

European Union Foreign Policy: A Historical Overview

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.”¹ However, the early European Community did not have a coherent foreign policy *stricto sensu*. 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) is 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. Holland 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 in Europe for decades to come.

The European Economic Community

As a consequence of the EDC's failure, the Treaties 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 110–16 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.”² 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.”³

The 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 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.⁴ 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.⁵

Articles 131 to 136 of the treaty dealt with the associations of non-European countries and territories having special relations with the EEC countries.⁶ 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. Even today, only the Community possesses such legal personality. As Nicola Verola explains in the next chapter, it is only with the adoption of the Lisbon Treaty that legal personality will be 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 Gaulle 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 (1963–75) 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 (1964–67) 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 in 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, as it would have put the United Kingdom on the same level as Greece and Turkey.⁷ 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 *Triptyque*. 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 *Triptyque* 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.”⁸

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."⁹ 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."¹⁰ 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.¹¹

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.¹² 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 [a] more just basis. . . . In pursuit of these objectives the Nine should progressively define common positions in the sphere of foreign policy.”¹³ 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 (1977–79) without any noticeable enthusiasm. In the Venice Declaration of June 12–13, 1980, they reaffirmed the Palestinians’ right to self-determination and for the

Palestinian 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.¹⁴

A similar story took place in the neighboring Iran. When on November 4, 1979, the U.S. 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.¹⁵

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 U.S. position, but France and Germany stood opposed, worried that it would undermine deterrence.¹⁶ 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 co-operation agreement was also signed with ASEAN.

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 Papandreu 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.¹⁷ 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, Columbia, Ecuador, Peru, and Venezuela).

The 1980s and the Need for EEC Reforms

With the second enlargement, the EEC reached a format (“the Twelve”) that it believed would endure for a long time. Attention shifted to the need for internal 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.

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).

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 the Common Foreign and Security Policy, 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 decision-making 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, 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 Strasbourg 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.¹⁸ 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.”¹⁹

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 Federal Republic of Germany and the EEC, again without any formal modifications of the treaties.²⁰ 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 WEU 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.²¹

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.”²² 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.²³

The Presidency was to represent the EU in CFSP matters. Abroad, member state 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 the 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 nonadministrative 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.²⁴

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; 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 arm 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 the anti-personnel landmines. During the same period, fourteen common positions were also adopted, mainly concerning economic sanctions against third parties.²⁵

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.²⁶ New article 228a of the TEU specified that in the event that the CFSP generated a need for sanctions, the Council 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.²⁷ Also, in response to fear about crime from the East 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 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 member 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 ideas about 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 they 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 the former Yugoslavia, it was becoming clear that NATO, the EU, the WEU, and the *constituenda* 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.²⁸

For their part, the Europeans had begun to talk of a European security and defense identity (ESDI), once again alarming the United States, which was eager for the Europeans to bear more of the burden, 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.²⁹ 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 then replaced with Association Agreements (the so-called Europa agreements) in 1992 (Hungary and Poland) and 1993 (the Czech Republic, the Slovak Republic, 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 on the basis of 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 has been one of the most significant foreign policy achievements of the EU.³⁰

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 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 (1994–96). 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, which does not, however, contemplate the possibility of membership. 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.³¹ 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 U.S. leadership). The disagreements were not as strong as those over the Second Gulf War, when France and Germany came down on one side and the members of the “coalition of the willing” on the other side.

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 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 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 U.S. president and the EU president 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 (TABD) 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 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 (OAU) 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 the 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.³² Following the EU debacle in Kosovo, the 1999 Cologne European Council opted for the high-profile political figure of Javier Solana 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 strategies” 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.³³ 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 a EU defense policy seem more likely by replacing the word “eventual” with “progressive” in article J.7.³⁴

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 (AFSJ). 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 had 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.³⁵ Meeting in Cologne on June 3–4, 1999, the European Council decided to convene one more inter-governmental conference at the beginning of 2000 with the aim of resolving the institutional questions that had to be solved before 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 reweighing 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 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.³⁶

Meanwhile, at the fiftieth anniversary of NATO summit (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 by the start of 2001 and the arrival 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 the 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. In May 2003 the Council agreed that the EU had operational capabilities across the full range of Petersberg tasks.

A European security strategy (ESS) entitled “A Secure Europe in a Better World” was approved by the European Council in Brussels on December 12, 2003. It was drafted under Javier Solana and considered a counterpart to the U.S. security strategy. While affirming that “Europe has never been so prosperous, so secure or so free,” the ESS concludes 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.” The ESS also identified a list of key threats Europe needed to deal with: terrorism; proliferation of weapons of mass destruction; regional conflict; failed states; and organized crime. It indicated as a strategic priority for Europe 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 European Defense Agency was created in July 2004.

The EU at Twenty-Seven

On May 1, 2004, the Czech Republic, Estonia, Hungary, Poland, Slovenia, Cyprus, Latvia, Lithuania, Malta, and Slovakia joined the EU, followed on January 1, 2007, by Bulgaria and Romania. The EU had reached a membership of twenty-seven countries. One of the major external policies bolstered by the last

rounds of enlargement was securing the new external borders of the EU. The 2004 Hague Program set the course for the EU's action in the area of freedom, security, and justice for the years 2005–09, and in 2005 a strategy for external dimensions of the JHA was approved. The Schengen Information System (SIS) was upgraded, and in 2005 the European Agency for Management at the External Borders (Frontex) became operational.

Since then, the EU has incorporated AFSJ issues into its cooperation and Association Agreements with third countries and organizations in several agreements, such as the 2003 agreement with the United States on extradition and mutual legal assistance.

Another issue of concern became the fight against terrorism after the 9/11 attacks in the United States and the 2004 and 2005 bombings in Madrid and London. If before these attacks the action undertaken by the EU was mainly directed at fighting terrorism internally, later action was also taken abroad. In 2001 the EU governments agreed on an EU action plan on counterterrorism, which was then revised and adopted by the European Council in 2004 as the EU Plan of Action on Combating Terrorism. By this point, external relations had become increasingly relevant. Among the main objectives of the plan of action are actions towards countries where counterterrorist capacity or commitment to combating terrorism must be enhanced. 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.³⁷

Notes

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

2. Treaty establishing the European Economic Community, art. 113.

3. *Ibid.*, art. 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 and the Council may issue to it.” *Ibid.*, art. 113, 3.

5. *Ibid.*, art. 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 following 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 ANC refused to meet with the United Kingdom's foreign secretary and Council president 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), art. J.1.4.

23. *Ibid.*, arts. 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 Luca Gori's chapter in this volume.

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

33. *Ibid.*, p. 55.

34. TEU, art. 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. *Ibid.*, pp. 227–38.