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GLOBAL POWER EUROPE?
EU 25 BETWEEN INTERNATIONALISM AND PAROCHIALISM

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ABSTRACT:

The authors question the widely held belief that the 2004 enlargement will strengthen the global role of the European Union. Due to the special characteristics of the “big enlargement”, and the failure of the old member states to adopt adequate institutional reforms prior to enlargement, there is a real risk that the EU will in fact become a less ambitious international actor. The authors discuss the theoretical understanding of the link between enlargements and deeper integration, before presenting a brief analysis of the 2004 enlargement and the provisions of the Constitutional Treaty within the field of foreign affairs.

“It is often claimed that the 2004 enlargement has changed the international role of the EU; that the EU has gone from being a regional actor to being a global actor.”

This article questions the widespread assumption that the enlargement will necessarily strengthen the global role of the EU. The article thus claims that the most recent enlargement might in fact lead to the EU becoming a less ambitious actor on the international scene.

The first section discusses the connection between widening and deepening integration. It is claimed that the positive relation between the admission of new mem-

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Whether the new EU will function as a stronger foreign policy actor depends on a number of factors, including specific characteristics of the new member states, and the institutional reforms that accompany the enlargement process (in this case, the fate of the Constitutional Treaty). Against this background, the second section discusses the most recent enlargement and the impact the new member states can be expected to have on the foreign policy agenda of the EU. The third and fourth sections of the present article focus on some of the institutional problems facing the EU as an international actor, and the efforts of the EU member states to strengthen the common institutions through the proposed Constitutional Treaty. The article concludes by discussing the possible consequences of the enlargement for the international role of the EU.

1. The Interplay between Enlargement and Integration

In the literature on European integration it is often assumed that enlargements act as an engine of integration: The accession of new member states implies a risk that the integration process will become more complicated, giving the old member states an incentive to strengthen the institutions before the new member states are brought on board. Prior to the 1973 and 1986 enlargements, the EU member states thus took steps to strengthen the European Political Cooperation (EPC). Similarly, the Maastricht Treaty provisions for a Common Foreign and Security (CFSP) were negotiated before the accession of Austria, Finland, and Sweden in 1995. It is not enlargement per se, but rather concern over the potential consequences of enlargement that fuels the integration drive. The existing member states fully realize that they cannot include new members without undertaking parallel institutional reforms.

As an engine of integration, enlargements have also had a tendency to expand the political agenda of the EU: New member states have brought new economic and political priorities, which have subsequently become a natural part of the EU’s common agenda. When the United Kingdom joined the Community in 1973, the EC suddenly became the centre of the British Commonwealth, as reflected in the privileged co-operation with the former French and British colonies in Africa, the Caribbean, and the Pacific (the so-called ACP countries) and the establishment on special commodity protocols for trade with traditional suppliers under the Commonwealth system. The accession of Denmark also had an impact on the political agenda by making relations with Greenland and the Faroe Island a common EC responsibility. The accession of Spain and Portugal in 1986 bolstered the EC’s political and economic relations with Latin America and North Africa. The inclusion of Finland in 1995 gave the EU over 2000 kilometers of direct borderline with Russia, which required the development of a much more direct and comprehensive co-operation with the Russian authorities.

Historically, enlargements have thus strengthened the international profile of the EU, in part due to the specific integration efforts that have preceded previous
enlargements, in part through the subsequent expansion of the EU’s international spheres of interest. In other words, the admission of new member states has been accompanied by a preparatory institutional strengthening of the Community, and the new members have subsequently expanded the foreign policy agenda of the Union: New trade patterns, new foreign policy priorities, and new spheres of interest.

The most recent enlargement of the EU differs significantly from the existing pattern. Firstly, the 2004 enlargement is different from the previous enlargements: It is far more comprehensive and the majority of the new member states are small, relatively poor, newly established democracies. Secondly, the “old” member states have not been able to adopt and implement major reforms of the common institutions prior to enlargement, opting instead to postpone the matter. The necessary institutional reforms are part and parcel of the Constitutional Treaty, the fate of which is still highly uncertain. The following section discusses the special character of the most recent enlargement, where after the foreign policy provisions of the Constitutional Treaty are briefly discussed.

2. **Big enlargement, Small Countries**

It is far from certain that the most recent enlargement will serve to strengthen the global role and responsibility of the EU. On the contrary, it can be argued that with the enlargement the EU runs the risk of becoming more parochial, i.e. more pre-occupied with its own near abroad. This paradoxical argument reflects the fact that the 2004 enlargement counts a number of small states (i.e. Cyprus, Malta, and the Baltic States) that have a comparatively limited foreign policy infrastructure. In addition, many of the new member states are first and foremost preoccupied with the so-called “new neighbours” to the East (including most prominently Russia).

This enlargement differs markedly from previous enlargements: The new members are predominantly new democracies with limited resources. During the Cold War, the states under the “East-block” were prohibited from participating fully in international co-operation. Their experience, traditions, and networks in this field are consequently less institutionalised than in the old member states. Africa quite obviously occupies a rather modest position in the foreign policies of the new member states. They do no have a tradition for international development assistance (at least not the type of assistance that is commonly accepted as Official Development Assistance, ODA), and they do not necessarily have the same global outlook as many of the old member states. In terms of foreign policy, most of the newcomers are predominantly occupied with regional matters, and especially relations with the dominant Russian neighbour, which incidentally means that they are more interested in the “hard security guarantees” of NATO as opposed to the security umbrella offered by the EU. Their trade patterns have since the collapse of the COMECON been geared primarily towards the EU market, which again implies that the trade consequences of enlargement are rather limited. As a matter of fact, the enlargement actually implies an absolute fall in the EU’s share
of global trade: Foreign trade with the candidate countries is now domestic trade with the new members. Seen in isolation, the most recent enlargement could thus make the EU a more parochial actor; an actor that is primarily pre-occupied with its own backyard.

In simple terms, the big question is whether the old member states will transform the new member states into active players in a stronger and more globally engaged EU, or whether the new member states will pull the EU’s foreign policy agenda towards the regional European context. The EU’s foreign policy agenda is necessarily limited by practical considerations: There is a limit to the number of themes and problems the EU can cope with, not least in a forum where 25 foreign ministers have a seat at the table. This could imply that more long-term foreign policy concerns are displaced by more pressing, short-term foreign policy problems. In the past enlargements, the new members states have been “socialized” (or perhaps rather “Europeanised”) by the Community. However, given the fact that the most recent enlargement is of a much more comprehensive nature and of a radically different character, one cannot assume that the European integration process will be able to assimilate the new members without changing the fundamental character of the Union.

An important part of the answer to the question raised above is arguably to be found in the Constitutional Treaty. The Constitutional Treaty is essentially an attempt to deepen integration in order to prepare the EU for the new and much broader band of member states. If the new EU is to function, it is imperative that institutional reforms be carried out: Without stable and efficient political institutions, the EU will not be able to act as a cohesive foreign policy actor. The following section provides a short discussion of some of the foreign policy challenges facing the EU as an international actor. This is followed by a brief discussion of the foreign policy provisions of the Constitutional Treaty.

3. **A Fragmented Actor**

A key ambition of the Constitutional Treaty is to strengthen the EU’s ability to assume a greater global responsibility. The EU has long been an economic giant, so irrespective of whether the EU has presented a common voice vis-à-vis the outside world, the EU does have a tremendous impact on world affairs. When the EU decides to spearhead new ground in international development co-operation, or when the EU chooses to steer a certain course in the multilateral trade talks, these decisions have a sizeable impact on the lives of people across the globe. When the EU is paralysed in the face of civil war in its own neighbourhood, it has consequences; not just for the victims, but for the international society as such. Whether the EU likes it or not, its external policies do have large, real-life consequences for the rest of the world.

However, the EU has long experienced difficulties in striking a common chord, and this is most fundamentally due to the manner in which the EU political system
is structured. As a political system, the EU is basically fragmented: There is no over-arching guiding political authority, and decisions are primarily made on the basis of unanimity. Even in fields where the EU may choose to make decisions on the basis of a qualified majority vote, due regard is given to the special national interests of the member states. This institutional fragmentation has confounded the efforts to strengthen the coherence of EU external policies. For one thing, the individual members often have different national interests, just as the member states and the EU’s common institutions, i.e. the Commission and Parliament, often have very different ideas as to what best serves the “interests of the Union”. In addition, the functional differences between the individual policy spheres have also made it increasingly difficult to integrate them.

As a political system, the EU is functionally disaggregated into a number of different sub-systems, that pursue different aspects of the EU’s political agenda (i.e. trade interests, agricultural interests, concern for the developing countries, concern over the domestic economy, employment levels etc.) Like most states, the EU also has interests that are partly at odds, and there are several examples of contradictory foreign policy initiatives. The Barcelona process was supposed to provide the North African and Middle Eastern economies expanded access to the EU market, thus providing these countries with the prospect of long-term growth. However, at the eleventh hour, special interests inside the EU lobbied to obtain exemptions on some of the more interesting products. The conflict between the EU’s long-term foreign policy agenda, and the more short-term economic interests has had an impact on a number of EU foreign policies, weakening the effect of the foreign policy actions, and damaging the international reputation of the EU. The Common Agricultural Policy and the high tariffs facing agricultural products from the poor developing countries has long been a favourite prügelknabe of critics who emphasize the EU’s failure to follow up on its benevolent rhetoric. The Maastricht and Amsterdam Treaties tried to address the problem and requested the Council and the Commission to co-operate in order to ensure a higher degree of consistency in the external policies of the Union. However, the two treaties did alter the fundamental institutional fragmentation that often allows national and sector-specific interests to have a disproportionate influence on the final policy of the EU.

The challenge is hardly novel. Right from the beginning, the European integration process has had an impact on third parties, and through the past 35 years, member states have tried to strengthen the coherence of the external policies. Ever since the establishment of the European Political Cooperation an increasing number of formal and informal co-operation procedures have evolved in order to strengthen the consistency of the external policies. A virtual diplomatic community (the COREU-network) has enabled the member states and the Commission to increase their efforts to reconcile the different interests and perspectives. Similarly, over the years, a number of procedures and practices have evolved — not least at the declaratory level — but these achievements have not seen an effective co-ordination of the different external policies. The Constitutional Treaty is an attempt to do just that; create greater coherence in the external policies: The EU must
be capable of speaking with one voice, and the message that gets across to the outside world should preferably be intelligible. In other words, the Constitutional Treaty was supposed to give the EU the telephone number that US Secretary of State, Henry Kissinger, was asking for already in the ’70s.

4. THE CONSTITUTIONAL TREATY

The Constitutional Treaty proposes to strengthen the coherence between the different external policies by creating a common legal framework. To date, EU foreign, security and defence policies have operated within a distinct and independent “pillar” in the EU, disengaged from the other policies of the Union, such and trade and development policy. The Constitutional Treaty proposes to do away with the pillar structure, substituting it with a common legal framework. Such a common legal base is no guarantee that greater coherence will prevail, but as long as the different external policies operate in different closed pillars, chances are that fragmentation will continue unabated. The dismantlement of the pillar structure is expected to strengthen both the institutional coherence, that is the co-operation between the Council and the Commission, and the horizontal coherence, i.e. the interplay between the different external policies. Both remedies are of crucial importance if the EU is to deliver on the ambitious goals set forth in the EU’s 2004 Security Strategy, A Secure Europe in a Better World.

The new Security Strategy provides a comprehensive overview of the security threats and challenges facing the European Union, providing a number of guidelines and principles for coping with the new security agenda. The thinking behind the strategy is clear: If the EU is intent on tackling the new challenges, such as terrorism, armed conflict, or organized crime, a stronger co-ordination of the external policies is imperative. The EU already has a broad range of foreign policy tools, but the EU has to learn how to handle the different instruments that are available in the “tool-box”: The EU cannot rely solely on the carrot and the stick; it needs a broader range of instruments and must be capable of employing them when necessary. The Security Strategy places great emphasis on the need for a much more comprehensive combination of diplomatic, economic, trade, legal, and police and military interventions. This combination of different foreign policy instruments clearly reflects the new international security agenda that followed immediately after September 11th 2001. Security and Development Policy are becoming increasingly intertwined: Good governance is no longer just a question of developing responsible and efficient state structures in the developing world. It is also and perhaps even more so a question of combating terrorist infrastructure such as money laundering and arms trafficking.

The coupling of military and civilian assets is also reflected in the provisions of the Common Security and Defence Policy. The baseline is the so-called “Petersberg Tasks”, which span everything from humanitarian interventions, over conflict prevention and peace-keeping operations, to actual war fighting operations. Henceforth, these tasks will have to be fit into a broader matrix,
which also includes civilian instruments. It is not enough to win the war; also the peace has to be won. And that presupposes that the military operations are followed up by more long-term stabilization, reconstruction and development assistance. Military units are presumably well suited for separating the warring factions, but insofar as it is possible to agree on a ceasefire, this will only be the first step. The real challenge is to bring conflict-prone societies into a long-term positive economic and political development. And that presupposes a lot more than armoured vehicles and heavy artillery. The Constitutional Treaty does not amount to a militarisation of the EU; if anything, it is arguably just the opposite. The member states do need to improve the co-ordination of the different national military units, but equally important is the ability of the EU to strengthen the integration of the different external interventions.

The practical co-ordination of the different external policies should according to the Constitutional Treaty be the main responsibility of the EU Foreign Minister that is to be designated. The new Foreign Minister would be the chair of the External Relations Council (counting the foreign ministers of the member states), but would simultaneously be one of the Commission’s vice-chairmen, thus strengthening the co-operation between the different external policies. In principle, the new foreign minister would be expected to manage the common foreign, security, and defense policy on behalf of the member states. There are obvious limits to what can be expected of a single human being, but the new minister would have two important assets with him: The new Security Strategy, which has been endorsed by the member states, and a small staff to support the minister in his or her duties.

The European External Action Service, which is integral part of the Constitutional Treaty, is still on the drawing board. In principle, it will only be endorsed after the ratification of the Treaty, but the basic structures have already been debated on the basis of a joint statement from the would-be new Foreign Minister, Javier Solana, and the Commission President, Manuel Barosso. The present set-up under Solana will presumably inspire the new structures. As High Representative, Solana can draw upon the department for foreign affairs under the Council Secretariat, and the assistance of a number of Special Representatives — or ambassadors — who currently cover areas in the Balkans, the Middle East, Africa, Afghanistan, the Caucasus, and most recently, Moldova. Facing this emerging common European structure are the traditional, national foreign offices that are primarily engaged in the collection of political, military and economic data, export and investment promotion, development aid and technical co-operation, and consular matters, A number of these tasks will no doubt remain bilateral, under the aegis of the national structures, but not necessarily all of them. Already today, the Special Representatives do far more than the political reporting that is stipulated in their mandate; they are also engaged in legal and police-related matters, economic reconstruction, and general investment promotion, to mention but a few of the activities they are regularly engaged in.

The tasks that will be facing the EU External Action Service have yet to be defined, but they are likely to include the information gathering that is necessary
to actually implement a common foreign policy and strengthen the coherence of the external policies of the EU. It would seem plausible that certain aspects of the information and data processing would take place in some form of foreign office — or how else one should describe the secretariat that will assist the coming foreign minister. The secretariat might well encompass parts of the Joint Situation Centre, the Military Staff, the Civilian-Military Cell, and even the EU Defence Agency that would be confirmed under the Constitutional Treaty. The Defence Agency would be responsible for furthering the Common Security and Defence Policy by improving the available instruments for crisis management, including defence-related hardware, research and military capacities.

There are clear indications that the institutional development of the Union’s foreign policy will continue regardless of what the future may have in store for the Constitutional Treaty. The need for a better co-ordination of the external policies is no longer debated, and there is political agreement to further gradually develop this part of the co-operation, even without the Constitutional Treaty. The organizational solution which the Heads of State and Government have to agree to, will arguably lie somewhere between a maximalist and a minimalist extreme. The minimal solution will see a common foreign service consisting of a few units in the Council Secretariat, the Commission, and the EU’s present 128 delegations in other countries and organizations. The major drawback with this solution relates to the fact that foreign policy generalists (i.e. career diplomats) may not be ideally suited to handle specific tasks relating to development assistance or humanitarian interventions. The maximum solution would in addition to the foreign delegations of the EU comprise all the units in the Council Secretariat that have external assignments, including units such as agriculture, fisheries, industry, energy and environment, justice and home affairs etc., and similar departments from the Commission and the Directorates General for Development Cooperation, Humanitarian Assistance, and Enlargement. The main problem with a maximum solution is that it will necessarily lead to internal turf-wars, and in the longer run create formidable co-ordination problems as well as negative reactions from the national administrations in especially the larger member states. Foreign ministries are usually rather conservative institutions, and not without a certain institutional pride. It will not be easy to transfer core competencies from the national to the common European sphere.

The future role of the EU in international co-operation has yet to be defined. A lot would seem to depend on whether the Constitutional Treaty and the different institutional elements described above are in fact adopted and implemented, and — subsequently — the manner in which the different foreign policy instruments are eventually developed. It is consequently difficult to say whether the Constitutional Treaty is a sufficient basis for strengthening the EU’s external representation. What is certain is the fact that the institutional changes are only part of the equation. Political will remains an indispensable ingredient. Without effective institutions, the co-operation will have an ad-hoc character, but without political will even the strongest institutions will fail.
5. **The Future**

The 2004 enlargement will entail a radical transformation of the European integration project. This transformation is already under way: New working procedures, new norms, new political alliances, etc. Within the field of external relations, it is as yet unclear how the accession of ten new member states will affect the EU’s international role. On the one hand, it could be argued that the accession of ten new member states will weaken the EU’s global outlook. The new members are primarily smaller states, whose main foreign policy concerns are linked to the immediate neighbourhood. On the other hand, the growing political acceptance of the need for greater coherence in the external policies of the Union could create a momentum, where old and new member states agree to find common solutions to the challenges facing the EU. The EU’s 2003 Security Strategy is arguably a step in this direction: It delineates the contours of a common strategic vision, which — through the office of a common foreign minister and a joint foreign service — could strengthen the coherence of the EU’s external relations, Judging from the experience gathered in 2005, the EU25 is intent on strengthening the foreign policy of the Union. A number of new missions have been initiated under EU flag (e.g. Indonesia, Sudan). Whether this implies that “…the EU had gone from being a regional actor to being a global actor” remains an open question. If the necessary political will is there, the institutional changes could have wide-ranging consequences for the EU’s international role. Still, it should be emphasised that the institutional changes proposed are limited: The Union will be equipped with an “outboard motor” in the form of a common foreign minister, but there will be 25 feet on the brake pedal. The EU will therefore also in the future reflect different national and institutional interests, and thus embody partly conflicting foreign policy goals and objectives.

6. **Bibliography**


FRIIS, Lykke, *An Ever Larger Union? EU Enlargement and European Integration* (København, DUPI, 1999).


