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CSDP and the Open Method of Coordination: Developing the EU's Comprehensive Approach to Security¹

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Abstract: How can we best describe the operation of the Common Security and Defence Policy (CSDP), and how can we improve policy-making in CSDP? The Open Method of Coordination (OMC) is predicated on the conviction that there are clear limits to the extent that European Union (EU) foreign and security policy can be strengthened through the restricting tendencies of intergovernmental cooperation between EU member states. Permanent Structured Cooperation (PESCO) – agreed by the European Council and 25 EU member states in 2017 – offers practical instruments towards delivering value-added capacity to the process of crisis management beyond intergovernmentalism. As a process, PESCO is analogous to the logic of OMC, including more appropriate levels of coordination at the national organisational level in order to effectively facilitate the EU's comprehensive approach to conflict prevention and crisis management. The requirement for new and “open” types of EU foreign and security policy coordination is underlined by the immense differences between EU member states in external policy, both concerning national crisis management structures and the resulting inefficient segmentation of policy at the EU level.

Keywords: European Union (EU), Common Security and Defence Policy (CSDP), intergovernmentalism, Open Method of Coordination (OMC), Permanent Structured Cooperation (PESCO), EU foreign, defence and security policy.

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Introduction

The European Union (EU) is at a significant crossroads. Major events mark key points in its history. The step change from loose economic cooperation toward a Single Market occurred after the Single European Act (1986), which introduced Qualified Majority Voting. The Treaty on European Union (1992) prepared for the Single Currency in 2002, with 12 states adopting the euro. In 2004 the EU undertook its largest and most ambitious enlargement, taking on 10 new member states.

In foreign policy, the major change has been less dramatic, but the EU's role in this area has grown and may cohere to a greater extent in the future given the pressures stemming from international crises, of which there are many. This paper begins with a brief survey of how the EU's role in foreign and security policy has developed, and summarises the current state of the EU presence in foreign, security and defence policy. The contribution of this paper is to argue that the failure of the Common Security and Defence Policy (CSDP) to fulfil its ambition is unsurprising given that this would require member states to lead the drive towards a common EU foreign and defence policy. All EU member states have their own distinct foreign policy interests. Classically defined intergovernmentalism therefore cannot deliver a coherent common security and defence policy for the EU. This paper argues that post-Lisbon there has been significant progress in EU foreign and security policy through the proactive leadership and policy entrepreneurship of the High Representative/Vice-President Federica Mogherini via her management of, and engagement with, multiple stakeholders including the EU's member states.

The process governing CSDP now bears comparison with the open method of coordination (OMC), rather than classical intergovernmentalism.² Moreover, we argue that the open method of coordination offers a way forward for the Union's common security and defence policy that can overcome the inbuilt resistance that has been a feature of intergovernmental policy making in this field. The major caveat is that it is left to the EU's member states to supply the resources and political will required to deliver the objectives of the EU Global Strategy.³ Time is of the essence as multiple crises emerge, ranging from migration to terrorism, with current security frameworks turning out to be inadequate.⁴

OMC produces non-binding cooperation, sometimes referred to as 'soft law'. It is not subject to 'hard' EU law that passes into the member state's statute, so it avoids the sovereignty objections that attend to Community law; there is also no supranational arbitration and the Court of Justice of the European Union (CJEU) has no role. Wallace and Reh identify key characteristics of OMC as a focus on benchmarking and the agenda setting role of the Commission, while policy goals and guidelines are set by the Council.⁵ Many stake-

2 Ekengren 2006, 89–111.

3 Menon 2016.

4 Biscop 2017a; Muller 2016, 359–374.

5 Wallace and Reh 2014, 72–112.

holders are involved in the policy process, and significant lobbying is present by various interest groups. Annual progress reports are submitted to the Commission by member states. Specifically, in the fields of defence capability enhancement and the development of the Union's role in security, OMC offers opportunities to complement measures agreed through Permanent Structured Cooperation (PESCO) and the implementation of Capability Development Plans emanating from the European Defence Agency (EDA). OMC works through cooperation and benchmarking, which are the fundamental principles of capability enhancement. It has emerged as a useful method of work in policy areas traditionally reserved for member state competences such as employment, social protection, social inclusion, education, youth and training, through 'sharing common objectives, policy instruments, best practice and peer pressure to achieve policy convergence'.⁶ Moreover, we argue that OMC offers a means to develop deeper cooperation as PESCO is finally activated, bringing engagement from EU member states that are able and willing to cooperate more closely to mutual advantage, which could potentially lead to overall EU capability enhancement.

Developing an EU Security Contribution and Foreign Policy Voice

In the 1970s EC foreign policy cooperation was largely symbolic. The Commission became increasingly engaged but EU member states took the lead on key issues, often pursuing different foreign policy objectives. The main EC foreign policy framework was the European Political Cooperation (EPC), which worked on the basis of consensus-building in non-contentious areas; the increasing involvement of officials in Brussels signalled the beginnings of foreign policy 'institutionalisation'.⁷ EPC paved the way for the Common Foreign and Security Policy (CFSP), which was formally established by the Maastricht Treaty on European Union (TEU) in 1992. Maastricht, however, consolidated CFSP as an intergovernmental area of policy, and this constraint to effective decision-making predicated on unanimity has remained to a large extent. EPC, and then CFSP, at least ensured that the EU was developing an institutional role in foreign and security policy, however modest it may have been.

At the Saint Malo Summit in December 1998, Britain and France set out the ambition - described by Howorth as a 'Rubicon moment'⁸ - to build 'a (defence) capacity for autonomous action'.⁹ In 1999, the Helsinki Council made a commitment to the Headline Goals.¹⁰ By 2003 the new High Representative for the Union's Foreign and Security Policy, Javier Solana, launched the European Security Strategy (ESS), promising an EU capable of 'early,

6 Cini and Borragán 2016, 6.

7 Smith 2004, 11.

8 Howorth 2000a, 34.

9 Saint Malo Declaration 1998.

10 European Council 1999.

rapid and where necessary robust intervention¹¹ across the full range of Petersberg Tasks, up to and including peace-making. In 2004 the Council committed to ‘civilian goals’ consisting of a range of modalities for the setting up and deployment of multifunctional Civilian Crisis Management (CCM) resources in an integrated format.¹² These were the early years of the EU comprehensive approach (CA) that would underpin Union engagement in peacekeeping and CCM through the Common Security and Defence Policy (CSDP).¹³ The transition from civilian power¹⁴ to comprehensive power was underway.

The main weakness of the transition however came to light after 2004, with the realisation of the UK that, apart from France, no other EU member state was prepared to make the adequate level of commitment to EU defence co-operation. Severe under-investment in military hardware was accompanied by resistance in EU member states to deploying adequately prepared troops to military operations. Mirroring the United States’ experience of burden-sharing in the NATO, Britain and France were unable to rely on burden-sharing in the EU.

Since Saint Malo, CSDP has reflected a lifting of the German strategic culture to the EU level, ‘civilianising’ the aspiration for autonomous defence.¹⁵ With more assertive German influence, CSDP emphasised soft power within the CA, rather than defence capability and autonomy envisaged at the outset.¹⁶ Military actorness has been strictly limited. The intervention in Libya in 2011 by a limited number of European NATO members, led by Britain and France but requiring US technical support – and thereby not a CSDP operation – highlighted the continuing European capability deficiencies.

The Lisbon Treaty introduced a mechanism through which capability should have been significantly enhanced.¹⁷ PESCO was designed to enable ‘top-down guidance and coordination’,¹⁸ improving cooperation on an issue-by-issue basis. Groups of states able and willing to contribute to an initiative or combine resources could do so while others remained outside.¹⁹ However, to be effective PESCO needs ‘real but realistic criteria, a permanent capability generation conference and promotion of pooling and sharing’²⁰ Lisbon offered no means to guarantee either actorness or enhanced capability, and, like the European Security Strategy (2003) it therefore provided no practical guidance for

11 Solana 2003.

12 Council of the European Union 2004.

13 Major and Mölling 2013,45–62; Smith 2012; Smith 2013: 25–44.

14 Duchêne 1972, 32–47.

15 Howorth and Menon 2009,727–744.

16 Daehnhardt 2011, 35–56.

17 Lisbon Treaty 2007.

18 Biscop 2012, 1303.

19 Witney 2008; Drent and Zandee 2010; Biscop and Coelmont 2010.

20 Biscop and Coelmont 2010, 2; Biscop and Coelmont 2011, 149–152.

achieving declared ends. Questions remained concerning how and to what extent states would pool resources, and with what reaction from those outside the participating core.²¹ PESCO ought to have delivered on the European Defence Agency's Capability Development Plans,²² but it remained handicapped by unclear strategic objectives, no clear means of implementation and concerns over costs, exacerbated by financial crisis.²³ This has become less a question of mere expenditure, and more of risk that the financial crisis is diverting attention from the need for capability enhancement. PESCO lacked state backing, in terms of operational effectiveness and for capacity building.²⁴ In four years it brought no obvious results,²⁵ which is a view that is shared by former HR-VP Catherine Ashton, who described member states' appetite for PESCO as 'limited.'²⁶ Frustrated by lack of progress, British commitment to CSDP further declined. The same was true of France. The 2013 *Livre Blanc* on defence and security expressed commitment to CSDP, but also frustration with the low defence spending by European allies.²⁷ Then France, too, cut its defence spending.²⁸

The financial crisis dealt a blow to defence spending across Europe. It could never be politically acceptable to increase defence expenditure while making cuts in domestic policy fields, so defence budgets faced further reductions. The scale of commitment to CSDP, never considerable, was thus further reduced. Even so, CSDP is however engaged in the interdiction of piracy in the Gulf of Aden,²⁹ which has been broadly successful in containing piracy along the Somali coast. It includes contributions from 20 member states.³⁰ EU NAVFOR MED SOPHIA³¹ is the most recent military operation. It is designed to combat human trafficking and illegal migration in the Mediterranean and assist humanitarian rescue. Sophia too is viewed positively, although it makes only a marginal contribution to the enormous challenge in confronting Europe's refugee and asylum crisis, a situation provoked by chronic instability across the MENA and Sahel regions. To date CSDP has overseen 27 civilian crisis management missions. The EU has become a crisis management actor of some substance. Moreover, the EU has set up a complex institutional architecture presided over by the High Representative – now also Vice President of the Commission – supported by the European External Action Service (EEAS) launched in 2010, which further aids missions and operations.

21 Whitman and Juncos 2009, 43–44.

22 EDA 2014.

23 Major and Mölling 2010a, 11–28.

24 Biscop 2012, 1297–1313.

25 Klein and Wessels 2013, 449–470; Major and Mölling 2013, 45–62.

26 Ashton 2013a.

27 Présidence de la République 2008.

28 Simòn 2013, 38–44.

29 Winn and Lewis 2017, 2113–2128.

30 EEAS 2017a.

31 EEAS 2017b.

Common Security and Defence Policy in Times of Crisis

And yet, the ambitions signalled at Saint Malo and Helsinki have not been realised. In 2018 the Union stands at another crossroads, perhaps its most significant since the Eastern Enlargement. It is assailed by international security challenges: a resurgent and militarily aggressive Russia, where President Putin has demonstrated Moscow's geopolitical priorities by backing the regime of President Bashar al-Assad against the US and its western allies. Despite sanctions Moscow has not backed down from its annexation of Crimea, and remains supportive of the pro-Russian insurgency in the Donbas region of Ukraine. This, together with the placement of missiles in the Russian enclave of Kaliningrad, has alarmed the former Soviet Baltic states Estonia, Latvia and Lithuania, now EU member states. Second, the continuing migration crisis which began following the Arab Spring in 2011 has brought hundreds of thousands of migrants and asylum seekers to the shores of Europe. Upwards of 2.5 million additional people are currently in Lebanon, Jordan and Turkey. An EU-brokered deal with Turkey to keep migrants away from the EU's southern borders has been heavily criticised and is vulnerable to the whims of Turkey's unpredictable and authoritarian President, Recep Tyyip Erdoğan. EU–Turkey relations are at an all-time low, in spite of the migration deal, and the risk of its breaking down is real. The scale of the already huge crisis could become unmanageable. There is no suitable solution in sight as the fundamental causes - war, poverty and failed states across the Middle East/North Africa/the Horn of Africa and even the Sub-Saharan region – are not being addressed. A third challenge is the continuing terrorist threat present throughout Europe following the deadly attacks in several member states since 2011.³² This threat alone requires an upgrade in security and intelligence cooperation and although the issue of the UK's presumed departure from the Union should not affect cooperation in this area, nothing can be taken for granted. A further developing threat concerns cyber security. This requires not only sophisticated trans-border cooperation, but also investment in research, resources, and capability. All these threats are identified in the European Union Global Strategy (EUGS) of 2016.³³

A further risk factor is the mixed messages that are coming from the United States. President Trump began by describing NATO as an anachronism while his Special Adviser Stephen Bannon appeared to wish that the EU would disintegrate entirely, which would mean a reversal of 60 years of US diplomacy in support of European integration.³⁴ And finally, there is the potential impact of Brexit, with the UK on a path to leaving the EU which poses a risk to CSDP and any putative EU defence capability³⁵ as the UK remains the Union's highest military spender, and France being the only other EU member state capable of power projection. The UK Government has reiterated its support for the exist-

32 Newsweek 2017.

33 EUGS 2016; Mogherini 2016.

34 Crowley 2017.

35 Chalmers 2017.

ing security structures in Europe; however, for several years it has viewed CSDP as a low priority and NATO as Britain's only substantial defence interest.

So where, in this time of multiple uncertainties, does the Union sit in respect of its traditional association with civilian power,³⁶ soft/normative power³⁷ and its aspiration, restated in the EUGS (2016),³⁸ to be a global security provider?³⁹ Significant enabling structures have emerged in recent times, and as a result the Union can, and does, intervene in civilian crisis management (CCM). However, the pressing concern is the capability and political will to ensure that this process develops in line with the severity of the security challenges. Europe cannot continue to rely on others for its own security. In apparent recognition of the gravity of the challenges facing the Union, twenty-five member states finally took action, through the Council, to formally launch PESCO.⁴⁰ The UK, perhaps unsurprisingly in light of the Brexit process, is not one of the 25 PESCO signatories. PESCO now has commitment from 25 member states and the legal authority of the Council behind it.⁴¹ It is accompanied by the Coordinated Annual Review on Defence, which operates under the auspices of the Commission and uses a benchmarking approach to assess compliance of the members. This too can benefit from the working characteristics of the OMC based on looser forms of cooperation, which should suit the traditionally heavily sovereignty-based area of defence cooperation.

Brexit remains a potential threat to the Union's security ambitions. Most commentators believe that a close security arrangement between the UK and the EU is not only desirable, but that it is of such fundamental importance to both that there is actually no alternative. Confusingly perhaps, High Representative Federica Mogherini has played down the importance of Brexit, saying that the UK contribution to CSDP was already slight and that the Union can live without the British participation. She cited the British contribution to CSDP's civilian activities as being only three per cent, and in military operations only 6 per cent.⁴² It is surprising that she is downplaying the UK contribution; however, the explanation for this could be that, in defence terms, Britain's contribution matters enormously and is provided through NATO, and that she is making a clear distinction between CSDP crisis management matters and NATO collective defence matters. In humanitarian crisis management and other non-defence related security matters, the EU can manage without the UK or benefit only from its minimal engagement. Perhaps CSDP no longer intends to honour its historical commitment to the autonomous defence in Europe, despite continued calls from security experts, as well as Mogherini herself, to do

36 Duchêne 1972, 32–47.

37 Manners 2002, 235–25.

38 EUGS 2016.

39 Winn 2018.

40 European Council 2017a; European Council 2017b; European Council 2017c; EEAS 2017c.

41 Biscop 2017b.

42 Mogherini 2017a.

just that.⁴³ At the same time, it is important to underline the nature of the comprehensive approach, wherein security depends also on economic development, as affirmed by the HR-VP in Rome during the events organised to mark the 60th anniversary of the Treaty of Rome, at which she stated: “Humanitarian and development aid are also investments in our security ... The EU must also do more on economic and social integration.”⁴⁴

The EUGS (2016) argues for the consolidation of the CA.⁴⁵ This is not a new ambition. The Petersberg Tasks, articulated in 1997, represented an early version of the CA. Two things happened later on, especially since the Lisbon Treaty. On the one hand, Lisbon affirmed the intergovernmental approach underlining the primacy of member states in CFSP, even though in reality the bigger picture happens to be more complex. The traditional Community method applied to the Single Market consists of Commission policy initiation, with the Council and Parliament legislating to align the Directives with regulations decreed by the Commission in areas of Community competence. Now known as ordinary legislative procedure (OLP) or co-decision, this has been complemented by other forms of EU governance, notably OMC, appearing in areas formerly under strict member state competence. Processes analogous with the OMC may also operate in common foreign and security policy, benefiting from the proactive diplomacy of the HR-VP and policy entrepreneurialism from the Commission and other Brussels-based institutions, notably the EDA and the EEAS. In this context, Brexit could provide an opportunity for greater rather than lesser CSDP engagement, especially as in the recent years successive UK defence ministers and the UK political establishment generally have been lukewarm or even entirely negative in their approach to CSDP and any EU role in defence. Evidence of this is the agreement by EU ministers, after the UK referendum and without UK government participation, to move towards the EU Military Headquarters, and the Commission’s launch of an EU defence research fund.⁴⁶ Previously the UK would have blocked these initiatives, but with the ‘awkward partner’⁴⁷ out of the way there is potential for EU institutions or other interested parties (HR-VP, Commission, EEAS, EDA) to develop defence and security-related initiatives that may lead to common policy or further instances of pooling and sharing. PESCO finally promises to potentially be more effective following the Council agreement to activate the process in 2017.⁴⁸ The HR-VP has intimated that Brexit provides an opportunity for greater Union engagement in defence.⁴⁹

Developing the Comprehensive Approach: A Variant of Open Method

43 Biscop 2015; Biscop 2017a; Zandee 2015, 105–108; Whitman 2017, 521–525; Witney 2008; Witney 2017; Mogherini 2016.

44 Mogherini 2017b.

45 EUGS 2016.

46 European Commission 2016b.

47 George 1998.

48 European Council 2017; EEAS 2017c.

49 Guardian 2016.

of Coordination

Commentaries on the Lisbon Treaty anticipated the potential for the European External Action Service to act as a policy entrepreneur or even a fully-fledged institution⁵⁰ while also underlining the notion that Lisbon would consolidate the comprehensive approach by establishing a greater role for the Commission.⁵¹

What has emerged post-Lisbon is a networked decision-making process which belies the notion of intergovernmentalism being the key means through which CSDP operates. Indeed, what has emerged bears comparison with the OMC. Post-Lisbon, under the leadership of the High Representative and Vice President of the Commission (HR-VP), CSDP represents a new variation of OMC. The EUGS (2016) provides a framework in terms of ambition, leadership is authored by the HR-VP herself, and there are multiple stakeholders engaged in the process, most importantly the member states but also partner organisations including the African Union, United Nations and NATO, all of whom play some part in many CSDP missions and the overall pursuit of CSDP objectives, and all are referred to in the EUGS.⁵² EU member state involvement reflects the traditional intergovernmental origins of foreign and security policy, but since Lisbon the Commission became an increasingly important player in CSDP processes. The Commission is the leading sponsor of the comprehensive approach which encompasses trade, aid and development as well as the staple interests of CSDP in CCM, post-conflict stabilisation, police and military training and other development-related tasks. Central to this is the network of 141 EU Delegations worldwide, staffed by and under the governance of the Commission, but also integrated within the CSDP framework.⁵³

The Commission has assiduously developed its own role in EU security, notably through initiating a new defence research fund, the board of which includes representatives from the member states, the HR-VC, the EDA, and industrial partners. The EDA has attempted to provide a benchmarking dimension together with capability development plans (CDPs) and reports on pooling and sharing initiatives. The EDA reports on 'cooperative capability projects'⁵⁴ including Air-to-Air Refuelling, countering Improvised Explosive Devices (IEDs), helicopter training, air transport, military satellites and maritime surveillance, while the HR and the European Council advocate joint efforts to develop unmanned airborne vehicles (UAVs), Air-to-Air Refuelling, satellite communications and cyber security.⁵⁵ The Council meeting in December 2013 was preceded by preparatory papers from

50 Kaunert and Léonard 2012; Dijkstra 2012, 454–472; Biscop 2011; Crowe, 2008; Mauri and Gya 2009, 4–10; Grässle 2011; Martin 2013; Sus 2014, 56–85.

51 Zwolski 2012a, 68–87; Zwolski 2012b, 988–205; Blockmans and Wessel 2009, 265–308.

52 EUGS 2016.

53 Ashton 2013b.

54 EDA 2013; EDA 2014.

55 Ashton 2013c.

the HR/VP,⁵⁶ the Commission⁵⁷ and the European Parliament.⁵⁸ These documents suggest enhanced cooperation, a strengthening European strategic culture and ambition towards improved capability, and even actorness, defined as: ‘(the) capacity to behave actively and deliberately in relation to other actors in the international system.’⁵⁹

EU activities under foreign and security policy increasingly reflect the multiple stakeholder nature of the Union’s commitment to regional and global security, including its own defence interests and those of the member states. There is an ever closer EU/NATO partnership, evidenced by the EUMS hosting a joint conference with NATO International Military Staff in November 2016, at which the need for closer collaboration between both was underlined, supplementing the EU/NATO Joint Declaration agreed at the margins of NATO’s Warsaw Summit in the summer of 2016.⁶⁰ NATO itself has none of the UK’s reservations concerning a stronger EU role in security and defence.

The role of the EEAS is vital, not only in its support tasks underpinning operations and missions, but as an information and expertise provider to the PSC, the Commission, COREPER, and of course the HR-VP. Within the diverse and multi-agency multi-stakeholder panoply of CSDP interests, the EEAS has become a major player (see Fig.1).

56 Ashton 2013c.

57 European Commission 2013c.

58 European Parliament 2013.

59 Sjöstedt 1977, 21–39.

60 European Council 2016.

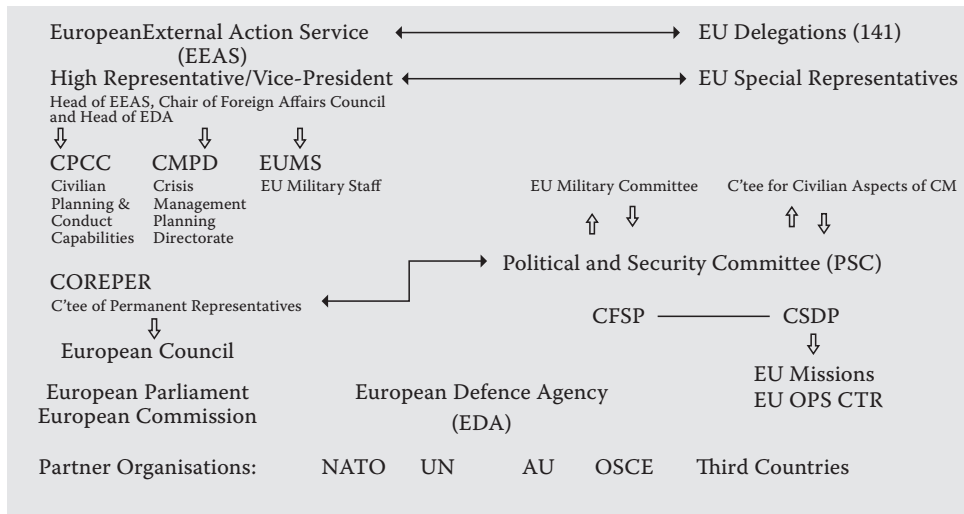


Table 1: CSDP Structures (based on ISIS, 2013)⁶¹

A notable post-Lisbon innovation within the EEAS is the Crisis Management Planning Directorate (CMPD) tasked with improving coordination between civilian and military aspects of crisis management.⁶² The CMPD is central to mission planning and policy implementation, responsible for drafting a crisis management concept (CMC) which covers the political and military aspects of a crisis intervention. The military input comes from the EU Military Committee (EUMC) and EU Military Staff (EUMS)⁶³ while civilian expertise comes from the Committee on Civilian Aspects of Crisis Management (CIVCOM)⁶⁴ and the Civilian Planning and Conduct Capabilities unit (CPCC), the latter being operational since 2007–08 and reflecting the military structures already existing between the EUMC and EUMS.⁶⁵ The CPCC is under PSC control and strategic direction, and under the HR-VP authority. It ensures effective planning and implementation of civilian CMOs. Following the advice of the EUMC and/or CIVCOM, the crisis management concept is negotiated in the PSC. Once agreed, it is forwarded to the Permanent Representatives Committee (COREPER) and the Council for approval.⁶⁶

With leadership from the HR-VP and increasing institutional policy entrepreneurship, as well as the engagement of many stakeholders, CSDP can develop a character and an approach that goes well beyond dependency on member states for policy-making. The HR-VP is clearly set on a momentum towards greater commitment to CSDP and humani-

61 Source: Authors.

62 Gebhard 2009; Drent and Zandee 2010, 39; Stevens 2012.

63 EEAS 2016a.

64 Council Decision 2000; European Council 2000.

65 ESDP 2008.

66 Björkdahl and Strömviik 2008.

tarian intervention. As noted above, the EEAS could potentially develop a significant role in promoting the Union as a security actor, and raising the profile of the EU and its missions under the framework of CSDP.⁶⁷ It is already apparent that the HR-VP can promote the EU as a competent security actor, even within a highly constrained budget. The EEAS/CSDP accounts for only around €7bn from a combined EU budget of approximately one hundred times that amount.

The EEAS is therefore beginning to resemble a form of supranationalism without authority, since it lacks autonomous decision-making capacity. Nevertheless, the notion that intergovernmentalism is the sole CFSP means of policy-making is now entirely anachronistic.⁶⁸ The EEAS reaches far beyond the PSC and member state-controlled frameworks. One third of EEAS staff is Commission-appointed, although Martin (2013) considers the relationship between the EEAS and the Commission somewhat tetchy, partly because the EEAS budget is so small, just €489m in 2012, equivalent to Portugal's development expenditure or Slovenia's defence budget,⁶⁹ but typically described in Britain as 'excessive'.⁷⁰ The Commission finally published a document defining the Commission-EEAS working relationship,⁷¹ but Sus concludes that its effectiveness requires all sides to act in accordance with its guidelines.⁷² The large number of organisations in the Quality Support Group initiated by the Commission paper indicates the complexity of communication channels including representatives from the EEAS, DG DEVCO, DG ENLARG, DG TRADE, DG ECFIN and the EEAS for Foreign Policy Instruments.⁷³ Various analyses of the genesis of the EEAS comment on its difficult beginnings marked by institutional rivalries between the Commission, the Council and the Parliament and between the HR-VP and the Parliament.⁷⁴ On the other hand, others note the potential for the EEAS to become a key policy innovator,⁷⁵ especially if supplied with effective leadership. Howorth commented on the reluctance of member states to accept a significant role of the EEAS, coupled with an equal understanding that it could provide 'greater policy coordination and coherence'.⁷⁶

As the EEAS has consolidated, it appeared to contribute to supranational governance despite its intergovernmental foundations. This was abetted by a developing relationship

67 Biscop 2011; Crowe, B. 2008; Grässle 2011; Martin 2013; Mauri and Gya 2009; Sus 2014, 56–85.

68 Harris 2012.

69 Martin 2013.

70 Telegraph 2013.

71 European Commission 2012.

72 Sus 2014, 70.

73 *Ibid.*

74 Archick 2014; Dinan D. 2011, 103–121; Howorth 2013, 5–17; Sus 2014, 56–85.

75 Crowe 2008; Avery 2007.

76 Howorth 2013, 16.

between the EEAS and the Parliament.⁷⁷ The current HR-VP is significant in the emerging supranational contribution of the EEAS, as it consolidates bridges between the Commission and CSDP and the Council.⁷⁸ The EEAS may be a beneficiary of what Beem (2009) refers to as 'agency slippage'.⁷⁹ This was limited under Catherine Ashton but is more evident under her successor, Federica Mogherini. The effectiveness of the EEAS is dependent upon the quality of its leadership, since it operates under the authority of the HR-VP.⁸⁰ In Ashton's defence, she may have been primarily preoccupied with establishing the new EEAS. But Fiott speculates that the limited effectiveness of the former High Representative may relate to her being British, and that the prevailing culture of the UK political establishment restricted her freedom of action. Indeed, the House of Lords (2013) report on the risk of growing EEAS influence was extremely cool.⁸¹ Mogherini, on the other hand, has been more proactive. The EEAS is a service provider but also an important facilitator of policy initiatives through its capacity to exploit multiple stakeholders and communication channels between institutions, and along with the EDA it can be an effective policy driver. All of this constitutes an important set of developments in CFSP. While the EEAS is a long way from becoming a fully-fledged institution, its influence continues to grow and it could become 'an influential policy actor in its own right'.⁸²

The architecture is in place for CSDP to play a growing role in EU security, and even defence. As its name implies, the EEAS functions as a service organisation facilitating and informing mission preparation and deployment through its constituent parts, notably the EUMS and EUMC. Perhaps the most significant enabler of progress following the Lisbon Treaty has been the HR-VP. Lisbon enhanced the status of the High Representative, adding the position of Vice President of the Commission, thus facilitating a bridge between intergovernmental and supranational institutions. It also gave the HR-VP responsibility for leading the EEAS. These structures suit OMC, using benchmarking and stakeholder participation without legislative outcomes that are subject to the legal competence of the CJEU. A central dimension to understanding CSDP in an OMC context is the engagement of many stakeholders in the policy process. The multiple hats of the HR-VP seemed at first to constitute a weakness,⁸³ but perhaps they have turned out to be a strength especially given Federica Mogherini's proactive and energetic leadership. She is also Head of the EDA, and has direct channels to state ambassadors in the Political and Security Committee. Having the EEAS at her disposal also means that she can profit from considerable expertise and common ambition throughout the CSDP secretariat. Lisbon set up a policy-making architecture that can complement institutional channels as well as work-

77 Archick 2014; Martin 2013; Mix 2013.

78 Klein and Wessels 2013, 449–470.

79 Beem 2009, 497–519.

80 European Council 2010.

81 House of Lords 2013.

82 Wallace and Reh 2014, 82.

83 Allen and Smith 2011: 209–230; Dinan 2011, 103–121; Grässle 2011; Howorth 2014.

ing through conventional intergovernmental processes where crisis intervention is concerned in national, foreign ministries, the PSC and COREPER, as well as agenda-setting by the European Council.

The Council set key goals at the June 2013 Council⁸⁴ and again two years later,⁸⁵ requiring the HR-VP to draw up an EU Global Strategy, which was implemented in June 2016 immediately after the Brexit referendum.⁸⁶ It barely mentioned Brexit, its clear intention being to affirm that integration should continue. The HR-VP and the EEAS are also decisive in securing incremental improvements to CSDP implementation, using a 'lessons learned' approach and attempting to push member states towards enhanced ambition and capability. In this respect, the key benchmark provider is the EDA and its Capability Development Plans. A step-change for CSDP occurred at the end of 2016 with the adoption by the Commission of the European Defence Action Plan.⁸⁷ This shows the growing engagement of the supranational Commission in a traditionally intergovernmental policy field.

Impediments to an effective CSDP and the limited nature of the transition from civilian power to a comprehensive power were rooted in the dominance of intergovernmentalism. Any member state could exercise a de-facto veto, and the UK was indeed inclined to use this, as it did in blocking the creation of an EU military headquarters. Freed from the constraints imposed by London, the EU Council took steps towards creating an EU military command in December 2016, agreeing to set up a Military Planning and Conduct Capabilities Unit, with control of some missions including training troops in Mali, Somalia and the Central African Republic.⁸⁸ In addition, without the risk of a British veto, throughout 2017 the Council affirmed further steps in security and defence cooperation, including the potential implementation of PESCO to deepen security cooperation and defence engagement, which was confirmed by 25 member states at the December Council.⁸⁹

Activating PESCO will push the question of capability and political will to the fore. The Union stands at another crossroads, but agreement to activate PESCO signals a fresh commitment. New challenges may emerge. How would PESCO respond to security crises that demand a defence capability, including fire-fighting in a situation of armed conflict, for example a putative outbreak of violence in Bosnia, or Kosovo? There has been no armed violence in either theatre since the EU interventions under CSDP in 2004 and 2008 respectively, but the risk has not dissipated. It is assumed that the EU could and surely would deploy a Battlegroup, the latter operational since 2007 but never deployed. Launching a Battlegroup would be a highly significant development of CSDP. How would

84 European Council 2013.

85 European Council 2015.

86 Mogherini 2016.

87 EEAS 2016b.

88 Barigazzi 2017.

89 European Council 2017a; European Council 2017b; European Council 2017c.

the Union respond in the event of a direct threat to the territorial integrity of Estonia, Latvia or Lithuania? Biscop is adamant that relying on the US or NATO is fast disappearing as an option and says it is high time that member states stepped up to the plate and prepared for their own defence.⁹⁰ Europe, however, still relies on the Atlantic Alliance to guarantee its collective defence and this empirical fact will not change soon. Any EU defence arrangements are subservient and yet also complementary to NATO enhancing the capabilities of the latter.

The defence relationship between NATO and the EU is undergoing development. Member states have consistently affirmed that the objective of EU defence capabilities is to support CSDP and not to compete with or duplicate NATO resources. PESCO is designed to meet security challenges, but also to make EU capacities available to NATO or the UN.⁹¹ The time for reticence in defence cooperation may be passing. EU member states are taking steps to enhance European capability separately under CSDP, but also in support of NATO. European members of the Alliance ought to constitute an adequate armed capability to deter aggression against any EU or NATO member state. This requires a substantial capability upgrade to give European members the capacity to undertake military action independent of the US. The UK has repeatedly confirmed its commitment to European defence, although it is not party to the PESCO initiative of 2017.⁹²

Enhancement of capability does not simply require increased spending. On the contrary, more intelligent and better targeted spending can achieve significant capability enhancements. In times of austerity, higher spending is politically unpalatable. Nevertheless, increasing capability will require expanded budgets. Key to the Union's development of defence capability is effective coordination and partnership with NATO precisely to avoid competition, or duplication. An enhanced EU capability ought to benefit NATO and satisfy the interests of non-EU members of NATO, especially its major contributor, the USA, and its second most significant member, the UK.

Current EU engagement in CSDP suggests the EU is already well beyond being merely a civilian power, although most CSDP activity is civilian-oriented. The focus of attention in CSDP is conflict prevention in Europe's near abroad and civilian crisis management. The current military engagement of CSDP consists of operations in Bosnia and Herzegovina, EUFOR Althea, off the coast of Somalia EU NAVFOR ATALANTA, and the humanitarian naval rescue operation in the Mediterranean, EU NAVFOR MED SOPHIA.⁹³ The design and aims of the latter operation match the comprehensive ambitions of CSDP and the EUGS. According to the EEAS:

90 Biscop 2017a.

91 EEAS 2017c.

92 Ministry of Defence 2017; UK Government 2017.

93 EEAS 2017b.

EUNAVFOR MED operation Sophia is but one element of a broader EU comprehensive response to the migration issue, which seeks to address not only its physical component, but also its root causes as well including conflict, poverty, climate change and persecution.⁹⁴

But critics of CSDP say its impact and capability remain marginal and do not alter the general truth that many EU member states still reflect a ‘peace dividend’ mentality that arose following the end of the Cold War, and a tendency to acquiesce in a strategic culture that is barely strategic at all. In some member states a pacifist and purely civilian mindset remains dominant. The former US Secretary of Defence Robert Gates criticised the European NATO members for failing to meet their NATO obligations.⁹⁵ President Trump repeated the same message in his Presidential campaign in 2016, while in April 2017 a Veterans for Britain report in the UK described European forces as ‘threadbare’ and woefully under-prepared for facing a military and security crisis.⁹⁶ The same organisation, which is vehemently anti-EU/Eurosceptic, has previously condemned the European Commission for wanting a much stronger EU defence.⁹⁷ Former British defence Secretary Sir Michael Fallon and his US counterpart General James Mattis also condemned EU partners for not meeting the two per cent of GDP threshold indicated for defence spending. Only five European NATO members comply with this level.

Conclusion

This paper has argued that CSDP, despite its evident deficiencies in terms of member state commitment and limited resources, has made significant institutional gains since the Lisbon Treaty. The structures that now exist, centred around the HR/VP and the EEAS, demonstrate a complex network of engagement that reaches across supranational and intergovernmental institutions, while also incorporating important relationships with external stakeholders, including industry and other international institutions, as well as EU member states. The EEAS bureaucracy, populated by technocratic and regional experts, has also developed apace, and recent developments, especially following the UK’s apparent decision to leave the European Union, suggest greater interest in a more coherent common security and defence policy. A striking change appears to be taking place. In a policy field formerly exclusively dominated by member state governments, the post-intergovernmental network and stakeholder involvement that is now apparent begins to reflect not pure intergovernmentalism, but a form of OMC, whereby states are beginning to recognise the benefits of cooperation involving EU institutional actors, including the HR-VP, EEAS and the Commission. Together with the European Council’s commitment to activate PESCO, this is a striking change that is likely to

94 *Ibid.*

95 Gates 2011.

96 Veterans for Britain 2017a.

97 Veterans for Britain 2017b.

develop further in future. The one major caveat remains that resourcing and political will must always come from the EU's member states. In this respect, they still 'call the shots' in EU foreign and security policy, even within the context of enhanced forms of cooperation defined by OMC.

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