been recognised as having plenty of soft power. However, the ongoing economic crisis may have led to a decline in the relative strength of this influence. It has thus become more difficult for the EU to promulgate the fundamental values of democracy, human rights and the rule of law across the world.

Furthermore, there has been a lot of criticism over the years that Europe only has soft power – and no “hard power”, commonly defined as military might – at its disposal. On the eve of the US intervention in Iraq in 2003, the American author and analyst Robert Kagan wrote a book entitled “Americans are from Mars, Europeans are from Venus”, precisely criticising the European “soft power” approach.

However, in today’s world “hard power” is no longer sufficient to address the complex security challenges. This seems to be recognized by most observers, especially after the military interventions in Iraq and Afghanistan and most recently in Libya. A military operation may look successful – initially. But if the long term purpose of the operation (the so-called strategic “end state”) is not achieved, such an intervention

cannot be defined as a success. Obviously, there can be a clear role for military forces, but only as part of a joined-up approach.

Both Europeans and Americans are signing up to the concept of “smart power” as the right answer to the 21st century security challenges. During her Senate confirmation hearing to become US Secretary of State in January 2009 Hillary Clinton defined “smart power” as “using the full range of tools at our disposal – diplomatic, economic, military, political, legal and cultural – picking the right tool, or combination of tools, for each situation”. She also spoke of the need for the three D’s: diplomacy, development and defence.

This is exactly what the EU is doing with its “comprehensive approach”, which initially was set out in the European Security Strategy in 2003 and which has since then greatly benefited from the institutional changes in the Lisbon Treaty described above. Not least the creation of the “triple hatted” HR/VP, the establishment of the EEAS as well as the permanent chairs in the Committees and working groups dealing with external relations, have had a positive impact.

The comprehensive approach implies a systematic employment of all the EU instruments available: diplomatic, economic, humanitarian, development and police and military if necessary. This joined-up strategic approach, led and supported by the permanent EU institutions and the 27 Member States, can address not only the immediate crisis but the underlying causes of the security challenges and deal with the symptoms in a

manner which makes the EU an effective foreign policy actor.

The best example of the EU’s comprehensive approach in applying smart power can be seen in how the EU handles the variety of situations in the Horn of Africa. This is a region that suffers from natural disasters, is struggling with a failed state in Somalia, and has to cope with the endemic problems that both the natural and man-made disasters cause: human trafficking, uncontrolled migration, piracy, drug and weapon smuggling, contested borders, insurgency and lawlessness.

In order to deal with this complex situation the EU has to use different tools made available by its institutions and member states. These include:

1. Developing a strategic framework document for the Horn of Africa, describing the EU’s interests and objectives and the necessary actions to be taken;
2. Appointing an EU Special Representative for the Horn of Africa, to assist in the coordination of the many strands of efforts;
3. Embarking on EUNAVFOR ATALANTA – the first EU naval maritime counter-piracy operation under CSDP, working closely with NATO and other naval forces from various countries, in order to deter, prevent, capture and lead to the prosecution of pirates (comprises approx. 1200 personnel from almost all the EU’s 27 member states, 4-7 surface combat vessels and 2-4 maritime patrol and reconnaissance aircraft);

4. Undertaking a military operation under CSDP to train Somali security forces in Uganda (EUTM Somalia), which so far has trained 3000 Somali troops;
5. Deploying a civilian capacity building mission under CSDP to develop a regional maritime capacity (EUCAP NESTOR) in Somalia and the countries of the region so they can deal with the challenge of piracy themselves;
6. Financing to fund the African Union peacekeeping operation in Somalia, AMISOM;
7. Making available development funds, not least to improve security and democratic governance in Somalia, but also to assist the wider Horn of Africa countries;
8. Providing humanitarian assistance to assist the people affected by the drought;
9. Supporting the judiciary in various coastal states so they can assist with the prosecution and judgment of pirates; and
10. Undertaking various diplomatic initiatives, in close cooperation with international organisations such as the UN and the African Union, including high level visits to Somalia to support the transition and the organisation of international conferences in Europe.

This smart, comprehensive approach has shown positive results as piracy attacks have decreased by 95% in the past two years, and Somalia is now less of a failed state, with increased security and governance. The decrease in piracy is contributing to safe passage through the Indian Ocean, not only benefitting the coastal states but also for

Europe and Asia, as this is a key trading route between the two regions.

In conclusion, this comprehensive approach applied by the European Union towards the security challenges on the Horn of Africa, in close cooperation with partners such as the UN, African Union, NATO, US, as well as navies from Asia, including from Singapore, is a concrete example of “smart power”.

A similar approach is now being applied by the EU in the Sahel region in Africa in order to prevent this region in Northern Africa becoming a permanent base for international terrorism. Also here the EU has developed a strategy, appointed a EUSR, deployed CSDP-operations to train local security forces in Niger and Mali, and all these combined with development and humanitarian assistance and diplomatic action in close cooperation with other international actors.

Conclusion

The smart power of the EU – based on the European Security Strategy and the Lisbon Treaty – is also relevant to Asia. Addressing security challenges the comprehensive way is part of the EU’s engagement with and in Asia. Given that Asian countries are becoming the EU’s key trading partners, ensuring safe passage in the Indian Ocean and preventing the Sahel from becoming a new base for international terrorism is also in the interests of Asia.

The Lisbon Treaty, with the triple-hatted HR/VP and the establishment of the EEAS, has improved

the EU's capacity for applying the comprehensive approach, that is, to use all the instruments available in a coordinated and joined-up manner. Undoubtedly, more can be done to ensure coherence, continuity and rapid, efficient decision making as well as improved coordination between the EEAS and the Commission as well as with member states.

The ongoing review of the EEAS, foreseen in the Council decision of July 2010, may lead to changes in the EEAS, but possibly also in the relationship between the EEAS and the Commission. Think tanks, the European Parliament, some national parliaments as well as member states have provided input to the review which the HR/VP is expected to present in the summer of 2013. Furthermore, the change of all the key players at the top of the EU institutions in 2014 and a new European Commission in 2014 could also lead to certain changes impacting on

the EU's ability to act as comprehensive actor in global security.

The scheduled discussion on defence among EU heads of state and government at the meeting of the European Council in December 2013 may also have an impact on the future of CSDP and thus the EU's smart power capabilities. The discussion is currently being prepared by the various EU bodies, including by the Ministers of Defence and the Ministers of Foreign Affairs meeting in the Council and by the European Commission. All these developments need to be closely watched and understood as there could be implications for EU's engagement with Asia.

At this stage however, one can be confident that whatever the developments, the objectives of the European Security Strategy and the Lisbon Treaty are likely to continue to be the same – a safe Europe in a better world.



Michael Matthiessen is the 2012-2013 Visiting Fellow from the European Union at the Lee Kuan Yew School of Public Policy. He is a senior official from the European External Action Service (EEAS), the European Union's new diplomatic corps, which assists the High Representative for Foreign Affairs and Security Policy/Vice-President of the European Commission, Catherine Ashton. Michael Matthiessen's professional career spans over 30 years, first as a Danish diplomat for 17 years and then as a senior EU official for 13 years. He holds a Master's degree in Political Science from the University of Aarhus (Denmark) and a DEA in International Relations from the Paris Institute of Political Science (Sciences Po) Paris.

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European Union Centre in Singapore
11 Slim Barracks Rise
(off North Buona Vista Road)
#06-01, NTU@one-north campus, Executive Centre, Singapore 138664

Tel: +65 6513 2007
Fax: + 65 6774 1445
www.eucentre.sg

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