



## Foreword

I am honored to write the foreword for the third edition of Federiga Bindi's classic textbook on the foreign policy of the European Union. As I write, I am recalling my recent visit to Washington, D.C., to meet with the new U.S. administration. I departed with a very positive feeling of how we will continue to deepen and strengthen a well-balanced transatlantic partnership.

The book demonstrates that since the implementation of the Lisbon Treaty, the EU has substantially progressed in virtually all foreign policy areas. However, for Federiga Bindi and her co-authors, the problems encountered by an EU foreign policy are institutional and procedural in nature. In the introduction, Bindi writes, "as long as unanimity is the rule in foreign policy, the EU will be unable to be effective or even significant."

I tend to agree with that, but I know that even to abandon unanimity will require unanimity.

Indeed, during my hearing as Commissioner and High Representative and Vice President-designate of the European Commission in the European Parliament in October 2019, a member of Parliament asked me if I realized that I was a candidate for a "mission impossible." Although it is not an impossible mission, it is certainly a difficult one. The High Representative is in charge of coordinating and carrying out the EU's Common Foreign and Security Policy and the Common Security and Defense Policy. To this end, the HR/VP chairs the Foreign Affairs Council, striving for consensus on foreign policy priorities and on security and defense issues, and the council meetings in defense minister formation. Concurrently, as Vice President of the Commission, the HR/VP oversees the

different aspects of the EU's external action that are fully or partially community policies (for example, trade, development cooperation, neighborhood policy, and humanitarian aid). In short, being HR/VP involves almost as much "internal diplomacy" as ensuring the overall coherence of the EU's external action.

Because of our diversity and different historic realities, Europeans north, south, east, and west often do not have the same understanding of the world. Let me give a personal example to illustrate this. Cold War dynamics provoked contrasting points of view in different parts of Europe. My Polish friends often say that they owe their freedom to Pope John Paul II and to the United States under Ronald Reagan, because they won the Cold War. And they are right. However, like many Spaniards, I also believe that we owe forty years of Francisco Franco's dictatorship to the United States and the Pope. Franco was able to stay in power for such a long time because he first had the support of the Catholic Church and later of the United States in the context of the Cold War. How are we to share the same understanding of the world from such different historical experiences?

As a result, we have taken fundamentally different approaches on key foreign policy issues. Events such as the breakup of the former Yugoslavia, the 2003 invasion of Iraq, Kosovo's declaration of independence, the Libya crisis, and Turkey's actions in the eastern Mediterranean have often paralyzed the EU's decisionmaking processes and weakened our reactions and actions. Indeed, sometimes the key challenges we face in our foreign policy are domestic in origin. I have been involved in European politics for many years now, and I am, of course, aware of how different the Europe of twenty-seven is from the Europe of twelve. Differences of perception and of priorities within Europe have undoubtedly increased since the eastward expansion that brought in new member states after the demise of the Soviet Union. This diversity of nations is not the only reason that we cannot find common ground: the view of migration, for example, is not based solely on debtors and creditors, east-west or north-south, and does not mainly affect countries already members of the European Union before the latest enlargement.

Despite a diversity of perspectives, the EU has managed many successes: from the creation of the European External Action Service (EEAS), to the 2013 landmark deal between Belgrade and Pristina in the EU-facilitated dialogue, the decisive contribution to the Joint Comprehensive Plan of Action (JCPOA), the conclusions of the 2014 new generation Association Agreements with Ukraine, Georgia, and Moldova, the Global Strategy of 2016, the Permanent Structured Cooperation (PESCO), the Comprehensive Economic Trade Agreement (CETA) with Canada, the 2020 new Africa Strategy, or the 2020 Strategic Part-

nership with the Association of Southeast Asian Nations, not to mention the increased role in counterterrorism and migration policies by the EU's Justice and Home Affairs division.

The following chapters highlight these successes while also capturing shortcomings and frustrations, such as an often too slow and atrophying of the Common Security and Defense Policy (CSDP), reduced traction in the Balkans after the 2013 agreement, the still-lingering EU-MERCOSUR (Common Market of the South) agreement, the CETA agreement only provisionally entered into force, ongoing difficulties in the negotiations with the African Union, the almost nonexistent EU role in the Middle East, and fraught transatlantic relations (admittedly, not fully a failure of Europeans). The global challenges we face today make it essential that Europe steps up its game. As Abraham Lincoln once said: "You cannot escape the responsibility of tomorrow by evading it today."

Regarding the United States, there is one aspect on which I fully concur with President Joe Biden. The European Union and the United States might not always agree on everything, but we do, however, remain the largest security and peace providers globally, and we want to deepen and strengthen a well-balanced transatlantic partnership. We must join forces to counter the rise of authoritarianism, abuse of human rights, and corruption. On China, our approach is increasingly aligned, based on seeing China as a partner, competitor, and systemic rival simultaneously. Since the Ukraine crisis in 2014, the EU and the United States have also worked together to push back against Russia's destabilizing behavior and to uphold the principles of sovereignty and territorial integrity. We applied sanctions in coordination where possible. At the same time, we should also strive for cooperation with Russia and China when necessary and possible and continue to engage on issues that are in our interest and as the situation merits.

What can be done to create unity in this complex system? Our EU foreign and security policy remains an exclusive competence of member states, and decisions in this area must be taken unanimously, which means each country has veto power. Many of these decisions are binary, such as whether or not you recognize a government, or whether or not you launch a crisis management operation. And yes, this can often lead to blockages.

The required unanimity in the EU's foreign policy stands in stark contrast to other policy areas, from the single market to climate or migration, where the EU can take decisions by qualified majority (55 percent of member states and 65 percent of the population)—despite the fact that some of these issues might often cause dissension as much as any issue in foreign policy. In areas where the

EU can decide by qualified majority, however, it makes very little use of this decisionmaking method. Why is this? We should prefer to seek compromises on which everyone can agree. To achieve this result, all states must agree to invest in unity. The threat of potentially being overruled by qualified majority voting encourages them to do so.

From the very beginning of my term of office, I have argued that if we want to avoid paralysis in foreign policy, we should consider making certain decisions without the full unanimity of the twenty-seven member states by qualified majority voting. For example, in February 2020, when the launch of Operation Irini to monitor the arms embargo on Libya risked being blocked, I raised the question whether it was reasonable for one country to be able to prevent the other twenty-six from moving forward when that country would not participate in the operation anyway.

It is not, of course, about subjecting all foreign policy decisions to qualified majority voting. But it could be used in areas where we have frequently been blocked in the past—sometimes for reasons totally unrelated to the issue—such as on human rights or sanctions. We saw this, for instance, on the question of sanctions following the rigged presidential elections in Belarus. It took us almost two months to decide on them, and our credibility was at stake, because we had to find agreement on an unrelated issue that had been linked to these sanctions.

Exceptions to decision by unanimity certainly exist. It is sometimes preferable (and this has already happened under my watch) that a substantial position supported by only twenty-five member states be announced, rather than waiting for all twenty-seven to find consensus—reducing the text of a declaration supported by all twenty-seven member states to the lowest common denominator. The Lisbon Treaty further provides for “constructive abstention,” which can also be used when a country does not support a position but cannot prevent the Union from moving forward. This is how, for example, the EULEX mission in Kosovo was launched in 2008.

Beyond procedural changes, what can be done? The first answer lies in building a common strategic culture: the more Europeans agree on how they see the world and its problems, the more they will agree on what to do about them. But this will take time. In the meantime, we must be able to make decisions on difficult issues as they arise. We want to achieve this by articulating a common vision for EU security and defense titled “strategic compass.”

Second, Europe must also be quick to identify and offer full political and economic support to those leaders who demonstrate the capacity to put a coun-

try on the right course. Some have made impressive strides, and I believe that we should do more to help them succeed.

Finally, the European Union must learn to speak the language of power, that is, to better use the variety of its resources in a way that maximizes the EU's geopolitical impact. To reach our political goals, we must use the full range of our capacities, to capitalize on Europe's trade and investment policy, financial power, diplomatic presence, rule-making capacities, and growing security and defense instruments.

*Josep Borrell*

High Representative and Vice President, European Union



## Acknowledgments

I am taking this opportunity to thank all my colleagues who have contributed chapters for their patience with me and with my tardiness in completing this book. Begun in Washington, D.C., at the Carnegie Endowment for International Peace, this new edition was finally wrapped up thanks to the energy and the good vibes, as my son, Giorgio, would say, of one of the most amazing towns in the world: Boulder, Colorado. The Great West certainly gave me a different perspective on global affairs, and of the EU in it. It is a reminder (are you listening, EU?) that one should never waste a good crisis: without COVID-19 and remote working my family and I would have probably never moved here. A big thank you goes to my husband, Giulio, for agreeing to yet one more crazy adventure together.

I also want to heartily thank my wonderful editor at the Brookings Institution Press, Bill Finan, for his patience, support, persistence, and humanity without which the book would have never seen the light. I was immensely grateful that he convinced the amazing Janet Walker to momentarily exit retirement and work again with us in copyediting the chapters.

My former research assistant, Gregory Nelson, now on the way to becoming a junior colleague, did a wonderful job at assembling notes and material and in going over some of the chapters. Without him as associate editor I would have never finished it, especially when life happened, rushing me back to my hometown, Florence, as we were wrapping up. Finally, this book was possible thanks to the Erasmus+ Jean Monnet Program's financial support, a program that has been supporting my research for almost two decades.

This book is dedicated to my late dad, the only one in my family to have (proudly) read all my volumes. I love you dad, I miss you every day, and I will love you forever.



THE  
FOREIGN POLICY  
OF THE  
EUROPEAN UNION



## Introduction

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# The *Millefoglie* Foreign Policy

FEDERIGA BINDI

It has been more than a decade since the last edition of this book was published, and, most important, since the implementation of the Lisbon Treaty. Now is a good time to take stock of the European Union's approach to foreign policy. Has the EU finally graduated to a full-fledged foreign policy? And if so, what have been the results?

Since 2010 the European Union has had remarkable successes, namely the Serbia-Kosovo agreement and the Joint Comprehensive Plan of Action (JCPOA) *in primis*, but it has also failed spectacularly at seizing the role of world leader when the United States retreated during the Trump years, creating a power vacuum. That vacuum has been filled by China, Russia, and Turkey, among others, but hardly by the EU. As we shall see, however, that is not only the fault of Brussels, but rather of the national capitals, which, despite events and the global nature of Europe's current and future challenges (the pandemic, climate change, and access to water, food, and medicines, and most recently Russia, to mention a few) insist on the Westphalian approach to foreign policy. And yet, the Westphalian paradigm is outdated: the world has changed and so have the means of communication, the technology, and the relevant actors. Today, a slightly autistic but determined teenager can do more by missing school on Fridays in order to change the world than can hundreds of political leaders meeting weeks at a time.

But let's not get ahead of ourselves. Let's go back to the EU, and to this book. While the first two editions aimed at understanding and exploring the new European foreign policy, this third edition is more interested in assessing it. The volume's approach is similar to the earlier editions in terms of structure and uses a language that is hopefully accessible to all interested readers. Each chapter gives an historical background, an assessment of the decade, and provides policy proposals for the future. As in the first two editions, chapters deal with both "horizontal" and "vertical" issues. Horizontal issues explore themes relevant to the EU's external affairs, while vertical issues focus on geographic regions or countries, from EU neighbors to the Far East, passing by North America, Africa, and Latin America. Horizontal issues include the EU's foreign policy tools, security and defense policy, home affairs and migration, the European Neighborhood Policy, the promotion of human rights and democracy, and counterterrorism.

The questions the authors ask have clearly changed. We still want to know how have relations between the EU and the rest of the world developed historically, but we are particularly interested at how effective the EU has been in those relations since the Lisbon Treaty entered into force. Has the EU had an influence on the world? And in what ways? Has the EU contributed to the development of human rights, peace, and democracy? Has the EU contributed to the economic development of the areas of the world it cares for? Was the EU example attractive enough for other regional groups to follow suit? Is the EU considered a relevant international actor? And are the EU foreign policy instruments adequate?

We are honored by a foreword by Josep Borrell, the European Union High Representative/Vice President but also a former president of the European Parliament and Spanish foreign minister, who thus brings a unique hands-on perspective to EU foreign policy, which well sits with the policy analysis approach of this book.

Part I of the volume is devoted to the foreign policy tools. The chapter on history is like taking a stroll down memory lane. The COVID-19 pandemic has slowed down the pace of the world, and events of just a few years ago seem far away and remote. Much has happened in the last decade, and the chapter aims to walk the reader across time, giving an overall coherence to events and policies that seemingly took place chaotically one over the other.

Nicola Verola, who previously introduced us to the new Lisbon Treaty tools, now assesses them. Have they worked? If not, why, and what should be done to improve them? Can they be improved? The elephant in the room is QMV (Qualified Majority Voting): as long as unanimity is the rule in foreign policy,

the EU will be unable to be effective or even significant, as we shall see over the course of this book.

In the following chapter, Stephanie Anderson explores the European Security and Defense Policy (ESDP). The chapter begins by identifying the problems that the Lisbon Treaty was to address and the changes that were brought about and their rationale. Finally, the chapter documents the EU's achievements and setbacks in its defense and security policies in light of Lisbon. It concludes by assessing the EU's role as a global actor and its prospects for the future.

The chapter by Francesca Longo deals with the external dimension of migration—probably one of the areas that changed most dramatically in the last decade with the arrival in Europe of a mass of people who fled their countries due to safety or poverty. Migration has been perceived by member states as a major challenge, and the salience of migration and asylum policy has become a significant part of the EU's political agenda. Its policy has prioritized the approach to migration, visas, and asylum as “security matters” since the early 2000s.

Gilles de Kerchove and Christiane Höhn discuss another hot topic: counterterrorism. Counterterrorism has been high on the EU's political agenda, in particular since the terrorist attack on the *Charlie Hebdo* newspaper in Paris in early 2015 and the string of attacks in Europe that followed. EU counterterrorism policies have significantly evolved with much progress made. Often, counterterrorism has been the driving force for broader initiatives and measures in the justice and home affairs area, hence contributing to EU integration in this sensitive field. The chapter sets out the terrorist threats the EU continues to face and how the EU has responded, along with some of the remaining challenges ahead.

Democracy, together with the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law, are considered EU founding principles guiding the EU's action at all levels, explains Elena Baracani. After briefly analyzing how the EU institutionalized its democracy promotion activity in the post-Cold War context, Elena Baracani shows how the different crises the EU has had to deal in the last decade undermined its credibility and legitimacy as a democracy promoter and gradually led to a reformulation of an EU foreign policy that prioritizes its own interests rather than stands up for its values.

Part II of the volume is dedicated to the EU and its neighbors.

Tom Casier addresses the European Neighborhood Policy (ENP) in the new geopolitical context. When this policy was launched in 2004, the EU was at the

height of its regional influence. In the same year, the EU accomplished the first stage of its big eastern enlargement. The neighborhood policy was, in the first place, an answer to the new challenges posed by this enlargement. A decade and a half later, the context of the ENP is totally different. The neighborhood has gone through major shifts. Uprisings took place in the Middle East and North Africa in 2011, resulting in political instability and wars in Syria and Libya. In the east, the Ukraine crisis led to the deepest post-Cold War crisis in relations between the EU and Russia. These events put security issues high on the agenda and raised doubts about whether the EU has been successful in creating a “ring of friends” on its borders.

The relationship between the European Union and Russia has long suffered from cognitive dissonance and mutual distrust, claim Serena Giusti and Eleonora Tafuro Ambrosetti. On the one hand, the Kremlin is skeptical of the very nature of the EU. On the other hand, the EU has only recently begun to treat Russia as an equal partner. The EU and Russia remain economically interdependent, but conflict persists in many areas. The chapter looks at how the EU’s policy toward the Russian Federation has changed over time, emphasizing how it has been prominently reactive. Since the formalization of its relations with Russia, the EU has failed to tailor a long-lasting strategy, resulting in an unambitious attitude. This, explain the authors, is the result of many factors: the hybrid nature of EU polity itself; the United States’ influence over Europe, including how to treat Russia; and, probably, the EU’s unreadiness to fully understand the deep and dramatic changes occurring in Russia.

In another case study, Serena Giusti and Tomislava Penkova examine EU policy toward Ukraine. One can only properly understand Ukraine-EU relations by also looking at the wider relations Kiev has with the United States and Russia. Depending on national peculiarities and interests, post-Soviet states envisaged a number of roles for the EU, such as one of normative power, mediator, liberal power, trade partner, bargaining chip, and defender against Russia. Certainly, one of the most important roles was that of an economic partner. For Ukraine, however, the EU’s bargaining-chip role in its relations with Russia has played an important factor.

Addressing another “hot” region in Europe’s neighborhood, the Balkans, Alex Lust argues that there are two mutually reinforcing reasons why the Western Balkans have made slow and uneven progress toward EU membership: the incomplete “stateness” of the Western Balkan countries, from border issues to internal instability, and the inconsistent policies of the EU, favoring some countries but not others. Sarah Norrevik then explores the EU-facilitated dialogue

on Serbia-Kosovo with the goal of understanding what made it work in 2013, but why it now lingers.

Moving south, the book then addresses one of the most contentious issues in the history of EU enlargement: Turkey. For a long time, Turkey's relationship with the EU was predicated on the paradigm of accession. Turkey was historically the second country, just after Greece, to have established a formal relationship with the European Economic Community. Turkey's eligibility to membership was repeatedly confirmed over the years. However, Turkey's progress toward accession is stalled, and Ankara itself is not interested in the process anymore, writes Gregory Nelson, who argues that the country is now rather more projected into being a middle-sized regional power than an EU member.

Sharon Pardo explores EU relations with Israel, one of the oldest relations the bloc has had. Israel in fact was, in February 1959, the fourth country in the world to establish full diplomatic relations with the European Communities. The chapter reviews how the relations evolved across the years and multiple crises. In doing so, he also unveils and discusses the EU's ambivalent attitude concerning the nature of its ties with Israel.

Part III of the volume discusses the relations of the EU with the other continents.

The part begins with a chapter dedicated to the relations between the EU and its most important ally, the United States, the first nation to establish a diplomatic mission to the European Coal and Steel Community (ECSC) in Luxembourg in 1951. I try to walk the reader through the long history of the EU-US partnership, emphasizing the ups and downs of the relationship—the lowest point being the four years of the Trump presidency. Interestingly, the European Economic Community (EEC) seemed to be more proactive and independent from American influence in the 1970s and 1980s, than the EU has been in more recent years. The EU also seemed unable, if not uninterested, in filling the vacuum left in world affairs by the retreat of the United States during the Trump years.

The shadow of the United States is also present in Finn Laursen's chapter dedicated to EU-Canada relations. The chapter looks at the relationship both bilaterally and in a wider context, providing a brief historical overview of the development of the relationship, finishing with an account of the Comprehensive Economic Trade Agreement (CETA), which was signed in October 2016 and provisionally entered into force in September 2017. Based on trade shares, the relationship is asymmetrical, with Canada having a relatively greater interest in developing freer trade and more cooperation than the EU. In this scenario, the

United States is the third side of the triangle affecting the relationship because of its importance to both Canada and the EU.

In a chapter dedicated to the EU's relations with Latin America and the Caribbean, Joaquín Roy recalls that it was only after Spain and Portugal joined the EU that relations with Latin America and the Caribbean increased in saliency. Roy argues that the relationship between the EU and the region is unequal but beneficial, inasmuch as the EU is the biggest donor in the region and offers a model for integration. However, little to no progress has taken place in recent years and the EU-MERCOSUR agreement, whose negotiations began in 2000, has still not been finalized. Meanwhile, China is vigorously pursuing engagement with Latin America.

In his chapter dedicated to the relationship between the EU and Africa, Maurizio Carbone reminds us that Africa has always played a major role in European foreign relations. He critically analyzes the provisions of the series of three major agreements between the EU and Africa: the Yaoundé Convention, the Lomé Convention, and the Cotonou Agreement. He argues that these agreements have led to a shift in tone determined by the Europeans greater interest in the security dimension, as a consequence of the immigration crises, than in creating closer ties among equal partners. In 2020 the European Union approved a joint communication seeking a comprehensive strategy with Africa that had been put forward by the European Commission and the European External Action Service (EEAS). The initiative was aimed at creating a partnership in areas such as a green transition and energy access, digital transformation, sustainable growth and jobs, peace, security and governance, migration and mobility, but the updated version of the Cotonou Agreement failed to recognize these new goals.

Looking east, India is, on paper, one the EU's largest strategic partners, argues Côme Carpentier de Gourdon: at present, the EU accounts for more than 11 percent of India's total external trade, equal to the US share and slightly ahead of China's. Most of the largest Indian companies have established themselves successfully in the EU. However, many mutual complaints remain about respective trade and agricultural subsidies, intellectual property rights, and legislations on government procurements that have hampered the further expansion of economic relations even though the balance of trade is rather even. Also, the fact that for each euro invested by the EU in India, twenty times that are invested by China shows the relative weakness of the economic interaction between the European Union and India relative to the potential.

The relationship of the European Union with the Association of Southeast Asian Nations (ASEAN) has been characterized, first, by EU development sup-

port and humanitarian assistance to that organization. Second, there is a robust trade and investment interregional relationship. Third, the EU has for many decades been a norms entrepreneur with ASEAN, seeking to support its economic integration and development but also to export many of its values and principles. As Laura Allison-Reumann and Philomena Murray argue, although the EU was the first dialogue partner of ASEAN and the relationship has certainly deepened over recent decades, it is only in 2020 that the EU and ASEAN signed a strategic partnership agreement.

What is the history of EU-China relations and how have relations developed since the Lisbon Treaty? How will relations evolve in the next decade after the COVID-19 pandemic? These are the questions Sara Norrevik tries to answer in her chapter. Eighteen years after the agreement of a strategic partnership, the EU-China relationship has taken a downward spiral. Following mutual escalation of economic sanctions in March 2021, the honeymoon period between EU and China in the first two decades of the millennium was replaced with recognition of systemic rivalry. A controversial investment agreement between Brussels and Beijing, a pandemic originating in the Chinese region of Wuhan that crippled Europe, and escalated economic sanctions because of human rights violations in Xinjiang are some of the recent developments that are now shaping the relationship between an increasingly assertive China and a fragmented EU. As the great-power rivalry continues to play out between the United States and China, the EU attempts to reconcile strategic autonomy with transatlantic coordination in its relationship with Beijing.

So, has the European Union responded positively to those expecting it to finally become a relevant actor on the global scene? Over a decade ago, in the first edition's conclusion, I argued with Jeremy Shapiro that the EU's foreign policy could only be *sui generis*, as is the EU itself. Any attempts to assess EU foreign policy according to the criteria used for nation-states or classic international organizations would fail. This is still true today: any attempt to treat EU foreign policy as if it was one national policy would not end well, just as if one were to dissect a *Millefoglie* cake to taste each single ingredient—impossible. There are many layers and ingredients, and some appear to the naked eye, but it is hard to isolate one layer from the other. Thus, the question is this: Has EU foreign policy reached its true potential in the last decade since the Lisbon Treaty? If not yet, what are the next steps? These chapters try to answer that question.

Post scriptum: As the book was going to press, Russia invaded Ukraine, catapulting the world into a very uncertain future. From the standpoint of the EU

foreign policy, though, the crisis rather confirmed the patterns we observed, as the EU has essentially and rather a-critically followed the U.S. lead. Yet, the Russian invasion made the miracle happen: uniting the Europeans' foreign policies. Whether this was just episodic, or whether it will lead to a strengthening of the EU foreign policy, it is too early to say and it will probably be the object of the next edition of this book.

PART I

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**The European Foreign Policy Tools**



# European Union Foreign Policy

## *A Historical Overview*

**FEDERIGA BINDI**

In the words of Walter Hallstein, “One reason for creating the European Community [was] to enable Europe to play its full part in world affairs. . . . [It is] vital for the Community to be able to speak with one voice and to act as one in economic relations with the rest of the world.”<sup>1</sup> However, the early European Community did not have a foreign policy. The European Economic Community (EEC) treaty did, however, contain important provisions in the field of external relations that evolved and became increasingly substantive as the years went by. The purpose of this chapter is to provide a comprehensive view of the evolution of European foreign policy (EFP) in its various forms and stages. The chronological description presented here links the different actions and decisions taken by the EEC with the external and domestic events facing the member states at that time.

### **The European Defense Community**

During the negotiations for the Schuman Plan (1950), on which the agreement to form the European Coal and Steel Community (ECSC) was based, concerns emerged about a possible German rearmament. German disarmament after

World War II had created a sort of power vacuum in the heart of Europe, which was dramatically emphasized after the Korean War. The United States suggested creating an integrated operational structure within the sphere of the Atlantic alliance within which a German army could participate under direct American control. This arrangement was to become the North Atlantic Treaty Organization (NATO). The French government rejected this proposal and offered as an alternative the so-called Pleven Plan (1950), named after French prime minister René Pleven. The Pleven Plan called for the creation of a European army that would be placed under the control of a European ministry of defense. The soldiers were to come from the participating countries, including Germany. The plan, nevertheless, discriminated against Germany in that the future of the German army would have been entirely—not partially, as in the other countries—embedded within the European army.

The French proposal included all the members of the North Atlantic alliance, as well as Germany. However, only Germany, Italy, Belgium, and Luxembourg, besides France, met in Paris on February 15, 1951, to start negotiating a possible new treaty. The Netherlands joined on October 8, while the United States, Great Britain, Canada, Norway, and Denmark sent observers. The outcome was the European Defense Community (EDC) agreement signed on May 27, 1952. As Jean Monnet's brainchild, the European Defense Community differed from the Pleven Plan and proposed a supranational structure along the lines of the ECSC. The EDC also implied a certain degree of economic integration, necessary considering that military integration in many ways called for a standardization of industrial-war capabilities.

Between 1953 and 1954, the EDC treaty was ratified by Germany and by the Benelux countries (Belgium, the Netherlands, and Luxembourg). The treaty was approved by the competent parliamentary commission in Italy, but the parliament as such did not take a vote, waiting for France's lead instead. In the meantime, in Paris, Robert Schuman had been replaced by Georges Bidault as minister of foreign affairs in a new government led by Pierre Mendès-France that also included the Gaullists. Public opinion was divided between the *cédistes* (who favored ratification) and the *anticédistes* (opposed), and as a consequence the treaty failed to pass a vote in the National Assembly on August 30, 1954.

The problem of German rearmament remained open. A new initiative came this time from the English foreign secretary, Anthony Eden. This initiative benefited from U.S. support. Throughout 1954, a number of agreements were signed allowing for Germany's membership in NATO, Italian and German

membership in the Brussels Pact, the creation of the Western European Union (WEU), Germany's assurance that it would not engage in the creation of atomic arms, and a British agreement to station two British divisions in Germany. The question of European defense thus became a transatlantic issue and a taboo subject in Europe for decades to come.

### **The European Economic Community**

As a consequence of the EDC's failure, the Treaty of Rome did not deal with foreign policy. However, the treaty establishing the European Economic Community (EEC) did foresee some degree of foreign competence in the EEC's external relations. These included: a common external trade tariff (as a complement to the customs union) and external trades; the possibility for other states to join the EEC; the establishment of a free trade area with the French, Belgian, Dutch, and Italian territories; and the creation of a European Fund for Development, as stipulated in article 131 of the treaty. Similarly, articles 110 to 116 dealt with commercial policy, in relation both to third states and to international organizations. The treaty affirmed in article 110 that, by establishing a customs union, the member states aimed to contribute "to the harmonious development of world trade, the progressive abolition of restrictions on international trade, and the lowering of customs barriers." To that extent, they were to create a common commercial policy based "on uniform principles, particularly in regard to changes in tariff rates, the conclusions of tariff and trade agreements."<sup>2</sup> The member states were "in respect of all matters of particular interest to the common market, [to] proceed within the framework of international organizations of an economic character only by common action."<sup>3</sup>

The European Commission was given a leading role in the field of commercial policy. Not only was the Commission entrusted with the power to submit proposals to the Council of Ministers (or Council) for the implementation of the common commercial policy, it also had the ability to "make recommendations to the Council, which shall authorize the Commission to open the necessary negotiations" if agreements with third countries needed to be negotiated.<sup>4</sup> For a member state facing economic difficulties, the Commission could authorize the Council to take the necessary protective measures as foreseen in article 115 TEEC. In article 228, the treaty also entrusts the Commission with the power to negotiate agreements between the EEC and one or more states or international organizations. Agreements such as those based on tariff negotiations

with third countries regarding the common customs tariff were to be concluded by the Council, after consulting with the National Assembly where so required by the treaty.<sup>5</sup>

Articles 131 to 136 of the treaty dealt with the associations of non-European countries and territories having special relations with the EEC countries.<sup>6</sup> The possibility of enlarging the EEC was addressed in article 237, which established that “any European State may apply to become a member of the Community. It shall address its application to the Council, which shall act unanimously after obtaining the opinion of the Commission.” Last but not least, article 210 TEEC established that the Community had legal “personality” or status. As Nicola Verola explains in the next chapter, it is only with the adoption of the Lisbon Treaty that legal personality has been attributed to the European Union.

### *The Fifth (French) Republic*

In the spring of 1958, following the Algerian crisis, General Charles de Gaulle was called to lead the French government. He accepted on the condition that a new national constitution would be prepared. The new constitution, approved by a referendum in September 1958, marked the beginning of the Fifth Republic. In November 1958, Charles de Gaulle became its first elected president. Contrary to pessimistic expectations that he would destroy the newborn EEC, de Gaulle quickly adopted the financial and monetary measures necessary to implement the common market in France.

Yet de Gaulle had a rather contradictory personal view of Europe and of France’s role within it. On the one hand, he wanted a “European Europe,” able to counterbalance the United States and the USSR. On the other hand, he was eager to keep Europe as a “*Europe des Etats*,” a community in which the member states would retain their full national sovereignty. This contradiction came to characterize the French approach to the process of European integration and constitutes one of the major contradictions of a European foreign policy today.

De Gaulle instinctively averted any institutional shift toward greater European integration, while at the same time pushing for stronger coordination between the six member states (“the Six”) in the field of foreign policy. With this in mind, in 1958 he proposed regular meetings between the EEC foreign ministers. This proposal was approved on November 23, 1959. The first meeting was held in January 1960 and is the basis for today’s CAGRE (the Conseil Affaires Générales et Relations Extérieures), an essential element of the EFP. De

Gaule further reiterated his support for European cooperation and the need for meetings at the level of heads of state and government. The first summit of this kind was held in Paris, on February 10–11, 1961, with the assistance of the foreign ministers; it was the precursor to the European Council. The Dutch foreign minister, Joseph Luns, however, rejected the idea of regular meetings and was even less fond of the idea of creating an ad hoc secretariat. Hence the EEC leaders decided to create the so-called Fouchet Committee, which would be responsible for developing proposals for political cooperation. The Fouchet Committee's report was presented on October 19, 1961. It proposed a union of states with the aim of developing a common foreign and defense policy. Unsurprisingly, these proposals faced resistance by a number of member states, and after several modifications the report was ultimately put aside despite de Gaulle's rage.

### *The Origins of the European Union's Development Policy*

In the early 1960s, the EEC took its first steps to form a development policy. In 1963 the Yaoundé Convention was signed by the EEC and the eighteen former colonies of the Six. In 1969, the convention was renewed for a period of five years. Initially, it was essentially a policy toward (francophone) Africa. Following the 1973 EEC enlargement it was then extended to cover the African members of the British Commonwealth and other former colonies in the Caribbean and the Pacific. The Yaoundé Convention (1963–1975) maintained the system introduced by the Treaty of Rome: an aid allocation for five years, channeled through the European Development Fund (EDF), and a trade regime based on reciprocal preferences.

### *The Kennedy Round*

As mentioned, the EEC treaty established that the EEC should represent its members in external trade matters. The General Agreement on Tariffs and Trade (GATT) negotiations were clearly part of this category. The Kennedy Round (1964–1967) marked the first round of negotiations in which the six member states were represented by the EEC.

During the GATT meetings held in Geneva, the EEC could negotiate from a position of strength. It had signed a number of important commercial agreements with Greece (1961), Turkey (1963), Israel (1964), Lebanon (1965), and the Saudi Arabian Monetary Agency countries (1963) and was about to further expand its commercial relations to the Mediterranean, Central Asia, and Africa. In

ten years EEC exports had soared by 265 percent within the free trade area and by 113 percent with third countries. In 1962, under President John F. Kennedy, the United States had passed the Trade Expansion Act, allowing the United States to bargain for lower tariffs on whole families of products instead of negotiating item by item. Yet two years later the United States had to accept the principle of “unequal cuts,” consisting of a cut of tariffs by 50 percent for the United Kingdom and the United States and a cut by 25 percent for the EEC countries. The Kennedy Round was thus an important first test for the EEC and its foreign policy and an important step forward for the Europeans as they sought to reduce the commercial gap with the United States.

Soon afterward, in 1968 and ahead of schedule, the EEC’s customs union for goods became a reality with the removal of tariffs and quotas among the Six. With internal tariffs eliminated, the Common External Tariff (CET), also known as the Common Customs Tariff (CCT), was introduced for goods coming from third countries.

#### *The United Kingdom–France Problem*

In 1961 the English conservative government led by Harold Macmillan introduced a request to join the EEC. Negotiations thus began with the UK, alongside Ireland, Denmark, and Norway. The conditions set down by the English were uncompromising. To make matters worse, at least from the point of view of de Gaulle, on July 4, 1962, President Kennedy launched his Grand Design, an idea aimed at enhancing the cooperation of an enlarged European Community with the United States. The situation further deteriorated when, on December 18, 1962, at Nassau, Kennedy offered Polaris missiles to Great Britain. The same offer was made to France but was rejected. De Gaulle viewed the American proposal as a way for the United States to dominate Europe with respect to nuclear weapons. Moreover, in his eyes, Britain’s acceptance of the proposal was a clear indication of the UK’s true allegiance.

De Gaulle thus abruptly ended all negotiations with the United Kingdom and offered it an Association Agreement instead, a move that was taken as an insult by the British, because it would have put the United Kingdom on the same level as Greece and Turkey.<sup>7</sup> Finally, on February 21, 1966, de Gaulle announced that France would reassume full sovereignty over the armed forces on its territory and withdraw formally on March 7 from the operative structures of the Atlantic pact (NATO), although not from the Atlantic alliance.

In 1967, Harold Wilson's Labor Party won the elections in Great Britain. Wilson soon announced that the United Kingdom would once again apply for EEC membership on May 2, 1967. De Gaulle again vetoed the accession on November 27, 1967. After having lost a referendum on the reform of the Senate and of the French regional framework on April 27, 1969, de Gaulle resigned and Georges Pompidou was elected president of France on June 15.

### **The Origins of the Pact on European Political Cooperation**

In a press conference on July 10, 1969, Pompidou presented his ideas for the future of Europe in what is commonly known as Pompidou's *Triptique*. The summit in The Hague took place on December 1–2, 1969, and approved these ideas. They consisted of three principles: completion, deepening, and enlargement. More specifically, the *Triptique* called for the completion of the Common Market by January 1, 1970, with particular attention to the financing of the Common Agricultural Policy (CAP) through the resources of the Community; the deepening of the Community, especially in the field of economic and monetary policy; and enlargement to include Great Britain and other countries, with the condition that the Community would adopt a common position before negotiations. The Hague Summit Declaration mentioned the establishment of the Common Market as “the way for a united Europe capable of assuming its responsibilities in the world.”<sup>8</sup>

With respect to deepening, Etienne Davignon, then political director of the Belgian Foreign Ministry, was charged with studying potential future steps down the path of European integration. The Davignon Report, adopted by the foreign ministers on October 27, 1970, in Luxembourg, was especially important with regard to policymaking and European foreign policy. It established the principle of regular meetings among the EEC foreign ministers, eventual meetings of the heads of state and government, regular consultations on matters of foreign policy among member states, and regular meetings of the political directors of the Six. What emerged from the report was the so-called European Political Cooperation (EPC), which institutionalized the principle of consultation on all major questions of foreign policy. The member states would be free to propose any subject for political consultation. The European Commission would be consulted if the activities of the European Community were affected by the work of the foreign ministers, and the ministers and the members of the Political Affairs Committee of the European Parliament would hold meetings every six months.

The subsequent Copenhagen Report of July 23, 1973, further specified the EPC's role and mechanisms. According to the report, the EPC established "a new procedure in international relations and an original European contribution to the technique of arriving at a concerted action."<sup>9</sup> It resulted in an institutional framework "which deals with problems of international politics, is distinct and additional to the activities of the institutions of the Community which are based on the juridical commitments undertaken by the member States in the Treaty of Rome."<sup>10</sup> The Copenhagen Report established that the ministers of foreign affairs would meet four times a year and whenever they felt it was necessary. It stressed the role of the Political Committee as the body entrusted with the preparation of the ministerial meetings and created the "Group of Correspondents" and the system of European telex (COREU). The Copenhagen Report also emphasized the importance of subcommittees and working groups. The first ones were to deal with the Commission on Security and Cooperation in Europe (CSCE), the Middle East, the Mediterranean, and Asia. They established the principle that ambassadors accredited to countries other than members of the EEC could consult with each other.

### *The First Enlargement*

Last but not least, the Hague Declaration called for the enlargement of the European Community. The negotiations with the United Kingdom, Denmark, Ireland, and Norway were divided into two phases, based on French demands. The first set of negotiations took place among the Six, during the first semester of 1970. The second took place with the four candidates beginning on June 30, 1970. The country holding the presidency represented the general position of the Six. The Council also gave the Commission the mandate to research a solution for various problems that emerged during the negotiations by working with the candidate countries.

When the treaty was signed on January 22, 1972, the United Kingdom, Denmark, and Ireland became members of the Community starting January 1, 1973. It became known as the "Europe of the Nine." In Norway, despite the positive conclusion of the negotiations and a clear yes vote in the Storting, a referendum on September 25, 1972, rejected EEC membership with 53.5 percent of the votes. A free trade agreement was thus signed with the remaining member countries of the European Free Trade Association (EFTA), including Norway.

The United Kingdom was to thank the EEC several times in its first years of membership. The United Kingdom was not left to deal alone with the civil war in Rhodesia in the mid-1970s or when Argentina invaded the Falkland Islands

in April 1982. The immediate response and solidarity of the Community in imposing sanctions on Argentina (April 10, 1981) was in fact much stronger than that of the United States. Despite gaining much from their support, the UK did at times oppose the EEC's common positions on foreign policy. For example, in 1985, when violence broke out in South Africa and the government declared a state of emergency, it took several months for the UK to agree to sanctions against South Africa. It eventually agreed only on the condition that these measures would be implemented nationally.<sup>11</sup>

### *The Birth of the European Council*

In 1974, another (potentially) important actor in European foreign policy emerged: the European Council. On April 2, 1974, Pompidou passed away. Valéry Giscard d'Estaing was elected president on May 19, 1974. In Germany, Helmut Schmidt had replaced Willy Brandt as chancellor. Giscard d'Estaing's motto was "l'Europe est ma priorité," and although he was not a supporter of supranational institutions, he was convinced of the need to revive the process of European construction. Following Jean Monnet's advice, on September 14, 1974, Giscard d'Estaing organized a meeting with the other heads of government and with the (French) president of the European Commission, François-Xavier Ortoli. An agreement was reached to organize such gatherings every three or four months. At the subsequent Paris summit in December 1974 the European Council was born under the slogan "The Summits are dead, vive les Conseils Européens!" The European Council was composed of heads of state or government and their foreign ministers, with the participation of the president of the European Commission. They were to meet three times a year, and any other time deemed necessary, within the framework of European Political Cooperation.

Also in 1974 the first meeting of what was to become the "Gymnich formula" was held at Gymnich Castle in Germany's Rhineland region. The formula referred to the informal meeting of the foreign ministers to consult on matters of foreign policy.

### **Troubled Relations with the United States and the World in the 1970s**

By the beginning of the 1970s, the EEC had begun to feel pressure from the international community to engage further in international affairs. The Arab-Israeli wars, the oil crises, and the Vietnam War were all external events pushing

the Europeans together. Later, the Soviet invasion of Afghanistan (December 1979) and the Iranian revolution and hostage crises (1980) underlined the need for a common European response. Other events affecting the EPC included the establishment of martial law in Poland, the Argentinean invasion of the Falklands, and the Israeli invasion of Lebanon. Germany also wished to give a European hat to its Ostpolitik.

Transatlantic relations became strained in the 1970s. Until the end of the Kennedy administration, the United States had been generally supportive of the European integration process.<sup>12</sup> That started to change in the late 1960s. By the 1970s, the United States perceived the EEC as an economic competitor and held it responsible for the deficit that the United States experienced in its balance of payments. U.S. behavior vis-à-vis the EEC became rather contradictory. The United States insisted that Europe should contribute more to NATO expenses, while the U.S. president, Richard Nixon, affirmed the principle of American leadership over the organization. Similarly, Secretary of State Henry Kissinger called 1973 the “year of Europe.” Yet the idea was essentially that the United States had global responsibilities and interests while Europe’s interests were and could only be regional.

In response, on December 14, 1973, the EEC foreign ministers adopted in Copenhagen a “Declaration on European Identity.” Its objective was to better define the EEC’s relations and responsibilities to the rest of the world and the place they occupied in world affairs. In the declaration, the Nine affirmed that “European Unification is not directed against anyone, nor is it inspired by a desire for power. On the contrary, the Nine are convinced that their union will benefit the whole international community. . . . The Nine intend to play an active role in world affairs and thus to contribute . . . to ensuring that international relations have more just basis. . . . In pursuit of these objectives the Nine should progressively define common positions in the sphere of foreign policy.”<sup>13</sup> It was also decided on June 11, 1974, that the country holding the presidency should consult with the United States on behalf of its partners.

In any event, the United States continued to disagree with the Europeans on a number of foreign policy issues, including the Middle East. The Europeans themselves were divided until the Six-Day War in 1967. October 1973 brought a new war and the subsequent OPEC oil embargo on the United States and the Netherlands. Between October and November of that year, the Nine agreed on a common view and on a common declaration regarding the legitimate rights of the Palestinians. The Nine greeted the Camp David

peace talks (1977–1979) without any noticeable enthusiasm. In the Venice Declaration of June 12–13, 1980, they reaffirmed the Palestinians' right to self-determination and for the Palestine Liberation Organization (PLO) to be included in peace negotiations. The election of U.S. President Ronald Reagan, who was resolutely against any European initiative outside Camp David, and the Israeli invasion of Lebanon (June 6, 1982) put an end to European activism in the area. Still, the EEC took action in favor of the Palestinians and became gradually more critical of Israel.<sup>14</sup>

A similar story took place in neighboring Iran. When on November 4, 1979, the American embassy in Tehran was seized and sixty-three hostages were taken, the United States immediately responded with a boycott on imports of Iranian oil and froze Iranian assets in the United States. While the EEC called several times for the release of the hostages, it did not support the U.S. call for sanctions. Only on April 22, 1980, did the EEC agree to sanctions, although only if implemented by the individual states.<sup>15</sup>

Relations with Eurasia were also a matter of contention in transatlantic relations. The EEC and the United States clashed over the question of Poland when martial law was declared on December 13, 1981. While the United States imposed sanctions both on the USSR and Poland and pushed the Europeans to do likewise, the Europeans agreed on March 15, 1982, to only a limited number of restrictions on the USSR (on imports). This was the first time they had used article 113, referring to commercial policy, for political purposes.

In the case of the USSR, it took three weeks for the EPC to formulate a response to the Soviet invasion of Afghanistan in December 1979. Moreover, the Europeans disagreed with the U.S. decision to boycott the 1980 Moscow Olympics. The United Kingdom supported the American position, but France and Germany stood opposed, worried that it would undermine deterrence.<sup>16</sup> As a consequence of the slow EEC response to these events, in 1981 it was decided that three member states could call for an emergency meeting of the EPC.

Finally, Europe's relations with Asia during the 1970s and 1980s proved somewhat less problematic. In 1975, China was the first socialist country to recognize the EEC, and in 1978 a first agreement was signed, followed in 1985 by an agreement on trade and economic cooperation. In 1978 a cooperation agreement was also signed with the Association of Southeast Asian Nations.

### **Democratization in Southern Europe: Toward the Community of the Twelve**

Meanwhile, the geography of Europe had changed with the end of the dictatorships in Greece, Portugal, and Spain. The “regime of the colonels” came to an end in Greece in 1974, the same year that the long dictatorship of Antonio Salazar in Portugal was overthrown by the Carnation Revolution. In 1975, with Franco’s death, Spain also started its *démarche* toward democracy. All three countries quickly introduced a request for EEC membership. It was politically impossible for the EEC to close the door on these new democracies, which needed institutional support to consolidate, especially politically and economically.

For France, enlargement in the South would have balanced the EEC, reinstating it at the center of the Community. However, the three candidate countries were characterized by low wages, high inflation rates, unstable currencies, low-cost agriculture products, and underdeveloped industrial sectors. The EEC dealt with each one differently: Greece, mainly owing to heavy French and U.S. pressure, was admitted into the EEC on January 1, 1981. This quick action soon proved to be a major mistake as the new Greek government led by the Socialist Andreas Papandreou rose to power and asked for special economic benefits for Greece. In 1985, he obtained the creation of the Integrated Mediterranean Program.

As a consequence, negotiations with Spain and Portugal stalled, and those two countries did not become members until January 1, 1986. With their membership, the EEC became more interested and involved in Latin America. In subsequent years, relations were established or further developed with subgroups in the region. The San José dialogue (with Costa Rica, Guatemala, Honduras, Nicaragua, and Panama) was particularly important as European foreign ministers decided to send a strong signal to the United States (which was at the time involved in several Central American countries) by attending in full the first meeting in San José de Costa Rica, in September 1984. In 1990, a dialogue with the Rio Group was institutionalized.<sup>17</sup> The Treaty of Asunción was signed in 1991 with the Common Market of the South, Mercosur (Argentina, Brazil, Paraguay, and Uruguay), followed by the Interregional Framework Cooperation Agreement in 1995. The year 1996 marked the beginning of a political dialogue with the Andean Community (Bolivia, Colombia, Ecuador, Peru, and Venezuela).

*The 1980s and the Need for EEC Reforms*

On October 13, 1981, the then ten member states adopted the London Report, further outlining the functions of the EPC domestically and abroad. For instance, it established regular consultations with EEC ambassadors in third countries and elaborated on the function of the Gymnich meetings and potential emergency meetings of the ministers of foreign affairs. The subsequent Stuttgart Solemn Declaration of June 19, 1983, enlarged the EPC's scope of action to include "the political and economic aspects of security" (point 3.2). The declaration also called for the "progressive development and definition of common principles and objectives [and] the possibility of joint actions in the field of foreign policy" (point 3.2), while stressing the need for consistency between action taken by the EPC and the Community. Last but not least, the declaration, also known as the Gensher-Colombo plan, called for concerted action on "international problems of law and order"—what came to be called Justice and Home Affairs (see discussion of the Maastricht Treaty below).

On February 14, 1984, the European Parliament, under Altiero Spinelli's leadership, approved a "draft treaty," calling for a new European Union that would be given legal personality and allow for greater coordination of the EPC and external relations. According to the draft treaty, the European Council would also have the authority to extend foreign policy coordination to defense and arms trade questions. Although the draft treaty was not endorsed by the member states, they did, in 1985, undertake the first major reform of the treaty with the so-called Single European Act (February 17 and 28, 1986).

With the second enlargement, the EEC reached a format ("the Twelve") that it believed would endure for a long time. Attention shifted to domestic reforms in order to complete the internal market. The internal market was one of the original goals of the EEC treaty that had remained unachieved. Member states also pushed for the reform of the EPC in order to make it more effective and ensure more active participation of the European Community in international affairs.

*The Single European Act*

With regard to foreign policy, the major effect of the Single European Act (SEA) was the codification of the European Political Cooperation and the European Council. The SEA formalized intergovernmental cooperation in foreign policy without changing its existing nature or methods of operation. Title III of the

SEA specifically dealt with the treaty provisions on European cooperation in the sphere of foreign policy and affirmed that the member states should inform and consult reciprocally “to ensure that their combined influence is exercised as effectively as possible through coordination, the convergence of their positions and the implementations of joint action” (article 30.2.a), and that “common principles and objectives are gradually developed and defined” (article 30.2.c). In codifying what had been informally established over the years through a number of different texts and treaties, the SEA defined the role of the European Council, the European Commission, and the Parliament within the EPC. A leading role was given to the first; the possibility to assist in all matters was given to the second; and the minimal right to be informed was granted to the third. Coordination on matters of European security was mentioned, specifically on the political and economic aspects of security, as well as the development of a European identity in external policy matters. Member states were asked to define common positions within international institutions and conferences and to mutually assist and inform each other. The SEA also codified the role of the presidency and of the troika (the High Representative for Common Foreign and Security Policy [CFSP], the foreign minister of the country holding the EU presidency, and a senior representative from the European Commission) in the EPC, as well as of the different decisionmaking levels (European correspondents, the Political Committee and related working groups, the Council of Ministers). A secretariat based in Brussels was established to assist the presidency in dealing with the EPC. Last but not least, member states’ missions and the European Commission’s delegations were asked to intensify their cooperation with third countries.

The SEA also substantially increased the role of the European Parliament, to which it gave the power of assent both in future enlargements of the Community (as foreseen in new article 237 of the treaty establishing the EEC), and in agreements with either third states or international organizations involving “reciprocal rights and obligations, common actions and special procedures” (new article 238 of the treaty). The latter became what are essentially the present-day Association Agreements.

### **The End of the Cold War**

As mentioned, in the late 1980s the member states were convinced that the EEC’s membership would remain stable for the long run. However, dramatic changes were to take place that would profoundly affect both the Community

and the world. The year 1989 brought great changes in Eastern Europe. In June the party Solidarity won the elections in Poland, and the Iron Curtain separating Austria and Hungary fell. During the summer, an increasing number of Eastern Europeans arrived in Western Europe through Austria, aiming for the most part to reach the Federal Republic of Germany. In autumn massive demonstrations took place in the rest of Eastern Europe. In Czechoslovakia the protesters, led by Vaclav Havel and Alexander Dubček, obtained the resignation of the entire Communist Party. In December Havel was elected president of the republic. In Bulgaria, Todor Živkov was forced to resign in November; the reformist foreign minister, Petar Toshev Mladenov, took his position and quickly announced liberal elections before May of the following year. In Romania the opposition forces had taken control of the entire country by December. Nicolae Ceausescu was captured in his attempt to escape and was immediately tried and shot. The true symbolic event among these dramatic changes, however, took place on the evening of November 9, 1989, when the gates between East Berlin and West Berlin were reopened with the fall of the Berlin Wall.

All of these changes brought both hope and fear about the prospect of a united Germany. The solution of the European leaders was to have a united Germany in a stronger Europe. On December 8–9, 1989, the European Council in Strasburg approved the idea of German reunification. Germany would be reunified and the four eastern *Länder* would be incorporated without needing to revise the EEC treaties.<sup>18</sup> At the same time, the EEC leaders decided to summon an intergovernmental conference to establish the European Monetary Union (EMU). As the president of the European Commission, Jacques Delors declared in front of the European Parliament: “We need an institutional structure that can withstand the strains.”<sup>19</sup>

On April 18, 1990, François Mitterrand and Helmut Kohl proposed to complete the monetary union with a political union that would ensure democratic legitimacy, institutional efficiency, the EEC’s unity, and coherence in the economic, monetary, and political sectors and eventually a common foreign and security policy. The European Council endorsed Mitterrand and Kohl’s proposal in Dublin on April 28, 1990, with the United Kingdom and Portugal dissenting. In June 1990, the European Council in Dublin decided to convene two intergovernmental conferences (IGCs) before the end of the year: one to discuss the monetary union and the other to discuss the political union, which was to include a common foreign policy. In the meantime, Germany reunified and the four eastern *Länder* were incorporated into the Federal Republic of Germany and the EEC, again without any formal modifications of the treaties.<sup>20</sup> The two

IGCs lasted for all of 1991. On February 7, 1992, the Maastricht Treaty, or Treaty on the European Union (TEU), which created the new European Union, was signed.

### **The Treaty on the European Union, or the Maastricht Treaty**

The Maastricht Treaty established a Common Foreign and Security Policy (CFSP) for the European Union. The Iraqi invasion of Kuwait in August 1990 was a source of friction among EEC partners, in particular between Prime Minister Margaret Thatcher's government in the United Kingdom and the others. It led to disagreement over issues of security, majority voting, how to integrate foreign policy into the Community, and whether the philosophical distinction made between security and defense could be abandoned. Different views were also expressed over whether the Western European Union should be merged with the EU. The United States and the more pro-NATO member states were extremely worried about this possibility and what they saw as an impediment to NATO and Western security.<sup>21</sup>

In the end, the European Political Cooperation was replaced by the Common Foreign and Security Policy, which constituted the second pillar of the new three-pillared European Union, according to Title V and associated declarations. The CFSP was to safeguard the common values, the fundamental interests, and the independence of the Union; to strengthen its security and its member states in all ways; to preserve peace and strengthen international security; to promote international cooperation; to develop and consolidate democracy and the rule of law, respect for human rights and fundamental freedoms, as spelled out in article J.1.2 of the TEU. Articles J.1.3 and J.3 stipulated that such objectives were to be pursued through systematic cooperation between member states and by "joint actions." Member states were to act in a "spirit of loyalty and mutual solidarity," refraining from "any action which is contrary to the interest of the Union or likely to impair its effectiveness as a cohesive force in international relations."<sup>22</sup> Member states were also to inform and consult with each other and define "common positions" around which to conform their national policies. They were also to coordinate in international organizations and international conferences. The WEU was to be closely associated with the CFSP, acting as a bridge to NATO, and the CFSP was finally permitted to address the previously taboo question of "defense," with the possibility of gradually moving toward a common defense system.<sup>23</sup>

The presidency was to represent the EU in CFSP matters. Abroad, member states' diplomatic missions and European Commission delegations were to cooperate, and the European Parliament was to be consulted. The general guidelines concerning the CFSP were to be defined by the European Council, to which the TEU granted the proper status of EU institution, and implemented by the Council, both acting on the basis of unanimity, as stipulated by article J.8. Foreign policy was to be discussed in the Council of Ministers, while the European Commission received a (joint) right of initiative and became associated with the CFSP. Extraordinary meetings of the Council of Ministers could be convened as needed in the event of an emergency. Finally, the EPC Secretariat in Brussels was to be enlarged, and it was also agreed that the European Community budget should pay for the CFSP's administrative expenditures. Different, though, was the question of who would pay for operational or non-administrative expenditures. This topic had not come up with the EPC because it was assumed that in the spirit of intergovernmentalism, each member government would pay individually. Title V did not create a budget for the CFSP. Rather, it created a system for charging operational costs to the EC budget and letting the Council decide whether to charge the EC budget of member governments for operational expenditures associated with joint actions, thus opening the door to endless procedural battles.<sup>24</sup>

At the European Council on June 26–27, 1992, before the implementation of the TEU, the Lisbon Report specified what areas would be of interest to the EU (the so-called Lisbon goals). These areas were defined geographically, as, for example, Central and Eastern Europe (including Eurasia); the Balkans; the Maghreb and the Middle East; transatlantic relations (the United States and Canada); the North-South dimension (Africa, Latin America, the Caribbean, and Asia); and Japan. They were also defined with respect to horizontal issues such as security issues (the CSCE process and the policy of disarmament and arms control in Europe, including confidence building measures); nuclear and nonproliferation issues; and the economic aspect of security, in particular control of the transfer of military technology to third countries and control of arms exports.

Between November 1993 and May 1995, eight joint actions were pursued. These actions included observing elections in Russia and South Africa, supporting measures to enhance stability and peace in the Central and Eastern European countries (CEECs) and the Middle East, providing humanitarian aid to Bosnia, promoting the indefinite extension of the Non-Proliferation Treaty (NPT), controlling the export of dual-use (civil and military) goods, and strengthening the review process of anti-personnel landmines. During the same

period, fourteen common positions were also adopted, mainly concerning economic sanctions against third parties.<sup>25</sup>

The TEU also modified the articles of the treaty dealing with the common commercial policy. It had become urgent to clarify the relationships between proper trade policy and the new CFSP.<sup>26</sup> New article 228a of the TEU specified that in the event that the CFSP generated a need for sanctions, the Council (officially renamed the Council of the European Union in November 1993) would decide this based on qualified majority voting (QMV) on a proposal from the Commission. The new wording of the EU commercial policy increased the European Parliament's power of assent regarding all agreements in the field of external trade. As stipulated in article 228 of the TEU, this field concerned policy areas covered by the co-decisionmaking procedure in domestic matters, as well as in areas likely to have important budgetary implications for the Community.

Last but not least, the new treaty established the steps and the conditions needed to create an economic and monetary union by 1997, or 1999 at the latest.<sup>27</sup> Also, in response to fear about crime from the former East Germany after the fall of the Berlin Wall, the Maastricht Treaty established means of cooperation among member states in the field of internal security. This cooperation fell under the jurisdiction of Justice and Home Affairs (JHA), as stipulated by article K.

The Maastricht Treaty set up a system based on three "pillars": two inter-governmental pillars (the CFSP and the JHA) and the supranational EC pillar. The treaty also foresaw the possibility to "communitarize" step by step the JHA through the so-called *passarelle* mechanism—that is to say, without having to further review the treaty.

#### *The Fourth Enlargement*

A new enlargement to the north was now appearing on the horizon. By the end of the 1980s, the relationship between the EC and the European Free Trade Association (EFTA) had become a priority for both parties. Formal negotiations between the two organizations started in December 1990 and ended in October 1991. The European Economic Agreement (EEA) was signed on May 2, 1992, in Porto. Yet, as the fall of the USSR had opened new scenarios, a number of EFTA countries also introduced requests for EEC membership: Austria on July 17, 1989; Sweden on July 1, 1991; Finland on March 18, 1992; and Norway on November 22, 1992. On January 1, 1995, the EU grew to encompass fifteen mem-

ber states. Once again, in a Norwegian referendum a negative vote prevented Norway from entering.

### *Changing Patterns in Transatlantic Security Relations*

The events of 1989 had first and foremost a relevant impact on European security. In 1991, both the Warsaw Pact and the Council for Mutual Economic Assistance (Comecon) among Eastern European nations ceased to exist. In November of the same year, the North Atlantic Cooperation Council (NACC) was set up in order to enable security consultations with the Eastern European states. In 1992, a “forum of consultation” was created within NATO, including only the CEECs, but not Russia. In 1994 Central and Eastern European states were offered the status of “associate partners” by the WEU: that meant that they could eventually participate in Petersberg-like operations but were not offered the WEU’s security guarantee. In January 1994, NATO set up the Partnership for Peace to allow consultation and cooperation at the politico-military level between all the CSCE member states. In the light of events in former Yugoslavia, it was becoming clear that NATO, the EU, the WEU, and the *constituenda* Organization for Security and Cooperation in Europe (OSCE) needed to cooperate to the greatest possible extent. Peacekeeping in particular emerged as a central concept in European security discussions. At the July 1992 Helsinki summit the CSCE decided to launch peacekeeping operations and other crisis management operations. The previous month the WEU had issued the “Petersberg Declaration” showing its willingness to engage in humanitarian, peacekeeping, and crisis management tasks. In December 1992, NATO also joined the mainstream by agreeing to participate in UN operations on a case-by-case basis, thus ending its formal ban on out-of-area engagements. In fact, NATO had already started to cooperate with the UN and the WEU in the Balkans.<sup>28</sup>

For their part, the Europeans had begun to talk of a European security and defense identity, once again alarming the United States, which was eager for the Europeans to bear more of the burden for, but not to rival, NATO. The United States was determined to locate any such entity firmly within the boundaries of transatlantic relations. The resulting decision to create combined joint task forces, ratified in the Berlin Council of June 1996, made NATO’s facilities and forces available to the WEU when it wanted to act but could not sustain action with its own forces. NATO’s enlargement, a process that paralleled the EU fifth enlargement, at times created serious transatlantic antagonism.<sup>29</sup> On July 8,

1997, the North Atlantic Council in Madrid invited the Czech Republic, Hungary, and Poland to begin accession talks with a view to joining NATO by its fiftieth anniversary in 1999. The EU followed in December of the same year by deciding to open negotiations with the ten CEECs and Cyprus.

### *Dealing with the Central and Eastern European Countries*

The USSR did not recognize the EEC until 1988, the same year Comecon and the EEC signed a trade agreement. Just one year later, however, the USSR's former satellites aimed to become part of the EEC. The Community was fast in responding: economic and trade agreements were signed in 1988 (with Hungary and Czechoslovakia), 1989 (with Poland), and 1990 (with Bulgaria and Romania), and these were then replaced with Association Agreements (the so-called Europa agreements) in 1992 (Hungary and Poland) and 1993 (the Czech Republic, Slovakia, Bulgaria, and Romania) and Slovenia (1996). The Europa agreements provided a framework for political dialogue, promoted trade and economic relations between the CEECs and the EEC (virtually eliminating trade barriers), and provided the basis for financial and technical assistance and for the gradual integration of the CEECs into a wide range of EU policies and programs. In addition, the EU set up programs to assist countries with their preparations for joining the European Union. For the first time, Europe was to be united based on common ideals and principles, and the EEC put all its weight into using agreements to positively influence the democratic and economic development of the CEECs.

The Copenhagen European Council in June 1993 specified the criteria to be fulfilled by prospective candidates (the so-called Copenhagen criteria): a working democratic system; the rule of law; respect for human rights and protection of minorities; a functioning market economy; and the ability to take on the obligations of membership (economically and politically). In 1994 the Essen European Council approved a pre-accession strategy. As part of this, the associated countries would participate in an enhanced political dialogue on CFSP matters and also become associated with the WEU. In 1995 the Madrid European Council added a fourth condition: the implementation of and adaptation to the *acquis communautaire* (the entire body of legislation of the European Community and Union). This condition was determined by a view that considered enlargement "a political necessity and a historic opportunity for Europe," which would "guarantee stability and security for the Continent." According to the decision of the European Council in December 1997, negotiations with the Czech

Republic, Estonia, Hungary, Poland, Slovenia, and Cyprus began on March 31, 1998. A year later Latvia, Lithuania, Malta, Slovakia, Bulgaria, and Romania were also invited to join. The successful transformation, democratization, stabilization, and incorporation of the neighboring countries have been one of the most significant foreign policy achievements of the EU.<sup>30</sup>

### *Relations with Russia in the 1990s*

After the fall of the Soviet Union in 1991, the EEC reacted quickly and strongly. Relations with Russia were less successful than hoped, despite the decision in 1993 to have joint meetings twice a year and the 1995 adoption by the European Council of a strategy on Russia. A strategic partnership agreed to in Corfu on June 25, 1994, was not enforced until 1997 because of the first Chechen War (1994–1996). In Vienna, a report on the “northern dimension” of EU policies was approved in December 1998, and in June 1999, at Cologne, a new common strategy toward Russia also got the green light.

The disintegration of the USSR also raised the tricky issue for the EU of whether to recognize the constituent republics of the dissolved federation. This problem was presented by (the former) Yugoslavia. Two of the main former USSR republics, Ukraine and Belarus, have antagonistic relations with the EU. The founding pillar of the EU-Ukraine relationship is the 1998 Partnership and Cooperation Agreement (PCA) from which the European Neighborhood Policy (ENP) followed in 2004. Thus, the EU has since then tried to offer a carrot-and-stick approach. As for Belarus, the EU decided to resort to “negative conditionality,” suspending contractual agreements after 1997.

### *Relations with the Balkans in the Early 1990s*

The disintegration of the former Yugoslavia was a very good illustration of European disunity. In the midst of the debates, Germany (and the Vatican) announced the unilateral recognition of Slovenia and Croatia (December 23, 1992). The rest of the Europeans had no choice but to follow suit. The war in the former Yugoslavia, which had started in June 1991, is also a textbook case of the failure of European foreign policy. In the first year of the conflict the EU futilely tried to negotiate an agreement. Only through the intervention of the United States and its hosting of the series of negotiations did the war come to an end with the Dayton Accords (1995). An EU “regional approach” to the western Balkans was elaborated, but it was not until the spring of 1999, with the Kosovo

crisis, that the EU seemed to opt for a clear “accession strategy” for the (new) countries in the area.<sup>31</sup> In June 1999 the Stability Pact for South Eastern Europe was launched. One year later, the Feira European Council (June 2000) declared the Balkans to be “potential candidates,” and in November of that year the first summit between the EU and the Balkan heads of state and government was held in Zagreb. In June 2003 the “Salonika Agenda” gave concrete substance to the membership promise.

In contrast, the Albanian case, with so-called Operation Alba, was a lost opportunity for Europe. Under the pressure of events in Albania in March 1997, Italy asked the EU to use the tool of “reinforced cooperation”—that is, an action organized by a reduced number of member states—to address the crisis. When the Nordic states refused, the rather successful Operation Alba was then transformed into a multinational force organized by the Italian government under the auspices of the UN and the OSCE.

#### *Relations with the Middle East and the Mediterranean in the Early 1990s*

As mentioned, the Middle East has been an issue of division between Europe and the United States. In 1986, for instance, there was a major crisis involving Libya. After terrorist attacks at the airports in Vienna and Rome in December 1985, the EEC foreign ministers agreed to intensify their cooperation in several areas linked to security. The United States, however, insisted that Libya should be singled out as responsible for terrorism in Europe. While the divided Europeans were discussing the issue, the United States took action and, informing only the United Kingdom (and using their bases), launched a punitive raid on Libya. This act was strongly criticized by the rest of the Europeans, and after a tense investigation in the European Parliament, the UK was forced to admit that, in violation of its EPC obligations, it had failed to warn its European partners of the U.S. action.

The First Gulf War in 1991 was also initially an issue of disagreement both with the United States and among Europeans (eventually British, French, and Italian forces took part in the war under American leadership). The disagreements were not as strong as those over the Second Gulf War of 2003, when France and Germany came down on one side and the members of the “coalition of the willing” on the other.

The southern shore of the Mediterranean Sea has always been a priority interest for Europe. Beginning in the 1970s, the EEC signed a number of trade and

cooperation agreements with Mediterranean countries. Agreements on agriculture, energy, industry, distribution trades, infrastructure, education and training, health, environment, and scientific cooperation exist with the Maghreb countries (Algeria, Morocco, and Tunisia), the Mashreq countries (Egypt, Jordan, Lebanon, and Syria), Israel, the Palestine Liberation Organization (PLO) (formerly with the Gaza Strip and the West Bank), and the Gulf states. In 1991 the Renewed Mediterranean Policy created a new financial instrument and indicated new fields of cooperation. A major attempt to revitalize and develop a framework for relations with the Mediterranean countries came in November 1995 with the Barcelona Euro–Mediterranean Conference (also known as the Barcelona Process). Comprising twenty-seven participants, including the PLO, it set up regular meetings and launched the idea of a EuroMed free trade zone, which is, however, still far from being achieved.

#### *Relations with the Rest of the World in the Mid-1990s*

The first half of the 1990s witnessed a relaunch of the foreign ambitions of the European Community. With the United States, the relationship continued on its ambiguous path. On the one hand, both sides claimed to attach great importance to closer cooperation and to stronger relations; on the other hand, they have been involved in petty disputes, threats, retaliation measures, and counter-retaliations. In November 1990, a transatlantic declaration was adopted in which both parties affirmed their determination to strengthen their partnership, by informing and consulting with each other, strengthening the multinational trading system, and cooperating in fields such as medical research and environmental protection. The transatlantic declaration also affirmed the principle of biannual meetings between the American and the EU presidents in office (and the European Commission). In one such meeting in Madrid in 1995, Bill Clinton, Jacques Santer, and Felipe Gonzales set out a framework for action with four major goals: promoting peace, stability, democracy, and development around the world; responding to global challenges (including fighting international crime, drug trafficking, and terrorism; and protecting the environment); contributing to the expansion of world trade and closer economic relations; and building bridges across the Atlantic (working with business people, scientists, and others). The main objective of the so-called New Transatlantic Agenda was the establishment of a transatlantic marketplace designed to eliminate trade barriers, expand trade and investment opportunities, and create jobs on both sides

of the Atlantic. Following that, in November 1995 a transatlantic business dialogue was also launched. In 1996 a joint declaration and an action plan were also signed with Canada.

In 1994, a white paper outlining a “new Asia strategy” was approved during the German EU presidency. The EU had meanwhile also ratified a number of trade agreements with India, Pakistan, Sri Lanka, Bangladesh, Macao, Mongolia, Thailand, and China. A framework for a cooperation agreement was agreed in October 1996 with South Korea, while a joint declaration between the EC and Japan was adopted in 1991, establishing cooperation on trade, environment, industry, scientific research, social affairs, competition policy, and energy.

With Latin America the European Union has enjoyed a strategic partnership since the first biregional summit held in Rio de Janeiro in 1999. EU–Latin America summits have since been held every other year.

As for Africa, in 1990 the Lomé IV Convention was signed. Since 1997 it has also included South Africa. One of the first CFSP joint actions was to send observers to South Africa to help prepare for and monitor the April 1994 elections. In December 1995 the European Council declared that it would support Organization of African Unity efforts at preventive diplomacy and peacekeeping. In June 2000 the Cotonou Agreement replaced Lomé.

The events of the early 1990s led the Community to incorporate the principle of political conditionality into its external relations. Human rights considerations were made an explicit part of the Community’s development policy with the November 1991 declaration on human rights, democracy, and development. The possibility of human rights clauses in agreements with third countries was then envisaged. In May 1995 the European Council decided that *all* agreements signed by the EC would include respect for human rights and democratic principles as founding elements.

### **The Amsterdam Treaty**

With another enlargement in sight, a decision was taken in Corfu in June 1994 to hold a new intergovernmental conference. For that purpose the Spanish minister of European affairs, Carlos Westendorp, was asked to lead a reflection group, which concluded that the main objectives of the treaty revision should be: (a) to make Europe more important in the eyes of its citizens; (b) to make EU decisionmaking more efficient; and (c) to provide the EU with greater responsibility and power in addressing foreign relations. The IGC was launched in Turin

on March 29, 1996; the new treaty was adopted by the European Council of Amsterdam on June 16–17, 1997, to enter into force on May 1, 1999.

The Amsterdam Treaty substantially revised some of the CFSP provisions. Articles 11 to 28 of the Treaty on the European Union are devoted specifically to the CFSP. The most important decision in terms of improving the effectiveness and the profile of the Union's foreign policy was the decision to appoint the secretary general of the Council to the office of High Representative for CFSP. The High Representative, together with the foreign minister of the country in the EU presidency and a senior representative from the European Commission would now form a new troika (article J.8, TEU). In his job, the High Representative would support the newly created Policy Planning and Early Warning Unit (or Policy Unit). For the first time EU foreign policy was to have a name and a face. The impact of this innovation was not initially clear, as several member states thought that a low-profile figure would be suitable for the new job.<sup>32</sup> Following the EU debacle in Kosovo, the 1999 Cologne European Council opted for the high-profile political figure of Javier Solana de Madriaga, who as secretary general of NATO had just led NATO military operations in Serbia. Solana took up the post on October 18, 1999, for a period of five years, a term that was then twice renewed. The presidency was given the power to negotiate international agreements in pursuit of both the CFSP and the JHA, assisted by the European Commission when appropriate (article J.14, TEU).

A second innovation of the Amsterdam Treaty was the creation of a new "common strategy" instrument. In 1999–2000, three common strategies were adopted, toward Russia, Ukraine, and the Mediterranean. However, because they offered no real added value to the strategies and partnerships the EU had been developing since the mid-1990s, this new instrument was quickly dropped.<sup>33</sup> The treaty also introduced a slight relaxation of the voting requirements in the European Council. As foreseen by article J.13 of the TEU, there are more possibilities for qualified majority voting once a joint action or a common position has been agreed on, as well as the possibility of "constructive abstention" by one or more member states. However, since the Council hardly ever votes, this provision did not have a real effect on CFSP decisionmaking.

Amsterdam also strengthened the relationship between the EU and the WEU, with a view toward possibly integrating the WEU into the EU. The EU gained access to the WEU's operational capabilities for humanitarian and rescue tasks, peacekeeping, and tasks of combat forces in crisis management (the so-called Petersberg tasks that were approved in 1992 by the WEU). Finally, the

financing of CFSP was clarified, with the EC budget becoming the default setting, apart from military and defense operations. The European Parliament thus gained a larger control over financing. The new treaty also made the possibility of an EU defense policy seem more likely by replacing the word “eventual” with “progressive” in article J.7.<sup>34</sup>

The possibility to negotiate internationally in the field of external economic relations was extended by Amsterdam to services and intellectual property with new article 113(5) of the TEU. The new treaty also foresaw in its article 228(2) the possibility to suspend the application of an international agreement.

Last but not least, Amsterdam called for the development of an area of freedom, security, and justice. It incorporated the *acquis* of the Schengen agreements of 1985 and 1990 into the EU, thus locating asylum, immigration, and border control measures under pillar 1 (new Title IV, TEU), while police and judicial cooperation in criminal matters remained under pillar 3.

### **Toward the Fifth Enlargement: The Treaty of Nice**

The fifth enlargement was to be far more complex than the previous ones, given the institutional, political, and socioeconomic differences of the CEECs. The number of candidates was thirteen, more than all the former candidate countries added together. Without considering Turkey, the enlargement would increase the Union’s geographic territory by 30 percent, its population by 29 percent, and its GNP by 10 percent. Therefore, the enlargement to the countries of central and Eastern Europe and to the south shore of the Mediterranean were to have significant institutional implications. Protocol n. 23, attached to the Treaty of Amsterdam, introduced a revision in two stages: the first for a Union with twenty member states or fewer, and the second for successive enlargements.<sup>35</sup> Meeting in Cologne on June 3–4, 1999, the European Council decided to convene one more intergovernmental conference at the beginning of 2000 with the aim of resolving the institutional questions that had to be solved before the new enlargement. The European Council of Helsinki (December 10–11, 1999) further set the aims of the IGCs, namely the so-called leftovers: the organization of the European Commission, the reweighting of the votes in the European Council, and the extension of the qualified majority voting system. The result was the Nice Treaty, agreed upon in December 2000 in a besieged Nice. Among the issues of interest, it modified the conditions for setting up enhanced cooperation in the CFSP by reducing to eight the minimum number of participating member states and simplifying the procedure for authorization. Because

of British opposition, this cooperation was not extended to matters of defense. The new Treaty of Nice entered into force on February 1, 2003, and contained new CFSP provisions. Notably, it increased the areas that fall under qualified majority voting and enhanced the role of the Political and Security Committee in crisis management operations.

### **Toward a European Security and Defense Policy**

Meanwhile, domestic changes took place in the United Kingdom and in France, now led by Tony Blair and Jacques Chirac. The two countries negotiated secretly on matters of European defense. The result was the Saint-Malo Declaration of December 4, 1998, which stated that the EU needed to be in a position “to play its full role on the international stage.” Because of this, it needed “the capacity for autonomous action, backed by credible military forces, the means to use them, and a readiness to do it, in order to respond to international crises.” To many people’s surprise, it thus announced that the WEU would be, after all, folded into the EU and then disappear. This was heralded at an informal European Council meeting at Pörschach under the Austrian presidency. The United States had no option but to accept the European Security and Defense Policy (ESDP). However, this came with the condition that the EU avoid the “three Ds”: no decoupling (of ESDP from NATO); no duplication (of capabilities); no discrimination (against non-NATO members). The so-called Berlin Plus arrangements of December 2002 now govern relations between the EU and NATO in crisis management.<sup>36</sup>

Meanwhile, at the NATO summit’s fiftieth anniversary (April 25, 1999), the idea of European defense cooperation was endorsed. It noted its compatibility with the alliance, while at the same time enlarging NATO to include the Czech Republic, Hungary, and Poland.

The European Council meeting in Cologne in June 1999 announced the end of the WEU in 2001 and the beginning of a legitimate EU defense policy. The EU would take over the WEU institutions and personnel. Javier Solana was appointed WEU secretary general in addition to his role as High Representative for CFSP. In response to the events in Kosovo, at the Helsinki European Council in December 1999 it was agreed that by 2003 the EU would be able to deploy up to 60,000 troops within sixty days for at least one year to deal with Petersberg task operations. New permanent political and military bodies would be established under the European Council. Two months later they were already holding their first meetings. By May 2003 the Council had agreed that the EU had operational capabilities across the full range of Petersberg tasks.

## The Century of Hopes and Unicorns

The beginning of the twenty-first century found Europe, now no more unnaturally divided, on good footing to potentially become a global power. Whether it seized that chance is another story.

Initially it seemed that Europe was ready to launch into this new role. In 2002 the EU became a member of the Quartet. Created in response to outbreak of the second intifada in Israel in late 2000 and the collapse of peace negotiations a few months later, the Quartet—the United States, the European Union, Russia, and the United Nations—appeared ideally suited for dealing with the seemingly intractable conflict between Israelis and Palestinians. Yet, despite the high expectations that accompanied its formation, and some modest success early on, the Quartet has little to show for its decade-long involvement in the peace process.<sup>37</sup>

Then, on December 12, 2003, the European Council approved Javier Solana's European Security Strategy (ESS), "A Secure Europe in a Better World," which was seen as a response to the American security strategy. While affirming that "Europe has never been so prosperous, so secure or so free," the ESS concluded that "the world is full of new dangers and opportunities." Thus, in order to ensure security for Europe in a globalizing world, multilateral cooperation within Europe and abroad was to be the imperative, because "no single nation is able to tackle today's complex challenges."<sup>38</sup> The ESS also identified a list of key threats facing Europe: terrorism, proliferation of weapons of mass destruction, regional conflict, failed states, and organized crime. Strategic priorities were the neighbors (Balkans, Eurasia, Russia), the Mediterranean, and the resolution of the Arab-Israeli conflict. The EU was to promote regional governance in Europe and beyond and needed to become more capable and more coherent. The following year, in July 2004, the European Defense Agency was created.

On May 1, 2004, the Czech Republic, Estonia, Hungary, Poland, Slovenia, Cyprus, Latvia, Lithuania, Malta, and Slovakia in fact joined the EU, followed on January 1, 2007, by Bulgaria and Romania, thus bringing the EU to a membership of twenty-seven countries. There is no doubt that enlargement has been one of the most successful policies of the EU. However, as former EU commissioner Ferdinando Nelli Feroci pointed out, the EU subsequently suffered "enlargement fatigue" and, with the notable exception of Croatia, which joined the EU on July 1, 2013, all the other Balkan countries are still waiting at the door.<sup>39</sup>

Meanwhile, new trouble emerged in the Balkans when Kosovo unilaterally declared secession from Serbia in 2008, giving birth to yet another territorial-ethnic conflict as Alex Lust explains in his chapter. The EU responded with the EULEX mission. Created within the framework of UN Security Council Resolution 1244, the European Union Rule of Law Mission in Kosovo (EULEX) was launched in 2008 as the largest civilian mission under the Common Security and Defense Policy of the European Union. EULEX's overall mission is to support relevant rule of law institutions in Kosovo on their path toward increased effectiveness, sustainability, multi-ethnicity, and accountability. EULEX's mandate has been progressively extended, with the current one expiring on June 14, 2023.<sup>40</sup>

The enlargement to former communist countries also meant securing the new EU external borders. The 2004 Hague Program set the course for the EU's action in the area of freedom, security, and justice (AFSJ).<sup>41</sup> AFSJ issues were then incorporated into Cooperation or Association Agreements, such as the 2003 agreement with the United States on extradition and mutual legal assistance. The Schengen Information System (SIS) was also upgraded, and in 2005 the European Agency for Management at the External Borders, known as *Frontex*, became operational. Francesca Longo's chapter discusses the external aspects of AFSJ.

The intra-European cooperation in managing external borders and the flow of people into and within the EU was to become one of the major issues in the new century, because of terrorism and later on of migration.

After the 9/11 Twin Towers attacks, in 2004 and 2005 terrorist bombings brought havoc to Madrid and London. If before these attacks EU policies were mainly directed at fighting terrorism internally, later action was also taken abroad. In 2001 EU governments agreed on an EU a counterterrorist approach, which was then revised and adopted by the European Council in 2004 as the EU Plan of Action on Combating Terrorism. The EU also initiated a political dialogue on counterterrorism with the United States, Russia, India, Pakistan, Australia, and Japan. In 2005 the EU adopted a counterterrorism strategy composed of four strands: prevention, protection, pursuit, and response. The EU was heavily engaged in formulating and adopting the 2005 UN Convention against Nuclear Terrorism and the 2006 UN Counter-Terrorism Strategy. It encouraged third states to ratify existing UN conventions and protocols. Gilles de Kerkove's chapter discusses all these EU efforts in counterterrorism.

In 2008 the European Security Strategy's implementation report triumphantly announced that the EU

remains an anchor of stability. Enlargement has spread democracy and prosperity across our continent. The Balkans are changing for the better. Our neighborhood policy has created a strong framework for relations with partners to the south and east, now with a new dimension in the Union for the Mediterranean and the Eastern Partnership. Since 2003, the EU has increasingly made a difference in addressing crisis and conflict, in places such as Afghanistan or Georgia. . . . Yet, twenty years after the Cold War, Europe faces increasingly complex threats and challenges. Conflicts in the Middle East and elsewhere in the world remain unsolved. . . . Globalisation has also made threats more complex and interconnected. . . . Europe will rise to these new challenges, as we have done in the past.<sup>42</sup>

Meanwhile, in December 2007, the Lisbon Treaty was signed. Despite an initial hiccup (the treaty was first rejected in a referendum in Ireland in June 2008, to be then approved in October 2009), the new Lisbon Treaty entered into force in December 2009. With the new treaty, the EU finally acquired legal personality, and important innovations were introduced in the EU foreign and defense policies, now an integral part of CFSP. Most notably, the Lisbon Treaty created the High Representative for European Union Foreign Affairs and Security Policy (EUHR), a double-hatted position combining the existing portfolios of the CFSP high representative and the EU commissioner for external relations. The new treaty was seen in Europe and abroad as a substantial upgrade in the field of European foreign policy. The British EU commissioner and former minister in the Blair government, Lady Catherine Ashton, was appointed as the first EUHR in November 2009.<sup>43</sup> In parallel, José Manuel Barroso was named to the presidency of the Commission and Belgian Prime Minister Van Herman Rumpuy was named to the new post of EU president.

The same year, in January 2009, Barack Obama was sworn into office, bringing with him hopes of a new, more peaceful world. As explained in the chapter on transatlantic relations, the new administration was initially agnostic on Europe and shipped then assistant secretary for European affairs of state Phil Gordon on a tour of European capitals to inquire about the Lisbon Treaty and its implications for the United States. Would Europe finally have “one phone number”?<sup>44</sup> A number of adjustments were even made at the State Department to streamline EU affairs. Yet, in most cases, the national diplomats Gordon consulted with were careful in affirming that, notwithstanding the Lisbon Treaty, bilateral relations with the member state capitals were to remain the core business in transatlantic relations. This was a short-sighted tactic, which had the effect of delaying the upgrading of transatlantic relations in the State Department.

Thus, when the newly appointed secretary of state, Hillary Clinton, traveled to Asia on her first trip overseas (in contrast to the two previous secretaries of state, Madeleine Albright and Condoleezza Rice, both of whom selected Europe for their first trips abroad), European officials began to worry, but did nothing, too soon comforted by the fact that President Obama's first "real" trip abroad, after a symbolic visit to neighboring Canada, was to be Europe.<sup>45</sup> It was to be an ephemeral victory. In December 2009 the EU spectacularly failed in one of its areas of excellence, climate change, at the Copenhagen Summit. The summit, in fact, failed because Obama forged an agreement with China, India, Brazil, and South Africa in the conference's final hours after personally securing a bilateral meeting with the four nations' leaders.<sup>46</sup>

Then, in early 2010 President Obama announced that he was not planning to attend the U.S.-EU Summit in May 2010 in Madrid, frustrated by the disagreements among EU's top leaders on who among them would be the American president's counterpart.<sup>47</sup> The summit eventually took place at the margin of the Lisbon NATO summit in November 2010, but according to those present, Obama quickly dismissed it as too technical to be of interest for him. The announcement, in January 2012, of the removal of two of the four U.S. Army brigades stationed in Europe confirmed that the new administration was more interested in the new pivot to Asia than in the Old Continent.<sup>48</sup>

At the personal level, however, things went differently. Although initially relatively unknown, Catherine Ashton was able to develop a close personal relationship with Secretary Hillary Clinton first and Secretary John Kerry afterward, thus managing to substantially raise Brussels's voice in Washington. This collaboration also proved pivotal—as we shall see—in brokering both the Serbia-Kosovo Agreement and the Iran deal limiting Iran's access to nuclear materials. However, the UK election of Prime Minister David Cameron, a Conservative, to replace Blair, from the Labor Party, deprived Ashton of the support of her own government, to the point that the new government would not even pass her the national security briefings or give her a diplomatic passport (ironically, EU leaders depend on their own countries' diplomatic passports and security briefings).

Ashton's first not-easy task was to set up the European Diplomatic Service, formally known as EEAS, the European External Action Service. It was a task she entrusted to the EEAS's secretary general, Pierre Vimont, former chief of staff to the French foreign minister and French ambassador to the United States. Yet even someone as skilled as Vimont—whose work was even celebrated in a

comic and a film<sup>49</sup>—could not prevent the EU foreign policy decisionmakers (Commission, Council, and the member states) from battling each other over who-got-what in terms of posts and means. As Vimont wrote:

It is no easy matter reconciling administrative cultures and organisational structures that were quite different at the outset. The Service effectively needs to develop an *esprit de corps*, a common administrative culture, and this will not happen overnight. Because its officials come from three different backgrounds (the Commission, the Council General Secretariat and the Member States' diplomatic services), we need to work patiently to blend them together into a homogeneous administration, with effective working methods designed to generate innovative ideas.<sup>50</sup>

When the Arab Spring erupted in 2011, Catherine Ashton was the first foreign leader to visit ousted Egyptian leader Mohammed Morsi—who in turn had previously replaced the former president, Mubarak—and almost brokered an agreement.<sup>51</sup> The animosity of the parties involved, however, made the agreement impossible, a reminder of how the Middle East region poses numerous challenges.

The war in Libya complicated things further. In Libya, after years of confrontation, the Gaddafi government's policy reversals on weapons of mass destruction and terrorism had led to the lifting of most international sanctions in 2003 and 2004, followed by economic liberalization, oil sales, and international investments. Despite this apparent stabilization, in the wake of the 2011 Middle East uprising, confrontations between opposition activists and government security forces in the eastern cities of Benghazi and Bayda led to deadly confrontations. As violence erupted on the occasion of funeral gatherings, hundreds of civilians were wounded or killed. Opposition groups seized several police and military facilities and took control of some eastern cities. As Gaddafi supporters' counterattacked, Libya was pushed to the brink of civil war.

The French airstrike on March 20, 2011, marked the beginning of the allied operations in Libya.<sup>52</sup> As explained in the chapter on transatlantic relations, the United States supported the French and the British but let them do the dirty work. Yet, the United States then provided intelligence, refueling, and more precision-bombing assistance than Paris or London want to acknowledge.<sup>53</sup> Several NATO and EU members, including Germany, Poland, and Turkey, however, refused to support the war, notwithstanding an explicit UN Security Council resolution. Following the attacks, the situation in Libya deteriorated quickly as rival militias, all claiming governmental legitimacy, battled each other and escalated the conflicts into a full-scale civil war in February 2014. This

political instability would allow Islamic State militants to use Libya as a staging ground for terror attacks.<sup>54</sup> Europe was confronted with the arrival of thousands of refugees brought over from the Libyan shores by illegal smugglers.

### *The Balkans*

Events were also precipitating in Europe's backyard, the Balkans. In 1999 the EU had launched the Stabilization and Association Process (SAP), a strategic framework aimed at supporting the gradual rapprochement of the Western Balkan countries with the EU. In December 2009 Serbia submitted its application for EU membership. Meanwhile, however, Kosovo had unilaterally declared its independence in February 2008.<sup>55</sup> The EU conditioned Serbia's accession negotiations as well as Kosovo's Stabilization Association Agreement (SAA) on the parties' commitment to dialogue. The Belgrade-Pristina dialogue facilitated by the European Union began in 2011 and is one of the EU's major foreign policy achievements. High Representative of the European Union for Foreign Affairs and Security Policy (EUHR) Catherine Ashton, as well as her successor Federica Mogherini (who held the added title of vice president of the European Commission with the abbreviation HR/VP), personally led the EU's "facilitation" of this dialogue. The First Agreement of Principles Governing the Normalization of Relations reached between the two countries in 2013 has been widely acclaimed as a success story for EU's Common Foreign and Security Policy.<sup>56</sup>

In September 2012, eleven EU member states (excluding the UK), published a communiqué on the "The Future of Europe," which called for, among other things, a new model defense policy designed to create a "European Army" and more majority-based decisions in defense and foreign policy, in order to prevent one single member state from being able to obstruct initiatives.<sup>57</sup> The proposals were supported in a further communiqué issued by France, Germany, Italy, Poland, and Spain in November 2012, which also called for a "new military structure" for EU-led operations.<sup>58</sup> Unsurprisingly, the UK prime minister, David Cameron, announced the UK would block any attempts to give the European Union a bigger role in coordinating the bloc's defense policy.<sup>59</sup>

By that time, Europe was deep in the aftermath of the eurocrisis, which occupied the bloc for several years, thus distracting from foreign policy. Following the global financial meltdown of 2007–2008, liquidity had dried up, revealing unsustainable deficits and large public debts. In November 2009, it was clear that Greece had manipulated its balance sheets to hide the scale of its debt. By 2010 sovereign debt crises—most pronounced in Greece—had spread throughout

the periphery, and by 2011 the EU and the International Monetary Fund had bailed out Greece, Ireland, and Portugal. By the end of 2011, the center of the debt crisis shifted to Europe's larger countries, including Italy, the eurozone's third largest economy. Given Italy's more than \$2.6 trillion in public debt, a bailout was not an option.<sup>60</sup> The European Central Bank (ECB), then led by Mario Draghi (2012), unveiled a program allowing it to buy up potentially unlimited government bonds. (Draghi's famous pledge was to do "whatever it takes" to preserve the euro.)<sup>61</sup> Then in 2015, amid threats of deflation, Draghi announced a European version of quantitative easing, or QE, under which the ECB would buy \$1.3 trillion worth of assets in the effort to avoid falling prices.<sup>62</sup>

### *The Libyan Crisis*

Since the fall of Gaddafi, Libya has become a failed state, deteriorating into anarchy. During the 2011 conflict, the EU had provided humanitarian assistance. And at the end of the military intervention in Libya, it pulled together a development package focusing on public administration, security, democratic transition, support to civil society organizations, health, vocational training, and education as well as migration. The EU also established EUBAM Libya, a civilian mission launched under the Common Security and Defense Policy to help Libyan authorities develop the capacity for enhancing the security of land, sea, and air borders, in the short term, and to develop a broader Integrated Border Management (IBM) strategy in the long term.<sup>63</sup>

The Libyan situation, however, is complicated by several factors. Success would have been predicated on a constructive European peacemaking role, and unity among EU member states, as well as a constructive American role. Lacking those elements on the ground, the major actor in Libya is now Turkey, and second, Russia. France and Italy, in fact, divided the Europeans by supporting different factions in the conflict, to the point of sabotaging EU policies with regard to Libya.<sup>64</sup> Turkey has played a mercurial yet growing role in Libya as its interests there have developed. Initially, Turkey was almost wholly motivated by the desire to fulfill the contracts it had in Libya in 2011, but it then began to see Libya as important to its attempt to boost its influence by cultivating the political Islamist groups that emerged across the region during the Arab uprisings. Russia has been crucial to the commander of the Tobruk-based Libyan National Army, Khalifa Haftar, whose successes, have raised his international standing and assisted him financially, for instance, by printing a new Libyan currency on

his behalf. It has also provided military assistance to Haftar in the form of advisers, training, and the maintenance of Russian weaponry.<sup>65</sup>

### *The Migrant Crisis*

As the EU was starting to recover from the eurocrisis, the migrant crises hit the continent. This scenario further worsened with the fall of Gaddafi. The Libyan conflict has pushed migrants and refugees to flee to Europe using the relatively short passage across the Mediterranean. In 2015 alone, more than one million people illegally crossed into Europe. Many of them took huge risks and embarked on dangerous journeys to escape conflict and find a better life. Europe struggled to respond to the sudden influx, but so many landing on Europe's shores (often initially in Italy or Greece) sparked a crisis—both humanitarian and political. Thousands died attempting to reach Europe, and while some countries opened their arms, others erected fences and closed their borders.<sup>66</sup> By the end of 2016, nearly 5.2 million refugees and migrants had reached Europe, undertaking treacherous journeys from Syria, Iraq, Afghanistan, and other countries torn apart by war and persecution.<sup>67</sup> While the 2020 COVID-19 crisis slowed the influx, the crisis is still ongoing,<sup>68</sup> deeply dividing Europeans, with Italy and Greece at the forefront and Nordic states like Denmark unwilling to help at all.<sup>69</sup>

### *Development of the New EU Strategy*

As the Trump administration took office in the United States, in January 2017, the new EU High Representative, Federica Mogherini, was among the first to arrive in Washington and to invite Vice President Mike Pence to Brussels. However, as explained in the chapter on transatlantic relations, it soon became clear that the United States would no longer be the trusted partner of the past and that the only viable alternative would be for the EU to integrate further. Meanwhile the EU had started working on a new security strategy.

The work for the EU Global Strategy (EUGS) began in September 2015 and ended a few days before the Brexit referendum on June 23, 2016. Mogherini had laid down two strategies for the vote on the new security strategy in light of the referendum: in the event British voters opted to “remain” in the EU on June 23, the EUGS would be circulated the following day and formally presented by the HR/VP (Mogherini) to the European Council on June 28, 2016. If instead the

British public voted to “leave,” the EUGS launch would be postponed to a later date. As Mogherini’s special adviser, Nathalie Tocci, wrote:

When the devastating news of Brexit hit home around 5 a.m. on the 24th, I assumed it would all be called off. Indeed, this was the HR/VP’s first inclination that day. Yet as the hours went by, it became increasingly clear that presenting the EUGS in September was not an option as the European Council would have informally debated Brexit [as] 27 Member States on that occasion. The alternative would have been October or December 2016. But the magnitude of the Brexit earthquake risked being so great that in all likelihood the project would have been dropped altogether.<sup>70</sup>

Mogherini thus finally decided to stick to the original plan. As she wrote in the EU Global Strategy’s foreword, “The purpose, even existence, of our Union is being questioned. . . . In challenging times, a strong Union is one that thinks strategically, shares a vision and acts together. This is even more true after the British referendum.”<sup>71</sup> On June 28, 2016, Mogherini officially presented the European Union Global Strategy at the European Council.<sup>72</sup> The EUGS advocated for the European Union to play a major role, including becoming a global security provider. In the drafting of the plan, defense, immigration, and relations with Russia had proved the three most contentious points.

There was a critical mass of Member States that were keen to press the accelerator on European security and defense. This was complemented by the security and defense community within and beyond official institutions, which, having seen to their dismay an ESS being “diluted” into a broader EUGS, wanted to make sure their baby was not entirely stolen from them. They wanted to make sure the EUGS would have strong hooks on defense. The Commission, traditionally reluctant to name the “D” word, was also on board, partly due to the personal views of Commission President Juncker on European defense and the broader evolution of the defense debate within the Commission as a whole. This, however, had to be reconciled with a set of dissenting voices. Some Member States, while keen on security and defense in general, wanted to ensure that in no way would the EUGS challenge NATO’s supremacy on collective defense, nor would it question the national sovereignty of Member States on defense matters. Other Member States, notably some of the non-NATO Member States, felt uneasy about a strong NATO focus in the EUGS and wanted to make sure that their status and autonomy as non-NATO members was fully respected and reflected in the Strategy. Other Member States along with segments of the EEAS, the Commission, the European Parliament, as well as human rights organizations, cautioned against an excessive security focus in the EUGS.<sup>73</sup>

The new global strategy also identified a number of defense capability priority areas in which Europe needed to invest and develop collaborative approaches:

intelligence-surveillance reconnaissance, remotely piloted aircraft systems, satellite communications and autonomous access to space and permanent earth observation; high-end military capabilities including strategic enablers; as well as capabilities to ensure cyber and maritime security. In parallel, the EU-NATO Joint Declaration was signed in Warsaw on July 8, 2016, to relaunch EU-NATO cooperation.<sup>74</sup>

Presenting the EUGS right after the Brexit referendum was a risky move, yet possibly the only viable strategy, as the Union needed to give a strong signal. In his 2016 State of the Union Speech, EU Commission President Jean Claude Juncker stressed the need for a Europe that protects, empowers, and defends, and called for the creation of a European Defense Fund.<sup>75</sup> Italy, France, and Germany also came forward with proposals to bring together the EU's disparate military assets, spend more, develop technology, and rely less on the United States.<sup>76</sup> Meeting informally in Bratislava at the end of September, the twenty-eight EU ministers of defense agreed to work together to move forward in the field of defense, despite London's opposition to an EU army and EU military headquarters.<sup>77</sup>

Consequently, Mogherini proposed an Implementation Plan on Security and Defense.<sup>78</sup> The plan defined the types of civilian missions and military operations that the EU should be capable of undertaking within the context of the global strategy and elaborated on how the EU could be more effective in the field.<sup>79</sup> The plan called for an annual review on defense, established a rapid response (more flexible, faster, and targeted actions in civilian crisis management), and development of EU battlegroups. The oversight of all EU missions (both civilian and military) was to be centralized at the European External Action Service. New Permanent Structured Cooperation (PESCO) and CSDP partnerships (enhanced cooperation with the UN, NATO, African Union, and OSCE) were also foreseen.

With London unable to say anything, Mogherini's proposals were endorsed by the Foreign Affairs Council on November 14, 2016. Both the European Parliament and the European Commission followed up with reports, respectively the "European Defense Union"<sup>80</sup> and the "European Defense Action Plan" (EDAP).<sup>81</sup> According to the European Commission, the European defense market suffered from fragmentation and insufficient industrial collaboration. A more efficient use of public money and a stronger industrial base could be achieved by strengthening defense procurement within the single market, reducing duplications, and improving the competitiveness of the EU defense industry. Collectively, Europe is the world's second-largest military spender. However, it

still lags behind the United States and suffers from inefficiency in spending due to duplications, a lack of interoperability, and technological gaps. Moreover, defense budgets in Europe have been shrinking in recent years, while other global actors (China, Russia, and Saudi Arabia) have been upgrading their defense sectors on an unprecedented scale. Without a sustained investment in defense, the European industry risks lacking the technological ability to build the next generation of critical defense capabilities. Ultimately, this will affect the strategic autonomy of the Union and its ability to act as a security provider.

The defense industrial sector is not only of strategic importance for Europe's security. With a total turnover of 100 billion euros per year and 1.4 million highly skilled people directly or indirectly employed in Europe, it is also a major contributor to the European economy.<sup>82</sup> The Commission had already developed strategies to support the competitiveness of the European defense industry and the creation of a more integrated defense market in Europe with the adoption, in 2009, of two defense directives. In 2013 the Commission had already identified a list of actions to further strengthen defense procurement and promote a more competitive defense industry. The new "Defense Action Plan," for the first time, promoted a defense policy based on three main pillars: launching a European defense fund; fostering investments in defense supply chains; and reinforcing the single market for defense.

The European Council also approved a set of forty-two measures to strengthen EU-NATO cooperation. Consequently, during the sixtieth anniversary of the Treaties of Rome (March 2017), EU leaders announced their decision to move forward on European Union defense and security cooperation. On June 7, 2017, the Commission launched the European Defense Fund to help member states reduce duplications in military spending by coordinating, supplementing, and amplifying national investments in defense research, in the development of prototypes, and in the acquisition of defense equipment and technology. Finally, in summer 2017, discussions began on activating PESCO, as well as on a proposal for regulation of the European Defense Industrial Development Program (EDIDP).

In December 2017 twenty-five member states (all but the United Kingdom, Denmark, and Malta) agreed to step up the European Union's work in the defense area by creating a Permanent Structured Cooperation (PESCO) on security and defense.<sup>83</sup> Through PESCO, member states are to increase their effectiveness in addressing security challenges, advance toward further integration, and strengthen defense cooperation within the EU framework. By providing

enhanced coordination and collaboration in the areas of investment, capability development, and operational readiness, PESCO is supposed to be a fundamental driver of integration in the European defense industry. Massive European financial investment and European-wide procurement procedures are likely to significantly affect the military industry, relaunching the one in Europe and challenging America. The twenty-five member states have made binding commitments to enhance coordination and increase investment in defense and cooperation in developing defense capabilities. In March 2018 the Council adopted a roadmap for the implementation of PESCO and reached a decision formally establishing the initial list of the first seventeen collaborative projects.

PESCO's aim is to gradually deepen defense cooperation within the EU framework, as better explained in the chapter by Stephanie Anderson. With PESCO injecting substantial funding into European defense procurement and R&D, the EU could become one of the biggest defense research investors in Europe and foster the development of cutting-edge, fully interoperable technologies and equipment. Yet, for the EU to be successful in the field of security and defense, Europeans must work effectively together.<sup>84</sup>

### *EU Foreign Policy in the Time of COVID-19*

In December 2019 a new leadership team was named to head EU institutions. Ursula von der Leyen became the first woman to be president of the European Commission, while Josep Borrell was named HR/VP. Little did they know at the time that the world was about to enter the greatest crisis since World War II, a crisis that was also to shape the manner of dealing with foreign policy.

A former president of the European Parliament and Spanish foreign minister, Borrell was able to hit the ground running. On December 2, 2019, the day after he took office, he was already attending the UN Climate Conference in Madrid. Yet, traveling was to be soon cut short and replaced by video conferences. In Borrell's own words: "Videoconferencing seriously complicates the task of diplomacy: in many situations, there is no substitute for face-to-face discussions, and direct human contact, to find mutually acceptable solutions."<sup>85</sup>

The pandemic also shaped the work of the European External Action Service in 2020. First, the EU had to undertake emergency action to repatriate 600,000 European citizens stranded around the world. It was a formidable challenge. The EU provided assistance to member states through an emergency response mechanism; it coordinated a common EU approach to securing supplies; and

it facilitated the rollout of vaccines and supported international efforts through the COVAX initiative to make vaccines against COVID-19 available to all countries.<sup>86</sup> It is not surprising, therefore, that EU foreign policy has proceeded at a slower pace since early 2020. This is not saying, however, that nothing happened.

The most important event for Europe since the COVID-19 outbreak is the change of government in the United States. Borrell summed up the feelings of most Europeans:

The victory of Joe Biden in U.S. presidential elections has been warmly welcomed in Europe. We need to seize the opportunities this offers to rebuild EU--U.S. cooperation. The world needs a United States ready to listen and a Europe able to act," adding that he "was shocked, like all democracy advocates and friends of the United States worldwide, by the scenes we witnessed in Washington: a mob assaulting Capitol Hill to prevent the vote to confirm Joe Biden as president of the country.<sup>87</sup>

As I discuss in the chapter on transatlantic relations, Biden often mentions the importance of U.S. relations with Europe and once in office restored the tradition of traveling to the Old Continent as a first major foreign visit. Yet, when he made his way to Europe in June 2021, Biden first visited Great Britain, then met with NATO counterparts, and at last with representatives of the EU. While the Europeans welcomed Biden's decision to rejoin the Paris Agreement, including nominating John Kerry as his special presidential envoy for climate change, and to reengage in talks to revive the Iran deal, the European Union does not see eye to eye with the Americans on everything.<sup>88</sup>

The Joint Comprehensive Plan of Action (JCPOA, the Iran deal) was not merely a symbolic success: it delivered on its promises, and proved effective. The International Atomic Energy Agency (IAEA) was able to confirm in its fifteen consecutive monitoring reports between January 2016 and June 2019 that Iran had met all its obligations under the deal. Europe and other partners lifted sanctions, as specified in the agreement. Iran's international isolation was coming to an end, setting the stage for a restoration of normal economic and trade relations with the rest of the world. In May 2018, however, President Trump decided to unilaterally withdraw from the JCPOA and reinstate sanctions in pursuit of a new strategy of "maximum pressure." For the first fourteen months after this, Iran continued to adhere to the deal, but it is now once again accumulating worrying levels of enriched uranium and acquiring new nuclear know-how. Reviving the JCPOA should be a major objective for both the EU and the United States in the months and years to come.

On the other hand, the European Union and the United States are divided on China: Europe is too interdependent to decouple economically from Beijing. Each member state has its own viewpoint and sensitivities, on which the Chinese often play. At the beginning of the COVID-19 crisis, when Chinese hospitals were overwhelmed, the EU offered extensive support and quietly sent lots of supplies, without much publicity. Later on, when Europe became the center of the pandemic, China sent large supplies of medical equipment, making sure the world knew. This clearly annoyed the Europeans.<sup>89</sup>

China's state-centric stance contrasts with the EU's multi-stakeholder approach based on respect for fundamental rights and freedoms. China defends the World Trade Organization in its current form, including the dispute settlement system, but in practice it has capitalized on its status as a developing nation when it initially joined. The new-style Chinese foreign policy is known as "wolf warrior diplomacy," with high-level Chinese diplomats responding aggressively to any criticism of the regime on social media—a use of such media that would be generally prohibited in China.<sup>90</sup> In the last thirty years, China's military spending has risen exponentially, with the goal to make the People's Liberation Army the main military technology force by 2049, the 100th anniversary of the establishment of the People's Republic. At the commemoration of the 70th anniversary in 2019, China proudly displayed its nuclear arsenal, which is land-, air-, and sea-based. The EU's embargo on the sale of arms, imposed on China after the Tiananmen Square events in 1989, is still in force, but China is no longer dependent on imports of military equipment and is now a major challenge to American naval domination and control of the western Pacific.<sup>91</sup> Speaking on behalf of the twenty-seven member states, in March 2021 Borrell expressed the EU's serious concern over the adoption of the new Hong Kong National Security Act, which is contrary to the principle of "one country, two systems" and to China's commitments to the international community. Yet, the twenty-second EU-China Summit took place on June 22, 2020, as planned, only via video conference, and the EU was hoping to conclude the EU-China Comprehensive Agreement on Investment by the end of 2020 (at best, that will be in 2023).<sup>92</sup>

Relations with Turkey are another thorny issue. Turkey has shown little interest in EU membership of late, and from June 2016 onward little to no progress has been made on the accession negotiations. The 2016 EU-Turkey joint statement, which followed the outbreak of the migration crisis of 2015, has not borne fruit even though it did help control migration flows toward Europe. Confrontation over exploitation of resources in the eastern Mediterranean,

disagreements on control over maritime spaces, and the stymied reunification of Cyprus are all examples of the EU-Turkey stalemate.

Meanwhile, Turkey's influence in eastern and northern Africa and the Balkans increased. Turkish involvement in both Syria and Libya clashes with the security interests of the EU. In Nagorno-Karabakh, Turkey's support resulted in a major victory for Azerbaijan.<sup>93</sup> In March 2020 Turkey's highest authorities encouraged migrants and refugees to advance toward the Greek borders and enter the European Union. Greek authorities responded with determination, repelling the push. The whole EU leadership rushed to Greece's defense and then to Ankara with intense exchanges with President Recep Tayyip Erdoğan and other Turkish authorities. This was followed a few days later by a visit from Erdoğan to Brussels. Stability at the border was re-established, but relations continue to be strained. The "cherry" on the top, known as Sofagate, took place when Ursula von der Leyen was left without a chair at a meeting with Erdoğan in Ankara in April 2021.<sup>94</sup>

One of the areas where Turkish and EU interests contrast the most is Libya, where the situation remains very complex and difficult. The main EU achievement in the area has been the 2020–2021 EUNAVFOR MED IRINI, an operation meant to support the implementation of the arms embargo imposed by the UN Security Council through the use of maritime, aerial, and satellite surveillance. Operation IRINI also monitors and surveils to prevent illicit oil exports from Libya.

In nearby Syria, a decade of civil war has led more than 12 million Syrians, half of the prewar population, to flee their homes. More than half a million have lost their lives. An entire generation of Syrian children has only known war. Conferences on the future of Syria and the region were held in both 2020 and 2021, yet without bringing any substantial change to the region.

Following in the Spanish tradition, Borrell has given attention to the Sahel region, a group comprising Burkina Faso, Mauritania, Mali, Niger, and Chad. Threatened by the effects of climate change, food insecurity, and weak state structures, these countries—some of the poorest in the world—are facing multiple crises. Terrorism is taking a severe toll in the region, with a growing number of attacks carried out in a climate of persistent indifference. Almost 800,000 people have been displaced in Burkina Faso. Seventeen million people in the Sahel and West Africa are in need of food aid. Estimates suggest that the combined effect of insecurity and COVID-19 could plunge some 50 million people into a food and nutrition crisis.<sup>95</sup> Borrell thus launched the Coalition for the

Sahel, which announced support of 194 million euros: 112 million of which would strengthen the internal security forces of the countries of the region and to help with the redeployment of the presence of the state and justice in the most vulnerable areas and 82 million for resilience and development programs. This new contribution is in addition to the 4.5 billion euros that the European Union has invested in the region since 2014. Since 2012 the EU have also deployed three missions to the region to provide advice, train personnel, and support the purchase of equipment and infrastructure.<sup>96</sup>

Borrell was also hoping to revive relations with Latin America and has the ambitious goal of finally concluding a EU-Mercosur agreement, whose negotiations started in the year 2000. The European Parliament has adopted a resolution warning that, as it stands, this agreement could not be ratified. At the Council level there is also opposition from a significant number of member states. However, Borrell is right in affirming that the political and economic costs of failure would be substantial: after twenty years of negotiation, it has become a question of credibility for Europe in the region.<sup>97</sup>

Borrell has also restarted, in July 2020, the Serbia-Kosovo negotiations (Belgrade-Pristina Dialogue), but the spirit and the personal relations forged by Catherine Ashton and her envoy, Fernando Gentilini, that led to the agreement in 2013 are missing and cannot be re-created during a pandemic.<sup>98</sup>

Finally, the EU is slowly continuing its engagement on defense cooperation. “The Strategic PESCO Review 2020” listed forty-seven collaborative projects launched, with twelve of them already delivering concrete results or reaching their initial operational capability. They include projects such as the Cyber Rapid Response Teams, which will enable several deployable teams to respond to cyber incidents across Europe, or the European Medical Command, a multinational medical structure that will coordinate medical resources for CSDP missions and operations as well as for NATO. As for more conventional weapon systems, a new EU “line-of-sight” missile will enable operators to deliver precision strikes through the use of drones.<sup>99</sup> The “2020 Coordinated Annual Review on Defence (CARD)” report provides the first comprehensive overview of the European defense landscape, including capability development, R&D efforts, and state of the defense industry. It clearly highlights that the EU defense sector is still too fragmented and needs convergence. For example, while the United States has one main battle tank, sixteen different types operate in Europe. In the maritime domain, Europeans operate thirty different models of corvettes, frigates, and destroyers, compared to four surface battle ships in the United States.

On the operational side, security, and defense engagement in terms of personnel and expenditure barely represents 7 percent of the total operational commitments of member states.<sup>100</sup>

#### NOTES

1. Walter Hallstein, *United Europe: Challenge and Opportunity* (Harvard University Press, 1962), p. 79.

2. Treaty establishing the European Economic Community (TEEC), article 113.

3. *Ibid.*, article 116.

4. "The Commission shall conduct these negotiations in consultations with a special committee appointed by the Council to assist the Commission with this task and within the framework of such directives as the Council may issue to it." *Ibid.*, article 113, 3.

5. *Ibid.*, article 114.

6. In particular, the treaty established that the Community could negotiate Association Agreements with a union of states or an international organization giving birth to "reciprocal rights and obligations, common action and special procedure."

7. The Association Agreement with Greece was signed on July 9, 1961, and became effective on November 1 of the next year. The agreement with Turkey was still under negotiation.

8. The Hague Summit Declaration, December 2, 1969, point 3.

9. The Copenhagen Report, July 23, 1973, Part I.

10. *Ibid.*, point 12(a).

11. Not until 1986, when the African National Congress refused to meet with the United Kingdom's foreign secretary, Sir Geoffrey Howe, did the UK finally change its position and agree to Community sanctions on September 16, 1986.

12. Federiga Bindi and Palma D'Ambrosio, *Il futuro dell'Europa* (Milan: Franco Angeli, 2005).

13. "Declaration on European Identity," December 14, 1974, point II.9.

14. C. Hill and K. E. Smith, *European Union Foreign Policy: Key Documents* (London: Routledge, 2000), p. 299.

15. *Ibid.*, p. 317.

16. *Ibid.*, p. 259.

17. Established in 1986 with an initial membership of six, the Rio Group now comprises twenty-three countries: all of the Latin American countries plus the Dominican Republic, Jamaica, Belize, Guyana, and Haiti. Cuba joined the Rio Group in November 2008. The other Caribbean countries are represented by one of the full Caribbean members (presently Jamaica).

18. Such a decision was in fact made in Dublin on April 28, 1990.

19. Jacques Delors, *Le nouveau concert Européenne* (Paris: Editions Odile Jacob, 1992).

20. As far as the treaties of the Community are concerned, the only modifications concerned the number of members in the European Parliament. Of course, the main consequence was that Germany, which was a clear contributor to the Community budget in the past, would receive substantial financial aid for the new *Länder*.

21. Hill and Smith, *European Union Foreign Policy*, pp. 151–52.

22. Treaty on the European Union (TEU), article J.1.4.

23. *Ibid.*, articles J.2 and J.4.

24. B. White, *Understanding European Foreign Policy* (New York: Palgrave, 2001), p. 105.

25. *Ibid.*, p. 103.

26. Hill and Smith, *European Union Foreign Policy*, pp. 158–59.

27. On January 1, 1994, the so-called second phase of the EMU began (the first phase having been the freedom of circulation for capital accomplished under the single market). The European

Central Bank (ECB) was thus created. Prospective EMU members had to comply with four criteria related to interest rates, the public deficit, and inflation rates. On May 2, 1999, the heads of state and government decided that eleven countries qualified to join the EMU: Portugal, Spain, France, Luxembourg, Belgium, Holland, Ireland, Italy, Germany, Austria, and Finland. The United Kingdom and Denmark opted not to participate; Greece was eventually accepted to join as of January 1, 2001.

28. Hill and Smith, *European Union Foreign Policy*, p. 195.

29. *Ibid.*, pp. 194–95.

30. S. Keukeleire and J. MacNaughtan, *The Foreign Policy of the European Union* (London: Palgrave Macmillan, 2008), p. 259.

31. See Norrevik chapter in this volume.

32. Keukeleire and MacNaughtan, *Foreign Policy*, pp. 54–55.

33. *Ibid.*, p. 55.

34. TEU, article J.7, reads: “The common and security policy shall include all questions relating to the security of the Union, including the progressive framing of a common defense policy.”

35. “At least a year before the number of member states exceeded twenty, a conference for the representatives of government was summoned with the aim of reexamining the dispositions of the Treaties, in particular, the composition and the performance of its institutions,” Protocol n. 23, attached to the Treaty of Amsterdam.

36. Keukeleire and MacNaughtan, *Foreign Policy*, p. 176.

37. Khaled Elgidiny, *The Middle East Quartet: A Post-Mortem*, Brookings Institution Analysis Papers, No. 25, February 2012 ([https://www.brookings.edu/wp-content/uploads/2016/06/02\\_middle\\_east\\_elgindy\\_b-1.pdf](https://www.brookings.edu/wp-content/uploads/2016/06/02_middle_east_elgindy_b-1.pdf)).

38. European Security Strategy, PESC 787, December 8, 2003 (<https://data.consilium.europa.eu/doc/document/ST-15895-2003-INIT/en/pdf>).

39. Federiga Bindi and Irina Angelescu, eds., *The Foreign Policy of the EU: Assessing Europe's Role in the World*, 2nd ed. (Brookings Institution Press, 2012), pp. 25–34.

40. Council Decision CFSP 2021/904 (<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32021D0904&from=EN>).

41. Article 3(2) of the Treaty on the European Union (TEU) establishes the creation of an area of freedom, security, and justice (AFSJ), which is further specified by Title V of the Treaty on the Functioning of the European Union (TFEU) in Articles 67 to 89.

42. “Report on the Implementation of the European Security Strategy—Providing Security in a Changing World,” S407/08 ([https://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/reports/104630.pdf](https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/reports/104630.pdf)).

43. European Parliament, “Summary of Hearing of Catherine Ashton, EU High Representative-Designate for Foreign Policy,” 2010 (<http://eu-un.europa.eu/eu-parliament-summary-of-hearing-of-catherine-ashton-eu-high-representative-designate-for-foreign-policy/>); and European Parliament, “Hearing of Catherine Ashton,” 2010 ([https://multimedia.europarl.europa.eu/en/hearing-of-catherine-ashton-high-representative-designate-for-foreign-policy-afet-audition-de-cather\\_1477\\_c](https://multimedia.europarl.europa.eu/en/hearing-of-catherine-ashton-high-representative-designate-for-foreign-policy-afet-audition-de-cather_1477_c)).

44. This phrase is often attributed to Henry Kissinger, although he likely never said it. It refers to the idea that if an outside actor wanted to contact Europe, they could dial a single number rather than call each country individually.

45. See “Hillary Rodham Clinton,” *U.S. Department of State—Office of the Historian*, 2009 (<https://history.state.gov/departmenthistory/travels/secretary/clinton-hillary-rodham>); “Barack Obama,” *U.S. Department of State—Office of the Historian*, 2009 (<https://history.state.gov/departmenthistory/travels/president/obama-barack>).

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