

The Significance of Laeken for CFSP/CESDP

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Laeken may well represent a milestone for Europe, in the sense that it sets into motion a process that will culminate in a major constitutional treaty in 2004. However, the meeting of the European Council on 14-15 December 2001 bore more mixed results for foreign and security policy.

The Belgian Presidency had of course steered the Union's response to the horrific events of 11 September. The plan of action to combat terrorism, adopted by an extraordinary European Council meeting of 21 September, progressed although securing agreement on the European arrest warrant was not without glitches. The response to the September attacks also saw an enhancement of EU-Russia relations with a summit held in Brussels on 3 October, which covered a range of topics of mutual concern ranging from energy; the Kaliningrad *oblast*; trade; and the elaboration of a Common European Economic Area. The Belgian Presidency conclusions also noted developments in the Western Balkans, most notably the replacement of Bodo Hombach by Erhard Busek as Special Coordinator of the Stability Pact. The elections held in Kosovo on 17 November launched the process of provisional self-government. Elsewhere, notably in Africa, a Euro-African meeting in October continued the dialogue initiated in Cairo in May 2000.

Two of the three annexes to the Presidency Conclusions addressed external relations. The first was a *Declaration on the Operational Capability of the Common European Security and Defence Policy*. Pressure had been mounting for the declaration since the Nice European Council and this was only increased by the events of 11 September. The declaration stated that:

Through the continuing development of the ESDP, the strengthening of its capabilities, both civil and military, and the creation of the appropriate EU structures, the EU is now able to conduct *some* crisis-management operations. (*Emphasis added*)

Exactly which crisis-management operations the declaration referred to remained vague, although the reference is assumed to refer to the lower-end Petersberg tasks (such as humanitarian and rescue tasks). This assumption is based on significant qualifications that appear in a later passage: 'To enable the European Union to carry out crisis-management operations over the whole range of Petersberg tasks, including operations which are the most demanding in terms of breadth, period of deployment and complexity, substantial progress will have to be made'. This will not be easy and

the attainment of 'substantial progress' underpins the ambitious mandate of the Spanish Presidency.¹

The Laeken summit took place in a mood of some optimism since, 'the Union intend[ed] to finalise the security arrangements with NATO and to conclude agreements on guaranteed access' to a range of Alliance assets and capabilities. Ankara, who charged the EU members of NATO with renegeing on an agreement made at NATO's Washington Summit in April 1999, had blocked agreement on this issue. According to the April 1999 agreement, the 'utmost importance' should be attached to 'ensuring the fullest possible involvement of non-EU European allies in EU-led crisis response operations, building on existing consultation arrangements within the WEU'. It was also observed that of the 16 potential regional conflict flash points, no less than 13 were in Turkey's proximity. As an associate member of the WEU, Turkey enjoyed an active role in decision-making on questions of security and defence – rights that are not replicated in the ESDP setting.

In early December 2001 press reports surfaced of an Anglo-American backed agreement with Turkey which, apparently, addressed Ankara's concerns and opened up the way to the finalisation of the arrangements with NATO.² The prevailing optimism was soon quashed by the rejection of the agreement by Greece on 16 December (the day after the Laeken summit), on the grounds that the agreement did not contain any assurances that Turkey would not block an ESDP operation in the Balkans – a region seen as vital to Greece's security and stability.³

The failure of the Ankara agreement has a number of implications for the Laeken document. It does not, in the first place, undermine the validity of the declaration on operational capability for 'some crisis-management operations'. It does though pose a more fundamental problem for how the EU will equip itself for the remaining Petersberg tasks, in the absence of guarantees, or the presumption of availability, of certain key NATO assets. If the implication of the failure of the agreement is that the EU will have to rely increasingly upon assets that are independent from NATO (which may imply *necessary* duplication by the EU of NATO assets), a second issue will come to the fore.

The Belgian Presidency struggled to find a solution to the funding of the EU Rapid Reaction Force prior to the Laeken summit. The Presidency suggested three funding scenarios: a minimum pre-funding amount

(with military operations based on a pay-as-you-go system); full scale funding based where contributions would be based on national GNP; and, finally, a mix of the first two. There was though no consensus on any of the options prior to the summit, which presents the EU Member States and the Spanish Presidency with the question of how they meet the well-rehearsed shortcomings of ESDP, based on the assumption that it may not be possible to borrow NATO assets.⁴

The second annex concerned the Middle East. The *Declaration on the Situation in the Middle East* was though clouded by the decision by Israel, on the day prior to Laeken, to break off all contact with Palestinian leader Yasser Arafat, accusing him of doing too little to stop terrorism. The subsequent apprehension of a vessel full of largely Iranian origin arms, allegedly procured by the Palestinian Authority, further complicated the prospects for peace. The securing of peace in the Middle East is a pressing matter for the Spanish Presidency, since stability is vital for broader Mediterranean prosperity.

The Presidency conclusions, as with previous ones, reflect a mixture of accomplishments and unfinished work. The events of 11 September prompted speedy action on counter-terrorism and a good deal were implemented with impressive speed. Much though remains to be completed, such as enhanced co-operation between the Member States to counter chemical or biological threats. The essential links between the internal efforts to counter terrorism (predominantly Justice and Home Affairs) and the external dimensions (found in both the first and second pillars) have also to be made; again, an item that is squarely on the agenda of the Spanish Presidency.

The declaration on operational capability of ESDP is less bold than may appear at first glance, since only the most modest operations can currently be undertaken. Furthermore, there is the very real danger that the declaration may have been premature since, by not specifying which crisis-management operations the Union might conduct, false expectations may arise. The Union has not, in other words, resolved the capability-expectations gap by means of the declaration. The sticking points for ESDP (and thus the Spanish Presidency agenda) remain those of resources and the Union's relations with NATO. It would though be unfair to point the finger at the Belgian, or any other, Presidency for the shortcomings in addressing these two vital issues. Ultimately, it is up to the Member States to provide answers. The Presidency can and should act as a catalyst.

NOTES

- ¹ See *Spanish Defence Minister Federico Trillo sets out the Spanish Presidency's objectives for Security and Defence (in Spanish)*, Madrid, 10 January 2002, at <http://www.ue2002.es>.
- ² See 'Turkey Signals deal on EU force', *Kathimerini*, 3 December 2001, p.1. and Judy Dempsey and Leyla Boutlon, 'Turkey Breaks Impasse on EU Rapid Reaction Force', *Financial Times*, 4 December 2001, p.7.
- ³ Judy Dempsey, 'Greece blocks accord with Turkey', *Financial Times*, 16 December 2001.
- ⁴ The military shortcomings were systematically identified in the WEU's November 1999 *Audit of Assets and Capabilities* and also appear in all pre-Laeken Presidency conclusions since 1999, as well as at the November 2000 Capabilities Commitment Conference and the Capabilities Improvement Conference the following year. □