

Department of Political Science  
Master's Degree in International Relations  
Chair of Comparative Politics

**The European Security and Defence  
Architecture: historical evolution, governance  
and measures to enhance EU international  
actorness**

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## INTRODUCTION

*“If there is no Europe when the world is shaking, when can there ever be one?”*

*(Philippe Alexandre)*

The topic of EU security and defence has long been treated as a marginal issue and subordinate to other matters of interests, such as the single market, monetary and economic integration, to name a few. From 1954 onwards, foreign policy with particular reference to the area of defence became one of the principal taboos and incorporating foreign policy in European integration has been an incremental process of trial and error to avoid this taboo (Keukeleire & Delreux, 2022). Indeed, although attempts to establish common experiences among European states in the area of defence had been proposed as early as the end of World War II such as the European Defence Community, the Western European Union and European Political Cooperation, European integration was only extended to military and security matters when it became apparent in the early 1990s that the EU’s foreign policy lacked the institutions, instruments and autonomy to confront the post-Cold War situation (Bergmann & Muller, 2021).

Nevertheless, this gradual expansion took place with several difficulties and was often obstructed by the European states. As a matter of fact, despite the widely shared realisation that the EU needed to overcome substantive shortcomings to address security threats and challenges collectively, fundamental differences remained among Member States with regard to national interests, strategic outlooks and security identities (Pohl, 2015). These difficulties have consequently hampered the realisation of a linear European integration process in the field of security and defence to the extent that CFSP and CSDP reforms have often been slow to materialise, and fail to address important shortcomings (Chappel, Mawdsley & Petrov, 2016).

However, today the Union is facing new threats and challenges resulting from significant geopolitical changes and the emergence of a new global order based on multipolarity, which have amplified the pressure to upgrade Brussels’ security and defence capabilities, assets and structures (Bergmann & Muller, 2021). Simultaneously, the deterioration of stability in Eastern Europe with the invasion of Ukraine, the growing instability in the Middle East and North Africa, including tough conflicts in Syria and Libya, the economic and political rising of China and new global players, as well as the reconsideration of Washington’s strategic commitment in the old continent have created the preconditions for the reopening of the debate on European defence and the analysis of the problems and vulnerabilities in the security policies adopted.

Although, on the one hand, the EU has progressively established itself as a *sui generis* international actor, on the other hand, its complete legitimacy on the global stage cannot be separated from its affirmation as a security provider and thus its ability to effectively contribute to maintaining peace and stability in the world system (Foradori, 2010). Nevertheless, in the present scenario, the EU struggles to build an image as a security provider due to its difficulties in managing international and regional crises, ethnic, religious and civil conflicts, migration flows, and generally in coping with significant geopolitical shifts.

Accordingly, for some analysts, the EU continues to be an incomplete actor, whose foreign security and defence policy remains incoherent, based on the lowest common denominator (i.e. what the most reluctant states are willing to concede) and with little impact on international relations (Foradori, 2010). The troubles the Union faces in the area of security and defence reflect the incompleteness of the evolution of the integration process in these areas. Indeed, even though the EU is at a more advanced and articulated stage of development than a traditional international organisation, it remains far from having acquired the characteristics of a state or a Union of states (Foradori, 2010).

This translates into a lack of a homogeneous and unitary institutional system of governance which negatively influences Brussels' executive and decision-making capacity. Indeed, the institutional-organisational setting created structural problems for effectiveness, cost-benefit rationality or wise-governance-policy (Seidelmann, 2007). This is the result of the prevalence in the areas of security and defence of the intergovernmental approach with which these policies are organised and managed. Even though with the Lisbon Treaty, the states wanted to create a new institutional structure within the Council to overcome the limitations and contradictions of the Commission's decision-making process, by placing the economic dimension of foreign and security policies at the Commission and the military dimensions at the Council, the intergovernmental approach created on the one side competitive institutions and contradictions between economic and military measures, and prevented, on the other side the formation of an effective, cohesive and consistent grand strategy (Seidelmann, 2007).

In light of this, it is clear that while the Union has progressively equipped itself with an apparatus capable of planning and executing security and defence policies with the aim of building its actorness, however, its CFSP and CSDP system rests on a weak and fragmented institutional structure. Based on this, the aim of the present thesis is to analyse the relationship between the EU's security architecture's governance system and the implementation of operations, highlighting the critical issues and investigating the effects it has at a tactical and strategic level in the execution of missions, and globally on the EU's role as a security provider.



Consequently, the theme is developed by studying the historical evolution of the European integration process of the Union's security and defence policies in order to understand the dynamics and events that have shaped the CFSP and CSDP framework established after the Lisbon Treaty in 2009. After having outlined the historical path by which states have created the current European governance system for security and defence areas, the research concentrates on exploring the principal weaknesses and vulnerabilities related to implementing the CFSP and CSDP instruments.

Lastly, the analysis sets itself the task of revealing the measures needed to improve the governance system of the EU's security architecture and the aspects that states should take care of to revitalise the process of harmonisation and federalisation of defence policies to foster more comprehensive integration. In order to do so, the research considers the possibility of a change in the European defence status quo. Specifically, the work evaluates the assumption that the future development in the field of security and defence for Brussels corresponds to a gradual political, military and institutional transformation of the intergovernmental towards an integrative structure and a set up of an integrated force and a common armament market (Seidelmann, 2007), thus discarding the other hypotheses concerning scenarios based on a continuation of the status quo without any significant change or on a subordination to NATO as the monopoly holder for security, defence and military services in Europe.

In order to provide an exhaustive and multidisciplinary analysis, the thesis is divided into three sections. In the first part, a historical examination is made of the integration process in the security and defence sector. The focus is on the analysis of the exogenous and endogenous factors that have shaped the path of the integration process and influenced the behaviour of Member States. Starting from the end of the Second World War, the central events that drive the history of the integration process are retraced, trying to comprehend how the different experiences and phases have moulded the current model of the EU's security architecture.

The second chapter dissects the institutional framework of European security and defence policies. Accordingly, the work aims to outline the governance system driving the security architecture, highlighting the leading financial, technical and political elements with which the EU pursues its international action. Contemporarily, the examination focuses on analysing the nature of competences and especially on studying the power relations between Member States and EU bodies to illustrate the governance system's complexity and fragmentation, and how these interact with each other in a sensitive area that is particularly tied to the national prerogatives. In addition, in order to assess the mechanisms for the planning and execution of interventions, the chapter strives to construct the chain of command at both strategic and operational levels and to explain the functioning of the

decision-making process and distribution of powers on the vertical level between MS and the European Union and the horizontal level between European institutions.

In conclusion, the objective of the third chapter is to study the main military missions and civil operations implemented by the European Union in the central areas of interest, such as the Western Balkans, Eastern Europe, the Mediterranean, Middle East and Africa. The analysis of the deployment of these missions serves to provide a detailed picture of the principal shortcomings and criticalities that Brussels has encountered when using the CSDP tool. Furthermore, this section attempts to show how problems and critical issues in the governance system have affected European action by impacting the effectiveness and efficiency of operations. In this case, comparing missions carried out in different areas is essential to define common issues that periodically occurred during their execution. Ultimately, the thesis concludes by outlining the measures required to embark on the path towards strategic autonomy and to overcome critical issues to strengthen European actorness and its image as security provider.

# HISTORICAL ANALYSIS OF THE EUROPEAN INTEGRATION PROCESS IN THE FIELD OF DEFENCE AND SECURITY

*“We are not forming coalitions between States, but union among people”*

*(Jean Monnet)*

## 1.1 Introduction

Bloodstained wars and clashes between European states for territorial, political and economic supremacy have always characterised the history of the European continent. After the end of World War II, the beginning of the integration process constitutes one of the most significant political, economic and social projects for stability and peace that the mainland has ever experienced. Thus, European integration is a highly complex and articulated process requiring gradual and steady development.

Due to its nature and object, the field of defence and security requires a significant effort to align with the progress made in other areas. For this reason, the chapter attempts to analyse from a historical perspective the birth of the security and defence integration project, highlighting the central international and domestic political dynamics that have marked the different stages of the process. Starting from the early post-war period and the first attempts to conceive of collective European security, namely the European Defence Community (EDC) and the Western European Union (WEU), the analysis then dwells on the troubled 1960s and 1970s considering the stalemate in the integration discourses of the Fouchet Plans and European Political Cooperation (EPC).

Thereafter, the focus is on the prolific season of reforms and changes that began in the late 1980s with the preparation of the Single European Act (SEA), in which security was included in primary law for the first time and culminated with the ratification of the Maastricht Treaty in 1992 through which the first common European security programme, the Common Foreign and Security Policy (CFSP), was officially established. The Maastricht Treaty represents a considerable watershed in the experience of European security and defence integration, which is why this research, then, concentrates on examining the historical and political consequences of the aforementioned Treaty.

Specifically, the chapter considers the new season of change at the dawn of the Maastricht Treaty's entry into force, focusing on the revitalisation of the WEU, the rapprochement between the UK and France and the following launch of the European Security and Defence Policy (ESDP), later transformed into the Common Security and Defence Policy (CSDP), during the Cologne European Council in 1999.

Ultimately, the concluding section examines the international scenario, underlining the most politically and economically relevant events that influenced the preparation and ratification of the last major European Treaty, the Lisbon one in 2009. As a result, it explains the principal institutional, technical, and political changes brought about by it in the area of CFSP and CSDP, and Brussels' latest achievements in the European security integration process.

To sum up, the chapter aims to outline the primary historical, diplomatic and political dynamics that led to the birth of the desire for an enhanced European security integration. In this sense, the analysis is concerned with delineating not only the main international events that, in different ways, influenced the process of the project's development, but, above all, with studying the evolution of diplomatic and political relations among European states, bringing to light the shaping of a new European sentiment of cooperation and collective development.

## **1.2 The first attempt at military integration: the European Defence Community**

The history of the European defence and security integration process is based on the alliance and treaty systems that emerged after the Second World War. As a consequence of the war, Europe was no longer the pivotal point of world politics and was squeezed between two superpowers, USA and USSR, which had given rise to different and antithetical political systems (Caimmi, 2009). Thus, from the ashes left by the last world conflict, European states tried to establish new geopolitical balances, aware that their autonomy had been profoundly reduced. In light of this, security and defence issues came into the European political debate. On the one hand, this was driven by the fear of a possible German resurgence, on the other, by the new tensions between the United States and the Soviet Union that were affecting the whole of Europe.

The first attempts to allay these fears were made by the two states that had experienced Hitler's foreign policy since the beginning of the Second World War, namely France and Britain. Therefore, both decided to start a new defence partnership, and on 4<sup>th</sup> March 1947 they signed the Treaty of Dunkirk. This specifically consisted of an agreement of alliance and mutual assistance against a possible attack by Germany (Di Camillo & Miranda, 2012). However, it is essential to emphasise that although the agreement's main objective was to ensure mutual support in the event of a possible German resurgence, the treaty also had other secondary meanings. In particular, the bilateral agreement outlines a willingness to begin a new season of security cooperation leading to the formation of a common European front given the new challenges that Europe was about to face.

In relation to this, the United Kingdom vigorously pursued subsequent attempts at military and strategic collaboration, working assiduously to compact further the Western front between European

states and the United States. In addition, the UK aimed to act as a bridge between America and Europe by increasingly involving the latter in US foreign policy.

In line with this objective, London succeeded in involving France and the Benelux countries in another project aimed at establishing a common defence programme, the Treaty of Brussels. It was an extension of the earlier treaty of Dunkirk, but with different goals. Apart from the aim of preventing a possible resumption of an aggressive policy by Germany, it was in fact intended to guarantee international peace and security, in accordance with the United Nations Charter, and to organise a collective defence against any threat in Europe to the security of one of its members, in particular by the Soviet Union (Cavallaro & Giordano, 2018). Moreover, this agreement represented a substantial step forward in strengthening the Atlantic front. Additionally, it marked a crucial moment in the development of a common programme of European defence and security cooperation, as it officially established the Western Union, which a few years later in 1954 through new agreements and extensions became the Western European Union. This Association played a role of extremely importance since it laid the foundations for the emergence of a first culture of cooperation between countries, in this case through the creation of a Consultative Council which member states were to use as a forum for consultation on peace and economic matters<sup>1</sup>.

Nevertheless, the impact of the establishment of the Western Union was not limited just to the increase of cooperation between countries. Indeed, the WU was the springboard for the construction of new supranational entities such as the Council of Europe. The Association was, therefore, a test case for analysing and understanding whether there was space, after the terrible events of the Second World War, and states' willingness to cooperate with each other. Consequently, due to the positive results of this first form of cooperation, some institutional elements of the WU were taken up and used subsequently. For instance, since its establishment in 1949 with the Treaty of London, the values and the institutional framework of the Council of Europe have been shaped on the basis of what had already been enunciated in the Brussels Treaty the previous year. Even though the nature of this International body was not military<sup>2</sup>, however, it is possible to highlight how the Council's own objective of building closer relations between its Member States by negotiating conventions that develop common standards of political and social behaviour, and by encouraging its members to

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<sup>1</sup> It is important to recall [Article VII of the Treaty](#): *"For the purpose of consulting together on all the questions dealt with in the present Treaty, the High Contracting Parties will create a Consultative Council, which shall be so organised as to be able to exercise its functions continuously. The Council shall meet at such times as it shall deem fit.*

*At the request of any of the High Contracting Parties, the Council shall be immediately convened in order to permit the High Contracting Parties to consult with regard to any situation which may constitute a threat to peace, in whatever area this threat should arise; with regard to the attitude to be adopted and the steps to be taken in case of a renewal by Germany of an aggressive policy; or with regard to any situation constituting a danger to economic stability".*

<sup>2</sup> In fact, Article 1(d) of the London Statute explicitly clarifies that "matters relating to national defence do not fall within the scope of the Council of Europe". <https://rm.coe.int/1680306052>

accept regimes of mutual monitoring to ensure these standards were respected (Martyn, 2012), is echoed in Articles II, III and VII of the Western Union statute<sup>3</sup>.

Similarly, as previously mentioned, the Treaty of Brussels represented the first step in developing a more extensive and effective defence system and in creating a European security and defence identity. The driving factor that pushed European states in this direction was the exacerbation of relations between the US and the USSR. Indeed, the states of the Western Union, aware that in case of conflict they would not have been able in any case to validly stem the Soviet expansionism, since 1948 put pressure on Washington in order to induce the United States and Canada to join a defensive alliance (Caimmi, 2004).

Consequently, thanks to the re-election of President Truman, negotiations were opened in Washington on 10<sup>th</sup> December 1948 and concluded on 4<sup>th</sup> April 1949 with the establishment of the North Atlantic Treaty Organisation, namely NATO. The Atlantic Pact represented a natural solution to the problem of European defence, and mainly a significant attempt to create a compact bloc of Western democracies that could build a closer form of cooperation. This is the reason why other countries previously excluded from the Treaty of Brussels, such as Denmark, Portugal, Norway, Iceland and especially Italy, were invited to join the Alliance. The birth of this new organisation, so desired by Europe, also aimed to positively influencing the progressive development of new common European defence projects, pushing Western states to consider the issue of security of primary importance. Although this was achieved at the beginning of the 50s with the experience of the EDC, this impetus was exhausted, due to internal political factors and the fact that European countries were excessively delegating defence and security issues to NATO, thus slowing down the development of new frameworks of cooperation.

In light of recent developments in Europe, the idea of an integrated European army was beginning to emerge. The Italian government presented the first initiative, proposed at the Atlantic Council in London on 15-18 May 1950, to set up an experiment in military cooperation, including Germany, but with deluding results. In fact, Rome's initiative was rejected since the United States saw the project as a mere instrument adopted by the Italian government to take advantage of further economic aid.

Despite the fact that this first attempt was rejected, the problem of a unified European defence remained on the agenda of the European states, to the extent that Winston Churchill declared on 11<sup>th</sup> August 1950 in a speech to the Strasbourg Assembly of the Council of Europe that he was in favour of

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<sup>3</sup> Concerning this, it is important to emphasise how in the text of artt. II and III the basis is laid for the promotion of a common standard among High Contracting Parties aiming at a unified social, economic and political development pursued by common values.

the project of a unified European army (Caimmi, 2004), open also to German forces and with the task of collaborating with the American and Canadian allies. The Council of Europe's Consultative Assembly approved the proposal for a European army by 89 votes to 5 (Filippi, 2014), opening up the issue of German rearmament for the first time in the Council of Europe. Moreover, the British Prime Minister's proposal was welcomed by the United States, which feared that the outbreak of war in Korea in June 1950 and the possible involvement of the Soviet Union would have hazardous effects in Europe. In addition, the new conflict was exerting intense economic and military pressures, forcing Washington to rethink its defensive role in the NATO regarding Europe (Klemm, 2016). The increasing demands of the Korean front forced the United States to consider the possible rearmament of West Germany to provide an enhanced defensive capability for Europe.

Hence, the US Secretary of State, Dean Acheson, drew up the so-called "Acheson Plan", which advocated the need for the Atlantic Pact forces to include at least 10 German divisions that would be combined into an integrated force under US command (Caimmi, 2004). The Secretary of State's initiative initially received the support of Britain, Holland and Italy. In contrast, France immediately expressed its perplexity, manifesting its fear of the possible resurgence of a German army.

At this point, worrying about isolation within the Council of Europe, French Prime Minister René Pleven worked out a new plan for a unified European army comprehensive of six German divisions, in order to find a compromise with the Acheson Plan. In detail, the Pleven Plan was aimed to create both the European Defence Community and a common European army based on a supranational level, led by a European minister of defence (Klemm, 2016). Hence, the plan was partly in line with Acheson's earlier proposal for a partial rearmament of West Germany.

However, the French project was initially received coldly by both the United States and Britain. The former criticised Germany's weak involvement, which they saw as a great loss of potential. The latter, on the other hand, through its Secretary of State for Foreign Affairs, Anthony Eden made a statement that the United Kingdom had no intentions to join EDC, instead of that they wanted to expand the Brussels Treaty to include Italy and West Germany (Urwin, 1994). Nevertheless, thanks also to the appointment of General Eisenhower as commander of the Atlantic European forces, who helped to bring American positions into line with French ones, Washington declared itself in favour of the establishment of a European army, provided that this did not entail the loss of its leadership, shifting the focus of defence of the European continent from NATO to this army (Mammarella & Cacace, 2013).

Consequently, on 15<sup>th</sup> February 1951, the Preparatory Conference for the Establishment of a European Defence Community was convened in Paris, attended by Canadian, American and British delegates in addition to the countries that had adhered to the Schuman Plan, from which the ECSC

(European Coal and Steel Community) would later be born on 18<sup>th</sup> April 1951. Negotiations continued for more than a year and ended on 27<sup>th</sup> May 1952 with the signing of the Treaty of Paris, whose Article 1 “instituted among the High Contracting Parties a European Defence Community, supranational in character, consisting of common institutions, common armed Forces and a common budget”<sup>4</sup>. Furthermore, the Treaty was signed by the founding six Member States of European integration, namely Germany, France, Italy, Belgium, The Netherlands and Luxembourg (Koutrakos, 2013, p.6).

Based on the newly created ECSC, the EDC set itself the goal of integrating the defence of its Member States and providing for close security cooperation. In this regard, Article 2 provided that EDC’s aim “shall be exclusively defensive, and it shall ensure the security of the Member States against any aggression by participating in Western Defence within the framework of the North Atlantic Treaty and by accomplishing the integration of the defence forces of the member States and the rational and economic utilisation of their resources”. In order to pursue this aim, the EDC Treaty included a mutual defence clause expressed in Article 2(3) which stated that “any armed aggression directed against any of the member States in Europe or against the European Defence Forces shall be considered as an attack directed against all of the member States”. In response to this “the member States and the European Defence Forces shall furnish to the State or Forces thus attacked all military and other aid and assistance in their power”<sup>5</sup>.

Besides setting out the objectives and values pursued by the EDC, the Treaty of Paris laid down detailed guidelines for the composition of the “European Defence Forces”. Firstly, the statute provided for integrated European forces to be made available by the Member States with the merging of them (art.9). The armed forces should thus be integrated and share a common organisation, equipment, training and readiness (art.15-18). Additionally, it is essential to point out that the organisation and management of the European army are closely linked to NATO action. Indeed, Article 18 stated that the European army, whenever ready, shall be at the disposal of the competent Supreme Commander responsible to the North Atlantic Treaty Organisation, which would be “empowered to satisfy himself that the European Defence Forces are organised, equipped, trained and prepared for use in a satisfactory manner”<sup>6</sup>. Moreover, “in wartime the same shall exercise with regard to the Forces

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<sup>4</sup> See <http://aei.pitt.edu/5201/1/5201.pdf>.

<sup>5</sup> In this case, it is worth noting that the provision refers to the same clause in the Treaty establishing NATO. In particular see Art. 5 Washington Treaty: “The Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defence recognised by Article 51 of the Charter of the United Nations, will assist the Party or Parties so attacked by taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area”.

[https://www.nato.int/cps/en/natolive/official\\_texts\\_17120.htm](https://www.nato.int/cps/en/natolive/official_texts_17120.htm)

<sup>6</sup> See Art. 18(1).



provided for above the full powers and responsibilities of Supreme Commanders”<sup>7</sup>. Finally, the Treaty foresaw that in case of need, European and NATO defence forces could be integrated into each other’s corps<sup>8</sup>.

As for the institutional design, it was strictly inspired by the ECSC experience. This included a Commissariat, formed by nine members elected every six years, with significant executive and supervisory functions, especially in the military sphere. The Council was the main significant body, since it was entrusted to take the most important decisions (Koutrakos, 2013, p.7). This was composed of representatives of the member States and it issued directives for the action of the Commissariat. Indeed, the general task of the Council was “to harmonise the actions of the Commissariat with the policies of the Governments of the member States”<sup>9</sup>. The institutional framework was then completed by the Court of Justice, which was the same one of the ECSC (art.52), whose function was to “ensure the rule of law in the interpretation and application of the present Treaty and implementing regulations”<sup>10</sup>. Lastly, the ECSC Assembly was also part of the EDC institutional design and was given an innocuous, rather decorative, role (Koutrakos, 2013, p.8).

In view of the preceding paragraphs, the EDC Treaty provided concrete instruments and a well-defined institutional framework for the creation of a relevant European Defence Community. Despite this, the project encountered several obstacles regarding ratification by the Member States, which slowed down its implementation until it was not ratified by the French Assembly. The central problems in ratifying the treaty depended, on the one hand, on the fact that the signatory states would have to cede part of their sovereignty in the highly sensitive field of defence, and on the other, it was adversely affected by the unresolved issue of German rearmament.

As a result, when the Treaty draft was made public, none of the EDC members ratified the EDC Treaty (Klemm, 2016). Only two years later, in 1954, it was ratified by the Netherlands, Germany, Belgium and Luxembourg, while Italy and France faced a heated internal debate. The former tried to link the ratification of the Treaty to the achievement of a historical goal, such as the solution of the Trieste and Venezia Giulia issue. Mainly, Alcide De Gasperi, in the period before the political elections of June 1953, had to give the Trieste problem a special relevance and was therefore inclined to link its solution to the Italian accession to the EDC (Caimmi, 2004, p.63). In this sense the United States intervened by pressing for a prompt favourable decision and then by giving its own

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<sup>7</sup> See art. 18 <http://aei.pitt.edu/5201/1/5201.pdf>.

<sup>8</sup> See art. 68(3): “The basic units and their support troops and services may occasionally be brought into Army Corps subject to the authority of the North Atlantic Treaty Organization, and reciprocally, subject to the authority of the North Atlantic Treaty Organization, divisions may be brought into European Army Corps”.

<sup>9</sup> Art. 39 <http://aei.pitt.edu/5201/1/5201.pdf>

<sup>10</sup> Here it is important to point out that the text of Article 51 of the Treaty of Paris is identical to that of Article 31 of the ECSC.

contribution to the solution of the Trieste issue, which evolved shortly afterwards with the signing of the Memorandum of Understanding in London on 5<sup>th</sup> October 1954.

On the contrary, the French political debate focused more on the question of German rearmament. Indeed, original thoughts by the United States for intergovernmental structures were heavily resisted by French, which was anxious to ensure that German involvement would be heavily constrained and controlled by tight rules and procedures (Koutrakos, 2013, p.8). In other words, Paris criticised Washington's action of supporting the creation, according to De Gaulle, of a stateless army of Frenchmen and Germans and a stateless government, a technocracy, at the entire disposal of the American Commander-in-Chief (Klemm, 2016, p.5).

In conclusion, these considerations, combined with the scarce financial resources due to the war in Indochina, pushed the French public opinion to extremes, leading to the French National Assembly's failure to ratify the treaty on 29 August 1954, determining the cancellation of the European Defence Community.

### **1.3 The alternative to the EDC: The Western European Union.**

The failure of the EDC ended the first phase of European integration in military and defence terms. Although European states worked diplomatically for many years to bring the common defence project to life, it still suffered excessively from unresolved issues, such as the German one, and the lack of solid prior European integration. Nevertheless, at the dawn of the failure of the EDC, new initiatives were presented by the United States and Great Britain.

While the former insisted on a supranational solution to converge governmental functions, the British, headed by Anthony Eden, proposed the enlargement of the Brussels Treaty to include Italy and the Federal Republic of Germany. The British proposal sought, specifically, to resolve the French differences that had led to the non-ratification of the Treaty of Paris. This is the reason why London did not insist on the creation of a supranational apparatus and, above all, proposed a solution that would regulate more strictly the possible rearming of Germany.

Therefore, the initiative aroused the profound interest of Paris, which, together with the signatories to the Brussels Treaty, decided at the London Conference to invite Italy and to agree to its membership of the Atlantic Pact. Hence, the French National Assembly ratified the new agreements, with the result that at the following conference in Paris in October, a Council and a military structure were established, thus leading to the birth of the Western European Union.

Regarding the German rearmament issue, the 1954 Paris-London agreements imposed a stricter control system that would allow the signatory states to seriously limit the development of German armed forces and also the proliferation of unconventional weapons. To regulate this, Protocol III was

annexed to the Brussels Treaty, which provided for arms control provisions. In detail, Article 1 stated that “the Federal Republic of Germany undertook not to be manufacture in its territory atomic, biological and chemical weapons”<sup>11</sup>. Moreover, the following articles also established that the production of weapons and the recruitment of new members of the armed forces should be subject to the approval of the Council of the Western European Union, which may, if necessary, decide by a two-thirds majority<sup>12</sup>. As an additional safeguard, the Council is tasked with determining the quantity of atomic, biological and chemical weapons that states may keep on the European continent.

Thus, the Western European Union was articulated as a traditional military alliance that differed profoundly from the EDC since it did not foresee the need to create a supranational military structure, the subject of great discord in the previous treaty. Consequently, the WEU was conceived as an experience that could bring together the different positions within Western Europe, particularly satisfying both British and French demands.

In this way, WEU essentially became the instrument that allowed the two main countries defeated in World War II to be harmoniously integrated into the Western defence system (Caimmi, 2004, p.72), namely Italy and Germany. Indeed, the project was very successful in those countries, as it was seen as a “bridge” for building political, social and economic initiatives for a substantial European integration.

However, this enthusiasm was soon extinguished, as the WEU soon entered a period of torpor and immobility. On the one hand, German rearmament proceeded at a slower pace than planned, to the extent that the Federal Republic of Germany was unable to acquire the 12 divisions required by the Protocols and NATO. On the other hand, the WEU was unable to gain any significant space of manoeuvre vis-à-vis the North Atlantic Treaty Organisation, thus depriving its Member States of a possible emancipation from American leadership. Then, the spirit of cooperation was replaced by economic and domestic policy considerations, as shown by Britain’s withdrawal of part of its troops from the European continent in 1956 due to budgetary difficulties.

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<sup>11</sup> See [https://www.cvce.eu/content/publication/2003/11/26/7d182408-0ff6-432e-b793-0d1065e6e695/publishable\\_en.pdf](https://www.cvce.eu/content/publication/2003/11/26/7d182408-0ff6-432e-b793-0d1065e6e695/publishable_en.pdf)

<sup>12</sup> In particular read Article 2: “The High Contracting Parties, members of Western European Union also take note of and record their agreement with the undertaking given by the Chancellor of the Federal Republic of Germany in the same Declaration that certain further types of armaments will not be manufactured in the territory of the Federal Republic of Germany, except that if in accordance with the needs of the armed forces a recommendation for an amendment to, or cancellation of, the content of the list of these armaments is made by the Supreme Commander of the North Atlantic Treaty Organisation, and if the Government of the Federal Republic of Germany submits a request accordingly, such an amendment or cancellation may be made by a resolution of the Council of Western European Union passed by a two-thirds majority”.

## **1.4 The new season of integration in the 1960s and 1970s: from the establishment of the EEC to the failure of the Fouchet Plan**

The experience of the EDC and WEU in previous years had shown an inherent difficulty for states to establish closer defence and security cooperation. In particular, European states had a crystallised desire to scrap any idea of creating supra-state structures and mechanisms to govern military and defence matters. Nonetheless, in this year a brutal halt in military integration was matched by a more sustained and vital economic and political integration process. This phenomenon was driven by several factors linked not only to the European continent. Firstly, the ECSC experience represented a relevant moment for European history, to the extent that it pushed Member States to deepen their cooperation by including new sectors and advancing the hypothesis of creating a common market.

Secondly, the principal European states, mostly France and Great Britain, were going through the final stages of the decolonisation process. In this context, the contraction of privileged trade with the former colonies obliged the ex-European colonial countries to devote renewed attention to continental economic policy, directing their interest to the creation and strengthening of new collaborative structures within Europe (Caimmi, 2004, p.79). These factors, then, guided the process of establishing the European Economic Community and EURATOM. These were established by the Treaties of Rome, which came into force on 1<sup>st</sup> January 1958 and marked the foundation not only of the common market, but also of the European Parliamentary Assembly, the ancestor of today's European Parliament<sup>13</sup>.

The process of drafting and ratifying the Treaties of Rome was quicker and less controversial in this case, partly due to the support given by the French. Indeed, Paris positively accepted these projects, since De Gaulle was fully aware of the contribution that the Common Market would make to the French economy, giving it a strong impetus to development (Soutou, 2008), despite the fact that the Treaties of Rome provided for a firm integration at an institutional level through the European Parliamentary Assembly.

The EEC was thus a milestone in the European integration process, even though Great Britain did not want to join in the first place. Conversely, Britain had opposed the creation of another economic

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<sup>13</sup> The EEC project arose, as mentioned above, from a series of favourable events, to which was added the economic recovery that Italy and Germany experienced in the late 1950s. The idea of horizontal integration in the field of the common market and atomic energy was elaborated at the Messina conference on 1<sup>st</sup> and 3<sup>rd</sup> June, where "the commitment to create a common organisation for the development of atomic energy, to establish a common market to be realised in successive stages, to favour the movement of workers, to guarantee access to raw materials, to coordinate monetary policies, to create a European investment fund was reaffirmed". "It was also decided to set up an intergovernmental committee, chaired by Spaak, to draw up a draft general common market and a specific common market for atomic energy". This report was then adopted at the Venice Conference, which formed the basis for the Treaties of Rome.

([https://www.senato.it/3182?newsletter\\_item=1869&newsletter\\_numero=175#](https://www.senato.it/3182?newsletter_item=1869&newsletter_numero=175#))

area, EFTA<sup>14</sup>, to the Treaties of Rome, but this could not replace the enormous benefits that the EEC brought to the Member States. As a result, London found itself in a position of isolation from the European continent in the late 1950s.

Although the idea of a united Europe was progressing rapidly in economic and political matters, there was still a stalemate in the area of foreign and defence policy integration. De Gaulle's re-election as President of France in 1958 undoubtedly influenced the blocking of further projects similar to EDC one. Indeed, the General had always opposed integration plans based on the renunciation of part of state sovereignty in favour of supra-state bodies that would favour the creation of a federal institutional structure. On the contrary, he looked at an eventual European cooperation that instead of an intolerable and impractical fusion, should form an association of nations, built in the simplest of institutional forms (Teasdale, 2016). Consequently, De Gaulle welcomed a closer form of cooperation among European countries, but this should not restrict the "right of states to maintain separate military structures and to exercise an absolute power of veto in decision-making (Teasdale, 2016, p.7). At the heart of this there was the idea that only a Europe with an intergovernmental design could be the instrument that would allow France to exert a great influence and leadership over the continent, and especially over Germany. This perfectly aligned with the General's desire to enhance France's role in the international arena.

In fact, initially De Gaulle, rather than pushing for new European projects, preferred to weave a dense network of relations with the United States, so that they would help Paris develop its nuclear programme, necessary to enter the pantheon of global powers. Finally, given America's reluctance to help France develop its own nuclear weapon, De Gaulle had turned his attention back to Europe, while trying to put pressure on the American government. The French President's idea was that if the United States was not prepared to reform NATO so that its nuclear power constituted a governing directory, then a more united European position under French leadership would give Paris greater claim to the privileged status it sought (Teasdale, 2016, p.10).

For this reason, in the 1960s, he made a series of conferences and declarations affirming his desire to create new forms of regular cooperation with the states of Western Europe, not only in the political and economic field but also in defence one. As a result, in the following months, a series of intergovernmental consultations were set up based on an intergovernmental structure in which the heads of state and foreign ministers of the participating countries were brought together.

Subsequently, De Gaulle began several bilateral discussions with the German Chancellor, Konrad Adenauer, to explore the possibility of making the consultations between governments more efficient

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<sup>14</sup> European Free Trade Association was born in 1960 and it was primarily formed by Britain, Denmark, Norway, Portugal, Sweden, Switzerland and Austria.

by creating an international body. Thus, after reaching an agreement with the Chancellor in Rambouillet on 29-30 July, De Gaulle in a public statement announced the organisation of the first-ever summit meeting of Community heads of government (Teasdale, 2016, p.13).

The first summit was held on 10-11 February in Paris at the Quai D'Orsay and gave rise to the Intergovernmental Committee on Political Union, which was tasked with strengthening coordination in foreign policy and preparing a text for a future treaty, strictly intergovernmental in nature. Obviously, as firmly desired by the French President, the institutions of the newly created EEC did not attend the summit.

However, De Gaulle's initiative raised many concerns among the EEC member states. In particular, they feared that the project of a permanent conference of heads of state would freeze the European integration process, thus nullifying the independence of the European Commission, and consequently cancelling any hypothesis of federalist development in Europe. In addition, the Netherlands and Belgium feared that the model of Europe envisaged by the French General would rise to the role of "third-force" in the global confrontation, misaligning itself, if necessary, from the US sphere of influence. Although Italy and Germany welcomed the French initiative, they were also hesitant, since they considered that jeopardising relations with Washington would have significant consequences, not only in the political sphere, but also in the economic and security fields.

Nevertheless, the Intergovernmental Committee on Political Union continued to meet between 1961 and 1962 under the chairmanship of Christian Fouchet, the French ambassador in Copenhagen. He was then instructed at the Paris summit to create a distinctly intergovernmental proposal, which purpose was to establish a Union of States with the intent to reconcile, coordinate and unify the policy of Member states in spheres of common interest: foreign policy, economics, cultural affairs and defence (Koutrakos, 2013, p.10).

The plan was officially presented on 2<sup>nd</sup> November 1961 and consisted of a draft treaty of 18 articles in which the states committed themselves to build a political union of states, acting in parallel with the European Commission and presenting a common foreign and defence policy. The Union would also be governed by a Council representing national governments, and qualified majority voting, excessively detested by De Gaulle, would be eliminated during the decision-making process. According to the plan, indeed, if one or more states abstained, the decision would still be taken and would bind only those determined to undertake the proposal. Finally, the Union's budget would be financed directly by the member states.

Thus, the plan was accepted only by Germany, Italy and Luxembourg, whereas the Netherlands and Belgium opposed the initiative. Significantly, in this case, the Belgian foreign minister, Paul-Henri Spaak, was instrumental in overturning Brussels' decision after it had initially accepted the proposal.

He firmly argued that before such a project could begin it was necessary for Britain, the only European power at the time with a nuclear programme, to take part in discussions on political union, or if that was not possible, at least to join the European Economic Community.

Consequently, under pressure from Holland and Belgium, the General failed to reach a rapid agreement with London, slowing down the discussion of the Fouchet Plan until it reached a stalemate that ended with the abandonment of the plan in January 1962.

After the failure of the plan, the divergences between France and the Benelux countries became even more profound. Despite this, the intergovernmental committee resumed its work starting in 1962. First, the Committee tried to draw up a new plan, but the text was not characterised by concessions, rather than by a hardening of positions. Instead, the new plan emphasised the intergovernmental character of the cooperation and emphasised the desire for greater independence of manoeuvre from the United States.

Underlying this proposal was De Gaulle's profound conviction that Britain's entry into the negotiations and the EEC would undermine French leadership and create a pretext for forging an even more Atlanticist and Washington-bound Europe. This is the reason why the General pushed for the need for intergovernmental cooperation and as much independent cooperation as possible.

Hence, the new Fouchet plan was presented on 18<sup>th</sup> January 1962, and immediately aroused heavy opposition not only from Holland and Belgium, but also from Italy itself. In particular, this draft presented five critical changes that further emphasised the intergovernmental character of the project.

Firstly, it envisaged the creation of a real network of "Committees of Ministers" for different policy areas that would be subject to the supervision by the EC Council of Ministers. Secondly, the plan placed the economic area at the centre of the collaboration, thus encroaching on the European Commission's sphere of action and debasing its importance. Thirdly, it proposed in the area of defence not to carry out actions in cooperation with other free nations, thus removing any implicit reference to NATO (Teasdale, 2016, p.38). Furthermore, the draft treaty envisaged the reduction of the tasks of the European Parliament and the merger three years after the entry into force of the Union and the EC.

However, these changes were not favourably received by other countries. For this reason, Italy decided to draw up a counter-treaty in order to bring the countries' differences together and to continue the negotiations. Rome drafted a text that did not undermine the authority of the European Commission and that brought the common defence policy under the umbrella of the Atlantic Alliance. Moreover, while leaving the structure of the Council and the Committees of Ministers unchanged, the new draft introduced qualified majority voting in the Council. Finally, the Italian plan envisaged that after three years the Council would prepare a draft constitutional text for the creation of a European Union to complete the integration process.

As a result, the Italian proposal expressed the five countries' shared desire to give only a little credence to De Gaulle's intergovernmental structure, but rather to embark on the road to supranational integration.

However, De Gaulle saw Rome's initiative as a resounding defeat and, as he had done previously, began a series of bilateral discussions. Initially, the French President met with Adenauer, who agreed with some points of the second Fouchet plan, but did not have the political power to push the other countries to accept the new proposal. He then went to Turin to meet personally with Amintore Fanfani, the Italian Prime Minister, with whom he had a long discussion and reached a principle of agreement, which would lead the Benelux countries to converge on the positions of France, West Germany and Italy.

Nevertheless, on 10<sup>th</sup> April an unforeseen event occurred that undermined the success of De Gaulle's efforts. Indeed, at the WEU Council meeting in London, Edward Heath, the British representative sent to discuss London's entry into EEC, gave a speech in which he argued for the centrality of the EC in the European integration process, pushing for the strengthening of supranational structures and advocating a defence policy based on a close cooperation with the United States.

For the Dutch and Belgian foreign ministers, already irritated by the bilateral approach with which De Gaulle had conducted the negotiations, this was an opportunity to definitively reject the French plan, which was then dropped from the agenda and abandoned.

The breakdown of the Fouchet negotiations was the biggest political reverse suffered by the EC in its four-year history (Teasdale, 2016, p.48). It, then, led to a period of stalemate from the European integration perspective and a deterioration in diplomatic relations between the EEC countries. This also represented one of De Gaulle's greatest diplomatic failures. His attempt to alter the European institutional set-up did not win the hearts of the member states who, on the contrary, saw the intergovernmental provisions as misplaced and retrograde in the light of the existing ECSC and EEC frameworks (Timmermans, 1996).

## **1.5 Stalled European diplomacy and the new push for European Political Cooperation (EPC).**

The negative experience of the Fouchet Plan had profoundly reshaped France's role within the European community. Thus, since the autumn of 1962, Paris had not been opposed to the opening of new dialogues to encourage Britain's entry into the EEC.

Yet, the French position changed following US President Kennedy's announcement of the sale of the Polaris nuclear missiles to Britain. According to De Gaulle, this was a clear manifestation of



London's subservience to the United States, which aimed to strengthen its leadership in Europe<sup>15</sup>. Consequently, Paris vetoed London's entry into the European Economic Community. The General stated that under these conditions the United Kingdom would become the Trojan horse of the United States within the Community (Caimmi, 2004, p.83).

He therefore remained consistent with his positions even in 1967 when the British Prime Minister, Harold Wilson, tried again to apply for British membership, finding Paris' veto. The great advocate of the intergovernmental model and the supporter of independence from the United States could not accept a reduction in its leadership.

However, De Gaulle had to resign on 28<sup>th</sup> April 1969 due to strong internal opposition and consequently withdrew from the political scene. This favoured Great Britain and the European Community as the general's successor, Georges Pompidou, lifted the French veto on London's entry into the EEC, which was formalised on 22<sup>nd</sup> January 1972.

London's entry into the EEC allowed European countries to resume defence and security discussions involving an extremely important country. As a result, Member States began to adopt a set of arrangements for closer defence cooperation, which led to the creation of the European Defence Council, also known as the Eurogroup. This was an informal grouping of the defence ministers of the European member states of the Atlantic Alliance, formed within NATO, but with the absence of France and Iceland (Caimmi, 2004, p.87).

In this context, several projects related to the development of common European military capabilities were undertaken. In particular, it is important to recall that in 1970 the European Defence Council launched the EDIP project, which involved the significant expenditure of one billion dollars in addition to national allocations for the enhancement of conventional defence programmes (Caimmi, 2004, p.88).

In line with the new initiatives within NATO, the EEC Member States also increased their cooperation not only in economic and political but also in military matters. In Luxembourg in 1970, they adopted the Davignon Report, forming the European Political Cooperation (EPC), the precursor of the Common Foreign and Security Policy. The aim was, on the one hand, to ensure constant information and regular consultation between the Six on the major problems of international politics and, on the other, to strengthen mutual solidarity by promoting the harmonisation of views and joint actions (Fulci, 2001, p.32). Specifically, this initiative brought together the foreign ministers of the

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<sup>15</sup> In this regard, it is necessary to point out that Washington believed that European countries should only deploy conventional forces, thus absorbing the limited nuclear capabilities of Britain and France. Underlying this was the idea that, according to US President Kennedy and his Secretary of Defence Robert McNamara, centralised management of nuclear weapons would make not only their use but also their deterrence more effective.

Member States who, with an established Political Committee, used to meet and discuss at set intervals within the Directors of Political Affairs of the Member States Foreign Affairs Ministries.

Within this assembly, the central issues relating to the continent's security and defence were debated, trying to find points of contact for the elaboration of a common foreign policy. Concerning this, the main reason for setting up a common foreign policy mechanism was based on the need for the international presence of the EEC to be equivalent to its economic role (Koutrakos, 2013, p.11) in the international scenario. In other words, the states understood the need to transform the EEC into a key player in the geopolitical balances of the continent.

Yet, the positive outcome of the EPC is the result of a new exponential progress in the integration process of Community Europe and a general easing of tensions with the Eastern bloc of Europe. On the one hand, since the 1970s the EEC has expanded following the accession of Great Britain, Denmark and Ireland, thus reaching the participation of ten states with the accession of Greece in 1981.

On the other hand, several events occurred in Europe that helped to improve relations between the two blocs. Accordingly, a relevant event was the formalisation of the SALT I agreement in May 1972 between the US and the USSR through the signing of a treaty after three years of negotiations. The agreements aimed to freeze the nuclear parity achieved between the two superpowers and block other states' development of a new nuclear arsenal.

In addition, the opening of diplomatic relations between the Federal Republic of Germany and German Democratic Republic contributed to lower the tensions between blocs. The election of Willy Brandt as Chancellor in 1969 helped Bonn to normalise relations with East Germany and the Soviet Union, recognising for the first time their legitimacy and the borders created after the end of the Second World War.

Thus, the EPC acted in a context of détente not seen for years. So, in order to advance the experience of cooperation, on 23<sup>rd</sup> July 1973 “the Foreign Ministers of the Member States of the European Communities adopt a second report on the strengthening of European political cooperation in matters of foreign policy”<sup>16</sup>. Indeed, the Report stated that in the light of the “widening scope of the European Communities and the intensification of political cooperation at all levels”<sup>17</sup>, the EPC should carry out its action “keeping in mind, the implications for and the effects of, in the field of international politics, Community policies under construction”<sup>18</sup>.

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<sup>16</sup> “Second Report on European Political Cooperation in Foreign Policy Matters (Copenhagen, 23 July 1973),” 2013, [https://www.cvce.eu/content/publication/1999/1/1/8b935ae1-0a38-42d4-a97e-088c63d54b6f/publishable\\_en.pdf](https://www.cvce.eu/content/publication/1999/1/1/8b935ae1-0a38-42d4-a97e-088c63d54b6f/publishable_en.pdf).

<sup>17</sup> Art. 10 of the Copenhagen Report

<sup>18</sup> Art. 12(b)

This provision reinforced the idea, which was essential for the further development of the Union's foreign policy and security system, that a watertight distinction between this area of high politics and the economic and social policies is illusory (Koutrakos, 2013, p.12). Indeed, what the Report sought to highlight was the intrinsic relationship that existed between the economic-political and the security and defence spheres.

Furthermore, the Copenhagen Report served as the launching pad for the creation of the European Council, an informal gathering of Heads of State together with Foreign Ministers that aimed to consolidate the exchange of information and contributed greatly to improving the functioning of European Political Cooperation. Starting with the first informal summit held in Paris on 9-10 December 1974, Council meetings, also chaired by the President of the European Commission, began to be held regularly, gaining more and more importance as essential moments for establishing common lines to be adopted in foreign policy.

Parallel to the development of this informal institution, which would be formalised with the Maastricht Treaty and become one of the seven institutions of the European Union with the Treaty of Lisbon, the election of a European Parliament with its seat in Strasbourg was proposed and implemented in 1979. The latter soon began to be used as an instrument for discussing and implementing security issues, thus overshadowing the role of the WEU, which was progressively left in a corner.

Undoubtedly, this context increasingly highlights how from the late 1960s the European Community continued to set the goal for greater forms of integration, also exploring possible models for a common foreign and defence policy (Caimmi, 2004, p.93).

In this document, Leon Tindemans, then Prime Minister of Belgium, described the state of the integration process, emphasising that "European action must become common in all the essential fields of foreign relations, whether it is foreign policy, security, economic relations or cooperation (Tindemans, 1975), and reaffirming the need to establish an economic and monetary union.

Moreover, Tindemans spends an entire section outlining the path that should be taken to achieve the establishment of a common foreign policy, including the defence sector. Specifically, he suggested abandoning the system of policy coordination between states, because it is bound to failure. Indeed, the Belgian Prime Minister believed that "European identity will not be accepted by the outside world if European states are sometimes united and sometimes disunited"<sup>19</sup>. In this regard, the report called on "the Member States to accept the more binding formula of a common policy"<sup>20</sup>, and consequently to

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<sup>19</sup> See Chapter II, section B.

<sup>20</sup> See Chapter II, section C.

grant the European institutions greater freedom of action in the fields of foreign policy and defence, while also implicitly emphasising the need to reform the institutions themselves.

The Tindemans report stressed the shortcomings of the integration process, with a particular focus on the defence sector. The lack of coordination and supranational structure prevented Europe from developing an independent and coherent foreign policy, making it lose its ability to play a leading role in international affairs. A significant case was the outbreak of war in Lebanon in the early 1980s. In an attempt to contain the disasters and spreading of the civil war, Europe decided to organise two special missions, called Lebanon I and Lebanon II from 1981 to 1984, which, however, revealed the lack of organisation and command of the EU institutions.

In response to this and following the indications that Tindemans expressed in his Report, the EC Member States decided to improve the EPC by adopting the London Report on 13<sup>th</sup> October 1981. It represented the final stage in the development of European Political Cooperation, as the Report “obliged Member States to consult and involve the European Commission in any foreign policy matter that concerned all of them”<sup>21</sup>. The reason for this change and strengthening stemmed from the realisation that Member States must play a role in the world appropriate to their combined influence, seeking to shape events and not merely to react them, and they also needed to be able to speak with one voice in international affairs (Koutrakos, 2013, p.12).

In conclusion, the London Report began to define the field of security, using broad and vague terms. For instance, regarding the purpose of the EPC, the document stated that “having regard to the different situations of the Member States, the Foreign Ministers agree to maintain the flexible and pragmatic approach which has made possible to discuss in Political Cooperation certain important foreign policy questions bearing on political aspects of security”<sup>22</sup>.

## **1.6 The final preparations for the Union: The season of major reforms from the Single European Act to the Maastricht and Amsterdam Treaties.**

The previously expressed desire to give the European Community greater weight in the international arena prompted Member States to begin a new process of reforming the EEC’s founding treaties to give it new competences and prerogatives, including in the field of security and defence. As the former President of the German Liberal Party Hans-Dietrich Gensher stated, Europe needed a new political impetus and a visible step towards the European Union (D’Ottavio, 2006, p.67). The main

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<sup>21</sup> “EUR-Lex - A19000 - EN - EUR-Lex,” <https://eur-lex.europa.eu/legal-content/IT/TXT/?uri=legisum:a19000#:~:text=Determinati%20a%20potenziare%20la%20CPE>.

<sup>22</sup> Part I of London Report, see “Report on European Political Cooperation (London, 13 October 1981),” CVCE.EU by UNI.LU, December 18, 2013, [https://www.cvce.eu/obj/report\\_on\\_european\\_political\\_cooperation\\_london\\_13\\_october\\_1981-en-869a63a6-4c28-4e42-8c41-efd2415cd7dc.html](https://www.cvce.eu/obj/report_on_european_political_cooperation_london_13_october_1981-en-869a63a6-4c28-4e42-8c41-efd2415cd7dc.html).

focus of the Genscher-Colombo initiative was the extension and deepening of the powers of the EU institutions, the restoration of majority rule in the decision-making system, the extension of the competences of the EEC in other policy areas and the deepening of the level of cooperation on foreign and security policy issues (D'Ottavio, 2006, p.69).

Although the proposal did not fundamentally change the order of things, it influenced public opinion in the member states on the need to revitalise the EEC, which was in a period of decline. As a result, it was taken up again, albeit in a scaled-down way, at the Stuttgart European Council in 1983. On this occasion a package of measures (der Stuttgarter Paket) was drawn up with the aim of improving and reforming the EEC.

Even though the “Stuttgart Solemn Declaration” was not strictly binding, it was an important political document that committed the heads of state to “renewing their commitment to progress on the road to ever closer union between the peoples and member states of the European Community”<sup>23</sup>.

From this declaration, an ad hoc Committee was set up by the 1984 Fontainebleau agreements to make suggestions for improving the functioning of European cooperation (Lay, 1986, p.383). From the work of the committee came a draft reform of the treaties which was made official on 28<sup>th</sup> February 1986 and came into force on 1<sup>st</sup> July 1987: the Single European Act.

This represents a relevant moment in the process of integration in security matters, as for the first time with the SEA a reference to security was included in primary law (Koutrakos, 2013, p.13). The Document, by which the Treaty of Rome was amended, dedicated an entire section, Title III, to European cooperation in the sphere of foreign policy. Specifically, Title III comprises Article 30, which describes in a detailed manner the structure and mechanisms of cooperation in foreign policy, thus including security matters.

Concerning this, it is crucial to highlight the provisions written in Article 30 section 6:

- a. *The High Contracting Parties consider that closer co-operation on questions of European security would contribute in an essential way to the development of a European identity in external policy matters. They are ready to coordinate their positions more closely on the political and economic aspects of security;*
- b. *The High Contracting Parties are determined to maintain the technological and industrial conditions necessary for their security. They shall work to that end both at national level and, where appropriate, within the framework of the competent institutions and bodies;*

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<sup>23</sup> “Emilio Colombo, La Dichiarazione Solenne Sull’Unione Europea,” CVCE.EU by UNI.LU, May 9, 2012, [https://www.cvce.eu/obj/emilio\\_colombo\\_la\\_dichiarazione\\_solenne\\_sull\\_unione\\_europea-it-f3d58961-327f-4471-9d74-0daa3bfa0ef7.html](https://www.cvce.eu/obj/emilio_colombo_la_dichiarazione_solenne_sull_unione_europea-it-f3d58961-327f-4471-9d74-0daa3bfa0ef7.html).

- c. *Nothing in this Title shall impede closer cooperation in the field of security between certain of the High Contracting Parties within the framework of the Western European Union or the Atlantic Alliance.*<sup>24</sup>

Although the sections did not refer to specific security policy, they did refer to the economic and political aspects of security, and also insisted on the need for cooperation and coordination for the development of a European identity in external relations.

While the SEA proved to be a pioneering document in the security field, with all the limitations mentioned, in the defence area it still had important shortcomings. In this regard, the lack of the word “defence” in the document raises awareness of a relevant fact. Indeed, this suggested that Member States were not prepared to revisit this sensitive policy area even pursuant to a method decidedly intergovernmental (Koutrakos, 2013, p.14). Concerning defence, states jealously guarded their autonomy, rejecting any form of centralisation, as they began to do in the field of foreign and security policy. On the contrary, the role of the latter two became more pronounced in the amendments to successive treaties, starting with the Maastricht one in 1992.

Hence, the Single European Act represents a watershed in the history of European defence integration. Since the SEA, the issue of security, as mentioned above, has constantly entered the discussions in European institutions and public opinion. This was particularly favoured by the events that shook the European continent from the 1990s onwards, the most important of which was the fall of the Soviet Union and its subsequent dissolution, occurred on 8<sup>th</sup> December 1991 when the former Soviet republics of Russia, Belarus, Ukraine, together with eight other republics established the Commonwealth of Independent States on the initiative of Boris Yeltsin.

Gorbachev’s attempts to reform the Soviet system by adopting Perestroika (restructuring) in the economic sphere and Glasnost (transparency) in the political sphere did not lead to the desired outcome since, within the Soviet bloc, several countries were showing great impatience and a desire for independence, thus triggering the process of the USSR’s implosion.

As a consequence, the disappearance of the historical enemy from the end of the Second World War had relevant repercussions on the European integration process, which was nevertheless experiencing a moment of prominent development. The end of the Cold War and the absence of the Soviet threat made Europe lose its strategic importance, determining at the same time the end of its dependence on the United States and the radical reorientation of the United States outside the Old Continent (Foradori, 2010), towards areas of greater interest such as the Middle East, the Gulf region and Asia. The resulting American disinterest in European defence and security matters became an

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<sup>24</sup> “Official Journal of the European Communities,” *Analytical Proceedings* 21, no. 6 (1984): 196, <https://doi.org/10.1039/ap9842100196>.

incentive for Europe to take charge of its own defence. As de Wijk (2003) argued, the unification of European security rests on the recognition that Europe is no longer the United States' top strategic priority and that it therefore has no choice but to develop its own more powerful military capability.

Moreover, the demise of the Soviet Union also profoundly changed the understanding of collective security. Indeed, with the loss of the common enemy that held the NATO blocs together, there was a crisis of legitimacy in the European armed forces, which found a new *raison d'être* in out-of-area interventions for the purpose of stabilisation and support to peace (Foradori, 2010, p.67). The new understanding of the concept of security shaped not only the organisation of new missions in the European context, but also the development of mechanisms and the European command structure, as shown in the "Petersberg Tasks".

Then, a second factor that was of vital importance in giving a greater impetus to the integration process was the internal dynamics of the European Community, later to become the European Union. Ultimately, it is essential to underline that in the 1990s the process of economic integration had reached its full development with the introduction of the common market and the decision to start a monetary union as well.

For this reason, it seemed logical that foreign policy, and potentially also security and defence policy, could develop beyond the lukewarm attempts of the EPC (Foradori, 2010, p.67). Many European leaders felt there was a new need to provide the European Community, which had become an economic superpower, with an armed arm capable of ensuring a more structured presence on the international stage.

In addition, a crucial element was the outbreak of the Balkan wars that struck at the heart of Europe, revealing the weaknesses of the new military and defence set-up created by the Maastricht Treaty and Europe's still great dependence on the United States.

In short, Tito's death in 1980 had severely weakened the Federal Republic of Yugoslavia, which was no longer able to stem the centrifugal and splintering pressures of the Federation (Caimmi, 2004, p.55), since some pro-Western and economically better structured countries such as Slovenia and Croatia began to push for greater independence, refusing to take on the burdens of the Federation and the economically less integrated countries. The situation deteriorated further with the election in Serbia of the communist Slobodan Milosevic, supporter and advocate of the idea of a "Greater Serbia", and with the proclamation of independence by the Muslims of Bosnia, who constituted themselves as an autonomous republic, upsetting the delicate balance with the Serbs in the country.

These events represented a test case for the European Community, which tried to put an end to the escalating conflicts, on the strength of its progress in economic and political matters. However, European governments failed to interpret events adequately, to draw up Peace Plans that were

consistent with the ongoing dynamics of ethnic cleansing, to manage and coordinate missions on the ground and, most importantly, they showed a substantial lack of willingness to use force (Cendali Pignatelli, 2006), thus requiring the support of the United States.

Equally, these limitations came to light with the outbreak of the Gulf War in 1991, in which the European Community participated but failed to act in an effective and coordinated manner. According to Giuseppe Mammarella (2013) it was the lack of an integrated European rapid deployment force that prevented more incisive European participation in both the diplomatic and military phases.

Therefore, it was evident that the European Community needed to be equipped with instruments suited to the growing role it was playing and that could also withstand the new challenges it was about to face. As a result, in parallel with the discussions on the implementation of a monetary union, an intergovernmental conference on political union was also convened at which the implementation of a common and share foreign policy model was proposed yet.

Indeed, these changes called for by the new requirements that had emerged in Europe materialised with the signing of the Maastricht Treaty. The path leading to the signing and ratification of this treaty was complex and much hindered, mainly by the British Prime Minister Margaret Thatcher. Previously at the Madrid summit in 1989, the Iron Lady had rejected the proposal of the President of the European Commission, the Frenchman Jacques Delors, to achieve monetary union, since the British Prime Minister argued that monetary integration would harm London first. However, in 1990 Thatcher was not re-elected, and her successor John Major was more inclined towards the integration project in defence matters as well, while arguing for a closer transatlantic relationship.

Moreover, these years also witnessed the reunification of Germany following the fall of the Berlin Wall on 10<sup>th</sup> November 1989 . The question of German unification became a priority for Europe, which aimed to build a Germany that was well integrated into the European Community<sup>25</sup>.

This led to the signing of the Maastricht Treaty, also known as the Treaty on European Union (TEU), on 11<sup>th</sup> December 1991, which was subsequently ratified on 7<sup>th</sup> February 1992. The Treaty radically changed the economic and political features of the European Community, establishing the European Union and the three pillars on which it is based, namely monetary union and common market, the common foreign and security policy, and lastly cooperation in the field of justice and home affairs.

In the field of defence and security, thus, Maastricht established the CFSP. In this respect, it is noteworthy the elevation of security to one of the components of the system which it introduced in the Union's legal order (Koutrakos, 2013, p.16). Specifically, the provisions on CFSP are contained in

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<sup>25</sup> For details of how the German unification influenced the ratification of Maastricht, see Gianni De Michelis, "LA VERA STORIA DEL TRATTATO DI MAASTRICHT," Limes, August 5, 1996, <https://www.limesonline.com/cartaceo/la-vera-storia-di-maastricht>.



Title V of the Treaty, in fact Article J.1 states that “the Union shall define and implement a common foreign and security policy covering all areas of foreign and security policy”<sup>26</sup>.

The objectives of the new common foreign policy are further defined in section 2 of Article J.1, which established that EU aimed to “safeguard the common values, fundamental interests and independence of the Union, to strengthen the security of the Union and its Member States, to preserve peace and promote international cooperation and to develop and consolidate democracy and the rule of law and respect for human rights and fundamental freedoms”<sup>27</sup>.

The Treaty thus ensured a broad approach to the concept of security, which is declined not only in the European supranational sphere but also in the state sphere since explicit reference is made to strengthening the security of member states.

Moreover, the creation of the CFSP was, in the view of the founding fathers of Maastricht, part of a more extensive process that would lead to the formation of a common defence. Yet, after the failed experience of the EDC, the aim of a European army was proposed as a further step in the integration process. Accordingly, in implementing defence operations, the treaty did not envisage the creation of new bodies or institutions from scratch, but “the Union requested the Western European Union (WEU), which was an integral part of the development of the Union, to elaborate and implement decisions and actions of the Union which have defence implications”<sup>28</sup>. In this way, the WEU emerged from the torpor that had characterised it over the last two decades and established itself as the armed wing of the European Union, enlarging its membership by including the countries of the Union.

Overall, the project to set up and operate the CFSP was very ambitious and avant-garde, even if it had its limitations in terms of practicality and adequate instruments for its action. In particular, the decision-making process, which still provided for unanimous voting, reduced the effectiveness of the new CFSP. Instead of majority voting as in the Council, foreign policy decision-making was based on the consensus of all Member States. This stemmed from the fact that CFSP was not an exclusive competence of the EU and states could therefore pursue national foreign policies independently (Foradori, 2010, p.33). In this case, however, state action had to conform to and support common action in a spirit of solidarity without adopting behaviour that could weaken or nullify the effectiveness of European action<sup>29</sup>.

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<sup>26</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:11992M/TXT&from=IT>

<sup>27</sup> *Ibidem*

<sup>28</sup> Art. J.4(2) Maastricht Treaty

<sup>29</sup> This provision is expressed in Article J.1(4) which stated “The Member States shall support the Union's external and security policy actively and unreservedly in a spirit of loyalty and mutual solidarity. They shall refrain from any action which is contrary to the interests of the Union or likely to impair its effectiveness as a cohesive force in international relations”.

In short, the Maastricht Treaty incentivised Member States to align their foreign policies and converge their positions. The new provisions also revitalised the WEU in the field of security and defence, strengthening ties with NATO and claiming to link European defence with the Atlantic Alliance. The Maastricht Experience thus prompted European states to engage in closer cooperation in the military field, and to enhance the structure of existing organisations.

As a result, several defence integration projects were launched, one of which led to the formation of the Eurocorps, better known as the Franco-German Army Corps. On 22<sup>nd</sup> May 1992, France and Germany signed the Rochelle Agreement, which gave rise to the first large multinational unit with a European vocation (Caimmi, 2004, p.121), also open to other WEU member states. The Corps was officially activated in 1993 and made fully operational in 1995. Headquartered in Strasbourg, Eurocorps represented an attempt to set a new course in military cooperation on the basis of the Maastricht provisions, since it was not only designed for strategic and armed response purposes, but also to serve as a model for closer military cooperation in general between EU member-states (Banfi, 2022).

Moreover, to strengthen ties with NATO as well, in 1993, through an agreement between the Supreme Commander of Allied Forces in Europe and the Chiefs of Staff of France and Germany, it was agreed that Eurocorps forces could also be deployed by the Atlantic Alliance in accordance with Article 5 of the Washington Treaty.

Parallel to this experience, which had led to Eurocorps becoming the first Forces Answerable to the Western European Union (FAWEU), the states sought to give new input to the WEU, defining new strategies and new fields of action for the organisation. This is the reason why, on 19<sup>th</sup> June 1992, the Ministers of Defence and Foreign Affairs of the Western European Union member countries met in Petersberg, Germany, to define new guidelines for the development of the Organisation. They also discussed the new objectives to be pursued and, above all, the types of missions to be undertaken under the new European structure.

This led to the definition of the “Petersberg Tasks”, which broadened the scope of WEU’s activities. In addition to the traditional territorial defence missions, these included humanitarian missions (Humanitarian Support Operations - HSO), evacuation and rescue of civilians in war zones (Non-Combatant Evacuation Operations - NEO), peacekeeping ( Peace Keeping Operations - PKO), and crisis management and peace-enforcement (Peace Enforcing Operations - PEO). Furthermore, in order to guarantee the necessary means to fulfil these tasks, the Western European Union was provided with new structures such as the Military Planning Cell of the General Staff and the Satellite Data Interpretation Centre in Torrejon.

The Balkans were the testing ground for the renewal of the WEU's institutional and operational set-up. As the conflicts in Croatia, Bosnia and Serbia escalated, WEU took part in important military operations, mainly in cooperation with NATO. In particular, on 8<sup>th</sup> June 1993, the WEU and NATO Councils approved a joint operation, Sharp Guard, with the aim of implementing UN Security Council Resolution 820, which decreed an embargo on Yugoslavia. This operation established a unified command structure and strengthened cooperation with the Alliance. The same experience was repeated in other missions during the Balkan wars and contributed to the consolidation of the partnership with NATO, as proposed also in the Treaty of Maastricht.

Generally, this context represented fertile ground for the development in 1994 of the European Security and Defence Identity (ESDI) experience, a project aimed at enhancing the European pillar of the Atlantic Alliance, allowing the use of those NATO assets and capabilities that Europe lacked (Foradori, 2010, p.68). In practice, this implied the adoption of the Combined Joint Task Force (CJTF) concept through which the WEU could receive authorisation to use part of the Alliance's technological, operational and logistical capabilities (Caimmi, 2004, p.127).

The development of this double "hat" of action symbolised a vital moment in creating, especially in the United States, a favourable predisposition for a greater European military commitment, which also resulted in a strengthening of the European defence front as prompted by the Maastricht Treaty.

Therefore, these experiences represented a concrete interpretation of the Maastricht provisions as they supported a real revitalisation of the WEU, and they also favoured the opening of the Intergovernmental Conference for the revision of the Maastricht Treaty in 1996.

The aim of the Conference was to discuss a possible evolution of EU-WEU relations that could result in a merger of the WEU within the Union, through the establishment of an enhanced cooperation considered as a useful instrument for a gradual extension of the Community method to other EU activities/competencies (Daviddi, 2012).

However, two opposing factions formed within the conference, on the one hand, those who supported the merger of the EU and WEU, such as France, Italy, Germany and Spain, and on the other hand, the more pro-Atlantic countries, such as Great Britain. The former accepted the possibility of a merger through a step-by-step approach, i.e. establishing a timetable for integration through established stages. The latter instead supported the parallel development of the CFSP within the two organisations. London, for instance, proposed an intergovernmental model based on cooperation between states, excluding as a matter of priority any form of supranational integration in the defence sector (Daviddi, 2012). Moreover, London considered the relationship with Washington to be a necessary condition for the establishment of a common European security, so that any revision of WEU structures had to be made with a view to strengthening the Atlantic Alliance.

The Conference's proposals were subsequently taken up at the Amsterdam European Council of 16-17 June 1997, resulting in the Treaty that was signed on 2<sup>nd</sup> October and came into force on 1<sup>st</sup> May 1999. Despite the premises and discussions that preceded its signature, the Treaty of Amsterdam kept the relationship between the EU and the WEU unchanged, although it introduced some minor innovations. Firstly, the new wording of Article J.7 refers to the "progressive framing of a common defence policy"<sup>30</sup>, thus underlining the will to gradually move towards a closer form of security policy cooperation.

Then, the focal point was the new Article 17 of Title V, which regulated relations between the WEU and the EU. The new text thus considered the WEU as an "integral part of the development of the Union"<sup>31</sup> and gives it a clear role of service and therefore of subordination<sup>32</sup>.

Additionally, this article stated that relationship between the two organisations should "foster closer institutional relations with the WEU with a view to the possibility of the integration of the WEU into the Union"<sup>33</sup>, thereby recalling the debate that arose during the work of the Conference that preceded the drafting of the Treaty. For the first time, the idea was that closer cooperation was explicitly aimed at the realisation of a possible integration, which, however, would be difficult to achieve.

Concerning the institutional framework of the CFSP, several changes were made with the aim of making the decision-making process more flexible and faster, and of extending participation in the CSFP to other EU institutions. First of all, the concept of constructive abstention was introduced into the decision-making process, allowing member states not to apply the decision taken by the Council, but obliging them to accept that the decision commits the Union. In this way, while refusing to apply a decision at national level, states did not prevent it from being taken at supranational and EU level, thus reducing the ability of states to block initiatives.

Furthermore, the treaty amendments further sought to weaken the rule of unanimous consent by introducing qualified majority voting:

- when adopting joint actions, common positions or taking any other decision on the basis of a common strategy;

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<sup>30</sup> *Treaty of Amsterdam Amending the Treaty on European Union, the Treaties Establishing the European Communities and Certain Related Acts*. (Luxembourg: Office For Official Publications Of The European Communities ; Lanham, Md, 1997), <https://www.europarl.europa.eu/topics/treaty/pdf/amst-en.pdf>.

<sup>31</sup> *Ibidem*

<sup>32</sup> Article 17(2) stipulated that the WEU must support the work of the EU, thus sanctioning the political subordination of the Western European Union. "It supports the Union in framing the defence aspects of the common foreign and security policy as set out in this Article". <https://www.europarl.europa.eu/topics/treaty/pdf/amst-en.pdf>

<sup>33</sup> Article 17(2) Treaty of Amsterdam.

- when adopting any decision implementing a joint action or a common position.<sup>34</sup>

This made it easier to get the 27 Member States to agree when it came to reaching a common and shared position.

Secondly, the Commission became more involved in the dynamics of the CFSP as the Treaty of Amsterdam stipulated that the expenditure of the Common Foreign and Security Policy would be charged to the Community budget, which was approved and managed by the Commission. As a matter of fact, the involvement of other Union bodies served to give the CFSP a more supranational dimension, freeing it from state control, especially in such a sensitive area as the financial resources available for the organisation and implementation of foreign policy initiatives.

Finally, the Amsterdam Treaty instituted the post of High Representative for the Common Foreign and Security Policy, also known as Mr. CFSP. The mandate of the High Representative was as described in Article 26 TEU (former article J.16) of “assisting the Council in matters coming within the scope of the common foreign and security policy, in particular through contributing to the formulation, preparation and implementation of policy decisions, and when appropriate and acting on behalf of the Council through conducting political dialogue with third parties”. The creation of a figure responsible for managing the CFSP was intended to give the Union greater diplomatic weight and ensure continuity in its action. Indeed, thanks to this body, the European Union acquired a greater capacity for dialogue and manoeuvre in the international field, to the point that in light of the positive effects that the High Representative brought to European action in foreign policy, it was decided to further extend its functions with the Lisbon Treaty.

In conclusion, the Treaty of Amsterdam was a crucial moment in the development of the fledgling CFSP, particularly for discussing WEU-EU relations. Although it was a missed opportunity to lay the groundwork for a merger of the WEU into the EU, the innovations introduced by the Treaty increased the process of Europeanisation and Brusselsisation of CFSP. Moreover, the EU’s growing mastery of CFSP matters, exercised on the one hand through enhanced action by the Council and the High Representative, and on the other hand through more simplified and flexible decision-making procedures, guaranteed a wider field of action and development in view of future forms of enhanced cooperation.

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<sup>34</sup>Article J.13(2)

## **1.7 From the St. Maló Declaration to the birth of ESDP during the Cologne Council.**

The experience of the Treaty of Amsterdam marked a significant step forward in security and defence policy. The attempt to involve states more closely in what was called enhanced cooperation began to yield concrete results in the following years.

Accordingly, a relevant effect of this enhanced cooperation was represented by the summit between France and the United Kingdom in Saint Maló on 4<sup>th</sup> December 1998. This marked a turning point in the relationship between the two countries in the field of European security and defence, as after lengthy negotiations the differences that had characterised these countries in the area of the European army was settled. In fact, during the summit was signed a treaty that represents a synthesis of the two extreme positions on whether to proceed with European integration in the defence sector.

In short, common ground was found between France, a long-standing supporter of non-US or NATO-led European integration and independence, and the more pro-Atlantic United Kingdom, a proponent of a enhanced Washingtonian involvement in European affairs.

This change of position was favoured by several factors, firstly by the Labour victory in England, which constituted a break with the traditional scepticism towards the integration process that had characterised British politics so far, primarily during the Margaret Thatcher period. In addition, London, having been voluntarily excluded from the economic and monetary policy of Schengen, fearing that it would be marginalised by the acceleration of the Community process by the Union, had decided to commit itself to the defence sector, in which its leadership would have been almost natural (Caimmi, 2004, p.137), given the greater preparation and efficiency of its army.

Considering the declaration, this opened with the realisation by France and the United Kingdom that the European Union needed to be in position to play its full role on the international stage (Howorth, 2014). For this reason, the Union needed to have “the capacity for autonomous action, backed up by credible military forces, the means to decide to use them, and a readiness to do so, in order to respond to international crises (Howorth, 2014). The two countries then agreed on the need for the European Union to have “appropriate structures and a capacity for analysis of situations, sources of intelligence, and a capability for relevant strategic planning (Howorth, 2014), in order to carry out actions autonomously, while complying with NATO obligations and considering the existing assets of the WEU.

Thus, the Saint Maló summit revealed its revolutionary character insofar as it “removed the blockage which for decades had prevented the European Union from embracing security and defence as a policy area (Howorth, 2014, p.36), and also because it gave rise to “a healthy debate about the security role of the Union on the international scene (Koutrakos, 2013, p.19).

In general, the Saint-Maló experience provides concrete insights of the importance of autonomous action by Member States and in particular France and Britain. First of all, it is possible to point out that this initiative was not born within a European institution, but was promoted by two member states acting autonomously, “hence illustrating clearly the inherent role of national administrations in the design and conduct of security and defence policy”<sup>35</sup>. Secondly, the declaration explicitly showed that any project involving European defence and security necessarily required the participation and leadership of France and Britain, since they represented the two most militarily advanced nations on the old continent.

With the St. Maló summit, the process of defence integration gained momentum. At the same time, the escalation of the Kosovo war in 1999, and the Union’s renewed inability to find a common position and to negotiate autonomously, heightened awareness of the need for military capabilities to gain international credibility.

In this context, the European Union was pushed to adopt new measures to deal with international crises in a more effective and united way. To this end, the German EU presidency pushed for a kind of Europeanisation of the St. Maló declaration, taking up the main considerations in order to apply them to the European context in a broader way and with the commitment of all member states.

Thus, recalling the conclusions of the Franco-British agreement, the Cologne European Council of 3-4 June 1999 formally established ESDP with the aim of providing the European Union “the necessary means and capabilities to assume its responsibilities regarding a common European policy on security and defence”<sup>36</sup>. Additionally, the Union was required to have the “capacity for autonomous action, backed up by credible military forces, the means to decide to use them, and the readiness to do so in order to respond to international crises without prejudice to actions by NATO”<sup>37</sup>.

The seek of the decisions was thus to provide CFSP with a concrete instrument of action for crisis management, capable of overcoming the limitations of the WEU and with parallel political-military mechanisms *ex novo*. ESDP was therefore included in the CFSP pillar and entrusted with international crisis management duties as described in the “Petersberg Tasks”<sup>38</sup>. Indeed, the scope of ESDP encompasses a wide range of situations from humanitarian crises to peacekeeping and peace enforcement activities. Its action was supported by NATO, which was again considered by the Council as an essential element in European military action. In particular, the dual usability of ESDP assets and structures for both EU-led and NATO-led missions was reaffirmed in Cologne.

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<sup>35</sup> *Ibidem*

<sup>36</sup> “Cologne European Council 3 - 4 June 1999: Conclusions of the Presidency (Annexes),” [www.europarl.europa.eu](http://www.europarl.europa.eu), June 4, 1999, [https://www.europarl.europa.eu/summits/kol2\\_en.htm](https://www.europarl.europa.eu/summits/kol2_en.htm).

<sup>37</sup> *Ibidem*

<sup>38</sup> See paragraph 1.3.2

After establishing ESDP, the following Helsinki Council of 10-11 December 1999 set the so-called “Headline Goal”. In order for the Union to be able to fulfil the Petersberg Tasks, the Member States committed themselves to setting up a European Rapid Reaction Force, modelled on that of the Atlantic Alliance, up to 50,000-60,000 persons capable of being deployed “within 60 days and sustained for at least 1 year”<sup>39</sup>. The ERRF was thus conceived as an autonomous force with adequate structures, command mechanisms and war support units to carry out its activities.

In addition to the military objective, the Member States decided to develop the civilian dimension by drawing up at the Feira Council in June 2000 an action plan to equip themselves by 2003 with capabilities in the areas of police cooperation, the rule of law, administration and civil protection (Foradori, 2010, p.72). This sought to further strengthen ESDP’s capacity for action by making it capable of taking initiatives not only in the military sphere, but also in the civilian one that could be adapted to the new challenges.

## **1.8 Towards the Lisbon Treaty: from the Treaty of Nice to the Laeken Declaration and the adoption of the New European Security Strategy**

The early 2000s experienced the beginning of a period of adjustment of the new institutions and bodies created by the CFSP and ESDP, which served to provide the basis for the last major revision treaty, the Lisbon one. After the Helsinki summit and the Feira Council, which further clarified the dynamics, objectives and institutional framework of the ESDP within the CFSP, the process of defence integration took a new step forward with the ratification of the Treaty of Nice, which entered into force on 1 February 2003 after a long negotiation process that started in 2001.

This was a crucial treaty for the European Union since, in addition to the proclamation of the Charter of Fundamental Rights of the European Union, it provided relevant institutional reforms in view of the Union’s eastward enlargement.

From a common defence perspective, however, Nice elaborated a more flexible model of enhanced cooperation applicable to CFSP and ESDP. In particular, it allowed a group of at least eight states to initiate enhanced cooperation, preventing other member states from blocking its implementation by using the “emergency brake”, namely the possibility of postponing the decision to the unanimous approval of the Council. Generally, “the possibility of enhanced cooperation is

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<sup>39</sup> “Helsinki European Council 10-11.12.1999: Conclusions of the Presidency - European Council Helsinki 10-11.12.1999: Conclusions of the Presidency,” [www.europarl.europa.eu](http://www.europarl.europa.eu), December 11, 1999, [https://www.europarl.europa.eu/summits/hel1\\_en.htm#b](https://www.europarl.europa.eu/summits/hel1_en.htm#b).



extended to the common foreign and security policy, to the exclusion of defence and here with a power of veto of the EU countries”<sup>40</sup>.

Despite this, the Treaty of Nice failed to extend the principle of enhanced cooperation to the area of defence, because from the outset some countries, including Great Britain, vetoed this initiative. It also failed to broaden the scope of the Union’s action to include a wider range of missions than those described in the Petersberg Tasks.

Nonetheless, the Treaty of Nice had a significant effect since it furnished a springboard for the preparation of the work that led to the Lisbon Treaty. Indeed, the main body of the Treaty of Nice included a Declaration on the Future of the Union which called for a deeper and wider debate about the future of the European Union and suggested that its subject matter focus on delimitation of competences, the simplification of the Treaties and the role of national parliaments (Koutrakos, 2013, p.23). This was the subject of a consistent debate at the following Laeken Council of 14-15 December 2001, where the Laeken Declaration was adopted. It was a document comprising several annexes, covering issues of citizenship, monetary union, enlargement of the Union, foreign and security policy, sustainable development and cooperation, external relations of the Union and social policies.

Accordingly, Annex II was relevant for the CFSP, as it gave a detailed account of the operational capabilities of the Common European security and defence policy. Precisely, the theme of EU-NATO relations was addressed, outlining how, despite “the Union’s crisis-management capability has been strengthened by the development of consultations, cooperation and transparency between the two organisations”<sup>41</sup> due to the Western Balkans wars, new agreements had to be finalised to ensure greater operability of ESDP assets. The objective, according to the Council, was to conclude agreements on “ guaranteed access to the Alliance's operational planning, presumption of availability of pre-identified assets and capabilities of NATO and identification of a series of command options made available to the Union”<sup>42</sup>.

However, the most significant element of this declaration was the provision for the creation of a Convention on the Future of Europe in Annex I part III, with the aim of opening an intergovernmental conference to promulgate a draft Treaty establishing a Constitution for Europe. The Council appointed former French President Valéry Giscard d’Estaing as chairman of the Convention, and he was assisted by representatives of the heads of state or government of the Member States and some representatives of the national parliaments. They addressed the main issues concerning the

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<sup>40</sup> “Treaty of Nice Amending the Treaty on European Union, the Tr... - EUR-Lex,” Europa.eu, 2018, <https://eur-lex.europa.eu/legal-content/EN/LSU/?uri=CELEX%3A12001C%2FTXT&msclid=3af1dfe7c54211eca458ba25952c280a>.

<sup>41</sup> Annex II part B see [PRELIMINARY DRAFT \(europa.eu\)](#)

<sup>42</sup> *Ibidem*

division of competences within the Union, the simplification of the EU's operational instruments, the strengthening of democracy, transparency and effectiveness.

As mentioned, the ultimate goal was the drafting of a treaty for the adoption of a European constitution, which would represent a major step forward in the integration process as it would bring the European Union closer to a federal model.

Furthermore, in parallel with the work of the Convention on the Future of Europe, the Union was striving to increase its influence in the international arena. For this reason, it had committed itself through its High Representative Javier Solana, to drawing up a new security and defence strategy that would guarantee its ability to meet the new international challenges, providing a list of threats and guiding principles that would be useful in addressing them.

Consequently, a strategy document was drawn up to test concrete action based on new international challenges and European values and interests. The European Security Strategy was drafted in 2003 and subsequently adopted by the European Council of Brussels on 13<sup>th</sup> December of the same year. The innovative aspect of the paper was that it did not only aim to indicate which military instruments were most suitable for dealing with new crises, but rather presented a comprehensive approach to foreign policy, including the development of European soft power and diplomacy. This was mainly the result of the excellent achievements that the European Union was making in the field of integration, as they had created a greater European identity and common feeling. Indeed, ESS opened by stating that “Europe has never been so prosperous, so secure nor so free and [...] as a union of 25 states with over 450 million people and with a wide range of instruments as its disposal the European Union is inevitably a global player”<sup>43</sup>.

ESS was then divided into three fundamental parts, whose first concerned with identifying the new threats that the EU had to face, the second elaborating on the strategic objectives to be pursued, and the last dictating the provisions for pursuing policies that would make the EU more active and capable of working with its partners.

On the first part, the paper identified five major threats such as terrorism as a consequence of the events of 11<sup>th</sup> September 2001, the proliferation of weapons of mass destruction especially in the Middle East, regional conflicts such as in Kashmir and the Korean peninsula, state failure conceived as “bad governance – corruption, abuse of power, weak institutions and lack of accountability and civil conflict”<sup>44</sup>, and lastly organised crime. Then, in the second part there were provisions delineating the basis for the “strategic vision” to be adopted by Brussels. New to previous debates on the

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<sup>43</sup> “European Security Strategy, a Secure Europe in a Better World (Brussels, 12 December 2003),” December 13, 2003, [https://www.cvce.eu/content/publication/2004/10/11/1df262f2-260c-486f-b414-dbf8dc112b6b/publishable\\_en.pdf](https://www.cvce.eu/content/publication/2004/10/11/1df262f2-260c-486f-b414-dbf8dc112b6b/publishable_en.pdf).

<sup>44</sup> *Ibidem*

implementation of capabilities and resources for military engagement, the ESS considered the development of soft power through the improvement of diplomatic and civilian tools to be more important and effective. This is why the EU set as characteristics of its international actorness two fundamental aspects: multilateralism and preventive engagement. With the former, Brussels intended to push for international cooperation aimed at building an international society with functioning institutions and international organisations capable of dealing with threats to peace and security. In connection to this, the EU referred to the United Nations Charter as the basis for strengthening international society and also to the improvement of relations with NATO as an expression of a well-functioning international order. However, the other feature concerned the style of European security policy, which must aim at a type of action to prevent the escalation of conflicts or the emergence of new crises.

In sum, the EU's commitment to the ESS followed the path taken by the member states to extend the scope of ESDP beyond the scenarios described by the Petersberg tasks. Indeed, to complete the strategy, the ESS Report was adopted later in 2008 in which new areas of security such as cyber-security, climate change and energy security were defined. In this way, the EU further strengthened its capacity for action, while at the same time highlighting the needs and problems that would soon be addressed in the negotiations leading up to the Lisbon Treaty.

## **1.9 The Lisbon Treaty and the new institutional framework of CFSP and ESDP.**

The process of building a new European constitutional treaty launched by the Laeken Declaration, led to the signing of the Treaty of Rome in October 2004, a document that would replace all previous EU treaties as a kind of European constitution. However, the great project failed as the treaty was rejected by national referendums in France and the Netherlands in 2005, effectively blocking its ratification. Consequently, the European Council initiated a period of reflection that ended with the establishment of an intergovernmental conference at the end of 2007.

The draft European constitution was abandoned at this point, and a Reform Treaty was drafted and signed by the Member States on 13<sup>th</sup> December 2007 in Lisbon. Yet, the ratification process encountered many obstacles, particularly in Ireland where a referendum in 2008 forced changes to the treaty. As a result, EU leaders had to seek a new compromise, especially in relation to taxation, Charter Status and Ireland's participation in the European Commission. After several attempts, Ireland finally ratified the treaty with a second referendum in 2009, thus bringing the Lisbon Treaty into force on 1<sup>st</sup> January 2009.

The formalisation of this treaty was a defining moment in the life of the Union as it made substantial changes to the European institutional system. A central innovation in this respect was the

abolition of the pillar structure created by Maastricht and comprising a legal order based on three distinct sets of rules: European Community, Common Foreign and Security Policy, and the Justice and Home Affairs. The abolition of this structure responded to the need to create a system that possessed the requirements of clarity and simplification, and above all was necessary to guarantee enhanced unity to the European Union, which through Article 47 TEU became a single and unitary structure with an express legal personality<sup>45</sup>. However, in the context of the CFSP and the ESDP, which are dealt with in Title V of the TEU, there is still an intergovernmental working method based on the principle of unanimous voting still prevails, in which the main capacities for action and decision-making are left to the European Council.

Again, on the subject of foreign and security policy, the Lisbon Treaty also changed the features of the European Security and Defence Policy, which was reorganised and renamed the Common Security and Defence Policy, replacing the wording “European” with the term “Common” in order to give a higher institutional status to this policy. The CSDP likewise became part of the CSFP as described in Article 42(1) which states that “the common security and defence policy shall be an integral part of the common foreign and security policy”, in order for the Union to be guaranteed the operational capability and the civilian and military means to carry out missions “for peacekeeping, conflict prevention and strengthening international security in accordance with the principles of the United Nations Charter”. In this context the tasks of the CSDP were also extended to include disarmament, military advice and assistance, conflict prevention, post-conflict stabilisation and counter terrorism<sup>46</sup>.

In this perspective, it is significant to underline that, compared to the previous treaties, Lisbon reorganised the relevant provisions on common security and defence, bringing them together under a common set of principles, aims and objectives (Koutrakos, 2013, p.31). The founding principles of European action in foreign and defence policy were still expressed in Article 21 of the TEU, which took up some of the considerations described in the 2003 European Security Strategy, in particular as regards respect for international law, the United Nations Charter and relations with NATO. In doing so the Lisbon Treaty appears to integrate the Union’s external policies within a system of policies governed by the same principles, and pursuing the same objectives (Koutrakos, 2013, p.33), so to make European external action less fragmented, and to create a stronger capacity for joint action.

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<sup>45</sup> Article 47 of the Treaty on European Union explicitly recognises the legal personality of the European Union, making it an independent entity in its own right. The conferral of legal personality on the EU means that it has the ability to:

- conclude and negotiate international agreements in accordance with its external commitments;
- become a member of international organisations;
- join international conventions, such as the European Convention on Human Rights.

<sup>46</sup> See Article 43 [https://www.senato.it/application/xmanager/projects/leg18/file/Quaderni\\_n\\_16.pdf](https://www.senato.it/application/xmanager/projects/leg18/file/Quaderni_n_16.pdf)

Other important innovations concern the introduction of mutual assistance and solidarity clauses. The former recalls a provision already present in the WU's constituent treaty of Brussels of 1948, and provides that "if a Member State is the victim of armed aggression on its territory, the other Member States shall have a duty of solidarity towards it"<sup>47</sup>. The latter provides that if a state is the object of a terrorist attack, or the victim of a natural or human disaster, it must receive help from the other member states, which undertake to supply civil and military means to resolve the situation (Art. 222). The clause, however, prevents states from supporting any counter-terrorism operations outside the territory of the Union. In order not to undermine the principle of subsidiarity, the Treaty required that this clause should be activated by nation states notifying the European Commission and the EU Council Presidency. Consequently, the Commission and the High Representative have the duty to determine the resources to be used and, if necessary, to propose new measures to the Council.

The European capacity for action was also strengthened by introducing more procedural flexibility during the planning and implementation phase of CSDP. Indeed according to the new article 42 (5) TUE the Council may entrust the execution of a task, within the Union framework, to a group of Member States in order to protect the Union's values and serve its interests. Furthermore, the mechanism of enhanced cooperation, established since the Amsterdam Treaty, was further extended to the military defence field. In particular, in order to improve intervention capability and military cooperation, the new Lisbon Treaty provided for the possibility of establishing a permanent structured cooperation in the field of defence between the member states whose military capabilities fulfil higher criteria and which have made more binding commitments to one another in this area (Art. 42.6). The criteria for participating in PermStrucCoop (abbreviated as PESCO) are described in the Protocol attached to the Treaty, which specifies that states have to:

- agree on objectives for the level of investment in defence equipment;
- bring their defence apparatus into line with each other as far as possible, by harmonising military needs, pooling, and specialisation;
- enhance their forces availability, interoperability, flexibility and deployability, notably by setting common objectives regarding the commitment of forces<sup>48</sup>.

From a procedural perspective, this type of cooperation is established by a decision of the Council by a qualified majority, after the High Representative has been consulted.

In conclusion, the European Union's international action was further enhanced by substantial changes in the institutional set-up and powers of the European institutions. First of all, it is necessary

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<sup>47</sup> Art.42.7

<sup>48</sup> See Protocol on Permanent Structured Cooperation established by article 28 A of the Treaty on European Union <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:C:2007:306:FULL&from=IT>

to emphasise that in order to guarantee more continuity of work, the figure of the President of the European Council was created as a “stable” figure, with a mandate lasting two and a half years instead of six months and renewable only once. In addition, the role of the High Representative for the CFSP, now becoming High Representative of the Union for Foreign Affairs and Security Policy, was reinforced. In specific terms, he as Commissioner for External Relations and Vice-President of the Commission works under a “double-hat”, combining the roles, competences and prerogatives that these posts give him and thus assuming great importance and power. Indeed, as Vice-President of the Commission, he shall ensure the consistency of the Union’s external action, and shall be responsible within the Commission for responsibilities incumbent on it in external relations and for coordinating other aspects of the Union’s external action (art 18.4). The High Representative also chairs the Foreign Affairs Council, contributing to the development of the CFSP through proposals and ensuring that decisions taken by the European Council are implemented. Then, he represents the Union in negotiations with third countries or within international organisations, thus making Europe’s case at international level. Finally, to assist the High Representative, the Lisbon Treaty established the European External Action Service (EEAS), composed of officials from the Commission, the Council Secretariat and staff from the diplomatic services of the member states.

In short, the Lisbon Treaty represented the last foremost change in defence and security for the European Union. Over the years, the new instruments made available, especially PESCO, have proved to be extremely useful for carrying out international missions and strengthening cooperation between member states, including in the field of research and development of new technologies. Indeed, through Permanent Structured Cooperation, the Council has given rise to important experiments in inter-state collaboration, completing various projects ranging from the creation of a maritime and air defence system to various space and cyber-defence programmes. At the same time, an increasingly united front has formed within the Union, the result of values and strategies shared by the member states, and of cooperation that has emerged with the implementation over the years of various missions in Africa, Europe and the Middle East. The most recent result of this common vision is the publication of the EU Strategic Compass, a document issued in early 2022 that lists the main defence and security objectives that the EU is committed to achieving by 2030. In particular, complementary to the usual reinforcement of the partnership with NATO and the regional partners (OSCE, AU and ASEAN), the Strategic Compass recalls the desire to invest more and better in capabilities and innovative technologies to reduce technological and industrial dependencies (Fiott, 2021) in order to acquire a strategic autonomy, partly of a supra-state nature, i.e. not influenced by the sovereignty of the member states, which could lead to an harmonisation of Member States’ defence policies.

## 1.10 Conclusion

In light of what has been analysed so far, it is possible to draw some significant conclusions about the security and defence development that the Union has experienced since the end of the Second World War.

The European integration process was born with the aim of ensuring lasting stability and peace on the torn continent of Europe. From the end of the Second World War to the division of Europe into Western and Eastern blocs and the wars in Korea, Vietnam and the Balkans, European countries have attempted to strengthen their relations and cooperation for peace and development. During these years, this purpose was painstakingly achieved, and European states were able to mend the wound of war and return to the international scene without the divisions and internal tensions of early post-war period.

The evolution of the integration process in the field of security and defence is significantly intertwined with the challenges Member States face. Thus, the history of this process has shown that there is a correlation between the emergence of external changes and the enhancement of cooperation between European countries. Nowadays, states are confronted with a new geo-political order and security challenges related to the emergence of new phenomena such as international terrorism, violent *coupe d'état*, revolutions, protests, economic, hybrid and energy wars that know no borders and endanger the international and democratic order, which require a shared effort to counteract.

Equally, Member States have previously faced political and economic changes by strengthening their cooperation in favour of the integration process. The experiences of the Western European Union and European Political Cooperation are examples of the states' commitments to overcome the failure of the EDC political project on the one hand, and the tensions between the UK and France on the other.

Similarly, the factors that influenced the European season of substantial reforms, from the ratification of the Maastricht Treaty and the following Amsterdam Treaty to the creation of the CSDP at the Cologne Council, were endogenous primarily, such as the fall of the Berlin Wall in 1989, the outbreak of the Gulf War in 1991 and the dissolution of former Republic of Yugoslavia. In conclusion, the experience of the European integration process reveals that the drive for harmonisation and convergence of Member States has historically been fuelled by external elements that disrupted the European political-economic order.

## II

# THE EU FOREIGN POLICY AND THE CFSP/CSDP: THE INSTITUTIONAL FRAMEWORK, THE POLICY-MAKING PROCESS AND THE EU'S SECURITY ARCHITECTURE

*“What is our task for the future? To make Europe a global power, a force for good in the world.”*  
(Javier Solana)

### 2.1 Introduction

As the European project has evolved, states have consistently worked to ensure the Union's capacity for “physical” and political presence on the international stage. Indeed, before beginning to build a model of EU security and defence, the Member States provided Brussels with a functional and efficient foreign policy system with which to exercise functions of diplomatic representation, promotion of European economic, commercial, social, political and military values and interests, and development of international relations.

In accordance with this, the chapter is aimed at delineating the complex European foreign policy system while focusing on the study of one particular area, the EU's security architecture. For this reason, the intricate structure of the European foreign policy system is first outlined, highlighting the main features in terms of competences, policy-making methods, and interactions between national and European levels.

Henceforth, the analysis shifts to studying the foreign policy financing mechanism, examining the available economic tools, budget allocation and the constellation of projects, policies and agencies that comprise the foreign policy financial basket.

Ultimately, the research focuses on foreign policy's primary security and defence-related aspects, sounding out the European Union's security architecture accordingly. This is seen as an overall structure composed of three leading elements: the Common foreign and security policy, the Common defence and security policy, and the mechanisms of cooperation with third states and international organisations such as PESCO.

Accordingly, the chapter outlines the operational and institutional framework of the CFSP, describing its legal and technical aspects, and the analyses the CSDP as an integral part and armed arm of the CFSP, reconstructing its main action-taker, the strategic and operational hierarchy and command structures. Finally, in order to complete the institutional framework of the European security architecture, the chapter examines the decision-making system, drafting the interactions between the relevant European institutions (European Council, Council, High Representative, European Parliament

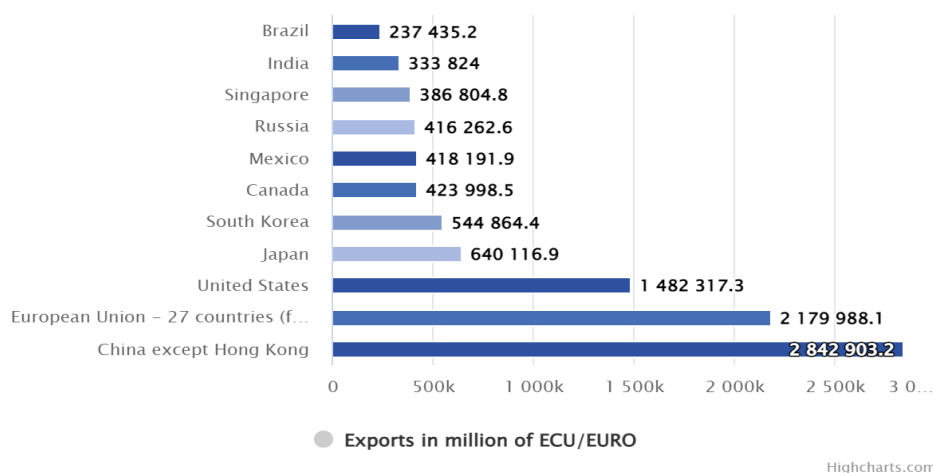


and Commission), and the legal instruments available for the fulfilment of their functions in CFSP and CSDP.

## 2.2 The EU Foreign Policy system: structure, characteristics and areas of tension

Presently, the European Union is one of the most significant and influential players on the international scene. However, the EU, as a trading power and the “largest donor of development aid in the world”<sup>49</sup>, does not play an equivalently adequate role on the international stage. As an economic giant but a political dwarf, Brussels fails to convert its economic weight into adequate political influence on the world arena (Bilancia, 2010). As a matter of fact, it is clear that the European Union should be regarded as a trading power on par with states like China, the United States, Japan and Russia. In this regard, it is enough to think that the total value of all goods and services produced (Gross Domestic Product) in the EU in 2021 was € 14.5 trillion<sup>50</sup> and that Brussels, as shown in Figure 2.1, represents the second largest global players in international trade.

**Figure 1 Share of European Union EU27 (from 2020) in the World Trade**



Source: European Commission

Despite this huge potential, the EU has often found itself in a situation of stalemate and inability to act when dealing with political transitions, migration crises, economic shocks, international conflicts or regional emergencies. These particular problems in European action can be seen at the end of the 1990s with the outbreak of the Balkan wars after the dissolution of Yugoslavia, with the

<sup>49</sup> European Commission, “International Development Aid,” economy-finance.ec.europa.eu, n.d., [https://economy-finance.ec.europa.eu/international-economic-relations/international-development-aid\\_en](https://economy-finance.ec.europa.eu/international-economic-relations/international-development-aid_en).

<sup>50</sup> European Commission, “Economy,” european-union.europa.eu, 2022, [https://european-union.europa.eu/principles-countries-history/key-facts-and-figures/economy\\_en](https://european-union.europa.eu/principles-countries-history/key-facts-and-figures/economy_en).

eruption of protest uprisings in Ukraine in 2013 and following the crisis triggered by the Russian annexation of Crimea in 2014.

Indeed, it has been proven by several studies that the European foreign policy system functioned, albeit imperfectly, until there were times when the immediate costs of an eventual intervention would not be equally distributed among the different national governments (Viceré, 2019, p.272). The lack of compactness and unity among the Member States and an inadequate decision-making system have thus also negatively affected the CFSP area and CSDP operations, making it necessary overall to rethink the entire structure and functioning of European external action with a view to guaranteeing the proper authority and capacity for action to the European giant.

Although the Lisbon Treaty, discussed in the previous chapter, sought to establish a governance system for the management of the EU's foreign and security policy characterised by multiple horizontal and vertical power divisions (Fabbrini, 2015), this has not addressed the governance weakness of EU foreign and security policy. Indeed, if at the horizontal level, power is shared between the European Council, the Council of Ministers, the Commission and the European Parliament, at the vertical level, decision-making power is pooled between the Member States and the EU. Consequently, whereas in other areas such as trade, development cooperation and common commercial policy, the Community method has been adopted, the sectors of foreign, security and defence policy are still dominated by intergovernmental dynamics, with the result that they are often hostage to the cross-vetoes of states, which act on the basis of frequently divergent national interests (Bonomi & Pirozzi, 2022).

In this situation, Brussels is paying predominantly for the low level of defence integration between Member States, some renewed tensions, also exacerbated by the recent pandemic and ongoing Ukrainian conflict, and regional fragmentation<sup>51</sup>. Moreover, the deterioration of the international arena, which has been accompanied by economic crises, migration issues, civil wars and international conflicts, has not benefited European unity, conversely enhancing Eurosceptic beliefs and movements. A more contested intra-EU environment has thus had serious implications (Alcaro, 2021), thwarting

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<sup>51</sup> This phenomenon is defined as “the process by which state authority, namely the state holding the legitimate monopoly over the means of violence and the ability to set and enforce rules, and regional rules of engagement are eroding or collapsing altogether”. Generally, this has a huge destabilising potential and acts as a factor of profound regional insecurity as it triggers the outbreak of new migration crises, civil wars, human and arms trafficking, which in turn create social and political issues in neighbouring countries. In recent years, the impact of regional fragmentation in Europe has been considerable. The collapse of states such as Syria and Libya, for instance, has caused large migratory flows that have exposed some of the European Union's functional shortcomings and also political rifts between its member states. See Agnès Levallois, “Regional Fragmentation and EU Foreign and Security Policy,” *JOINT*, no. 3 (November 2021): 1–29, [https://www.jointproject.eu/wp-content/uploads/2021/11/joint\\_rp\\_3.pdf](https://www.jointproject.eu/wp-content/uploads/2021/11/joint_rp_3.pdf).

discussions and attempts to renew and adopt a Community approach in the area of defence and security.

As a result, this has created a cleavage within the European integration process that sees the area of foreign policy, especially defence and security, still at an underdeveloped stage as it is marked by a high degree of power fragmentation, the prevalence of national interests and a lack of capacity for effective action. Even if from a technical perspective, the Lisbon innovations represent concrete attempts to fill the gaps left by states in strategic areas such as security and foreign policy, these solutions did not heal the central illness of the EU's foreign policy, namely its lack of a forceful and reliable unifying mechanism with the capacity to quickly and effectively synthesises member states' individual positions into a common EU stand (Techau, 2010).

Before focusing on the EU security architecture, examining the entire structure of the EU foreign policy is necessary. Firstly, it should be pointed out that the CFSP and CSDP do not constitute autonomous and independent policies but they should be understood as dimensions of Brussels' foreign policy. Indeed, this can be portrayed as a multifaceted, multi-method and multilevel (Keukeleire & Delreux, 2022) system. The complex and articulated nature of EU foreign policy is the result of compromises between the member states and Brussels. This is the reason why it has not been possible to build a unified system in terms of governance, policy-making and competences. Generally, EU foreign policy displays four different dimensions in terms of characteristics, purposes, competences and governance.

Firstly, the Common Foreign and Security Policy provides the main platform for developing and implementing the political and diplomatic dimension of EU foreign policy (Keukeire & Delreux, 2022).

Second, the Common Security and Defence Policy “enables the Union to take a leading role in peace-keeping operations, conflict prevention and the strengthening of the international security”<sup>52</sup> and it is fully controlled by Member States since Brussels does not possess its own military and civilian capabilities and structures.

Third, the EU's external action includes a long list of policies ranging from trade to development cooperation, from humanitarian aid to economic and financial cooperation, from sanctions to international agreements and enlargement, and they are “aimed at regions and countries outside the current European Union”<sup>53</sup>.

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<sup>52</sup> European Union External Action, “What We Do: Policies and Actions | EEAS Website,” [www.eeas.europa.eu](http://www.eeas.europa.eu), August 24, 2021, [https://www.eeas.europa.eu/eeas/what-we-do-policies-and-actions-0\\_en](https://www.eeas.europa.eu/eeas/what-we-do-policies-and-actions-0_en).

<sup>53</sup> Ireland Department of Foreign Affairs, “External Policies - Department of Foreign Affairs,” [www.dfa.ie](http://www.dfa.ie), n.d., <https://www.dfa.ie/our-role-policies/ireland-in-the-eu/external-policies/>.

Ultimately, there are the external dimensions of internal policies, including specific internal EU policies that also have international and diplomatic effects. Referring to the case of the 2020 New Pact on Migration and Asylum that “sets out improved and faster welcome procedures and sets in balance the principles of fair sharing of responsibility and solidarity”<sup>54</sup>, it can be noted how this “makes an explicit link between the internal and external dimensions of migration management, as close cooperation with external partners has a direct impact on the effectiveness of policies inside the EU”<sup>55</sup>.

Overall, the European foreign policy system is not based on a single tool, but it is grounded on an intricate system that encloses all CFSP and CSDP-related initiatives, the EU’s external action, the external dimensions of internal policies as well as the sum of the foreign policies of its member states as long as these have a certain level of interaction with the EU.

### **2.3 A Multi-Method and Multi-Level Foreign Policy**

A direct consequence of its multifaceted nature is the multi-method character reflected in the EU foreign policy, which denotes how its different dimensions are organised within two different treaty settings that reflect two different policy-making methods (Keukeleire & Delreux, 2022). This duality originates from the provisions expressed in the two founding treaties of the external dimension of the European Union: the Treaty on the European Union and the Treaty on the Functioning of the European Union. The former contains the main provisions on CFSP and CSDP, while the latter includes regulations on the EU’s external action and external dimensions of internal policies.

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<sup>54</sup> European Commission, “A Fresh Start on Migration: Building Confidence and Striking a New Balance between Responsibility and Solidarity,” European Commission - European Commission, September 23, 2020, [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_20\\_1706](https://ec.europa.eu/commission/presscorner/detail/en/ip_20_1706).

<sup>55</sup> European Union Agency for Asylum, “2.4 External Dimension of EU Policy,” European Union Agency for Asylum, accessed January 17, 2023, <https://euaa.europa.eu/easo-asylum-report-2021/24-external-dimension-eu-policy>.

**Figure 2 CFSP/CSDP. External Action and external dimension of internal policies in the Treaties**

EU Treaty – Title V: CFSP		FEU Treaty – Part V: External Action	
Chapter 1	General Provisions	Title I	General Provisions
Chapter 2	Specific Provisions on the CFSP	Title II	Common Commercial Policy
	Section 1 Common Provisions	Title III	Cooperation with Third Countries and Humanitarian Aid
	Section 2 Common Security and Defence Policy	Title IV	Restrictive Measures
		Title V	International Agreements
		Title VI	Union Relations with International Organisations
		Title VII	Solidarity Clause

*Source: Robert Schutze, Foreign Affairs and the EU Constitution, Foreign Affairs and the EU Constitution (London: Cambridge University Press, 2014).*

As Figure 2.2 shows, it is evident that the CFSP/CSDP is the only area of European foreign policy, excluding obviously the national dimension of Member States' foreign policies, that is organised on the basis of the *Intergovernmental method*. In contrast, the EU's external action and external dimensions of internal policies in the TFEU are principally organised through the *Community method*, since they encompass several policies and fields in which Brussels enjoys exclusive or concurrent competencies (energy, common commercial policy, international agreements)<sup>56</sup>.

The difference in the method adopted mirrors the desire of member states to retain almost all of their autonomy in strategic and purely national areas such as defence and security. This is the reason why in CFSP and CSDP fields, the Member States decided to maintain a certain degree of control in decision-making through the dominant position of the European Council and the Council of Ministers in which they are represented (Keukeleire & Delreux, 2022).

<sup>56</sup> The term competence refers to the powers attributed to the European Union by the Treaties. In particular, the TFEU provides the division of competences between the Union and the member states, classifying them into exclusive (Art. 3), shared (Art.4) and supporting (Art.6) competences. For more information see "EUR-Lex - Ai0020 - EN - EUR-Lex," eur-lex.europa.eu, February 24, 2022, <https://eur-lex.europa.eu/legal-content/IT/TXT/?uri=legisum:ai0020>.

**Figure 3 Policy-Making in EU foreign policy**

	Examples	Policy-making method	Main voting method in Council
CFSP	Diplomatic statements Sanctions	Intergovernmental	Unanimity (with the exception of the enabling clauses)
CSDP	Military missions Civilian missions	Intergovernmental	Unanimity
External action	Trade policy Humanitarian aid European neighbourhood policy	Community	QMV
External dimensions of internal policies	Energy policy Environmental policy Migration and refugee policy	Community	QMV

Source: Leonard Schuette, "Should the EU Make Foreign Policy Decisions by Majority Voting?," *Centre for European Reform*, May 15, 2019.

As Figure 2.3 above illustrates, the dominance of the states is expressed not only by the key role played by the two Councils, but also by the voting system employed. The Council, in fact, deliberates through unanimity, requiring the consensus of all member states, which, by exercising their right of veto, enjoy extensive autonomy and sovereignty in the Council. Conversely, in trade policy, humanitarian aid, as well as energy and environmental policy and migration, the Member States have agreed to transfer their competences to the EU and to share power with the two supranational institutions par excellence, the Commission and the European Parliament, losing certain prerogatives typical of the intergovernmental method. Indeed, they can no longer exercise their right of veto in the Council since it adopts decisions and initiatives using qualified majority voting<sup>57</sup>, effectively nullifying the predominant positions of the Member States. Accordingly, it is relevant to emphasise that in the field of the CFSP, in accordance with the treaties, it is forbidden to adopt laws. Indeed, the intergovernmental decision-making regime is based on the assumption that integration should proceed through voluntary or consensual policy coordination between Member State governments (Fabbrini, 2015).

Another distinctive feature of European foreign policy is its continuous national and EU-level interaction. As the different decision-making methods prove, Brussels' foreign policy cannot be exclusively reduced to the European level, but it is studded with the initiatives of Member States and

<sup>57</sup> Specifically, the procedure is called double majority, since a qualified majority is obtained if 55% of the member states vote in favour and if they represent 65% of the European population.

EU institutions. Therefore, finding a clear separation between the European and national levels is unthinkable since national actors are part of some important EU institutions, and EU policies are mirrored in national policies (Keukeleire & Delreux). According to this framework, the EU foreign policy can be conceptualised as a system of multi-level policies (Tonra & Christiansen, 2018), in which, depending on the policy issue and framework, each actor holds different prerogatives, levels of legitimacy, resources and competences.

Nevertheless, the European Union as an international actor is itself part of a global governance system. In light of this, EU foreign policy emerges as embedded within a wider set of multilevel foreign policy networks and the increasingly important context of global governance (Vooren, Blockmans & Wouters, 2013). This framework includes international organisations and entities such as NATO, the International Monetary Fund, the World Bank, the Council of Europe, the Organisation for Security and Co-operation in Europe, and the UN with which Brussels develops its foreign policies either in cooperation, in parallel or sometimes even in competition with.

## **2.4 The nature of EU foreign policy competences**

The distribution of competences reflects the highly multi-layered nature of European foreign policy. In the wake of the presence of the dual method and level, competences are also part of an elaborate distribution of powers system. The division of powers between the European Union and the Member States is rooted in the treaties which allocate competences according to the principle of conferral powers, also known as the principle of attributed powers.

According to Art.5 of the TEU, “the Union shall act only within the limits of competences conferred upon it by the Member States in the Treaties to attain the objectives set out therein”<sup>58</sup>. Consequently, this implies two fundamental points: on the one hand, the competences that the Treaties have not assigned remain within the prerogatives of the member states, which are the source of EU powers (Cremona, 2018), on the other hand, the powers conferred on the EU have the precise purpose of being used to fulfil all the aims and goals set out in the Treaties.

This principle is crucial to understand that the EU has limitations, set by the treaties, on the exercise of its competences. However, this does not necessarily mean that the Union does not possess specific external competences. Indeed, there are several treaty provisions that allow the EU to act internationally in a large range of policy fields (Keukeleire & Delreux, 2022). The disparate distribution of competences merely reproduces the fragmented nature of EU foreign policy, which at a

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<sup>58</sup> “EUR-Lex - 12008M005 - EN,” Official Journal 115 , 09/05/2008 P. 0018 - 0018;, May 9, 2008, <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:12008M005:EN:HTML#:~:text=Under%20the%20principle%20of%20conferral>.

legal and practical level, cannot be ascribed to a whole and unitary dimension, but rather to the combination of powers, competences and prerogatives attributed to the Union in different policy fields.

Hence, while the distribution of powers between Member States and Brussels varies according to the subject matter and policy field, competences are instead divided into three general categories outlined in the TFEU: exclusive, share and supporting. According to Art.3, in the areas of exclusive competences<sup>59</sup>, the European Union has the power to legislate and adopt legally binding acts. Among these, common commercial policy plays a relevant role in foreign policy and constitutes an essential strength for Brussels' foreign policy. Moreover, the judgement of the Court of Justice in the ERTA case (1971) introduced another critical doctrine, which is helpful for the strengthening of the Union's powers in the international field. Indeed, the Court ruled that the EU, through the parallelism principle between internal and external competences, exercising its internal law-making powers, had the authority to conclude international agreements in the same area, even though this power is not foreseen in the Treaties.

Article 4 of the TFEU instead lists the shared competence between the EU and the member states, the exercise of which is subject to the principle of pre-emption (Schütze, 2018). According to it, "in shared competence the Member States can legislate to the extent that the Union does not legislate, and in case of a conflict with the EU measures, the national measures are set aside"<sup>60</sup>. In short, Member States are subordinated to two conditions: first, they can only act where the European Union has not legislated yet, secondly, in case of contrast, it is the provision adopted by MS which has to be annulled. This principle is applied in a wide range of policy fields<sup>61</sup>, some of which are significant both for the EU's foreign policy such as development cooperation, environment and energy, and EU's security and defence like space, technological development and area of freedom, security and justice.

Lastly, in the other policy areas, the Union "can only intervene to support, coordinate or complement the action of its Member States, and its acts must not require the harmonisation of the laws of regulations of the MS"<sup>62</sup> (art. 6 TFEU).

In conclusion, the system of competence distribution is likewise very complex, especially from a technical perspective. This, in fact, requires a certain flexibility since, in articulated policy initiatives,

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<sup>59</sup> The area in which the EU has exclusive competences includes internal market, customs union, the common commercial policy, monetary policy for the Euro countries and the conservation of marine biological resources under the common fishing policy.

<sup>60</sup> LexisNexis EU Law expert, "Pre-Emption Definition | Legal Glossary | LexisNexis," www.lexisnexis.co.uk, accessed January 19, 2023, <https://www.lexisnexis.co.uk/legal/glossary/pre-emption>.

<sup>61</sup> According to Art. 4 TFEU, shared competence applies in internal market, social policy, economic, social and territorial cohesion, agriculture and fisheries, environment, consumer protection, transport, trans-European networks, energy, area of freedom, security and justice, public health, research, technological development and space, development cooperation and humanitarian aid.

<sup>62</sup> "EUR-Lex - Ai0020 - EN - EUR-Lex," eur-lex.europa.eu, February 24, 2022, <https://eur-lex.europa.eu/legal-content/IT/TXT/?uri=legisum:ai0020>.



the legal basis could be multiple and include both shared and supporting or even exclusive competences. Hence, a flexibility clause was included in the TFEU (Art. 352), which allows “the EU to decide in areas not covered specifically by the Treaties”<sup>63</sup>, over which, however, the Union has at least any competence.

The question of competences in the field of the CFSP deserves a separate discussion. Due to its nature and the degree of autonomy and sovereignty that Member States have always wanted to maintain in this area, it is challenging to find a place for CFSP competences within the European constitutional framework. Even among scholars, opinions differ. For instance, Gruller argues that “instead of creating a special type of competence, the CFSP should have been categorised under shared competences, with the possibility of regulating its specificities (De Witte, 2003). In contrast, Petersmann (2005) claims that “CFSP competences as regulated in the CT represent a special category of competences *sui generis*, whose constitutional regulation remains imprecise in many ways. Despite this, the most widely accepted theory among experts is that CFSP competences are located on the scale between concurrent and complementary competences (Brkan, 2006), since they have special characteristics.

First of all, the conferral of such competences in the foreign policy field occurs only if there is the will of the Member States to do so. This is possible because such conferral is reversible, unlike in other policy areas, meaning that the capabilities and powers conferred in the Union in security and defence matters can be retained or cancelled by the Member States according to their will.

Secondly, the principle of pre-emption does not apply to CFSP measures whereby even if the Union has acted in this area, the latter will not be occupied by it, and the Member states may still act (Brkan, 2006), as long as they do not undertake actions that conflict with those already taken by Brussels.

To conclude, despite these theories and assumptions, it is noticeable that the Constitutional Treaties failed to clarify what characteristics CFSP competence has and that the issue of its precise scope and effects remains unclear (Brkan, 2006, p.188). Thus, the lack of clarity over the nature of the CFSP competence is another symptom of incomplete integration in security and defence. Moreover, the absence of specific provisions regulating powers in these matters adversely affects the Union’s powers, effectively hindering its will to develop strategic autonomy in the field of security and defence.

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<sup>63</sup> “Flexibility Clause - EUabc,” en.euabc.com, n.d., <http://en.euabc.com/word/499>.

## 2.5 The financing system of EU foreign policy

The composite nature of EU foreign policy and convoluted distribution of competences is interrelated by an equally fragmented funding system for foreign policy missions and activities. Composed of different actors and arrangements that contribute to the European budget for foreign policy, yet its fragmentation stems from the tensions between the EU and the Member States, which renew their willingness to decide where and how to support Brussels' needs. Indeed, there are certain policy fields, still considering external action and defence, where the states are in favour of a foreign policy financially underpinned by the EU budget (Keukeleire & Delreux, 2022), and others where they jealously preserve and protect the intergovernmental method from the interference attempts of the Commission and the European Parliament. In light of the division of competences, the sovereignty of states guaranteed in some areas, and the objectives pursued by the Union on a national and international level, the funding mechanism of external action is structured on the contribution not only of the EU budget, but also of the national budgets, common arrangements outside the EU budget such as the European Development Fund or the Athena mechanism, in the case of CSDP, and of funding from other international organisations (World Bank, UN, and even NGOs).

Once the budget is quantified, the EU discusses through the participation of the institutions and Member States how to deploy the resources and allocate expenditure between the different policies, unanimously adopting the seven-year Multiannual Financial Framework. In the latest plan (Figure 4) published in 2018 and valid for the period 2021-2027, the set of threads of the EU's external action is grouped in Heading 6 with the name Neighbourhood and the World and in Heading 5, which instead focuses on Security and Defence.

Considering Heading 6 in detail, since the policy programmes in Security and Defence section mainly comprise internal measures, it is possible to notice that except for the CSFP budget, all the instruments listed are aimed at supporting external action policies, and not specifically concerning defence and security fields. Indeed, figure 5 shows that the CFSP amounts to only 2.4% of the total expenditure on external action. This distinctly indicates that the power of the purse lies with the EU's external action and not in the CFSP (Keukeleire & Delreux, 2022, p.108).

**Figure 4 Multiannual Financial Framework 2021-2027 (in commitments) - Current prices**

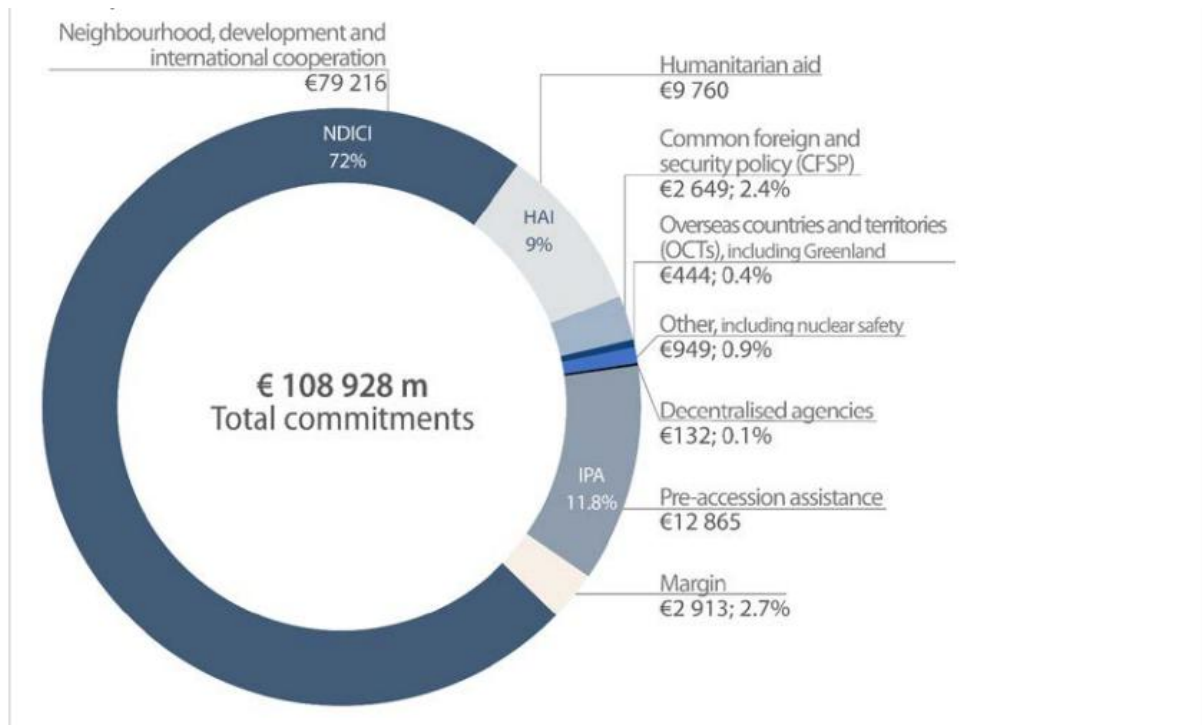
<b>5. SECURITY AND DEFENCE</b>	<b>1,805</b>	<b>1,868</b>	<b>1,918</b>	<b>1,976</b>	<b>2,215</b>	<b>2,435</b>	<b>2,705</b>	<b>14,922</b>
<b>12. Security</b>	<b>539</b>	<b>596</b>	<b>640</b>	<b>662</b>	<b>706</b>	<b>729</b>	<b>725</b>	<b>4,597</b>
Internal Security Fund	176	227	283	290	321	331	303	1,931
Nuclear Decommissioning (Lithuania)	73	71	78	84	84	80	82	552
Nuclear safety and decommissioning (incl. for Bulgaria and Slovakia)	91	93	70	76	85	97	114	626
Decentralised agencies	200	204	208	212	217	221	225	1,488
<b>13. Defence</b>	<b>1,173</b>	<b>1,177</b>	<b>1,182</b>	<b>1,215</b>	<b>1,409</b>	<b>1,604</b>	<b>1,883</b>	<b>9,644</b>
European Defence Fund	946	946	946	974	1,163	1,352	1,626	7,953
Military Mobility	227	232	237	241	246	251	256	1,691
MARGIN	93	94	96	99	100	102	97	681
<b>6. NEIGHBOURHOOD AND THE WORLD</b>	<b>16,247</b>	<b>16,802</b>	<b>16,329</b>	<b>15,830</b>	<b>15,304</b>	<b>14,754</b>	<b>15,331</b>	<b>110,597</b>
<b>14. External Action</b>	<b>14,175</b>	<b>14,778</b>	<b>14,263</b>	<b>13,723</b>	<b>13,156</b>	<b>12,562</b>	<b>13,094</b>	<b>95,751</b>
Neighbourhood, Development and International Cooperation Instrument	12,077	12,543	11,979	11,387	10,767	10,118	10,591	79,462
<i>In addition, indicative use of reflows from the European Development Fund</i>	<i>151.6</i>	<i>154.7</i>	<i>157.8</i>	<i>160.9</i>	<i>164.1</i>	<i>167.4</i>	<i>170.4</i>	<i>1,127</i>
Humanitarian Aid	1,478	1,599	1,631	1,665	1,698	1,732	1,767	11,569
Common Foreign and Security Policy (CFSP)	352	362	372	382	393	404	415	2,679
Overseas Countries and Territories (including Greenland)	67	69	70	71	73	74	75	500
Other	201	206	212	218	225	234	246	1,542
Decentralised agencies	-	-	-	-	-	-	-	-
<b>15. Pre-accession assistance</b>	<b>1,904</b>	<b>1,943</b>	<b>1,982</b>	<b>2,022</b>	<b>2,062</b>	<b>2,104</b>	<b>2,147</b>	<b>14,162</b>
Pre-Accession Assistance	1,904	1,943	1,982	2,022	2,062	2,104	2,147	14,162

*Source: European Commission*

Neighbourhood, development and international cooperation (NDICI) and Pre-Accession Assistance (IPA) were the instruments that received the largest share of resources. The former is the main financing instrument for external cooperation. It has many functions ranging from supporting cooperation with regions in the European neighbourhood (South Caucasus, Eastern Europe and the Mediterranean), the Caribbean, the Americas, sub-Saharan Africa and Asia to help the consolidation of democracy, the rule of law, human rights and to respond “to crisis, instability and conflict situations”<sup>64</sup>. The latter covers potential candidates and candidate countries for EU membership by helping them align with EU criteria. Specifically, the programme is designed to provide financial and economic assistance and support these countries in achieving a developed rule of law, good governance, a green agenda, good neighbourly relations and territorial cooperation.

<sup>64</sup> “Neighbourhood, Development and International Cooperation Instrument (NDICI),” Welcomeurope, n.d., <https://www.welcomeurope.com/en/programs/neighbourhood-development-cooperation-and-international-cooperation-instrument/#:~:text=The%20NDICI%20is%20the%20European.>

**Figure 5 Simplified foreign policy budget for the 2021-2027 MFF (Commitments, 2018 prices, € million)**



*Source: European Commission and European Parliament, 2018*

Referring to the limited budget for the CFSP, it is worth pointing out that both CFSP and CSDP are financed through two mechanisms that depend on the nature of the missions themselves. In this regard, according to Art. 41 of the TEU<sup>65</sup> operations of a civilian nature are generally funded through the CFSP budget, except for the salaries of personnel seconded by MS, which are instead charged to the latter. In the case of missions with military and defence implications, these are fully financed by the MS participating in the operations.

Nevertheless, some common costs in CSDP missions are also endowed through various instruments, including the European Peace Facility (EPF). The EPF was established by a Council decision on 22 March 2021 with the aim of replacing the Athena Mechanism and the African Peace

<sup>65</sup> Art. 41 (2) states “operating expenditure to which the implementation of this Chapter gives rise shall also be charged to the Union budget, except for such expenditure arising from operations having military or defence implications and cases where the Council acting unanimously decides otherwise. In cases where expenditure is not charged to the Union budget, it shall be charged to the Member States in accordance with the gross national product scale, unless the Council acting unanimously decides otherwise. As for expenditure arising from operations having military or defence implications, Member States whose representatives in the Council have made a formal declaration under Article 31(1), second subparagraph, shall not be obliged to contribute to the financing thereof”. See <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12008M041>

Facility, which have ceased to exist. Specifically, it is “an off-budget instrument that enhances the EU’s ability to act as a global security provider”<sup>66</sup>.

With a total financial ceiling of EUR 5.69 billion for the period 2021-2027, the EPF is a strategic tool for the EU through which it provides military equipment, subject to strict safeguards and control mechanisms, to third countries, training and assistance. EPF is characterised by a two-pillar structure articulated into operations and assistance measures. The operation pillar covers all the common costs of military personnel and staff in CSDP missions, while the latter “finances the military aspects of Peace Support Operations and supports capacity building of partner countries and international organisations in military and defence matters”<sup>67</sup>. The EPF is managed by a Facility Committee, which operates within the Council’s structures and is responsible for adopting the annual and amending budget. The Committee is composed by a representative of each EU Member States and it is chaired “by a representative of the rotating presidency of the Council”<sup>68</sup>.

Although specific instruments exist and are already in use for implementing defence and security operations and missions, the budgetary constraints are stringent. This represents one of the main paradoxes in the relationship between Member States and EU foreign policy. While states see the CFSP/CSDP as a powerful tool in the security and defence field, they still hinder the full potential of the CFSP by providing a reduced budget. Yet a possible explanation lies behind the tensions between European institutions and Member States. Indeed, even though Council takes CFSP and CSDP political decisions, their budgetary dimension is nonetheless determined through the ordinary procedure in which the Commission and especially the Parliament have enhanced powers (see Chapter 2.3).

This implies that if the resources made available in the CFSP budget are insufficient to finance the Council’s decisions, it becomes necessary to require EP’s consent for additional funding. For Member States, this expresses an appropriate interference of the Parliament, which already typically tries to use its budgetary power on non-CFSP issues as a lever to gain influence on the CFSP/CSDP (Keukeleire & Delreux, 2022, p.107). For this reason, MS generally opt for ad hoc solutions to finance CSFP actions or launch these actions with insufficient funding (Keukeleire & Delreux, 2022, p.112). As a result, it gets laborious for the EU to design and implement effective CFSP/CSDP missions and operations, thus altering the international dimension of the Union and its influence.

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<sup>66</sup> European Commission, “European Peace Facility,” [fpi.ec.europa.eu](https://fpi.ec.europa.eu/what-we-do/european-peace-facility_en), March 8, 2022, [https://fpi.ec.europa.eu/what-we-do/european-peace-facility\\_en](https://fpi.ec.europa.eu/what-we-do/european-peace-facility_en).

<sup>67</sup> *Ibidem*.

<sup>68</sup> *Ibidem*.

## **2.6 Addressing security challenges: the European Union's Security Architecture**

As described in the previous chapter, the European Union has several instruments within its foreign policy that can also be employed for defence and security purposes. Examples are the tools of Neighbourhood Development and International Cooperation (NDCI), as well as energy, trade or asylum and migration policies. The examples cited, however, do not include the ad hoc tools that the Union has at its disposal to pursue its security and defence objectives. These, in fact, only address security issues indirectly, as part of policies with more general themes, of which defence is only one feature.

For this purpose, there is a framework within the complex European institutional system, which includes policies, international agreements, operations, agencies and institutions explicitly aimed, on the one hand, at planning and implementing policies to address security and defence matters and, on the other hand, at boosting development and research in these fields.

The comprehensive mechanism by which Brussels deals with the fields mentioned above is referred to as the EU's Security Architecture. This can be best depicted as a system of networked governance, in which different types of networks and communities interact and in some cases overlap (Faleg, 2017). In this mechanism, there is not only an intertwining of the state-European Union relationship, but also that between the European Union, international organisations and third countries. Although it develops on several levels, the protagonists of European security remain the Member States, which have the principal prerogatives and powers of initiative within the European framework.

In short, the Union possesses several mechanisms to address security issues. The European security architecture, in this sense, consists of three main elements: the Common Foreign and Security Policy (CFSP), the Common Security and Defence Policy (CSDP) and cooperation and collaboration arrangements with other international organisations and third countries such as the Permanent Structured Cooperation (PESCO). Within this structure, the CFSP represents the main pattern through which the other tools are developed and implemented, and the principal place of confrontation and dispute between Brussels and MS.

## **2.7 The Common Foreign and Security Policy**

The CSFP represents the Member States' attempt to give the Union more prominent weight at the international level by endowing it with competences that encompass "all areas of foreign policy and all questions relating to the Union's security, including the progressive framing of a common

defence policy that might lead to a common defence”<sup>69</sup>. The wording of Art.24, however, was not subsequently followed by the states who preferred to retain power in security and defence policies. With Declarations 13 and 14, which were added in annex to the TEU, in fact, MS enshrined their will not to extend Brussels’ power in matters concerning their foreign policy with third countries. Specifically, it stated that, on the one hand, “CSFP provisions do not affect the responsibilities of the Member States, as they currently exist, for the formulation and conduct of their foreign policy, on the other, it will not affect the existing legal basis, responsibilities and powers of each MS in relation to the formulation and conduct of its foreign policy”<sup>70</sup>.

Undoubtedly, these statements clash with expectations that the new CFSP would increase the Union’s influence in the international arena. The deprivation of a Community dimension in the field of security and defence remains not only a step too far in the integration process but also an internal reason for non-alignment among Member States’ policies.

Despite this, the CFSP represents the Union’s only valuable instrument for preserving peace and strengthening international security. Driven by the values of democracy, the rule of law, the universality of human rights and fundamental freedom, and by respect for the fundamental principles of the European Union, the UN Charter and international law, CFSP emerges as a useful vehicle for achieving essential objectives in the field of European security, peacekeeping, international cooperation and development aid. Particularly, Article 21 of the TEU, which is part of Title V, enlists the main goals of this policy, emphasising the need for the Union to “secure, promote and preserve Union’s security, integrity and peace, to foster sustainable economic, social and environmental development as well as encouraging the integration of all countries into the world economy and to help to promote an international system based on multilateral cooperation and good global governance”<sup>71</sup>. Title V, thus, proposes a CFSP that is not only oriented towards fostering European interests and security but also sensitive to issues related to the environment, sustainable development, poverty reduction, disaster assistance and conflict prevention.

In order to achieve the objectives set out in Art.21, the Union is provided with several instruments and means described in the dictates of Article 25 of the TEU. As a matter of fact, according to it, the EU shall conduct the common foreign and security policy by defining the general guidelines and adopting decisions which are aimed at determining the actions, positions and

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<sup>69</sup> Art. 24(1) TEU see [https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC\\_1&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF)

<sup>70</sup> “EUR-Lex - - EN,” Europa.eu, 2012, <https://doi.org/http://europa.eu.int/eur-lex/lex/LexUriServ/LexUriServ.do?uri=CELEX::EN:HTML>.

<sup>71</sup> See Art.21 of the TEU [https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC\\_1&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF)

arrangements to be taken by the Union. Lastly, within the package of actions for the CFSP, the possibility of strengthening systematic cooperation between Member States in the conduct of policy is also included.

There are, however, criticisms in the text of the Treaty, specifically concerning the definition of certain terms. In detail, the Treaty does not define what is to be intended by the expression “general guidelines”, but on the contrary, new terms such as “strategic guidelines” (Art. 16 TEU), and “strategic lines” (Art.26 TEU) are used in the subsequent articles, thus complicating the matter further.

Despite this shortcoming, the following articles explain how the European Council, the leading actor of the CFSP, can translate the general guidelines into concrete policies. Indeed, still in Title V, focusing on the role of the European Council, the Treaty states that it contributes significantly to the CFSP through operational actions or the definition of Union positions.

In this regard, Article 28 is dedicated to decisions defining actions since it holds that “where the international situation requires operational action by the Union, the Council shall adopt the necessary decisions, which shall lay down their objectives, scope, the means to be made available to the Union, and, if necessary their duration and the conditions for their implementation”<sup>72</sup>. This implies that “the EU can launch international operational actions by using national and EU resources, namely human-resources, know-how, equipment ecc, and can draw upon civilian and military assets provided by the EU Member States in order to set up missions for peacekeeping, conflict prevention and strengthening international security”<sup>73</sup>. Decisions on operational actions issued by the Council commit the Member States in positions they adopt and in the conduct of their activity<sup>74</sup>. Where decisions on operational actions are embraced, states must ensure that they harmonise their policies, aligning themselves with the Council’s decisions and supporting them through information sharing or by taking concrete measures as a matter of urgency having regard to the general objectives of that decision. In short, Article 28 establishes the legal basis for decisions on operational actions, which entail serious obligations for the Member States and restrict their room to manoeuvre (Keukeleire & Delreux, 2022, p.161).

The second prerogative of the European Council is to issue decisions that define the positions of the Union. These are subject to Article 29 of the TEU, which confirms that “the Council shall adopt decisions which shall define the approach of the Union to a particular matter of a geographical or

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<sup>72</sup>European Union, “Consolidated Version of the Treaty on European Union,” 2012, [https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC\\_1&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF).

<sup>73</sup>“EUR-Lex - Eu\_action\_cfsp - EN - EUR-Lex,” eur-lex.europa.eu, n.d., <https://eur-lex.europa.eu/EN/legal-content/glossary/common-foreign-and-security-policy-and-common-security-and-defence-policy.html>.

<sup>74</sup> Art. 28(2) TEU



thematic nature”<sup>75</sup>. These decisions have been applied over time for a narrow field of actions comprising mostly the adoption of sanctions or restrictive measures against individuals, states, regimes, terrorists or criminal organisations.

These measures are not meant to be punitive, instead they are intended “to bring about a change in policy or activity by targeting non-EU countries, as well as entities and individuals, responsible for the malign behaviour at stake”<sup>76</sup>. The Council takes decisions on adopting or renewing sanctions based on a proposal a proposal by the High Representative of the Union for Foreign Affairs and Security Policy. Once deliberated, it is up to the European Commission together with the High Representative to implement these decisions in European Law and to ensure that the Member States follow this decision. These, in fact, are required not only to conform their national policies to the positions of the Union and to coordinate their activities, but also to initiate consultations in matters of general interest in order to define a common approach<sup>77</sup>.

Although restrictive measures are mentioned in the TFEU, in practice, two categories of sanctions have been delineated: individual and country sanctions. For example, in the case of the sanctions placed on Venezuela, introduced in 2017, the EU did not directly adopt restrictive measures against third-country bodies and institutions, but rather prohibited European companies, industries, agencies and entities from exporting technology, goods, financial and commercial services. Instead, individual sanctions are targeted explicitly at physical persons or both state and non-state entities and include measures restricting freedom of movement, freezing of money and assets and other restrictions to fundamental rights.

A practical example of applying both types of sanctions can be seen in the measures imposed on Russia following the invasion of Ukraine in February 2022. In this case, the EU adopted a mix of both individual and country sanctions. Firstly, Brussels ordered measures such as asset freezes and travel restrictions against hundreds of Russians and Belarusians (Lodorno, 2023), including many members of the political elite of Moscow and Minsk, and against dozens of companies. Then these measures were implemented with the adoption of country sanctions, including economic ones against sectors of the Russians and Belarusian economies such as space, transports, banking and oil refining

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<sup>75</sup>“CONSOLIDATED VERSION of the TREATY on EUROPEAN UNION,” 2012, [https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC\\_1&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF).

<sup>76</sup> European Commission, “Overview of Sanctions and Related Tools,” finance.ec.europa.eu, n.d., [https://finance.ec.europa.eu/eu-and-world/sanctions-restrictive-measures/overview-sanctions-and-related-tools\\_en](https://finance.ec.europa.eu/eu-and-world/sanctions-restrictive-measures/overview-sanctions-and-related-tools_en).

<sup>77</sup> Concerning this. The text of Article 32 of the TEU establishes that: “Member States shall consult one another within the European Council and the Council on any matter of foreign and security policy of general interest in order to determine a common approach. Before undertaking any action on the international scene or entering into any commitment which could affect the Union's interests, each Member State shall consult the others within the European Council or the Council. Member States shall ensure, through the convergence of their actions, that the Union is able to assert its interests and values on the international scene. Member States shall show mutual solidarity”.

industries, trade restrictions for certain products as weapons, construction products, oil and gas, and finally restrictions on economic relations with the non-government-controlled areas of Donetsk and Luhansk (Lodorno, 2023, p.81).

Lastly, among the *modus operandi* listed in Article 25 lies arguably the most important one, namely strengthening systematic cooperation between Member States. In the field of common defence and security, an enhanced level of cooperation between them is required in order to pursue the integration process. In this regard, the fact that this is expressly mentioned in Title V testifies to the need to not take this cooperation for granted, but rather to strive for states to improve and deepen their relations and positions in this sensitive issue. Based on this, other Treaty provisions emphasise the need to increase collaboration and cooperation between Member States. Article 32 of the TEU, for instance, not only commits states to consult each other in order to define a common approach but also requires, on the one hand, that “Member States ensure, through the convergence of their actions that the Union is able to assert its interest and values on the international scene, on the other, that diplomatic missions of MS and the Union delegations in third countries and at international organisations cooperate and contribute to formulating and implementing the common approach”<sup>78</sup>.

In these provisions, systematic cooperation is a broad term incorporating different levels and forms of cooperation, including information exchange, consultation, coordination and convergent action (Keukeleire & Delreux, 2022, p.163). Information exchange and consulting are notably the activities to which the Union devotes considerable amounts of energy and resources, as they form the core of the cooperation between Member States. As a matter of fact, the setting and affirmation of well-established practices of information exchange and consulting can contribute to MS basing their national policy positions on similar information and assessments of external developments, can help to avoid external events leading to misunderstandings between them, and, finally, can contribute to fostering mutual solidarity (Keukeleire & Delreux, 2022, p.172).

Overall, systematic cooperation has been reinforced in the last two decades since the ratification of the Lisbon Treaty. There remain, however, some cases where the cooperation mechanism stalls and Member States, finding themselves in divergent positions, prefer to rely on other international actors or organisations for information and consultation sharing, thus sidelining the Union.

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<sup>78</sup> “CONSOLIDATED VERSION of the TREATY on EUROPEAN UNION,” 2012, [https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC\\_1&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF).

## 2.8 The Common Security and Defence Policy

Established by the Lisbon Treaty in 2009 on the basis of the previous European Security and Defence Policy, the CSDP marks a new stage in the escalation of the European integration project in the field of security and defence cooperation. Developed in response to the political and military crises of the late 1990s (Balkan crisis) and early 2000s (Russian invasion of Georgia, war on terrorism), the CSDP emerged because a series of delicate balances could be found between France and the UK, between the EU and the US, EU-oriented and NATO-oriented states and between civilian and military crisis management traditions (Keukeleire & Delreux, 2022, p.172).

Hence, it is configured as the armed arm of the CSFP, that is, the instrument through which the CSFP's provisions and policies are applied not only at a strategic, but also at the tactical and operational level. Specifically, through the new CSDP, the Union attempts to equip itself with the necessary tools to respond practically and effectively to growing international challenges. Indeed, according to Article 42 of the TEU, "the CSDP shall provide the Union with an operational capacity drawing on civilian and military assets. The Union may use them on missions outside the EU for peace-keeping, conflict prevention and strengthening international security in accordance with the principles of the United Nations Charter". Moreover, it also states "the performance of these tasks shall be undertaken using capabilities provided by Member States"<sup>79</sup>.

From a military and crisis management perspective, these assets and capabilities made available by the Member States are necessary for Brussels to dispose of the crucial means to operate as a proper state. Subsequently, referring to the missions mentioned in Art.42, Article 43(1) sets out their specific nature. These, according to the Treaty, encompass "joint disarmament operations, humanitarian and rescue tasks, military advice and assistance tasks, conflict prevention and peace-keeping tasks, tasks of combat forces in crisis management, including peace-making and post-conflict stabilisation". In addition, the CSDP is also called upon to contribute to "the fight against terrorism, including by supporting third countries in combating terrorism in their territories"<sup>80</sup>.

Notwithstanding the wide range of scenarios and situations in which the Union can intervene, the provisions in the Treaty evidently highlight the main issues of the CSDP. First of all, it should be emphasised that military and civilian operations are limited to peacekeeping and conflict prevention outside the territory of the European Union, thus precluding the possibility of dealing purely with defence within its territory.

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<sup>79</sup> "CONSOLIDATED VERSION of the TREATY on EUROPEAN UNION," 2012, [https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC\\_1&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:2bf140bf-a3f8-4ab2-b506-fd71826e6da6.0023.02/DOC_1&format=PDF).

<sup>80</sup> Art. 43(1) of the TEU.

The Member States, thus, did not consider the CSDP as an option for the defence of their territories and borders at the time of its establishment, a task already performed at the national level and by NATO. For this reason, the states ensured that the CSDP did not compete either with their own national foreign and security policy or with the role of NATO, insisting that it “would not prejudice the specific character of the security and defence policy of certain Member States and would respect the obligations of certain Member States, which see their common defence realised in the North Atlantic Treaty Organisation”<sup>81</sup>.

As a result, it is possible to outline that the term “defence” presents fundamental ambiguities due mainly to the fact that the CSDP constitutionally does not include military and defence actions on European territory, as these are only exercisable by Brussels in third countries that are not member of the Union.

Secondly, some critical issues arise with the term “common”. In fact, in light of how the CSDP was conceived, it turns out to be less “common” than the meaning of this label suggests. In this sense, there are three main reasons why it is challenging to consider CSDP truly a common policy within the EU.

To begin with, Brussels does not have common capabilities, troops and assets, but it must rely on the structures and means of the Member States both to finance its own defence policies and to develop them in concrete ways. In the second place, not all member states are included in the CSDP’s institutional framework, thus creating a rift within European unity. For instance, since the creation of the ESDP and then the CSDP, Denmark has always opposed its implementation, which is why Copenhagen was offered the option to opt out of the CSDP arrangements by signing of Protocol N.22.

Finally, the unity of the CSDP is broken to the extent that Member States are bound differently in terms of economic and strategic participation. Indeed, there are differentiations and imbalances within the CSDP with states that are more in the forefront and prepared to shoulder most of the costs of carrying out operations and others participating secondarily. Moreover, due to differences in military and economic capabilities between the Member States, it is impossible to achieve harmonisation in defence participation, resulting in the disinterest of some in channelling excessive resources into these fields.

From an institutional and procedural perspective, the CSDP falls under the authority of the European Council and the Foreign Affairs Council (FAC), a particular organ “formed by the foreign, defence and/or development ministers of the Member States”<sup>82</sup>. As previously explained, given the

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<sup>81</sup> Art. 42(2) of the TEU.

<sup>82</sup> EU Monitor, “Foreign Affairs Council (FAC) - EU Monitor,” [www.eumonitor.eu](http://www.eumonitor.eu), n.d., <https://www.eumonitor.eu/9353000/1/j9vvik7m1c3gyxp/viatg6o0ehz2>.

nature and importance of the subject matter, the governance of the CSDP is fully intergovernmental (Faleg, 2017), with states possessing the main prerogatives and competences through the unanimity requirement. This firmly contributes to the fragmentation and decentralisation of the CSDP system, with subsequent consequences for the CFSP as well.

In order to operationalise and concretise the CSDP policies, through the Lisbon Treaty “the EU Member States decided to establish permanent political, military and civilian structures”<sup>83</sup>, divided into separate military and civil structures that fall under the authority of the High Representative of the Union for Foreign Affairs and Security Policy. These agencies, commissions and entities are involved in various fields of the CSDP, from security and defence study and research to military and civil mission planning.

Accordingly, the European Defence Agency (EDA) is a key element in the CSDP’s operations, providing both logistical and strategic support and a military and defence hub of research and innovation for Brussels. The EDA was established under a Joint Action of the Council of Ministers of 12 July 2004 with the aim of supporting the Member States and the Council in their effort to improve European defence capabilities in the field of crisis management and to sustain the Common Security and Defence Policy (Platteau, 2018). Composed of experts in capability development, research and technology, armament cooperation as well as industrial matters (Platteau, 2018), the EDA is responsible for promoting cooperation in the field of defence research and procurement among EU Member States, “identifying operational requirements, promoting measures to satisfy them, contributing to implement any measure needed to strengthen the industrial and technological base of the defence sector, participation in defining a European capabilities and armaments policy and, lastly, assisting the Council in evaluating the improvement of military capabilities”<sup>84</sup>.

Although with a small budget<sup>85</sup>, the EDA mediates between the Member States in the defence and military field. Though still in its embryonic stage and not operating at its full potential, the Agency provides an important platform where MS can enhance and develop their defence capabilities through cooperation with other MS (Rehrl, 2021). The Agency also works closely with other actors involved in the CSDP, especially those belonging to the EEAS, the Council and the Commission.

However, the heart and engine of the CSDP lie in the European Council and the figure of the High Representative, who chairs and controls the leading committees and bodies with decision-making

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<sup>83</sup> EEAS, “CSDP Structure, Instruments and Agencies | EEAS Website,” [www.eeas.europa.eu](http://www.eeas.europa.eu), August 12, 2021, [https://www.eeas.europa.eu/eeas/csdp-structure-instruments-and-agencies\\_en](https://www.eeas.europa.eu/eeas/csdp-structure-instruments-and-agencies_en).

<sup>84</sup> Art. 42(3) of the TEU

<sup>85</sup> On 15 November 2022, the Steering Board, the controlling assembly of the EDA, approved a budget of EUR 45,500 million for 2023. See European Defence Agency. “Budget.” <https://eda.europa.eu/who-we-are/Budget#November 12, 2022>. <https://eda.europa.eu/who-we-are/Budget#>

and executive power in CSDP matters (Figure 2.6). Indeed, within the Council, as shown by figure 2.6 below, operates the Political and Security Committee (PSC), the body responsible for “monitoring international situations, recommending strategic approaches and policy options to the Council”<sup>86</sup>, coordinating and supervising the work led by the different Council working groups in the area of the CSDP. This Committee is composed of one ambassador per Member States, a permanent representative of the European Commission, of the Military Committee of the European Union (EUMC), of the Secretariat of the Council of the EU, and it is permanently chaired by the EEAS.

Moreover, the PSC is involved when the Union has to organise an appropriate response in the event of a crisis. It, therefore, exercises under the responsibility of the Council and of the High Representative, the political control and strategic direction of the EU’s military and civilian crisis management operations (Keukeleire & Delreux, 2022, p.70). Thus, the PSC is called upon to “propose to the Council the political objectives to be pursued and to recommend a cohesive set of options for resolving the crisis”<sup>87</sup>, and to suggest that the Council adopt specific Decisions on the action to be taken, over which the Committee will then exercise a supervisory role. Even in the case of a military response, the PSC is at the forefront of the political and strategic management of the intervention operation. Accordingly, it evaluates strategic military options, the operation concept and plan to be submitted to the Council (Keukeleire & Delreux, 2022). Subsequently, based on the Council’s decision to launch the missions, the PSC continues its mission monitoring work supported by the High Representative and some EEAS structures.

Furthermore, the PSC cooperates closely with two other commissions with respect to the planning and implementation of CSDP operations and in the field of crisis management, namely the Committee for Civilian Aspects of Crisis Management (CIVCOM), and the Military Committee of the European Union (EUMC). The former, established by Council Decision in 2000, acts as an advisory body dealing with the civilian dimension of CSDP. Its purpose is to “prepare planning documents for new missions, make recommendations to the PSC as well as deal with the development of strategies for civilian crisis management and for civilian capabilities”<sup>88</sup>. The latter is a commission formed by the Chiefs of Defence of the Member States and chaired by a Chairman appointed by the Council which represents the EUMC at the PSC. The EUMC constitutes the highest military body within the Council and serves as a forum for military consultation and cooperation between Member States in the field of

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<sup>86</sup> European Council, “Political and Security Committee (PSC),” [www.consilium.europa.eu](http://www.consilium.europa.eu), October 25, 2022, <https://www.consilium.europa.eu/en/council-eu/preparatory-bodies/political-security-committee/>.

<sup>87</sup> EUR-Lex, “Political and Security Committee (PSC),” [eur-lex.europa.eu](http://eur-lex.europa.eu), August 19, 2011, <https://eur-lex.europa.eu/EN/legal-content/summary/political-and-security-committee-psc.html>.

<sup>88</sup> EU Monitor, “Committee for Civilian Aspects of Crisis Management (Civcom) - EU Monitor,” [www.eumonitor.eu](http://www.eumonitor.eu), n.d., <https://www.eumonitor.eu/9353000/1/j9vvik7m1c3gyxp/vh7ej5swwyf>.

conflict prevention and crisis management. It plays both an advisory and executive role in specific cases. On the one hand, it works closely with the PSC by providing recommendations on various areas that include the overall concept of crisis management, the military aspects relating to political control and to the strategic direction of operations, the risk assessment and review of a crisis situation, the elaboration, assessment and reviews of objectives, the financial estimation for operations and exercises, and finally all military relations with applicant countries, third countries and international organisations. On the other hand, specifically in crisis scenarios, this wields military direction under the aegis of the PSC. Indeed, the EUMC is called upon by the PSC to provide the Committee with strategic military options, advice and directives for the implementation, realisation and conclusion of operations. Lastly, among its tasks, the EUMC “monitors the proper execution of military operations currently being conducted under the responsibility of the operation commander”<sup>89</sup> with the support of the European Union Military Staff (EUMS).

This body, under the High Representative’s direct authority as outlined by Figure 2.6, is the largest source of military expertise within the EEAS. The EUMS arose from the need to provide the EUMC with an armed and operational arm. As a result, the Military Staff performs both an intelligence and information gathering role for the latter through its Intelligence Department and an active role in the field of crisis prevention, response and management, “ranging from support to Humanitarian Assistance, Civil Protection, Security Sector Reform, stabilisation and evacuation of citizens, to more complex military operations such as peace-keeping and peace-enforcement”<sup>90</sup>.

In carrying out their tasks, both the EUMC and the CIVCOM are assisted by another body, the Politico-Military Group (PMG). As a working group of the Council, it is composed of experts from each Member States and is chaired by the High Representative (figure 6)<sup>91</sup>. The PMG deals with the political aspects of military and civilian-military issues concerning the EU, and for this reason, it provides advice on concepts, capabilities, operations and missions to the PSC, and contributes to the development of horizontal policy by facilitating collaboration, partnership especially with non-EU countries and international organisations including NATO, and the exchange of information in particular between the CIVCOM and the EUMC, and between the Council, the Commission and the High Representative.

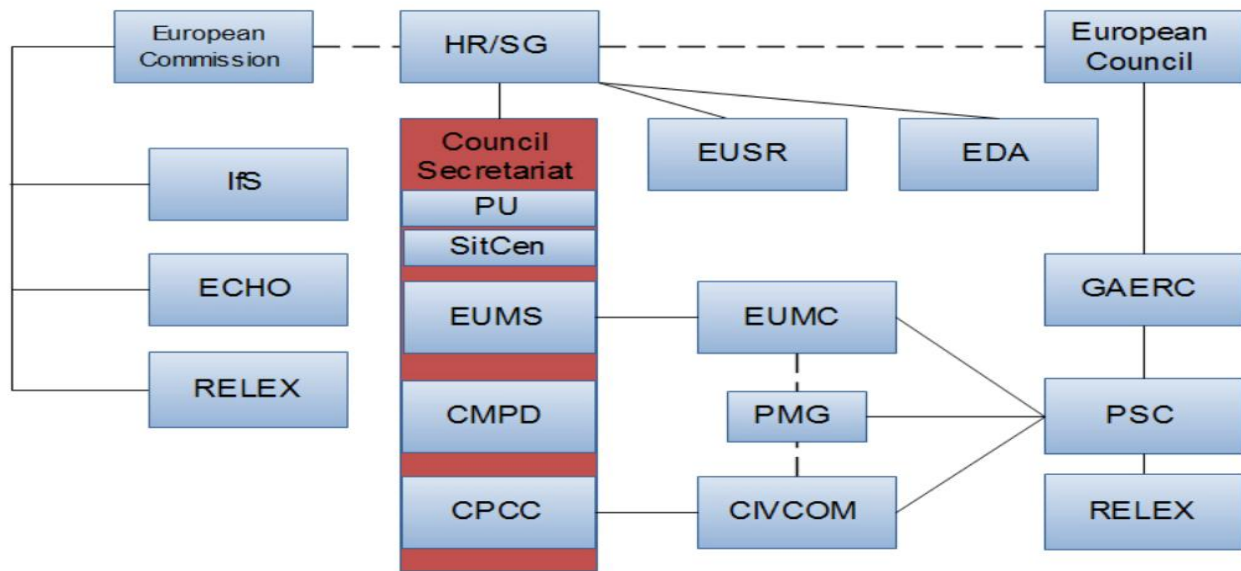
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<sup>89</sup> Ibidem.

<sup>90</sup> European Union External Action, “The European Union Military Staff (EUMS),” [www.eeas.europa.eu](http://www.eeas.europa.eu), January 24, 2022, [https://www.eeas.europa.eu/eeas/european-union-military-staff-eums\\_en](https://www.eeas.europa.eu/eeas/european-union-military-staff-eums_en).

<sup>91</sup> In Figure 2.6 it can be highlighted that the dotted lines indicate a relationship of coordination and collaboration between the agencies and bodies, while the solid lines express a chain of command, outlining the degree of subordination between the actors involved.

Figure 6 CSDP structure



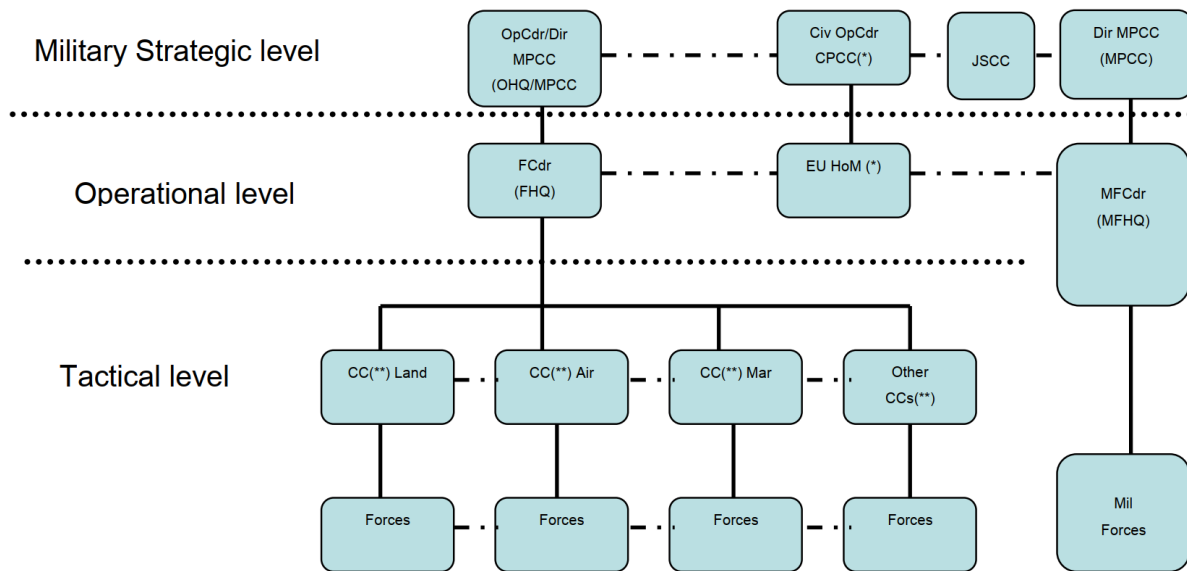
Source: Mans Bjorn, *Civil-Military Interaction in the European Union Applying a Comprehensive Approach to CSDP Operations*, 1st ed. (Stockholm: Swedish Defence Research Agency (FOI), 2010).

The actors examined so far constitute the backbone of the CSDP on the strategic political level, meaning they are those responsible for designing the guidelines, objectives, doctrines and policies from which the Union will then develop its missions and operations in the field. Furthermore, according to the C2 EU command and Control system, which forms the reference framework for all CSDP missions, “the chain of command for EU-led military and civilian CSDP operations encompasses three levels of command”<sup>92</sup>: the civilian/military strategic, the operational and the tactical one (Figure 7).

<sup>92</sup> European Union External Action Service, “EUROPEAN UNION CONCEPT for MILITARY COMMAND and CONTROL” (Brussels: Council of the European Union, April 23, 2019), <https://data.consilium.europa.eu/doc/document/ST-8798-2019-INIT/en/pdf>.



**Figure 7 EU Military Command and Control Structure (C2)**



*Source: European Union External Action Service and Council of the European Union*

At the military/civilian strategic level, two central actors are in charge of planning and conducting CSDP civil and military missions, namely the Military Planning and Conduct Capability (MPCC) and the Civilian Planning and Conduct Capability (CPCC). The latter is a permanent command and control structure established on 8 June 2017 in line with the implementation of the EU Global Strategy of 2016 (see Chapter 1). The MPCC is “responsible for the operational planning and conduct of non-executive missions” and it is aimed at “enhancing the capacity of the EU to react faster and more efficiently to a conflict or crisis”<sup>93</sup>. Specifically, the MPCC plays a coordinating and unifying command direction role within the different missions in the field and contributes positively to “an increased coherence of different EU actions on the ground in accordance with the EU integrated approach to external conflicts and crises integrated approach to external conflicts and crises”<sup>94</sup>. The MPCC reports directly to the PSC and regularly informs the EUMC about the conduct and development of the missions.

In the same way as the MPCC, the CPCC also takes the shape of a permanent structure, which, however, is positioned within the EEAS as a strategic unit at the disposal of the Deputy Secretary General CSDP (DSG-CSDP) and crisis response. This “exercises command and control at the strategic

<sup>93</sup> European Union External Service, “The Military Planning and Conduct Capability (MPCC),” November 2022, [https://www.eeas.europa.eu/sites/default/files/documents/20221115\\_MPCC%20Factsheet\\_.pdf](https://www.eeas.europa.eu/sites/default/files/documents/20221115_MPCC%20Factsheet_.pdf).

<sup>94</sup> *Ibidem*.

level for the operational planning and conduct of all civilian crisis management operations”<sup>95</sup>. In addition, the CPCC is assisted in the planning and conduct of operations by several agencies, directorates, and experts, constantly reporting to the DSG-CSDP. Among these, it is important to mention the EU Intelligence and Situation Centre (INTCEN) which is “the exclusive civilian intelligence function of the European Union, and it provides intelligence analyses, early warning and situational awareness to the various EU decision-making bodies in the field of both CFSP and CSDP”<sup>96</sup>, and the Crisis Management and Planning Department (CMPD, Figure 6).

This is responsible for the rapid handling of the outbreak of international and regional crises or conflicts through activating of the Crisis Response System (CRS), which is the principal European mechanism for managing both civil and military crises. The CRS is designed to ensure coherence between various aspects of crisis response and management measures and it aims to coordinate and facilitate rapid decision-making during time of crisis, as well as to improve preparedness for potential crises and also reduce vulnerability to future emergencies through advanced planning and appropriate threat and risk assessment methodologies and measures (Tercovich, 2014). Accordingly, it equally covers “crises which may affect EU security and interest occurring outside the EU (including those affecting the EU delegations or any other EU asset or person in a third country) and crisis occurring in the EU if those have an external dimension”<sup>97</sup> and includes other ad hoc bodies as the Crisis Platform, the EU Situation Room and the Crisis Management Board. Concretely, in the event of an outbreak of a conflict or international emergency, the EEAS, through the CRS, resorts to the Crisis Platform in order to “coordinate all relevant EU actors and to provide a clear political or strategic objective for the management of a given situation, including guidelines and assessment of constraints to and needs for, planning”<sup>98</sup>.

Cooperation at the strategic level between the CPCC and the MPCC is achieved through the Joint Support Coordination Cell (JSCC), which unites different civilian-military support functions such as logistics, communications and information services, medical support, field security, and legal advice. Ensuring constant relations between civilian and military conduct capabilities is necessary to guarantee an efficient degree of coordination at the operational but especially tactical level where land, air and sea forces carry out missions and operations.

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<sup>95</sup> European Union External Action, “The Civilian Planning and Conduct Capability (CPCC) | EEAS Website,” [www.eeas.europa.eu](http://www.eeas.europa.eu), October 3, 2022, [https://www.eeas.europa.eu/eeas/civilian-planning-and-conduct-capability-cpcc\\_en](https://www.eeas.europa.eu/eeas/civilian-planning-and-conduct-capability-cpcc_en).

<sup>96</sup> State Watch, “EU INTCEN Factsheet,” *Statewatch.org*, February 5, 2015, <https://www.statewatch.org/media/documents/news/2016/may/eu-intcen-factsheet.pdf>.

<sup>97</sup> EEAS, “Crisis Management and Response | EEAS Website,” [www.eeas.europa.eu](http://www.eeas.europa.eu), August 10, 2021, [https://www.eeas.europa.eu/eeas/crisis-management-and-response\\_en](https://www.eeas.europa.eu/eeas/crisis-management-and-response_en).

<sup>98</sup> *Ibidem*.

Within the broad strategic and operational framework of the CSDP, there are also other actors that, although not directly included in the EU Command and Control Structure (C2), perform activities relevant to the CSDP. Concerning the European Union, it is essential to mention the Instrument Contributing to Stability and Peace (IcSP), which replaced the previous Instrument for Stability (IfS). As part of a new generation of instruments to finance external action, the IcSP aims to improve Europe's capacity to respond to external threats, with a focus on crisis response, preparedness and conflict prevention.

In addition, there are the European Special Representatives (EUSRs), which support the work of the High Representative and promote the interests of the European Union in specific regions and countries such as Afghanistan, Kosovo, Georgia and Central Asia in the areas of security, peace and stability, and the European Union Satellite Centre (EUSatCen), which assists the CSDP and also the CFSP by providing products and services using space-based instruments and collateral data, including satellite imagery, aerial imagery and related services.

In conclusion, the institutional framework of the CSDP is completed by the bodies and agencies involved in research and development. Among the multitude of think tanks, organisations and study hubs, it is noteworthy to mention the European Security and Defence College (ESDC) and the European Union Institute for Security Studies (EUISS). The former, founded in 2005, stands as the only entity “devoted either to training and education at European level or to the development of a common European security culture”<sup>99</sup>. Created as a network of civilian and military training providers, the ESDC is quickly becoming a well-recognised brand in the field of training (Rehrl & al, 2017). Over the past decades, the number of activities organised by the College has increased exponentially, due to the need for EU MS and Institutions to have a common education and training on specialised domains (Rehrl & al, 2017). The EUISS, on the other hand, leaves aside the education and training aspect to become more of a specialised centre for research and analysis of foreign, security and defence policy issues. Established in July 2001 as an autonomous agency under the CFSP, the Institute is intended to foster a common security culture for the EU, support the elaboration and projection of its foreign policy and enrich the strategic debate inside and outside Europe (Rehrl & al, 2017).

To conclude, the EUISS represents the spearhead of Brussels in the field of research as well as of development. Through its publications, of which it is noteworthy to mention the *Chaillot Papers*, the Institute's flagship publication based on focused in-depth research, and its events at which “EU officials, national experts, academics, decision-makers, media and civil society representatives from the EU MS as well as the rest of the world” are brought together, the Institute acts “as an interface

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<sup>99</sup> European Security and Defence College, “Who We Are,” ESDC- European Security & Defence College, March 4, 2018, <https://esdc.europa.eu/who-we-are/#:~:text=security%20and%20defence.->

between the EU institutions and external experts, including security actors, to develop the EU's strategic thinking (Rehrl & al, 2017).

## **2.9 Internal and third-party collaboration mechanisms**

In addition to the specific policies, institutions and agencies presented so far, the mechanisms, and more generally, the collaboration and coordination activities that Brussels carries out on a dual level with international organisations, Member States and other countries, are equally part of the EU security architecture. Overall, it is based primarily on cooperation and integration among the Member States, to which, however, must be added the fundamental relations with third states, especially with the major IOs, such as the UN, NATO and OSCE, to name the most important ones.

Considering the internal cooperation between MS and the external one with third countries, with the aim of strengthening integration between them and opening up the possibility for third states to cooperate with Brussels in the field of defence and security, there are various initiatives of different character and scope depending on whether these are addressed only to Member States or also to actors outside the Union. In the first case, initiatives such as the Coordinated Annual Review on Defence (CARD) or the European Defence Fund (EDF) exist. The former is a cyclic annual review of the European defence landscape, based on a permanent dialogue between the EU MS and the EU institutions (Barberini, 2021) with the ultimate goal of providing a complete analysis of the current status of European defence capabilities and picking out potential areas of cooperation. In this sense, CARD aims at improving coherence and consistency between the national defence programmes of EU MS, in order to reduce fragmentation and to engage in a more organic, structured and coherent approach in security and defence cooperation (Barberini, 2021).

The latter, instead, is a component of the CSDP and an instrument of the European Commission, launched to coordinate and increase national defence investments. Established in 2017 thanks to former Commission President Juncker, the Fund is fundamental to “incentivise and support collaborative, cross-border research and development in the area of defence, promoting cooperation among companies and research actors of all sizes and geographic origin in the EU”<sup>100</sup>. The latest trends show a growing interest of the European Union to increase its technological and industrial expertise in the field of security and defence. In the last Multiannual Financial Framework (Figure 4), Brussels allocated a budget of €8 billion to the EDF, becoming one of Europe's top three defence research investors.

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<sup>100</sup> European Commission, “A KEY ENABLER for a MORE SECURE and COMPETITIVE EUROPE the EUROPEAN DEFENCE FUND #EUDefenceIndustry,” June 30, 2021, <https://defence-industry-space.ec.europa.eu/system/files/2022-05/Factsheet%20-%20European%20Defence%20Fund.pdf>.

As a result, the Union's ambition is to overcome the fragmented system of defence cooperation, pushing towards an "integration of the European defence technological and industrial base"<sup>101</sup> as part of the broader project of building a strategic autonomy, which will be discussed in the next chapter.

Afterwards, considering cooperation mechanisms that include third states instead, the experience of Permanent Structured Cooperation, also known as PESCO, assumes relevance. Initially, PESCO was established as a closed and exclusive system only for the Member States of the Union that possessed specific requirements and characteristics in terms of capability commitments as specified in Article 46 of the TEU<sup>102</sup>. However, as already described in Chapter 1, PESCO is designed as a permanent framework for cooperation, chaired by the High Representative and the European Council, in the field of defence in which MS participates voluntarily depending on the proposed projects, aiming to "increase the efficiency of the European military instrument, reduce the high number of different weapon systems, facilitate the movement of troops within the EU borders and stimulate investment on joint research projects"<sup>103</sup>.

Henceforth, after an initial launch phase in which PESCO was only addressed to Member States, on 5th November 2020, the Council, through Decision 2020/1639/CSFP, settled to broaden the framework for cooperation, allowing free rein to invite third states to participate individually in PESCO projects. This change comes amid renewed interest in boosting European security and defence due partly to recent changes in the European and international geopolitical scenario (annexation of Crimea in 2014, the shift of US interests to the Pacific and the instability of the Eastern European neighbourhood due to the ongoing conflicts in Libya and Syria). With the enlargement of the participation in PESCO, new possibilities are thus opened up for the Union to engage in new channels of cooperation with important regional players such as Norway and the United Kingdom and international ones such as the United States and Canada, which, for instance, have already been invited to participate in the Military Mobility project.

Concretely, the Union expects to take significant steps toward greater cooperation and especially interoperability among its Member States and with key strategic partners including the United States, Turkey, Balkan and Central Asian countries. Moreover, the experience of an extended

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<sup>101</sup> Ibidem.

<sup>102</sup> It states: "Those Member States which wish to participate in the permanent structured cooperation referred to in Article 42(6), which fulfil the criteria and have made the commitments on military capabilities set out in the Protocol on permanent structured cooperation, shall notify their intention to the Council and to the High Representative of the Union for Foreign Affairs and Security Policy".

<sup>103</sup> Agenzia Nazionale Stampa Associata, "Difesa Ue: Cos'è La Pesco, 25 Paesi Uniti per Politica Comune E Cooperazione Industriale," European Data News Hub, April 23, 2018, <https://ednh.news/it/difesa-ue-cose-la-pesco-25-paesi-uniti-per-politica-comune-e-cooperazione-industriale/>.

PESCO is conceived not only as a means to enhance Brussels' defence capabilities through the exchange of expertise, technology and resources with third states, but notably as a way to gain additional international clout and influence. Indeed, on the one hand, by working with partners in strategic areas, the EU can promote its values and interests globally and contribute simultaneously to the development of international security. On the other, it can develop a broader network of partners and joint international operations that would help to establish Brussels as a central player in the defence and security field.

In sum, the mechanisms analysed so far should be considered as an integral part of the comprehensive defence package of the European Union as they are complementary and mutually reinforcing tools (Cózar-Murillo, 2023) of the CFSP and CSDP.

Lastly, completing the picture of the European security architecture are the initiatives and partnerships the Union has entered into with major international organisations. As a global actor, Brussels has developed a solid multilateral system involving transnational actors such as the United Nations, NATO and regional actors such as the OSCE, the African Union (AU), the League of Arab States (LAS), and the Association of Southeast Asian Nations (ASEAN). A relevant partnership in terms of economic and political commitment ties the UN with the Union. Indeed, the Union and its Member States "are the largest collective contributors"<sup>104</sup>, financing 33% of the budget for peacekeeping missions<sup>105</sup>. Examples of this involvement include some European missions organised under a UN mandate such as EUFOR/ALTHEA in Bosnia Herzegovina, EULEX in Kosovo or EUTM in Mali. Parallely, collaboration on security initiatives includes several fields such as nuclear non-proliferation, where the EU has supported the UN's disarmament and non-proliferation efforts, primarily through the Comprehensive Nuclear-Test-Ban Treaty (CBTB), humanitarian assistance and conflict prevention and resolution.

Similarly, there is a tight interconnection between NATO and the European Union. Their cooperation has significant historical roots from the end of the Second World War and the birth of the European defence project. Nowadays, a substantial partnership between Brussels and NATO has developed in particular areas after a series of treaties, practices and agreements.

Noteworthy are the missions organised as part of Maritime Security in Somalia and the Gulf of Guinea to combat piracy or the attempts at cooperation in the area of cybersecurity that resulted in the

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<sup>104</sup> Security Council, "As More Conflicts, Problems around World Mount, European Union High Representative Tells Security Council World Must Invest in Revitalising Multilateral System | UN Press," [press.un.org](https://press.un.org/en/2023/sc15210.doc.htm), February 23, 2023, <https://press.un.org/en/2023/sc15210.doc.htm>.

<sup>105</sup> Compare the data in Auswärtiges Amt, "Europe's Role in the United Nations," Permanent Mission of the Federal Republic of Germany to the United Nations, n.d., <https://new-york-un.diplo.de/un-en/germanyun/europe-s-role-in-the-united-nations/917452>.

promulgation of the 2018 Joint Declaration, in which the EU and NATO, recognizing the importance of cyberspace as a domain of security and defence, committed to creating enhanced cooperation on cybersecurity issues through sharing information on cyber threats, best practices, and lessons learned, as well as conducting joint exercise, training programs and promoting a rule-based international order in cyberspace. The partnership also involves other critical areas such as counter-terrorism, developing defence industries and capabilities, supporting Southern and Eastern neighbours' defence and security capacity, and helping the development of European defence programs and initiatives.

In conclusion, forming a multilateral system and forums for cooperation with other security providers comprises an essential asset for the Union in technical and economic terms of cost optimisation, information exchange and efficiency and, above all, political terms. Furthermore, the participation and affiliation of EU Member States in other international organisations, such as NATO or the OSCE, is crucial for harmonising security and defence policies and the potential emergence of shared and common command structures.

## **2.10 The functioning of the EU Security Architecture: the decision-making system**

The European security architecture analysed so far is thus depicted as a complex microcosm characterised by diverse actors placed on different levels of action and still unstable and unaccomplished political structures. Nevertheless, as part of a larger and more articulated system that is the EU's foreign policy, it echoes some of its main characteristics and peculiarities, especially in terms of fragmented and multi-level approaches. Similarly to the European foreign policy framework, which unfolds at the dual intergovernmental and community levels, likewise the security architecture stands as the theatre of the enduring clash between the decentralising will of Member States and the centrifugal force of Brussels.

Consequently, the diversity of actors involved, the myriad of initiatives and a multi-faceted governance correspond to a fragmentation in the decision-making system in the CFSP/CSDP. Whereas for non-CFSP issues, the EU follows the ordinary legislative procedure, in which the Commission and the European Parliament have the right of initiative and decisional power, in security and defence matters EU action is, by definition, non-legislative (Lodorno, 2023). Concretely, this translates into less assertive power of the Union, which cannot adopt binding instruments such as regulations and directives under the ordinary legislative procedure, but can formulate decisions, which in the case of CSFP, have the value of non-legislative acts.

Moreover, examining the decision-making system (Figure 2.8), it is noteworthy to point out that, in line with the very nature of CFSP/CSDP, at the institutional level, those who play a more

prominent role are the intergovernmental institutions. In this regard, the locus power in security and defence matters is the European Council, the Council and the High Representative. The European Council in fact identifies “the Union’s strategic interests” and defines the “general guidelines” and “strategic lines”<sup>106</sup> and objectives adopting through unanimity the necessary decisions. Furthermore, its President, which is elected every 2,5 years, provides external representation of CFSP in the national and international context.

However, the European Council shares the role of decision-maker with the Council. This participates in all stages of the decision-making system from definition to implementation and control, dealing primarily with accomplishing that Member States comply with the principles of CFSP and supporting Union’s policy (Keukeleire & Delreux, 2022, p.67) according to article 24 TEU. As a multifaceted institution, the Council consists of three main structures operating at as many levels in the decision-making process. An expression of the Council’s role and functions in CFSP and CSDP matters is the Foreign Affairs Council (FAC), which brings together Member States’ foreign ministers and is chaired by the High Representative. FAC’s prerogatives also include elaborating the Union’s external action, appointing special representatives and providing recommendations on CFSP and CSDP initiatives, missions and policies to the European Council.

The FAC is, thus, supported by several diplomatic, bureaucratic, and military actors who are part of the already aforementioned Political and Security Committee (PSC) and the Committee of Permanent Representatives (COREPER). These act as senior preparatory bodies of the Council and accomplish significant work setting policies and monitoring their implementation. Specifically, COREPER “coordinates and prepares the work of all meetings of the Council”<sup>107</sup> and also ensures consistency of the EU’s policies and actions. It consists of two formations: the COREPER II which is composed of Member States’ Permanent Representatives to the EU at the ambassador level, and the COREPER I, composed of the Member States’ Deputy Permanent Representatives. Whereas the latter deals with policies related to the environment, transport, agriculture, and health, the former focuses on matters related to general, economic, financial affairs, justice and especially foreign affairs. Therefore, COREPER II works assiduously with FAC, elaborating all preparatory work for its meetings.

Finally, below the level of these committees there are several working groups composed of national experts, Commission representatives and technicians who contribute crucially to the work of COREPER and PSC. Although these have no authority to take autonomous decisions, they foster

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<sup>106</sup> See article 26 TEU

<sup>107</sup> “EUR-Lex - Coreper - EN - EUR-Lex,” eur-lex.europa.eu, n.d., <https://eur-lex.europa.eu/EN/legal-content/glossary/coreper.html>.



mutual consultation, exchange of information, and cooperation between national diplomats and Commission and EEAS staff.

In the decision-making system, the Council, composed of its substructures, is called upon to implement the strategic guidelines and interests submitted by the European Council, bearing the decisions necessary for defining and implementing the CFSP, including decisions on actions and positions. According to article 31 of TEU, the Council acts unanimously, except that abstentions do not prevent decisions from being adopted. Article 31 also presents some cases in which qualified majority voting (QMV) applies instead of the principle of unanimity. Specifically, this occurs in the adoption of “a decision defining a Union action or position on the basis of a decision of the European Council relating to the Union’s strategic interests and objectives” and in the case of adoption of a decision defining a Union action or position on a proposal which the High Representative has presented following specific request from the European Council, made on its own initiative or that of the High Representative”<sup>108</sup>.

Overall, the voting system in the CFSP and CSDP context is challenging. The aforementioned article, therefore, outlines rather intricate and convoluted voting procedures, further complicated by the presence of additional issues. Indeed, in addition to unanimity and its derogations, the Treaty also provides for constructive abstention through which a state, by means of a formal declaration, can exempt itself from applying the decision it abstained, which would otherwise be binding on the Union, and specific limitations on QMV derogations for what concerns decisions with military or defence implications.

The definition and implementation of the Council’s CFSP are met with the support and participation of the High Representative. Undoubtedly, this emerges as the institution most involved in decision-making and with more responsibility. Indeed, the HR plays a bridging role between national and supra-national interests, combining the triple function of representative of the Union on CFSP and CSDP matters, chairperson of the EU’s Foreign Affairs Council, and Vice-President of the European Commission with responsibility for the Commission’s external action and coordination of other aspects of EU’s external action<sup>109</sup>.

The High Representative’s numerous functions correspond with multiple tasks and responsibilities. In the area of decision-making, it not only chairs the FAC but also has the power to submit initiatives and proposals to the Council (Arts. 30 and 42 TEU), to seek solutions if no agreement is reached, and is also called upon to regularly consult and notify the Parliament (Art. 36)

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<sup>108</sup> “EUR-Lex - 12016M031 - EN - EUR-Lex,” Europa.eu, 2016, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12016M031>.

<sup>109</sup> See article 18(4) of TEU.

on the measures taken and to participate in the work of the European Council. Henceforth, if the Council and the European Council adopt a decision, it is the HR's duty to ensure its enactment by coordinating the actions of the ministers of foreign affairs of the Member States (Art. 32). Furthermore, from a tactical perspective, it works together with the Political and Security Committee to coordinate the civilian and military aspects of CSDP missions (Art. 43 TEU).

Lastly, the HR, in conjunction with the Council, is engaged in ensuring the unity, consistency and effectiveness of the Union's external actions as well as Member States' compliance with the principles of the CFSP (Arts. 26 and 24 TEU).

In performing his/her functions, the HR is assisted by the European External Action Service and a dense network of EU delegations (see chapter 2.4). These, besides expressing the Union's position in international organisations and conferences, actively participate in the work of the HR by "exchanging information, formulating and implementing the common approach of the EU and ensuring that decisions defining Union positions and actions are complied with and implemented"<sup>110</sup>.

Ultimately, completing the decision-making mechanism's framework requires the assessment of the role played by the European Parliament, the Commission and the Court of Justice. Although these are central institutions in the normal setting of the European Union, as already highlighted above, in security and defence matters, their degree to act is considerably reduced, except for a few limited cases. In concrete terms, the TEU assigns the EP consultative function implemented by "addressing questions or making recommendations to the Council or the HR"<sup>111</sup>. Nevertheless, the Parliament holds some hidden powers affecting its decision-making ability. Firstly, it can exercise the veto power over association and cooperation agreements with third countries, over the financial protocols with third countries and the ratification of international agreements (Keukeleire & Delreux, 2022, p.87), thus becoming an essential actor in the conclusion of the agreement. Furthermore, being one of the two budgetary arms of the EU together with the Council, the Parliament exploits its budgetary power to "try to gain a foothold in the CFSP (Keukeleire & Delreux, 2022, p.87).

Similarly, the European Commission is also widely sidelined in the CFSP and CSDP. However, the Commission's position in the European foreign policy framework is quite awkward. Indeed, while it plays a crucial role in defining, promoting and implementing European external action, its function is extremely limited by Treaty provisions in the strategic and operational realm of security and defence.

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<sup>110</sup> "EUR-Lex - 12016M035 - EN - EUR-Lex," Europa.eu, 2016, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12016M035>.

<sup>111</sup> See Article 36 TEU.

Moreover, except for its financial tools (see Chapter 2.5), in the decision-making system, the Commission is deprived of its main prerogatives: the right of initiative, which translates into the exclusive power to propose legislative acts and the budgetary function, which refers to the power to implement the budget in accordance with the provisions of the financial regulations made by the Council (Arts. 314 and 317 TFEU).

Despite this, the Commission still retains the possibility of submitting joint proposals with HR to the European Council (Art. 22.2 TEU). The Commission's intervention is needed "when the implementation of CFSP decisions requires the use of instruments in the field of external action (such as sanctions or aids), or when financing is required through the CFSP budget, which is part of the general EU budget and thus managed by the Commission"<sup>112</sup>.

Ultimately, in order to finalise the entire decision-making framework, it is necessary to evaluate the role of the Court of Justice of the EU within this framework, and to what extent the judicial review is carried out. In the first analysis, it is relevant to recall article 19 of the TEU, which states that the Court "shall ensure that in the interpretation and application of the Treaties the law is observed"<sup>113</sup>.

However, when it comes to CFSP and CSDP, the work of the Court is severely limited. As a matter of fact, according to Article 24 TEU "the Court does not have jurisdiction with respect to these provisions"<sup>114</sup>, with the sole exception of its jurisdiction to monitor compliance with Article 40 of TEU and "to rule on proceedings, brought in accordance with the conditions laid down in Article 263 of TFEU, reviewing the legality of decisions providing for restrictive measures against natural or legal persons"<sup>115</sup>. Finally, Article 275 TFEU lays the foundations of the review system of CFSP acts. Accordingly, these acts can only be reviewed on one ground: compliance with Article 40 TEU. Consequently, there are no procedural requirements specified for this action and they can be reviewed by the Court in direct actions, preliminary rulings on the validity of acts and infringement proceedings (Lonardo, 2023, p.67).

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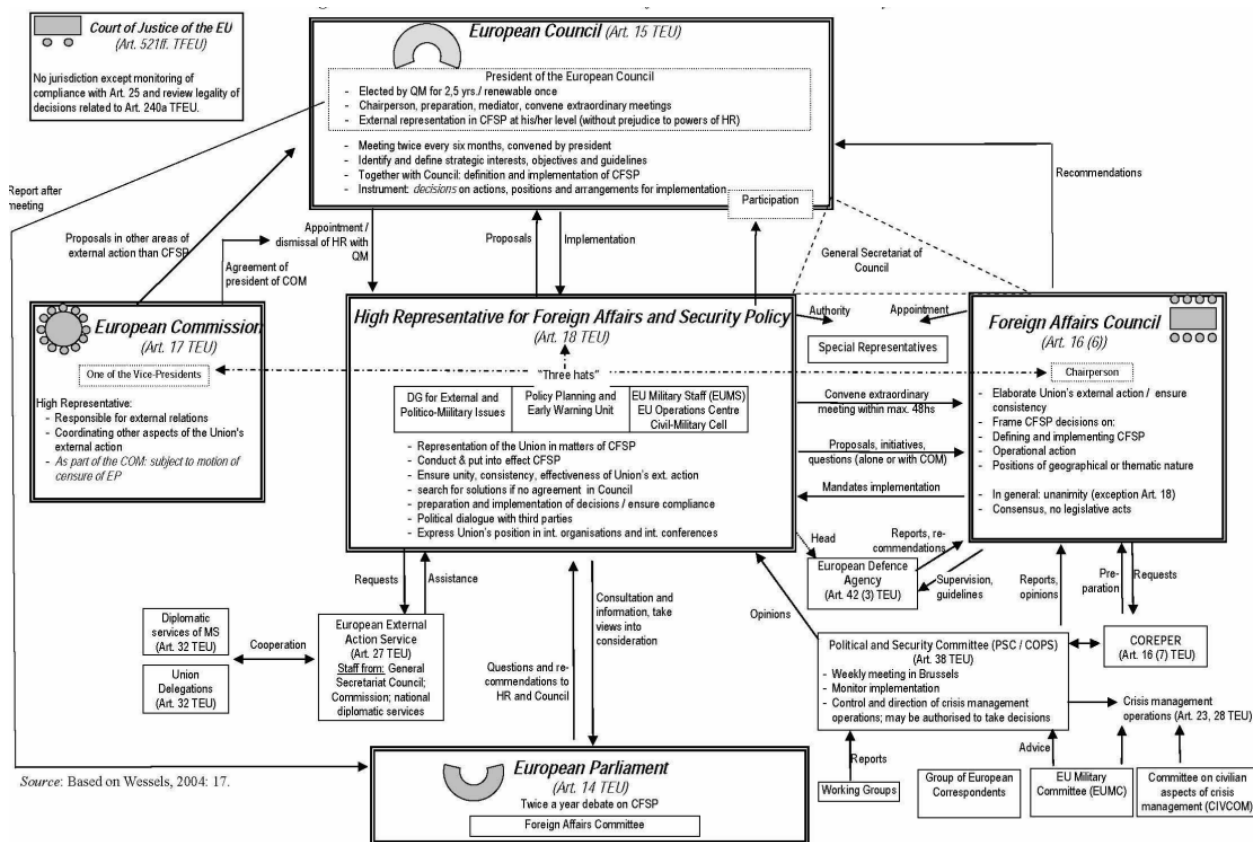
<sup>112</sup> Ibidem.

<sup>113</sup> "EUR-Lex - 12016M019 - EN - EUR-Lex," Europa.eu, 2016, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12016M019>.

<sup>114</sup> "EUR-Lex - 12012M024 - EN - EUR-Lex," eur-lex.europa.eu, October 26, 2012, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:12012M024>.

<sup>115</sup> "Art. 275 TFEU," lexpacency.org, n.d., [https://lexpacency.org/eu/TFEU/ART\\_275/](https://lexpacency.org/eu/TFEU/ART_275/).

**Figure 8 The Decision-making system in CFSP/CSDP**



*Source: Wessels and Bopp, 2008*

## 2.11 Conclusion

Political weight and economic prominence, therefore, make the European Union a significant international player. Its international importance is accompanied by an extremely complex and interconnected foreign policy system. The major players in this framework are, on the one hand, the European institutions, favoured by the Community method, and on the other, the Member States, which enjoy relevant prerogatives under the intergovernmental method.

While the adoption of measures or policies within the Community framework take place following the ordinary procedure, in security and defence, the process is more fragmented and challenging. As a matter of fact, since the states have always been reluctant to grant derogations to their defence powers, a decentralised model of decision-making has emerged.

Indeed, states, through the Council, manage the fundamental aspects of CFSP and, consequently, CSDP. From the choice of guidelines to the adoption of Union positions and actions, Member States are involved in the finalisation of security and defence policies, supported by the High Representative who performs the triple role of Foreign Affairs Council chairperson, Commission vice-

president, and Union CFSP representative, and secondarily by the European Parliament and the European Commission which, although reduced in tasks and prerogatives, contribute to the work of the Council by advising and managing the budget.

Ultimately, this fragmentation of the security and defence system also manifests itself in the budget framework in which European and state funding mechanisms apply according to the operations category. Whereas civilian missions are financed through the CFSP's budget, military ones are entirely the burden of the Member States. Even though some common costs in CSDP missions are guaranteed through some communitarian instruments, including the EPF, military operations remain under the economic power and choice of European countries. Like in the Council, Member States have the power to influence the adoption of decisions and the implementation of operations through the unanimity rule, so they constrain the enactment of military missions by providing a reduced budget.

### III

## THE CFSP AND CSDP IN ACTION: ANALYSIS OF EUROPEAN CIVILIAN AND MILITARY MISSIONS, CRITICAL ISSUES AND THE PATH TOWARDS STRATEGIC AUTONOMY

*The European Union is a daily project for peace. All member states, large and small, old and new, have their place at the table and can make their voices heard. Building unity from so much diversity can be burdensome, but constant cooperation and the ability to patiently negotiate lead us to a consensus with great solidity*  
(Federica Mogherini)

### 3.1 Introduction

Over the years, global geopolitical changes have demanded European attention to the issue of security and defence. Since the creation of the CFSP, Brussels has worked to provide practical tools for its implementation, establishing elements such as the CSDP and initiating enhanced interstate cooperation initiatives like PESCO. Thus, in addition to adopting positions, policy papers, and documents to outline its policy directions, the Union began to intervene on the ground by organising civilian and military missions to areas affected by phenomena such as civil wars, terrorist and criminal activities, and humanitarian and climate crises.

Therefore, the chapter aims to illustrate the field performance of planned operations, highlighting their objectives, context, successes, and, most importantly, shortcomings. In total, the Union took part in thirty-seven operations, divided into five main areas: Eastern Europe, Western Balkans, Mediterranean, Middle East and Africa, with particular focus on the Horn of Africa and the Sahel.

After reviewing the different missions, studying their organisation, implementation and the effects, the research focuses on analysing critical issues and problems that arose at the beginning and end of the mandate. Indeed, the study aims to underline the main weaknesses of European action in order to trace the right strategies for improving the EU's security Architecture.

Lastly, the chapter concludes by suggesting solutions to address European defence's structural and strategic shortcomings. From the amendment of the Lisbon Treaty to the need for a joint European defence and to the controversial nature of the concept of Strategic Autonomy, the chapter also outlines a hypothetical path of reforms and centralisation of security and defence prerogatives in the hands of the EU institutions, in order to make the European Union able to respond more quickly and effectively to new global challenges.

### **3.2 Brussels as a global player: major civilian and military missions and areas of interest.**

The birth of first the CFSP and then the CSDP occurred, as presented in Chapter 1, from the need due to the outbreak of the war in the Balkans (1991-2001) to provide the Union with military instruments and intervention capabilities for the resolution and management of extraordinary events. Following the original idea of the European Union as the guarantor of an international order based on the common values described and protected by the treaties, Brussels has, over the years, made concrete use of the defence and security tools at its disposals.

The economic influence as well as the diplomatic and political relevance the Union possesses globally have meant that Brussels has often been called upon by other states (i.e United States) and international organisations (i.e UN and NATO) to participate in international mandates in areas of conflict or crisis. Although with military and defence policies still in their embryonic phase and with minimal operational capabilities, the EU has attempted to build its own actorness, in this case military, in the international arena, participating in various missions worldwide.

Thus, since the institutionalisation of CFSP and later CSDP, referring to the 1992 Petersberg tasks (see chapter 1.3), Brussels has launched and managed 37 operations on three different continents (Legrand, 2022) with frequently satisfactory and positive outcomes. The spectrum of operations managed by the EU comprises three categories: military, civil and hybrid. This classification is based on certain differences in terms of objectives, organisation, chain of command and financing procedures.

When established, each mission is qualified by the Council by choosing one of these categories. It is clear that different types of interventions correspond to equally different objectives and dynamics. In the case of civil operations, they generally include training mandates for local security forces, border control, patrolling, monitoring the implementation of international agreements, strengthening the rule of law and security sector reforms operations.

Conversely, interventions qualify as a military if an armed confrontation or combat is planned and foreseen. In this case, mission targets primarily include disarming rebel groups or warring factions, stabilising conflict areas and improving humanitarian conditions, and protecting critical infrastructures such as airports, government sites, and individuals such as refugees, internally displaced persons or government personnel.

In addition, considering the other divergent elements, military missions, unlike civilian ones, must be based on a UN mandate in accordance with Chapter VII of the UN Charter. Then, within the European institutional framework, there are differentiated chains of command according to the type of

operation. While the CPCC manages civil operations in cooperation with the CIVCOM, military interventions are politically supervised by the PSC and tactically supported by the MPCC and the EUMS (see Chapter 2.7).

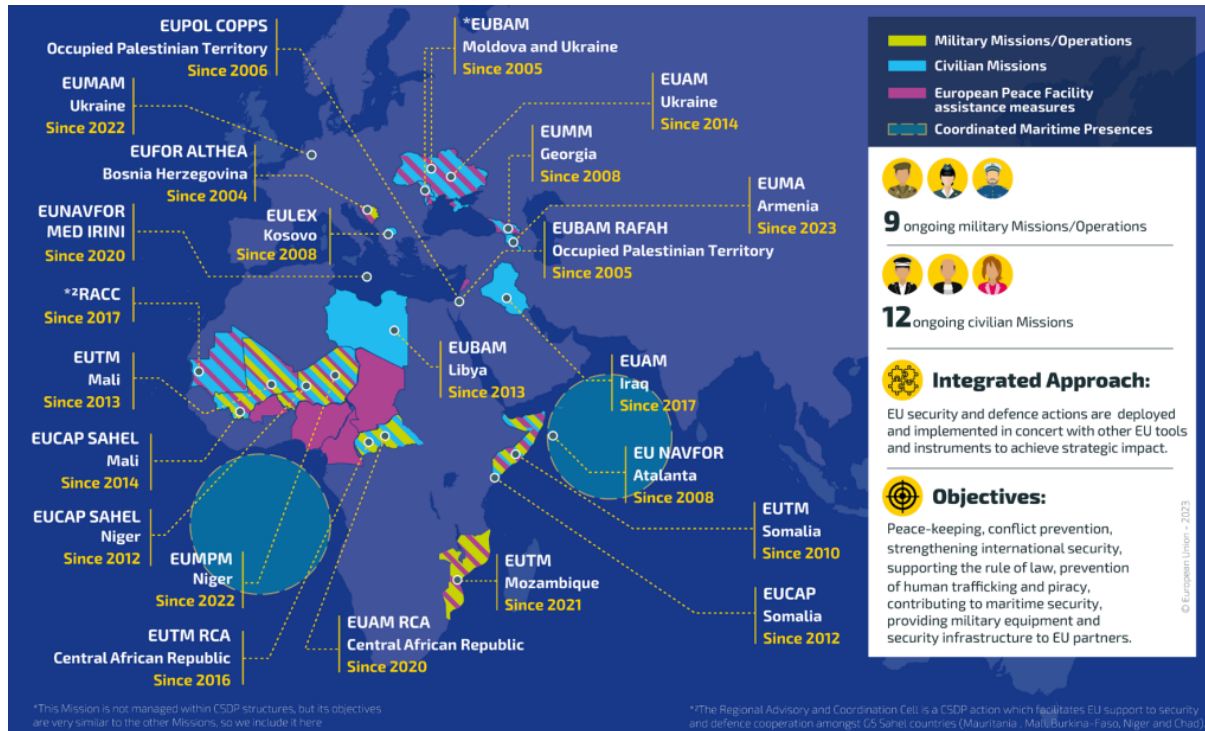
Furthermore, another reasonably significant issue is mission financing. As a matter of fact the common costs of civil interventions are financed using the CFSP budget which is administered by the Commission's Service for Foreign Policy Instrument (SFPI) under the responsibility of the HR/VP (Cirlig, 2016). In contrast, the general principle for military missions is that the costs must be covered by the participating states (Petrangeli, 2020), following the rule that *costs lie where they fall*. Accordingly, each country pays for the assets and personnel used in the mission itself, except for a small share of common costs, about 5 to 15%, which are financed through the new European Peace Facility (see Chapter 2.4).

Lastly, it is crucial to underline that in some cases, there are civil missions in which military personnel participate and vice versa, or operations that qualify as military but perform functions that can be traced back to the semantic area of civil operations. In this respect, hybrid missions are referred to as interventions that combine the characteristics of civil operations with military ones. For example, the EU Support to Amis Action mission that operated in Darfur between 2005 and 2007 was a joint civilian and military mission. Concerning this, the settlement of a hybrid mission entails several problems mainly related to the need for excellent coordination between the civil and military command authorities, which is often lacking in the field. Therefore, the organisation of these missions requires a considerable effort to harmonise procedures and implementation mechanisms, with the constant risk of power overlaps, confusion in directives, and internal diatribes.

Currently, the European Union is engaged with a force of about 4000 men and women in twenty-one CSDP missions, of which twelve are civilian and nine military. Due to geographical proximity or political and economic interest, European action is primarily directed towards areas that play a strategic role in the geopolitical order, as established in the New European Security Strategy first and in the Strategic Compass later. In the last two decades, in parallel with the increase in CSDP instruments and mutation of political scenarios, the focus of the CFSP had broadened considerably, favouring the deployment of missions in new areas outside Europe. Presently, Brussels is engaged in six global spots (figure 9) that include Eastern Neighbourhood which comprises Ukraine, Georgia, Moldova and Armenia, the Western Balkans with a priority on Bosnia Herzegovina and Kosovo, the Mediterranean, the Middle East with missions in Iraq and Palestine, and finally, Africa where there are several operations in the Sahel, the Horn of Africa and in Mozambique.



Figure 9 EU Security and Defence engagement around the World



Source: European Union External Action Service

The number of missions and the diversity of objectives set by Brussels represent the EU's aspiration to reclaim a role in the international order as a security and defence actor. Engaged with operations in the dual domains of land and sea, the Union is gaining increasing international relevance and experience, ranging from the reform and training of armies, the fight against piracy and smugglers, and from border management to conflict prevention, fight against organised crime and the monitoring of the judicial system and the rule of law.

Undoubtedly, it is clear that despite the enlargement of the EU's area of influence, most European missions are located in territories that are contiguous to the EU's borders or linked by historical, political and cultural ties to one or more MS. Even before establishing itself globally as a great power, the EU has been concerned with addressing major challenges close to its borders. As a result, the creation of secure borders, the possibility of continuing the integration process with the inclusion of new states and the stability of former African colonies are, albeit ambiguously, not only the primary reasons for the emergence of defence and security policies but also the pillars of European action as well as its leading objectives.

### 3.3 The Eastern Neighbourhood: EUAM Ukraine and EUMM Georgia

Since the period before the collapse of the Soviet Union, the eastern border has been a significant testing ground for the newly formed European Union. Even before 1991, the Member States of the European Community had begun to establish diplomatic relations with the Central and Eastern Bloc countries with a view to potential entry into the Community, later to become the European Union. After relentless diplomatic efforts, as well as various political and economic difficulties, between 2004 and 2007, the Union prepared for a historic eastward enlargement, the fifth in its history, by extending its border to the Czech Republic, Slovakia, Hungary, Lithuania, Latvia, Estonia, Poland, Slovenia, Malta, Cyprus, and subsequently to include Romania and Bulgaria.

Nevertheless, this enlargement had significant consequences for diplomatic and trade relations with Russia, with which relations cooled. Even though over the years, the Member States have continued to maintain political relations with Moscow, a series of events, including the invasion of Georgia in 2008, the pro-Europe Revolution in Ukraine in 2014, and the Nagorno-Karabakh war have contributed to a worsening of the geopolitical picture in the region, causing the EU-Russia relationship to sour.

At the time of writing, the outbreak in February 2022 of the war in Ukraine because of Moscow's willingness to occupy Kyiv, "has substantially complicated relations with Russia, reviving dynamics assumed had been extinguished at the end of the Cold War"<sup>116</sup>. Indeed, the EU had maintained diplomatic relations with Ukraine from the moment it proclaimed itself an independent state in 1991. Then, in 2007, together with Georgia and Moldova, Brussels and Kyiv began negotiations on the Association Agreement to establish a free trade area and a political dialogue in order to promote gradual convergence on foreign and security policy, to improve cooperation in the area of justice, freedom and security, and to enhance economic integration (Evola, 2019).

However, the ratification of this agreement slipped to 2013, sinking completely when the former Ukrainian President Yanukovich refused to sign it, preferring the Russian counter-offer of "buying eleven billion euros' worth of Ukrainian bonds and substantially lowering the price of gas exports to Ukraine"<sup>117</sup>. From this moment on, the pro-European front began a series of protests against President Yanukovich and his alignment with Moscow, sparking an escalation of violence and tension with pro-Russian factions, followed by the notorious events of the invasion of Crimea and the independence of the pro-Russian republics of the Donbas.

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<sup>116</sup> Javier Solana, "European Foreign Policy and Its Challenges in the Current Context," OpenMind, 2016, <https://www.bbvaopenmind.com/en/articles/european-foreign-policy-and-its-challenges-in-the-current-context/>.

<sup>117</sup> Javier Solana, "European Foreign Policy and Its Challenges in the Current Context," OpenMind, 2016, <https://www.bbvaopenmind.com/en/articles/european-foreign-policy-and-its-challenges-in-the-current-context/>.

The Dignity Revolution of 2013-2014 profoundly shook the country, reinforcing the “distrust of the Ukrainian public towards government and security forces following a series of violent events involving protesters, riot police, and unknown shooters in the capital Kyiv”<sup>118</sup>

In this context, in order to calm the violent protests and restore order so that negotiations could continue, the European Union Advisory Mission for Civilian Security Sector Reform (EUAM) was established at the request of the Ukrainian government in December 2014. EUAM’s mandate was to help the Ukrainian government implement a reform of the civil security sector by “providing strategic advice and practical support for specific reform measures in accordance with EU standards and international principles of good governance and human rights”<sup>119</sup>. Headquartered in Kyiv, Odessa and Lviv, the mission comprises a team of 300 international advisors which are tasked to develop strategic and legislative documents, provide advice, train, equipments and monitor the civil security sector reform process.

Overall, although there have been delays in the initial launch of the mission and with the deployment of equipment, EUAM’s strategic engagement in Ukraine has to a large extent contributed to the success of Ukrainian reforms (Hudziuk, 2022), in particular by facilitating the 2015 police reform, and the investigation and prosecution of all war crimes committed in connection with Russia’s military aggression against Ukraine (Hudziuk, 2022).

Nonetheless, the mission in Ukraine represents only one of the Union’s interventions in the Eastern Bloc. Indeed, as early as 2004, with an operation aimed at strengthening the rule of law, Brussels had already participated with the Georgian government in drafting a national criminal justice strategy mission EUJUST THEMIS.

Accordingly, ensuring the stability of the South Caucasus region has been a priority on the European agenda since 2003, as suggested by the European Security Strategy. For this reason, following the Russian invasion of Georgia in August 2008, the EU played a crucial role first in negotiating a ceasefire and reaching a peace agreement and then in monitoring the implementation of this agreement. Concretely, after the ratification by Moscow and Tbilisi on 12th August of the six-point Agreement and its implementing Agreement on 8th September 2008, the EU deployed the European Union Monitoring Mission (EUMM) with a CSDP mandate on 1st October of the same year.

The mission, strongly sponsored by Nicolas Sarkozy, the former President of France, which held the EU Presidency, received an invitation from the Georgian government and settled in Tbilisi. With a mandate expiring by 14th July 2013, subsequently renewed, and a staff of over 300 members, the operation qualified as unarmed and non-executive. As a result, it was charged with reducing the

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<sup>118</sup> See <https://www.euam-ukraine.eu/our-mission/about-us/>

<sup>119</sup> Ibidem.

risk of a resumption of hostilities, monitoring the proper implementation of the six-point agreement, and contributing to long-term stability in Georgia and in the region (Koutrakos, 2013, p.160).

Consequently, in order to achieve their objective, the EUMM commanders structured the mission into four basic steps, which still form the core of the operation today. The first task concerned the stabilisation of the area through meticulous monitoring and analysis of relations between Moscow and Tbilisi to verify compliance with what was agreed in the six-point Agreement. The second step focused on normalising the political and civil situation in Georgia. In this regard, the work concentrated on examining the main developments in civil governance, paying particular attention on the rule of law, law enforcement, energy infrastructures, transport links and security aspects of the return of internally displaced persons.

Subsequently, the duty of the staff, in this case, diplomats involved in EUMM, was to help establish concrete contacts between the warring factions to discuss a possible permanent solution to end the conflict. Finally, the last element included the drafting of a detailed report in order to crystallise some valuable best practices for future missions.

Fifteen years after the launch of EUMM, it is possible to make some considerations about the organisation and the outcome of the mission. Although the South Caucasus remains a politically burning region and relations between Georgia and Russia stay tumultuous, the EU, together with other international actors, managed to freeze the conflict and achieve some progress in Tbilisi civil governance.

Due to the expectations created around the mission in 2008, Brussels foreseen to achieve more concrete results, especially in terms of political stability of the region. However, despite the complexity of the scenario, the EU is not blameless about how the mission was carried out. Indeed, the EUMM encountered severe problems in the initial phase concerning logistics, shipping of equipment, and above all, with regard to coordination at the political and strategic levels on both the internal and external fronts. In terms of EU coherence, the operation took place under the aegis of several institutional actors, from the Commission, which was active in the Caucasus in light of Georgia's participation in the European Neighbourhood Policy, to the EU Special Representative for the Crisis in Georgia as well as the EU Special Representative for the South Caucasus. The coexistence of these players often resulted in overlapping of functions, which also negatively affected the coordination work with the international actors involved such as the United Nations and the OSCE.

In conclusion, a substantial problem has been the lack of homogeneity of Member States in taking unified positions towards Russia. As a result, EUMM mainly paid the price for the Member States' different attitudes towards Moscow, primarily the differences concerning how the situation should be handled in light of Russia's geopolitical importance and the Union's reliance upon it for oil

and gas (Leonard & Popescu, 2009). Thus, the states' prerogatives in foreign and security policy and the lack of a united front within the Union contributed negatively, limiting the mission's objectives and, consequently, its effects.

### **3.4 The Western Balkans: from Concordia to EUFOR Althea**

Certainly, the Union's central areas of interest include the Western Balkans. Being in the heart of Europe, they have always held a strategic position from an economic perspective (suffice it to say that the EU is the region's leading trading partner with almost 70% of total trade) but also politically. Relations with the Balkan countries, abetted by the outbreak of civil war and NATO intervention, have often experienced setbacks as well as diplomatic obstacles and shortcomings.

Despite this, Brussels has consistently reiterated its willingness to maintain dialogues with countries such as Serbia, Bosnia Herzegovina, Albania and Macedonia for possible accession to the European Community. Recently, the President of the European Commission, Ursula von der Leyen, restated the need to build a more united Europe by including the Western Balkans. Related to this is the European effort to initiate, from 1997 onward, discourses concerning a possible accession of some Balkan countries. In this sense, the creation of the Stabilisation and Association Agreement in 1999 is a valuable starting point for the beginning of the accession negotiations. This Agreement commits the Western Balkan countries to "a progressive partnership to stabilise the region and establish a free-trade area"<sup>120</sup>. This explains the Union's allegiance to ensuring a continued presence in the territory politically, civilly, and militarily to significantly improve the region's stabilisation. As a result, the Western Balkans has been a crucial testing ground for the CSDP instrument. Presently, Brussels has deployed four civilian and military missions in the region, two of which have been completed and two others are still ongoing.

The first military intervention in the EU's history, in fact, dates back to 2003 when at the dawn of the end of the Yugoslav wars, in the context of the civil war between the government of the Former Yugoslav Republic of Macedonia and ethnic Albanians, the EUFOR Concordia mission was organised with the objective of taking over the previous NATO operations "Essential Harvest" and "Amber Fox" for the implementation of the peace agreement between the two factions, namely the Ohrid Framework Agreement.

Operation EUFOR was launched on 31st March 2003 and lasted until 15th December, when it expired. It comprised a small number of personnel, around 350 military personnel, and was financed by all Member States except for Denmark (which has a permanent opt-out from CSDP), and fourteen

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<sup>120</sup> European Commission, "Stabilisation and Association Process," neighbourhood-enlargement.ec.europa.eu, December 21, 2020, [https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/stabilisation-and-association-process\\_en](https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/stabilisation-and-association-process_en).

third countries, including many states that would have joined the European Community in 2004 with the fifth enlargement.

Furthermore, in order to proceed with the full implementation of the Ohrid Framework Agreement, Brussels decided to deploy a civilian mission, namely EUPOL Proxima 2003-2005, consisting of 200 police officers with the dual mandate of monitoring and advising in five main areas: consolidation of law and order, including the fight against organised crime, the implementation of the comprehensive reform of the Minister of Interior, creation of border police, establishing of mutual trust between the police and the population, and enhancing cooperation with neighbouring States in the field of policing (Koutrakos, 2013, p.138).

Overall, the implementation of the two missions revealed several weaknesses within the institutional framework of the CSDP. Besides the delayed delivery of material, due to still unclear procedures on the logistical responsibilities of the Member States, many coordination problems arose between the actors involved. As will also happen in the following above-mentioned operations in Georgia and Ukraine, the overlap between the Commission and the Council, through the simultaneous presence of the EU Special Representative and a Commission Delegation, will give rise to a turf war that will even be reflected in the relations between the European personnel and the Macedonian government representatives. Specifically, the lack of information and intelligence sharing, and the reluctance to involve the Commission delegation split the unity of the EU, causing not only a substantial loss of the funds provided by the Commission, but also of Brussels' political and military credibility (Koutrakos, 2013).

At the same time as the missions deployed in Macedonia, due to the geopolitical instability left by the war and the problematic implementation of the 1995 Dayton Peace Agreement, the Union also organised two crucial operations in Bosnia-Herzegovina. Although different in nature, both took the place of previous UN and NATO missions. In this perspective, the police mission EUPM BiH succeeded the United Nations International Police Task Force (UN-IPTF) on 1st January 2003, while the still operational military intervention EUFOR Althea took over from the force that NATO established in 1995 "to monitor the separation and demobilisation of the Bosniak-Croat and Serb forces (Koutrakos, 2013, p.112) in accordance with the Dayton Peace Agreement.

The former was a non-executive mission, which is why its personnel were not armed police officers with the legal capacity to make arrests. Indeed, the main goal of EUPM BiH was to implement the achievements of the UN police mission, further developing the capacity of the Bosnian police to fight organised crime, tackle corruption, and improve the relationship between them and the judiciary through mentoring and advising activities.

On the contrary, Althea is a full-fledged military intervention, comprising approximately 7000 troops deployed on Bosnian territory. According to the Council Joint Action 2004/570/CFSP, the operation's mandate is to "provide deterrence and to contribute to a safe and secure environment in BiH"<sup>121</sup>.

This, however, was not an autonomous operation, as the Union used NATO assets and capabilities and appointed the Deputy Allied Commander for Europe as Operation Commander. It is emblematic of the initial complications and problems the EU faced. Indeed, once the conflict was over, NATO needed to reduce its presence in the Western Balkans, while the Union, totally absent from the conflict, sought a way to legitimise its intervention. As a result, in order to facilitate the handover at both the strategic and tactical levels, NATO and the EU made new changes to the 1994 Berlin agreements, which were expanded and updated to enable the interoperability of NATO assets.

Nevertheless, this handover did not take place smoothly due to the souring of transatlantic relations caused by the start of the US war in Iraq. Concerning it, the US personnel made resistance regarding the sharing of sensitive information and the possibility of having to perform only limited tasks.

From these minor obstacles, considerable problems of coherence and coexistence between Althea and EUPM arose. Since the former was deployed when NATO had already resolved the severe security issues in the area, it found itself in a role that was profoundly different from the mandate and overlapping with EUPM's prerogatives. Indeed, the European contingent largely began conducting actions against organised crime, encroaching on the police mission's area of responsibility and causing substantive disagreements about policy approach and tensions among the European institutions involved.

### **3.5 The Mediterranean: the failure to launch EUFOR Libya and European inaction.**

The structural problems of European action, already experienced with the delayed launch of the operation in Bosnia Herzegovina, showed likewise when, following the Arab Spring of 2011, the Mediterranean was shaken by turbulent revolutions that deteriorated its political stability. Moreover, following the sudden political changes in the Near East and countries such as Tunisia, Egypt, Algeria and Libya, the geopolitical balance in the Mediterranean precipitated with future consequences for migration, human trafficking and Western democracies.

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<sup>121</sup> "EUR-Lex - 32004E0570 - EN - EUR-Lex," Europa.eu, 2023, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32004E0570>.

In this delicate scenario, the European Union failed to manage the outbreak of civil war in Libya, a strategically crucial country in the Mediterranean chessboard. The political situation in Libya quickly deteriorated in February 2011. Despite the violent repression of the then head of government Gaddafi, protesters had managed to occupy Benghazi, Libya's second-largest city, and set up a parallel government.

As a result of the increasing number of civilian casualties and the risk of Gaddafi's use of heavy weapons, the UN Security Council adopted Resolution 1973 in March 2011, authorising the Member States to employ all the necessary measures to protect the civilian population in the conflict area. Consequently, a coalition of states led by France and the United Kingdom was formed with the reluctant support of the United States, which launched a military intervention to enforce a no-fly zone. With Western help, the rebels succeeded in overthrowing the dictatorial government of Gaddafi, who was captured and killed in October 2011.

Nevertheless, while the military operation was, from a tactical perspective, a success, the reaction of the European Union provoked several criticisms concerning its ability and willingness to act as a crisis management actor in its neighbourhood (Keukeleire & Delreux, 2022). Although European countries mainly led the military intervention, rifts were created with Italy and Germany when discussing the possible deployment of the EUFOR Libya mission. Indeed, these were sceptical about using military means to solve the Libyan crisis, as they feared that the long-term effects of such an operation would be adverse for the process of securitisation of the country.

Despite this, two years after the outbreak of the Libyan crisis and the exacerbation of migration flows in the Mediterranean, Brussels, almost forcibly, established the EU Border Assistance Mission with a mandate, on the one hand, to respond to the training needs of Libyan personnel, with training modules and advisory activities, and on the other, to provide Libyan administrations with the strategic advice and capabilities required for integrated border management (Gentiloni, 2016).

In assessing the planning and effects of these missions, it is essential to consider the timing, as it played a significant role in the failure of EUBAM and subsequent naval operations. Indeed, the time frame between the removal of Gaddafi and the mission establishment was too long (Christensen, Ruohomäki & Rodt, 2018). Brussels had to wait for a formal invitation from the Libyan government, which, however, took an excessive long time to arrive as there was no single authority with the power to make such a decision. Consequently, this delay led to a loss of momentum and prompted the EU, once it had struggled to get the invitation, to organise the mission quickly and haphazardly without following the standard procedures for constructing an operation plan (Christensen, Ruohomäki & Rodt, 2018). Thus, the failure to assess social, political and security risks and vulnerabilities resulted in general disorientation and loss of effectiveness of the initiative.



Alongside EUBAM, which is still ongoing following a renewal of the mandate by the Council that will expire on 30 June 2023, the EU had flanked Operation EUNAVFOR Sophia with the aim of combating human trafficking, managing migration flows, supporting the training of the Libyan Coastal Guard and guaranteeing the UN embargo on arms sales to Libya. In 2019, following the contrary decision of some states, including Italy due to a lack of agreement on disembarkation points and the relocation of rescued migrants (Alagna, 2020), this was replaced by the current operation EUNAVFOR Iriini. The new operation takes up the tasks of Sophia, but excludes Search and Rescue (SAR) activities, because of the political tensions they had created.

In light of this, it is evident that Operation Sophia and Iriini both fall into the category of EU foreign policy decisions taken under political and popular pressure to do something, but lacking in political courage to do what is really necessary (Alagna, 2020). Unfortunately, the logic of this approach is often the driving force behind European CFSP and CSDP policies with the result that military and civil operations are frequently limited to only what is strictly necessary without any strategic foresight.

The results of this condition are very clear in the performance of Sophia and Iriini. In the former, as political tensions arose, SAR activities were quickly suspended as soon as the general attention to the issue and the related public outcry diminished (Alagna, 2020). Instead, in the case of Iriini, the main shortcomings stem from the exclusively maritime approach used to secure the arms embargo, which, by not considering air and land supplies, takes the risk of not implementing a comprehensive embargo, thus “reinforcing one party to the conflict (Haftar’s Libyan National Army) to the detriment of the other (the UN-backed government in Tripoli) (Megerisi, 2020).

In conclusion, the EU’s measures have not actually improved as desired the Libyan migration situation; on the contrary it crumbles the image of the EU as a responsible and effective foreign policy actor. Remarkably, “the price paid by the EU in terms of its credibility is well illustrated by the criticism coming from international organisations, NGOs and human rights advocates”<sup>122</sup>, as well as by the negative effects these missions have had on the population.

### **3.6 The Middle East: focus on European involvement in Iraq, Afghanistan and Palestine**

The first European intervention in the Middle East region is connected to the outbreak of the Iraq war in 2003. The US decision to undertake the military campaign against Saddam Hussein split

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<sup>122</sup> Council of Europe, “Lives Saved. Rights Protected. Bridging the Protection Gap for Refugees and Migrants in the Mediterranean,” 2019, <https://rm.coe.int/lives-saved-rights-protected-bridging-the-protection-gap-for-refugees-/168094eb87>.

the European front, developing differences within the European Council. Whereas some states such as Italy, the United Kingdom, Spain and Portugal shared the American involvement, there were countries like France and Germany that did not express their support for the manoeuvre.

Yet, this situation underlined the inability of the European Union to adopt a common stance on an issue of significant importance for the international scenario. The former President of the European Commission, Romano Prodi, given a possible involvement of Brussels in the CFSP, pronounced himself rather negatively about the real ability of the Union to intervene in such a controversial context.

As a result, the organisation of a civil intervention in Iraq was delayed by two years since the outbreak of the war, with several limitations in terms of personnel numbers, mandate and capabilities. Thus, in July 2005, the mandate of EUJUST LEX began, a non-executive mission funded by seventeen MS<sup>123</sup>, with the objective of “improving the capacity, coordination, and collaboration of the different components of the Iraqi criminal justice system in full respect for the rule of law and human rights”<sup>124</sup>. The mission, which ended on 13th December 2013, was envisaged “to be complementary and bring added value to ongoing international efforts, particularly of the United Nations, and develop synergies with ongoing Community and Member States efforts”<sup>125</sup>.

Despite this, in practical terms, coordination problems immediately arose with both the delegates of the Commission and the staff of the other missions present on the ground and organised by the MS. Finally, at the end of the mandate, due to the poor results and reduced visibility achieved, the Council decided to end the operation with the support of a large group of MS (Koutrakos, 2013).

However, the Union will maintain its presence in the area through the EU Advisory Mission in Iraq (EUAM), another low-profile civilian mission still running with advising tasks in the field of Security Sector Reform (SSR).

Similar problems occurred later in the launch of the 2007 EUPOL civilian police mission in Afghanistan. This was a non-executive operation with mentoring, advising and training tasks for the Afghan police. Focusing on anti-corruption, police training, and intelligence implementation, the EU was committed to “contribute to the establishment of sustainable and effective civilian policing

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<sup>123</sup> Austria, Belgium, Bulgaria, Denmark, Finland, Germany, Hungary, Ireland, Italy, Lithuania, the Netherlands, Poland, Portugal, Romania, Spain, Sweden, the United Kingdom.

<sup>124</sup> European Council, “COUNCIL JOINT ACTION 2005/190/CFSP,” March 7, 2006, <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CONSLEG:2005E0190:20080623:EN:PDF>.

<sup>125</sup> Ibidem.

arrangements and to support the reform process towards a trusted and efficient police service within the framework of the rule of law and respects human rights”<sup>126</sup>.

However, although the EU managed to implement this operation in such a hostile territory as Afghanistan, at the time of deployment, it was not really prepared to maintain such a commitment. Firstly, the dangerous political environment caused Member States to be reluctant to send qualified personnel and equipment. An emblematic case is the impossibility in July 2007, two months after the mission’s launch, for personnel to move from base camp due to the lack of armoured vehicles suitable for moving around the area.

Other more critical issues compounded this during the course of the operation. Undoubtedly, aggravating EUPOL’s operational capacity were once again the difficulties it encountered in coordinating its work with other actors in the field. Even though one of EUPOL’s tasks was precisely to harmonise other stakeholder’s activities in the Security Sector Reform field, internal disagreements between EU Representatives and the overcrowding of international missions with a similar mandate created obstacles to the fulfilment of this task.

Moreover, throughout the duration of the operation, Member States continued to be engaged in their individual, almost always police missions, showing reluctance to participate in the EU-sponsored operation (Perna, 2023). For these reasons, the mission’s mandate was left to expire on 31st December 2016 without any extension. Thus, Brussels missed another opportunity to prove itself as an effective and responsible foreign policy actor. Nonetheless, it is crucial to consider the experience of EUPOL as negative, not because the situation in Afghanistan remained politically and militarily unstable, but because Brussels failed to promote the idea of “united” and homogeneous action, and consequently achieved inferior results in terms of internal and external cooperation.

In conclusion, always considering the Middle East scenario, it is also crucial to mention the European involvement in Palestine as a further element in assessing Brussels’ commitment to the area. Since the 1980s, the EU has put a lot of resources and energy into managing the Israeli-Palestinian crisis. Having become a member of the Quartet, namely the four parties involved in the mediation between Israel and the Palestinian authorities, together with the UN, the US and Russia, the EU has been constantly engaged in the region in terms of diplomatic, political and economic action.

In this scenario, the EUPOL COPPS initiative, a non-executive civilian mission launched on 1st January 2006 and still operative with the aim of helping the Palestinian authorities to enforce a reform of the Palestinian Civil Police in the broader context of Security Sector and Criminal Justice, has been launched. An agreement was quickly reached in the Council on the launch of the mission, in

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<sup>126</sup> “EUR-Lex - 32007E0369 - EN - EUR-Lex,” Europa.eu, May 27, 2007, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32007E0369>.

which all twenty-seven MS participated, and parallelly, the Commission facilitated the release of some funding to support the MS intervention. Initially conceived for limited purposes, over the years, as satisfactory standards were achieved, the operation broadened its scope as the rule of law aspect became more prominent, and its approach became more distinctly oriented towards strengthening the criminal justice system's capacity as a whole.

Despite continuing tensions with Israel and the confinement of the Palestinian governmental authority in the West Bank, the Union managed to mentor and train the police force, achieving favourable results in terms of coordination between local actors and European representatives, between Member States, and in establishing a level of basic law and order within the West Bank and in countering terrorism (Kristoff, 2012). Presently, this operation portrays a notable instance of proper planning and implementation of a CSDP operation, as well as an excellent EU experience in the field of crisis management and security force assistance.

### **3.7 Africa: from the war in RD Congo to the instability in the Sahel and the fight against piracy in the Horn of Africa**

Ensuring lasting peace and security on the African continent remains one of the main objectives of European policies. Over the years, the European Union has built fruitful relations and cooperation with various African states and organisations by working on projects for the development of peace, security and governance. This long-standing commitment is demonstrated by the countless diplomatic and economic initiatives implemented on the African continent and the considerable civilian and military missions there.

In concrete terms, out of eighteen missions and operations deployed under the Common Security and Defence Policy worldwide, eleven are conducted in Africa, either under UN mandate or at the request of African partners. In addition, “the European Union has always been among the strongest and most reliable supporters of the African Union's and Regional Economic Communities' peace support operations and, more generally, of the African Peace and Security Architecture”<sup>127</sup>.

Recently, African and European leaders reinforced this strong bond at the 6th EU-African Summit held in Brussels in February 2022, where they adopted the Joint Vision 2030, a document that consolidates the strategic partnership “designed to combat instability, radicalisation, violent extremism and terrorism and scale up autonomous peace operations of African defence and security forces,

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<sup>127</sup> European External Action Service, “EUROPEAN UNION COMMON SECURITY and DEFENCE POLICY MISSIONS and OPERATIONS,” July 2022, [https://www.eeas.europa.eu/sites/default/files/documents/CSDP\\_Annual\\_Report\\_2022\\_EN\\_updated\\_web\\_0.pdf](https://www.eeas.europa.eu/sites/default/files/documents/CSDP_Annual_Report_2022_EN_updated_web_0.pdf).

including through EU missions and assistance measures, as well as support for law-enforcement capacity building”<sup>128</sup>.

On the other hand, the Union, through its Member States, especially France, Belgium, the Netherlands, and Italy, is culturally and historically linked to Africa. Even at the end of the decolonisation process, European states maintained economic and political interests on the continent. As a result, this deeply influenced the direction of the CFSP and the countries’ foreign policies.

Paying special attention to the first interventions, it happened, indeed, that some missions, primarily military, were the result of considerable pressures from the Member States, eager to use the European instruments to justify their presence and protect their interests.

The first European interventions, with France’s placid and sustained approval, occurred from 2003-2005 in the Congo, the Darfur and Central African areas. In the first case, the Union deployed two military missions, namely Operation Artemis and EUFOR RD Congo, at the request of the United Nations.

Operation Artemis was part of the Union’s attempt to act as a bridge between operation MONUC and the international community in implementing the Lusaka Ceasefire Agreements. In this case, the UN provided the necessary legal framework for the deployment of the operation, formally inviting states, through the adoption of SC Resolution 1484, to contribute to a multinational force that would be deployed in Bunia, an area rich in natural resources, which was the epicentre of clashes between militias and forces originating in Uganda (Koutrakos, 2013, p.109). Thus, Brussels, at the strong insistence of France, which then assumed command as the Framework nation, launched the operation, deploying, for the entire duration of the intervention, about four months, approximately 2000 troops, thanks to the contribution of fourteen Member States and three third countries<sup>129</sup>.

Three years later, at the request of a UN mandate, the EU newly deployed troops to support MONUC during the elections in DR Congo. The tasks entrusted to EUFOR, which was led by Germany, ranged from protecting the country’s infrastructure, such as Kinshasa airport, and civilians, to executing limited actions to extract individuals in dangerous situations.

Both missions were completed satisfactorily, positively contributing to raising the Union’s profile in international politics. Indeed, on the one hand, with Operation Artemis, the EU ventured for the first time into an intervention without the use of NATO resources, managing to stabilise the environment in the Bunia region without excessive losses. On the other hand, EUFOR, together with

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<sup>128</sup>African Union, “6th European Union - African Union Summit: A Joint Vision for 2030 | African Union,” au.int, February 18, 2022, <https://au.int/en/pressreleases/20220218/6th-european-union-african-union-summit-joint-vision-2030>.

<sup>129</sup> They were Brazil, Canada and South Africa.

MONUC, allowed the first democratic elections in DR Congo following the conflict to take place smoothly.

However, although Brussels had demonstrated its potential with Artemis and EUFOR, the concerns already experienced in the Western Balkans' operations occurred again. From the lack of personnel, due to the unwillingness of states to commit troops on the ground, and the difficulty of sharing information, to the criticality of coordinating the fragile European operational commands, Brussels faced the usual structural problems of its action.

Analogous shortcomings can also be identified in the 2008 European mission in Central Africa, specifically in Chad and the Central African Republic, revealing Europe's operation weaknesses' intrinsic and permanent nature.

On 28 January 2008, following intense pressure from France, the Council launched Operation EUFOR Tchad/RCA with the contribution of twenty-three Member States and three third countries for a total of 3700 troops. The Darfur conflict that began in 2003 and the ensuing civil war that broke out in Western Sudan had also destabilised the region with severe effects for neighbouring states. Chad and CAR became the refuge for many displaced people fleeing the war from the poor Darfur region.

Realising that regional security would be necessary to achieve a long-lasting peace in Sudan, the Union intervened alongside the UN and African Union mission UNAMID deployed in western Sudan. In addition to its tasks of protecting civilians and facilitating humanitarian aid, the European contingent was charged with supporting the creation of the conditions required for the voluntary return of internally displaced peoples (IDPs), especially in the Dar Sila region and endorsing the creation of the conditions for launching a longer-term civilian reconstruction and development effort necessary for the return of these persons (Seibert, 2010).

However, such a mandate was not accompanied by adequate support in terms of means and capabilities. Hence, the mission deployment was first delayed and then implemented in reduced numbers due to a shortage of resources. Indeed, states were very sceptical about the real justification for the intervention and viewed France's excessive involvement with suspicion. Critically, most European countries feared being instrumentalised for a French agenda (Seibert, 2010). Since significant interests linked Paris with N'Djamena, there was widespread suspicion in European capitals that France's true motive for pushing for a European force was to shield Chadian President Déby from rebel groups rather than to protect civilian (Seibert, 2010).

Furthermore, as in other operations, Member States were concerned about French efforts to Europeanise the costs of its military engagement in Africa (Sadoux, 2005). For this reason, the European leaders, despite diplomatic efforts in Paris to get the mission off the ground, did not provide

the necessary capabilities, especially in terms of air logistical support, to the extent that the Union was forced to use Russian helicopters for tactical functions, thus jeopardising its own range of action.

Once EUFOR Tchad/RCA ended on 15th March 2009, the Union had left post, achieving the minimum objective of managing the migratory crisis, without, however, succeeding in sharing with the United Nations in stabilising the region, to the point that in 2016 first, and in 2019 later, Brussels will newly intervene in the CAR with civilian monitoring and advising mission for the African Minister of the Interior (EUAM CAR), and military training for the Forces Armées Centrafricaines (FACA), in the context of Security Sector Reform.

Afterwards, the European commitment in Central Africa took second place when tensions that had never subsided awoke in the Horn of Africa. To understand the causes that drove Brussels to spend resources and troops on multiple missions, it is essential to highlight the area's strategic relevance. As a region of contention for the former French, Italian and British colonial empires, the Horn of Africa stands out as having renewed geopolitical and strategic significance in terms of trade, energy resources and security, given the increasing penetration of regional and international players over the last twenty years.

Given its location between the Red Sea and the Gulf of Aden, the region enjoys a privileged geographical position, being located on one of the most vital trade arteries on the planet. However, the area is persistently and constantly plagued by multiple problems that undermine its political stability and, thus, its chances of economic development. The five states that comprise the Horn of Africa, namely Ethiopia, Djibouti, Somalia, Eritrea and Somalia, are in fact the theatre of bloody ethnic, religious and tribal conflicts, terrorist activities, profound social inequalities, drought and desertification phenomena. Additionally, the fragile state entities are unable to guarantee stability and security, creating power vacuums filled by criminal activities and organisations. Among them, piracy undoubtedly constitutes the main threat to the national security of states such as Somalia and Djibouti.

This scourge has plagued the Horn of Africa since the late 1990s. Subsequently, with the outbreak of civil war in Somalia in 2006, the phenomenon of piracy intensified, raising the international community's concern and consequently provoking the intervention of foreign forces to combat it.

In this scenario, due to repeated attacks on European vessels, Member States pushed to take necessary measures to re-establish the proper transit of merchant's vessels. Thus, the European Union, which had already raised awareness of the phenomenon, including piracy as a new dimension of organised crime in its 2003 Security Strategy, based on Security Council Resolution 1838, undertook its first maritime operation on 8th December 2008, still ongoing today. With Operation EUNAVFOR Atalanta, Brussels endowed its autonomous presence on the Somali coast, tasked on the one hand to

provide protection to humanitarian aid ships, especially those of the World Food Programme; on the other hand, to patrol the waters off Somalia to protect merchant ships in the Somali waters (Petrangeli, 2020).

Therefore, the operation's executive tasks shifted from the Peacekeeping model and became more similar to law enforcement functions. This has implied a new problem for the EU: the management of people captured during operations. Indeed, an essential part of the mission's success depended on the transfer of those arrested and detained in order to be persecuted on piracy charges. In this regard, the Somali government accepted the jurisdiction of the Member States in its territorial waters, thus allowing them to make arrests on board ships on the high seas.

Nevertheless, European countries were quite reluctant to assume this responsibility, and shortly after the launch of *Atalanta*, disputes arose over who should assume the duty of trying suspects of piracy in its territory, as this would be politically sensitive. Thus, to avoid this solution, the Member States decided to stipulate agreements with some neighbouring countries (Kenya, Seychelles, Mauritius and later Tanzania) willing to take charge of the pirates and their prosecution. In exchange for substantial economic aid, the agreements stipulated that these countries guaranteed the humane treatment of prisoners in accordance with international humanitarian law obligations such as the prohibition of inhumane treatment, torture and arbitrary detention.

Accordingly, it is clear that Operation *Atalanta* embodies an essential step in the evolution of EU external military action. Indeed, the launch of *Atalanta* has facilitated the implementation of the European integrated approach for the Horn of Africa, that is the initiation of a presence on the ground with the two missions of military training (EUTM) and the civilian operation of reinforcement of the coast guard (EUCAP Nestor). The former, operational since 7th April 2010 and still ongoing, was deployed following the UN appeal urging states and international organisations to support the newly installed transitional Somali government (Petrangeli, 2020). The principal mandate of the mission is the training and equipping of Somali troops. Originally, for security reasons, the headquarters were set up in Uganda; only in 2014, given the improvement in the political situation, it was moved to Mogadishu, and the intervention began operating at full capacity, including strategic advisory activities to the local military leadership.

The latter is the European Union Capacity Building Mission (EUCAP Nestor), a civilian intervention undertaken in July 2012 and working closely with EUTM Somalia. Specifically, it aims to “support hosting countries in developing the self-sustaining capacity to enhance the maritime security



sector”<sup>130</sup>, by supporting the organisation of maritime security agencies carrying out coastguard functions, delivering training courses and expertise and by assisting in drafting national legislation on maritime security (Koutrakos, 2013, p.179). The application of Operation Nestor is not limited to the Somali, but it extends into the Western Indian Ocean, comprising activities with Kenya, Seychelles, Djibouti and Tanzania.

Overall, the integrated approach for the Horn of Africa, and the interventions on the ground, have yielded positive results. Latest trends highlight that the phenomenon of piracy has declined sharply in recent years<sup>131</sup>. Moreover, Somalia has gained an albeit weak political stability, and security levels in the region have risen significantly. Although the deployment of the missions had encountered several issues in the initial stages in terms of collaboration with other operations, the Union was nevertheless able to fulfil the bridging function between international actors that had been lacking in the experiences in the Western Balkans, Eastern Europe and to some extent in the Mediterranean.

Ultimately, the Sahel was the last African region in chronological order affected by European interventions. This area, comprising states such as Senegal, Mauritania, Mali, Chad, Burkina Faso, Niger, Eritrea and Algeria, possesses vast mineral resources such as gold, tin, uranium, iron and oil that have attracted the interests of foreign powers. Nevertheless, attempts at investment and development have often clashed with state entities’ political and economic fragility.

Indeed, the Sahel is characterised by deep political instability due to the activities of criminal and terrorist groups such as Boko Haram and Al-Shaabab, as well as multiple humanitarian problems exacerbated by periodic food crises, high mortality rates and illiteracy.

Within this framework, in March 2011, the Union adopted the Strategy for Security and Developments in the Sahel, a policy paper in which Brussels outlined its approach based on four pillars: “the fight against and prevention of violent extremism and radicalisation, strengthening the capabilities of national defence and security forces, deployment of the state, administrations and basic services in a context of stabilisation, and development actions”<sup>132</sup>.

In 2013, the situation in Mali precipitated due to the terrorist offensive in the north of the country and the fall of the incumbent government. As a consequence, the Council, under repeated French pressure, deployed the EU Training Mission (EUTM) with training and advisory tasks. The operation aimed to contribute, together with other external actors in the area, to strengthening the

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<sup>130</sup> EEAS, “About EUCAP Somalia | EEAS Website,” www.eeas.europa.eu, May 12, 2022, [https://www.eeas.europa.eu/eucap-som/about-eucap-somalia\\_en?s=332](https://www.eeas.europa.eu/eucap-som/about-eucap-somalia_en?s=332).

<sup>131</sup> See <https://www.icc-ccs.org/>

<sup>132</sup> European External Action Service, “EUROPEAN UNION COMMON SECURITY and DEFENCE POLICY MISSIONS and OPERATIONS,” July 2022, [https://www.eeas.europa.eu/sites/default/files/documents/CSDP\\_Annual\\_Report\\_2022\\_EN\\_updated\\_web\\_0.pdf](https://www.eeas.europa.eu/sites/default/files/documents/CSDP_Annual_Report_2022_EN_updated_web_0.pdf).

military capabilities of the local armed forces to support their work to counter the terrorist threat and restore territorial integrity (Petrangeli, 2020). Over the years, the EUTM has gradually broadened its scope to cover the entire Sahel area. This is the reason why, in 2016, EUTM was tasked with supporting the development of the G5 Sahel and its armed forces (G5 Sahel Joint Force).

Currently, the Union, in addition to EUTM Mali, is engaged with two other civilian missions in the Sahel, one with an operational base in Niger (EUCAP) and another in Mauritania with the task to address common security challenges such as terrorism, illicit trafficking and transnational organised crime.

In conclusion, it is complicated to correctly assess the results of the European integrated approach in the Sahel. In recent years, indeed, the region has again been hit by numerous terrorist attacks, coups and civil wars, making it difficult to broadly consider the effects of European action. Instead, a more concrete judgement can be made regarding Member States' approach during the decision-making process for intervention in the Sahel. Many divisions arose in the Council between states that wanted to channel more resources towards interventions in the Horn of Africa, such as Germany and Spain, and others, including mainly France, which on the contrary, opted for a massive presence in the territory. In the end, although the Union decided to intervene, it did so with missions that were misaligned in terms of numbers, capabilities and participation with real operational and strategic needs.

### **3.8 The political, structural and operational shortcomings of the EU's Security Architecture.**

The analysis of European civil and military missions has highlighted the achievements and successes of Brussels' interventions and, above all, structural weaknesses that occurred with a certain constancy and repetitiveness during preparation and implementation in the field.

Before identifying the internal factors to the European Union, which are primarily political-institutional, it is necessary to consider in general terms also those external factors that still influence the ability of European countries to play a significant role in facing the new threats. Accordingly, it gains relevance the contexts generally faced by international actors have changed profoundly in their nature over the years. Indeed, "a distinctive feature of contemporary international politics is the increase of areas in which state authority has collapsed, is violently contested by domestic actors or is extremely limited (Alcaro, 2021). These kinds of crises, with their considerable destabilising impact, are also characterised by a high capacity to quickly spread to neighbouring states, flaring insecurity over vast areas of the planet. Phenomena such as increased migration flows, illegal trafficking of

human beings and drugs, and the activities of organised criminal groups, terrorists and extremists are nothing but direct effects of the collapse of authority and the state system.

Generally, this has a substantial impact on European political capabilities. Since the collapse or severe weakening of state authority and governance in its neighbourhood create interconnected challenges extending into policy areas outside the traditional remit of foreign and security policy (Alcaro, 2021), it is increasing the requirement for an integrated response which can combine aid and interventions of various kinds from military to humanitarian and economic with the aim not to heal the symptoms, but rather the causes of the crisis.

Frequently, this integrated approach has been lacking in the Union's action, as in the case of the conflicts in Syria and Libya, where Brussels has deployed missions that were excessively focused on specific aspects of the crisis without equipping them with the manpower, means, capabilities and mandates to carry out operations of greater depth.

At the same time, the growing tensions between great powers and the shift to a multipolar world, where European countries, and to a lesser extent also the United States, have lost their economic and diplomatic primacy, has had a strong consequences on European political power, but also on that of Western states in general.

The pandemic, the exponential growth of China, and the failure of US foreign policy to forge an enduring consensus on the degree and purpose of US global engagement (Alcaro, 2021) have slowly affected the international order on which the Union used to operate. A direct effect of this geopolitical shift has been that regimes and practices of consensual conflict resolution have become weaker to the extent that the existing rule-based order is embedded in a power configuration that is challenged and to some extent no longer exists (Alcaro, 2021).

The strong repercussions of this phenomenon are evident in the EU's continued difficulty in asserting itself in the international arena. Since it has always relied on the US to provide the necessary hard power, and since the ability of Member States to shape multilateral rules has diminished exponentially, they are forced to rethink their role along multipolar patterns of interaction, an activity for which the multilaterally minded EU is hardly well equipped (Alcaro, 2021).

All this exacerbates the internal and structural issues that the EU Security Architecture presents and has experienced over years. In light of the operations analysed above, it is possible to identify some systemic problems that have occurred in the two decades in which the EU has taken part in both civil and military operations.

At the tactical and operational level, two major shortcomings were found: a lack of capabilities, equipment and qualified personnel, and the delays as well as the limitations in terms of mandate with which these missions were implemented. Considering the first aspect, it is evident that most European

operations have worked at the limit of their capabilities. Emblematic are the examples of EUFOR Tchad (2008-2009) where, due to a shortage of tactical air lift, Brussels was forced to use Russian and Ukrainian helicopters, or EUPM missions in Bosnia Herzegovina (2003-2012) and EUPOL Proxima in the Former Yugoslav Republic of Macedonia (2003-2005), where in addition to delays in the delivery of essential equipment such as computers, translators, mobile phones and food supplies, there were severe shortages in terms of qualified personnel for training and advising. Underlying these critical issues is the lack of centralised resources for Brussels to implement these missions. Force generation is, therefore, a significant obstacle for the deployment of operations. Indeed, the Union frequently needs to mediate between states to obtain the necessary assets and capabilities to carry out CSDP missions.

In sum, the available personnel and equipment issue is a significant problem in the overall European conduct. Weighing particularly heavily on this is the failure so far to utilise the EU's so called Battle Groups and Brussels' inability to generate the necessary military and civilian forces.

Additionally, regarding the second aspect, it can be pointed out that the European Union often intervened with significant delay and in places where the hard security questions had already been addressed by either NATO or the United Nations (Koutrakos, 2013, p.129). Brussels has thus been reproached for a certain reluctance to tackle challenging political and security scenarios, in favour of contexts that might appear more an opportunity than a challenge (Petrangeli, 2020).

This tardiness in European intervention is well present in some relevant missions, first and foremost in Althea in 2004 and EUFOR Libya in 2011. The former was, in fact, deployed when the conflict had considerably reduced in intensity thanks to NATO's intervention in 1995, which had carried out the partial demobilisation of the Bosniak-Croat and Serb forces. In contrast, in the case of Libya, the Union failed to even launch its own operation in 2011 with the outbreak of protests in Tripoli and the occupation of Benghazi. Although countries such as France and Great Britain led the operation against Gaddafi, subsequently taken over by NATO, Brussels remained immobile in the face of the worsening of the Libyan crisis. Finally, with little foresight and planning, it was only four years after the outbreak of the civil war and due to the growing migration phenomenon that the EU managed to organise itself to intervene in the Libyan scenario, deploying naval operation Sophia in 2015. These suggest the EU's continued hardship in asserting itself internationally.

In general, this series of failures of both a planning and operational nature outlines a lack of ambition on the part of the Union. Indeed, while their objective is commendable, their size, mandate, terrain and conditions under which missions are deployed suggest relatively small contributions to very big problems (Koutrakos, 2013, p.129). However, this lack of ambition clashes with the main

European strategy documents that instead call for concrete actions and assertive policies of the Union in the areas of interest.

Critically, part of this problem is generated by the behaviour and role of Member States within the European security and defence structure. Indeed, it has frequently happened that operations have been implemented in a limited manner due to the unwillingness of European countries to send troops and qualified personnel. Both economic and political factors are behind this comportamental pattern. On the one hand, since the European budget does not cover CSDP operations, the cost of maintaining troops abroad and replacing them at home falls heavily on the coffers of the contributing states. Therefore, European countries, if not directly concerned as in the case of France for operations in Central Africa and Mali, or Italy and Germany for those in the Mediterranean, are reluctant to make such an economic commitment.

In addition to this, it is also necessary to consider the political factor that is the impact of such missions on each Member States' domestic and foreign policies. In light of this, a hypothetical and desired unity of action and intent lacks as states push the EU to organise interventions in specific areas according to their interests. For instance, France, as previously mentioned, lobbied a lot in Brussels to launch the EUFOR operation in Congo (2006) and the one in Chad in 2008, knowing that other countries, such as Germany in particular, were very hesitant about a similar initiative.

In sum, this shows that within the European bloc, there are still strong disagreements on the foreign policy directions taken by states. These divergences often manifested in the discussion and implementation phase. Besides the case above of EUFOR Libya, to which it must be added that among the reasons that blocked implementation was the opposition of Italy and Germany, which did not see armed intervention as an appropriate answer to the crisis, there are other cases in which internal divisions undermined the missions. In the case of EUJUST LEX in Iraq (2005-2023), for example, launching the operation was difficult because some states, such as France, Germany and Belgium, immediately opposed the American invasion of Iraq. Consequently, to soften the differences, they opted for a limited-purpose mandate exclusively related to the development of the Iraqi judicial system and the rule of law.

Similarly, the two maritime operations, Sophia on the one hand in 2015 and Atalanta on the other in 2008, had developed political tensions between European countries. In the former, disputes arose over who should be responsible for the people rescued during Search and Rescue activities. In this case, due to a lack of agreement, states removed SAR activities from the mandate of the following IRINI mission. Parallely, during operation EUNAVFOR Atalanta, Member States failed to agree on the responsibility to detain and try individuals suspected of carrying out piracy activities, jeopardising the operation's success.

Finally, in light of what has been examined so far, it is evident that a considerable weakness in the EU's security and defence architecture is the low degree of defence integration. Even though the Union has had proper instruments for its security and defence policies for over thirty years, a significant degree of integration is still lacking in these fields. Among the causes and consequences of this phenomenon is the high rate of fragmentation of policy-making. Accordingly, as the responsibility for the various components of the EU's external action, spanning crisis management, development, humanitarian aid, trade as well as the external components of migration, energy, and climate policies, is scattered across different institutions and bodies, each endowed with a different degree of authority and resources (Alcaro, 2021).

Indeed, the governance of the CFSP and CSDP has often been deficient and confusing when Brussels needed to act. There was evidence of this, especially at the level of policy-making and cooperation on the ground. In several missions and operations, there were issues of internal coherence between the European entities involved and the objectives and policies promoted by the EU. In the case of EUMM Georgia (2008-2023), the Commission, through one of its delegations, the EU Special Representative for the Crisis in Georgia and the one for the South Caucasus found themselves sharing essentially the same tasks but for different institutions, burdening the operation's chain of command.

Moreover, in other interventions such as EUFOR Congo or EUPOL Proxima, this also affected relations with other international actors, leading to trouble sharing sensitive information, communications and intelligence. Equally, in EUPOL Afghanistan (2007-2016), problems of internal coherence arose concerning the waste of Commission funds allocated for the mission. Hence, there was a striking discrepancy between the considerable funds managed by the Commission and the inability of EUPOL to finance even minor renovation work in the field in which it was deployed (Fischer & al, 2010).

Overall, the Union has accumulated a certain amount of experience that enables it to assess its approach and shortcomings comprehensively. While external factors are complex for individual states and communities to face, the gaps and structural flaws of the EU's security architecture are elements on which Brussels and the Member States should act and improve.

### **3.9 A joint European defence and the achievement of Strategic Autonomy as a potential solutions of EU's security issues**

While the reforms introduced with the Lisbon Treaty have substantially improved the European foreign policy machine, the EU's international position has been weakened by the abovementioned systematic problems. Insufficient leadership and dysfunctional institutional arrangements, the tendency

of bigger countries to prioritise their national foreign policies, and the habit of some smaller ones to get free rides have all impeded effective collective action (Lehne, 2017).

Even today, there are evidence of this inherent weakness and the fact that while other powers are gaining ground, the Union is grappling with internal divisions that are diminishing its coherence and international standing. How Brussels handles the situation in Ukraine ostensibly paints this discord and the limits of the functioning of Europe's foreign, security and defence policy. Indeed, the difficulties encountered in approving the sixth package of sanctions against Russia testify to the dysfunctions of an area that retains a strong intergovernmental imprint, dominated by the logic of consensus and this by national executives and their priorities (Alcaro, 2021).

In light of this, immediate structural changes are needed to overcome European security and defence shortcomings and to ensure Brussels' political survival in the international arena. The first step on this long path concerns a substantial revision and upgrade of the Lisbon Treaty, which is currently tied to a very different political context than it is today (Lehne, 2017).

Firstly, the sudden geopolitical shifts and new challenges facing states require a significant upgrade of the treaties by shaping operational mechanisms to make them more flexible and adaptable to different circumstances. Accordingly, a model based on integration and flexible cooperation should also be applied to foreign and security policy areas, as an antidote to the threat of fragmentation and even disintegration (Alcaro, 2021). The Union already has such mechanisms in its treaties, like constructive abstention and enhanced cooperation.

However, these are rarely used, excluding exceptional cases such as PESCO, since they have too narrow a mandate. Favouring informal mechanisms of differentiation as forming groups of Member States, remains a viable alternative to build shared experience and enhance European capabilities.

Of course, the rise of flexible integration mechanisms brings questions regarding their compatibility with preserving the Union's political unity and uniformity. Consequently, it is necessary to ensure consistency with shared goals and decisions within the EU. In other words, when initiatives involving intergovernmental differentiation are established outside the treaties, their connection to EU governance must be ensured by establishing mechanisms for the participation of, and oversight by, the Brussels institutions (Alcaro, 2021), preserving democratic legitimacy and accountability at any cost.

In parallel, strengthening compactness and fostering these flexible integration models require a reform of decision-making rules, especially of unanimity. The issue of extending qualified-majority voting to the areas of CFSP and CSDP has always been a source of strong internal debate. Although few Member States are genuinely ready to reduce their prerogatives in foreign policy and subordinate themselves to the European one, overcoming unanimity would bring tangible benefits as happened in

the past when this led, after a long period of stalemate, to the unblocking of the path to the creation of the internal market in the 1980s.

Equally, this shift toward qualified majority voting would benefit both the Union and the Member States as it would increase the EU's ability to act, not only because it would take more than one Member State to block a decision but also because, over time, Member States likely to be in the minority would be spurred to intensify negotiating efforts, build alliances and help reach agreement (Alcaro, 2021).

Finally, a major effort should be made to pursue the missing step in the evolution of the European project, namely the creation of a joint European defence. This objective has long been present in European institutions, which have slowly created fertile ground for the implementation of measures necessary for its realisation. First, a project of this magnitude requires a profound reconfiguration of the overall institutional architecture of European security and defence from a national perspective. This means building a new institutional system by applying national security and defence dynamics to the European format.

Accordingly, the model for the intergovernmental institutional framework should be that of national structure, which has political decision-maker (the minister), military leadership (the chief of defence) and a person responsible for procurement and capability development ( a national armaments director) (Alcaro, 2021).

Obviously, it is clear that this structure then needs a system of checks and balances similar to the American model and that these figures are subject to political constraints and oversight measures carried out by EU institutions such as Parliament and the European Commission. Based on this, several hypotheses have been formulated by scholars and experts. The most widespread envisages the institutionalisation of the Council of Defence Ministers with tasks on a par with a national defence minister, with the capacity to define strategic direction and make decisions on capability development, missions and operations. The EU Military Committee would flank this with its own functions as national defence chief and the EDF as European armaments agency. Lastly, the model also envisages the participation of the Commission, which is entrusted with providing the necessary economical and financial resources, and the Parliament, which is instead tasked with overseeing missions, operations and capability development.

Besides, a specific requirement for the application of such a model in the EU framework is the overcoming of the parallelism between the Member States' national foreign policy and that of the EU. As long as EU foreign policy runs in parallel to national foreign policy, it will not enjoy the necessary buy-in from Member States (Lehne, 2017). This is the reason why Brussels' efforts should focus on strengthening mutual confidence and solidarity among the MS through the shared experience of



common action. This would ensure the degree of trust and unity within the Union whose absence has so hampered it in its CSDP operations.

In short, the harmonisation of foreign policies, and in this case of security and defence, although very ambitious, is an almost necessary requirement to ensure unity of purpose and action.

Moreover, the idea of enhanced defence integration is closely intertwined with the need to forge a more integrated and competitive European defence industry. As analysed above, the EU's capacity to undertake operations is considerably limited due to serious shortfalls in military and technological capabilities, linked to both the fragmented and inefficiently used defence budgets and the fragmented defence and technology market (Keukeleire & Delreux, 2022, p.193). Tackling this problem mainly means dealing with the reluctance of national governments to hand over defence procurement contracts to companies from other Member States and their inability to individually bankroll large-scale procurement or research projects and to coordinate defence expenditure (Keukeliere & Delreux, 2022, p.193).

Europe has a sizeable defence industry, smaller than that of the US, but significantly larger than that of Russia and China<sup>133</sup>. As a result, despite the potential of the European defence industry, it is not really exploited, as evidenced by chronic shortages of equipment and capabilities.

Clearly, this process of defence market convergence cannot be carried out suddenly and immediately but will require time and, above all, a substantial economic effort. However, the advantages of such an investment are evident when considering the benefits it can bring in terms of interoperability of capabilities, research and development. As presented in Chapter two, the Union has already launched several projects to converge defence spending between states, such as CARD or the European Defence Equipment Market (EDEM), an initiative undertaken by the EU to foster competition and transparency in defence procurement.

The importance of developing a single defence market is linked to the last fundamental pillar of the path of reform and renewal of European security and defence policies, namely the achievement of Strategic Autonomy, extolled in the 2022 Strategic Compass. Presented as one of the objectives of the new European policy direction, the concept of Strategic Autonomy raises some questions and ambiguities about its meaning. Accordingly, there is no specific definition of the term; nevertheless, it could be narrowly defined as defence technological and industrial autonomy, or it could be framed in terms of absolute autonomy, including operational independence and territorial defence (Csernatoni,

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<sup>133</sup> According to Statista data from 2017-2021, while the US had 39% of the global defence market share, the EU followed with 27%, while Russia ranked lower with 19%. See Karel Lannoo, "After One Year of War, the EU Must Create a Single Market for Defence," CEPS, February 23, 2023, <https://www.ceps.eu/after-one-year-of-war-the-eu-must-create-a-single-market-for-defence/>.

2020). In practical terms, this indicates a desire to overcome the need for NATO and the United States as guarantors for European security and defence.

It is evident that historically Washington has been the leading security provider for the countries of the Union; however, in light of the new international order that is taking shape, the time has come for the Union to reduce its dependence on US assets and funds. Obviously, this does not indicate a move away from the alliance with US or NATO, but instead refers to the need to reduce the EU's vulnerability to external pressures by limiting the influence and interference of foreign states on European policies.

In conclusion, in an increasingly multipolar world where European states struggle to assert themselves internationally, the development of a strategy aimed to enable the Union to act more independently to defend and advance its interests and values in the world (Csernaton, 2020) should be one of the primary objectives of European countries' actions. Brussels' need to establish itself as an autonomous security provider is also made more necessary by the United States' decision to shift its focus to other areas considered more relevant such as the Pacific and South-East Asia.

Hence, with Washington's historic commitment to the European continent has notably reduced, it is time for the Member States to overcome their fear of moving the Union to a more supranational level and their mistrust of other European countries, in order to revise the institutional model of the EU's security architecture to not lose ground in the new global race of the Great Powers.

### **3.10 Conclusion**

The comparison and study of the leading European civil and military missions suggest some crucial reflections on the state of implementation of CFSP and CSDP. Since the establishment of these two policies, the Union has resorted on several occasions to the enactment of interventions in areas of tension and conflict for the securitisation of the region, the region, the delivery of humanitarian aid, the protection of civilians, refugees and internally displaced persons, the promotion of the rule of law and the training and advice to local governments and armed forces.

In addition, the focus on areas such as the Western Balkans, Africa, the Middle East, the Mediterranean and Eastern Europe describes the Union's willingness to build an image as a regional security player that goes beyond European borders and asserts itself internationally. Noteworthy examples are the operations in Afghanistan, Iraq, Palestine and generally in the Sahel and central Africa, where systemic wars have often undermined political stability.

However, there is still a long way to go to consolidate such a role in international politics. Indeed, European operations have usually shown systemic criticalities that have challenged their

finalisation. From the lack of assets and capabilities to the difficulty of establishing a climate of coordination and cooperation among European actors involved and also with international players, to the delays in launching missions due to the absence of agreements between Member States are a symptom that the Union has yet to gain the necessary experience to assert its actorness.

At this point, the Member States' awareness and willingness to continue strengthening and evolving the security and defence integration process that began in the 1990s are the cornerstones for the many critical reforms. The upgrade of the Lisbon Treaty with the extension of qualified majority voting in the field of security and defence, the introduction of more flexible integration mechanisms, as well as the overcoming of the parallelism between MS national foreign policy and that of the EU, and the introduction of a joint defence market and industry, represent the fundamental steps in this process.

In conclusion, the time for European states to act is running out, the differences in political, economic and military development with the new powers are narrowing, and the world is moving towards a multipolar order. Never before has the Union needed to unite and direct its efforts towards a new institutional and political reform process that can guarantee the Strategic Autonomy needed to improve its actorness on the international stage.

## CONCLUSIONS

*“There will be no peace in Europe as long as states continue to rely on their national sovereignty”*

*(Jean Monnet)*

The thesis argued that even if the European Union has progressively supplied itself with security and defence policies, these have shown significant weaknesses principally due to its fragmented and rigid institutional framework and governance system (Howorth, 2014). Similarly, the EU’s aspiration to carve out a role as a security provider at the international level has suffered a relevant setback. Although states have succeeded in extending the integration process in foreign and security policy, the current CFSP and CSDP system, however, requires improvements in light of the difficulties these instruments have experienced.

Therefore, in order to illustrate an effective enhancement of European actorness through its security and defence policies, the work has structured as follows. The long and tortuous historical path from which the existing EU’s security architecture was formed is analysed in detail in the first chapter. The history of the evolution of these policies is replete with events that showed how on the one hand, endogenous factors such as the Soviet threat, decolonisation, and the nuclear race triggered a rapprochement mechanism between European states. On the other hand, exogenous factors such as the normalisation of relations between France and the United Kingdom, German reunification, and the quest for economic and political stability on the continent led the first European countries to embark on the European integration project, opening up the debate on the possibility of a convergence of defences (Koutrakos, 2013).

Afterwards, the second chapter presented the governance dimension of the EU’s security architecture based on the provisions of the 2009 Lisbon Treaty. Thus, the analysis of the decision-making of security and defence policies as well as the study of the division of powers between MS and the EU, and the funding mechanisms, was central to this section. The main focus involved examining the areas of tension between the Member States that hold significant prerogatives in foreign policy and the EU that, compared to other policy areas, is more bound to the will of them. Ultimately, the result of this chapter shows a particularly fragmented and complex picture with several vulnerabilities and criticalities. Consequently, the subject of the third and final chapter is an examination of the EU’s security architecture in action, considering Brussels’ primary missions and interventions. In this case, the priority is on the study of the criticalities and shortcomings that have accompanied the Union’s action, reflecting the weaknesses of the institutional framework and the need to implement treaty

reforms to improve security governance, favouring a more communitarian approach and the creation of a greater integration in the defence sector (Keukeleire & Delreux, 2022).

Thus, based on what has been analysed, it is possible to provide assessments, albeit partial, of the European Union's security and defence capability and actorness. As examined, the evolution of the defence integration project has proceeded at different speeds, alternating between phases of diplomatic stalemate and seasons of change and reform. The will to overcome the terrible years of World War II, rebuild relations between European states and lay the foundations for a centralised and unified Europe were crucial factors in the realisation of the European project. Indeed, European states need a united Union to guaranteed national and global stability and peace.

In light of new threats and systemic crises in the international order, the Union is called upon to play the role of security provider due to its strategic and economic importance. Despite this, Brussels finds difficulties fulfilling its functions and acting as a security maker. Accordingly, the thesis has helped highlight some relevant shortcomings and vulnerabilities that have arisen in the experiences of European intervention.

Overall, the Union encountered complications that took the form of delays in the deployment of missions or even a stalemate in decision-making when the external environment called for impellent action. It has happened, as in the Libyan or Bosnian cases, that the lack of agreements between member states combined with the reluctance of some to participate has caused operations to be delayed or cancelled. Moreover, differences between the member states that control the most relevant aspects of the organisation and implementation of missions and European security and defence policies have hindered European action.

At the same time, the thesis also highlights structural criticalities related to the governance dimension of CFSP and ESDP. This materialises in a fragmentary and fluid manner, with states playing a central role in decision-making, thus favouring a decentralisation of competencies. Furthermore, the institutional framework also presents criticalities concerning the financing mechanisms of security and defence policies, but above all, it outlines a low level of integration. There are clear examples of this in most of the operations deployed by the Union, where problems of internal coherence and cooperation between institutions have manifested themselves in the lack of sharing of sensitive information, fragmentation of policy-making, and overlapping in the exercise of the functions of the actors in the field, which have created unfavourable conditions for the proper fulfilment of the objectives of the interventions.

In light of this, the research mainly focused on studying the structural and systemic weaknesses of the EU's security architecture. In 2022, the EU expressed its will through the Strategic Compass 2022 to achieve strategic autonomy, that is the ability of European states to act autonomously and rely

on their resources in areas of strategic importance (Masulli, 2022). However, as the research shows, achieving greater executive autonomy requires some necessary reforms. In the area of governance, the thesis stressed the significant need to provide for a simplification of decision-making procedures as well as the implementation of a more flexible model without the unanimity rule. Moreover, stimulating cooperation between states and institutions through informal mechanisms would help overcome specific difficulties related to a lack of communication and overlapping functions in the exercise of operations. Equally, states are called upon to overcome the parallelism between their national foreign policies by seeking to strengthen mutual confidence and solidarity.

Ultimately, the concept of strategic autonomy is linked to the EU's ability to free itself from US support in terms of the defence market. This is perfectly synthesised by the words of the President of France, Emmanuel Macron, who stated at the Munich Security Conference in 2023 that if Europe wants to be able to defend Europe, it must also arm itself and accelerate its capacity to produce on European soil<sup>134</sup>. These words refer to the EU's need to forge a more integrated and competitive European defence industry and market in order to strengthen European military production capacity and development.

In conclusion, these changes represent the natural evolution of the integration process in the defence and security sector. The Union has now acquired a significant international status and actorness, making it a strategic actor in many respects. The new challenges, however, call for an integrated and unified approach so that it is necessary to address the systemic weaknesses of the security and defence system and move towards a common evolution and strengthening.

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<sup>134</sup> See "Macron All'Europa: 'Se Vuole Difendersi Deve Armarsi,'" Today, February 23, 2023, <https://europa.today.it/attualita/macron-guerra-europa.html>.

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## Executive Summary

The topic of EU security and defence has long been treated as a marginal issue and subordinate to other matters of interests, such as the single market, monetary and economic integration, to name a few. From 1954 onwards, foreign policy with particular reference to the area of defence became one of the principal taboos and incorporating foreign policy in European integration has been an incremental process of trial and error to avoid this taboo. Indeed, although attempts to establish common experiences among European states in the area of defence had been proposed as early as the end of World War II such as the European Defence Community, the Western European Union and European Political Cooperation, European integration was only extended to military and security matters when it became apparent in the early 1990s that the EU's foreign policy lacked the institutions, instruments and autonomy to confront the post-Cold War situation. As the European project has evolved, states have consistently worked to ensure the Union's capacity for "physical" and political presence on the international stage. Indeed, before beginning to build a model of EU security and defence, the Member States provided Brussels with a functional and efficient foreign policy system with which to exercise functions of diplomatic representation, promotion of European economic, commercial, social, political and military values and interests, and development of international relations.

Nevertheless, this gradual expansion took place with several difficulties and was often obstructed by the European states. As a matter of fact, despite the widely shared realisation that the EU needed to overcome substantive shortcomings to address security threats and challenges collectively, fundamental differences remained among Member States with regard to national interests, strategic outlooks and security identities. These difficulties have consequently hampered the realisation of a linear European integration process in the field of security and defence to the extent that CFSP and CSDP reforms have often been slow to materialise, and fail to address important shortcomings.

However, today the Union is facing new threats and challenges resulting from significant geopolitical changes and the emergence of a new global order based on multipolarity, which have amplified the pressure to upgrade Brussels' security and defence capabilities, assets and structures. Simultaneously, the deterioration of stability in Eastern Europe with the invasion of Ukraine, the growing instability in the Middle East and North Africa, including tough conflicts in Syria and Libya, the economic and political rising of China and new global players, as well as

the reconsideration of Washington's strategic commitment in the old continent have created the preconditions for the reopening of the debate on European defence and the analysis of the problems and vulnerabilities in the security policies adopted.

Although, on the one hand, the EU has progressively established itself as a *sui generis* international actor, on the other hand, its complete legitimacy on the global stage cannot be separated from its affirmation as a security provider and thus its ability to effectively contribute to maintaining peace and stability in the world system. Nevertheless, in the present scenario, the EU struggles to build an image as a security provider due to its difficulties in managing international and regional crises, ethnic, religious and civil conflicts, migration flows, and generally in coping with significant geopolitical shifts.

Accordingly, for some analysts, the EU continues to be an incomplete actor, whose foreign security and defence policy remains incoherent, based on the lowest common denominator (i.e. what the most reluctant states are willing to concede) and with little impact on international relations. The troubles the Union faces in the area of security and defence reflect the incompleteness of the evolution of the integration process in these areas. Indeed, even though the EU is at a more advanced and articulated stage of development than a traditional international organisation, it remains far from having acquired the characteristics of a state or a Union of states.

This translates into a lack of a homogeneous and unitary institutional system of governance which negatively influences Brussels' executive and decision-making capacity. Indeed, the institutional-organisational setting created structural problems for effectiveness, cost-benefit rationality or wise-governance-policy. This is the result of the prevalence in the areas of security and defence of the intergovernmental approach with which these policies are organised and managed. Even though with the Lisbon Treaty, the states wanted to create a new institutional structure within the Council to overcome the limitations and contradictions of the Commission's decision-making process, by placing the economic dimension of foreign and security policies at the Commission and the military dimensions at the Council, the intergovernmental approach created on the one side competitive institutions and contradictions between economic and military measures, and prevented, on the other side the formation of an effective, cohesive and consistent grand strategy.

In light of this, it is clear that while the Union has progressively equipped itself with an apparatus capable of planning and executing security and defence policies with the aim of



building its actorness, however, its CFSP and CSDP system rests on a weak and fragmented institutional structure. Based on this, the aim of the present thesis is to analyse the relationship between the EU's security architecture's governance system and the implementation of operations, highlighting the critical issues and investigating the effects it has at a tactical and strategic level in the execution of missions, and globally on the EU's role as a security provider.

Consequently, the theme is developed by studying the historical evolution of the European integration process of the Union's security and defence policies in order to understand the dynamics and events that have shaped the CFSP and CSDP framework established after the Lisbon Treaty in 2009. After having outlined the historical path by which states have created the current European governance system for security and defence areas, the research concentrates on exploring the principal weaknesses and vulnerabilities related to implementing the CFSP and CSDP instruments.

Moreover, the analysis sets itself the task of revealing the measures needed to improve the governance system of the EU's security architecture and the aspects that states should take care of to revitalise the process of harmonisation and federalisation of defence policies to foster more comprehensive integration. In order to do so, the research considers the possibility of a change in the European defence status quo. Specifically, the work evaluates the assumption that the future development in the field of security and defence for Brussels corresponds to a gradual political, military and institutional transformation of the intergovernmental towards an integrative structure and a set up of an integrated force and a common armament market, thus discarding the other hypotheses concerning scenarios based on a continuation of the status quo without any significant change or on a subordination to NATO as the monopoly holder for security, defence and military services in Europe.

In order to provide an exhaustive and multidisciplinary analysis, the thesis is divided into three sections. In the first part, a historical examination is made of the integration process in the security and defence sector. The focus is on the analysis of the exogenous and endogenous factors that have shaped the path of the integration process and influenced the behaviour of Member States. Starting from the end of the Second World War, the central events that drive the history of the integration process are retraced, trying to comprehend how the different experiences and phases have moulded the current model of the EU's security architecture.

The second chapter dissects the institutional framework of European security and defence policies. Accordingly, the work aims to outline the governance system driving the security

architecture, highlighting the leading financial, technical and political elements with which the EU pursues its international action. Contemporarily, the examination focuses on analysing the nature of competences and especially on studying the power relations between Member States and EU bodies to illustrate the governance system's complexity and fragmentation, and how these interact with each other in a sensitive area that is particularly tied to the national prerogatives. In addition, in order to assess the mechanisms for the planning and execution of interventions, the chapter strives to construct the chain of command at both strategic and operational levels and to explain the functioning of the decision-making process and distribution of powers on the vertical level between MS and the European Union and the horizontal level between European institutions.

Then, the objective of the third chapter is to study the main military missions and civil operations implemented by the European Union in the central areas of interest, such as the Western Balkans, Eastern Europe, the Mediterranean, Middle East and Africa. The analysis of the deployment of these missions serves to provide a detailed picture of the principal shortcomings and criticalities that Brussels has encountered when using the CSDP tool. Furthermore, this section attempts to show how problems and critical issues in the governance system have affected European action by impacting the effectiveness and efficiency of operations. In this case, comparing missions carried out in different areas is essential to define common issues that periodically occurred during their execution. Ultimately, the thesis concludes by outlining the measures required to embark on the path towards strategic autonomy and to overcome critical issues to strengthen European actorness and its image as security provider.

Therefore, the thesis argued that even if the European Union has progressively supplied itself with security and defence policies, these have shown significant weaknesses principally due to its fragmented and rigid institutional framework and governance system. Similarly, the EU's aspiration to carve out a role as a security provider at the international level has suffered a relevant setback. Although states have succeeded in extending the integration process in foreign and security policy, the current CFSP and CSDP system, however, requires improvements in light of the difficulties these instruments have experienced.

Thus, based on what has been analysed, it is possible to provide assessments, albeit partial, of the European Union's security and defence capability and actorness. As examined, the evolution of the defence integration project has proceeded at different speeds, alternating

between phases of diplomatic stalemate and seasons of change and reform. The will to overcome the terrible years of World War II, rebuild relations between European states and lay the foundations for a centralised and unified Europe were crucial factors in the realisation of the European project. Indeed, European states need a united Union to guaranteed national and global stability and peace.

In light of new threats and systemic crises in the international order, the Union is called upon to play the role of security provider due to its strategic and economic importance. Despite this, Brussels finds difficulties fulfilling its functions and acting as a security maker. Accordingly, the thesis has helped highlight some relevant shortcomings and vulnerabilities that have arisen in the experiences of European intervention.

Overall, the Union encountered complications that took the form of delays in the deployment of missions or even a stalemate in decision-making when the external environment called for impellent action. It has happened, as in the Libyan or Bosnian cases, that the lack of agreements between member states combined with the reluctance of some to participate has caused operations to be delayed or cancelled. Moreover, differences between the member states that control the most relevant aspects of the organisation and implementation of missions and European security and defence policies have hindered European action.

At the same time, the thesis also highlights structural criticalities related to the governance dimension of CFSP and ESDP. This materialises in a fragmentary and fluid manner, with states playing a central role in decision-making, thus favouring a decentralisation of competencies. Furthermore, the institutional framework also presents criticalities concerning the financing mechanisms of security and defence policies, but above all, it outlines a low level of integration. There are clear examples of this in most of the operations deployed by the Union, where problems of internal coherence and cooperation between institutions have manifested themselves in the lack of sharing of sensitive information, fragmentation of policy-making, and overlapping in the exercise of the functions of the actors in the field, which have created unfavourable conditions for the proper fulfilment of the objectives of the interventions.

In light of this, the research mainly focused on studying the structural and systemic weaknesses of the EU's security architecture. In 2022, the EU expressed its will through the Strategic Compass 2022 to achieve strategic autonomy, that is the ability of European states to act autonomously and rely on their resources in areas of strategic importance. However, as the research shows, achieving greater executive autonomy requires some necessary reforms. In the

area of governance, the thesis stressed the significant need to provide for a simplification of decision-making procedures as well as the implementation of a more flexible model without the unanimity rule. Moreover, stimulating cooperation between states and institutions through informal mechanisms would help overcome specific difficulties related to a lack of communication and overlapping functions in the exercise of operations. Equally, states are called upon to overcome the parallelism between their national foreign policies by seeking to strengthen mutual confidence and solidarity.

Ultimately, the concept of strategic autonomy is linked to the EU's ability to free itself from US support in terms of the defence market. This is perfectly synthesised by the words of the President of France, Emmanuel Macron, who stated at the Munich Security Conference in 2023 that if Europe wants to be able to defend Europe, it must also arm itself and accelerate its capacity to produce on European soil. These words refer to the EU's need to forge a more integrated and competitive European defence industry and market in order to strengthen European military production capacity and development.

In conclusion, these changes represent the natural evolution of the integration process in the defence and security sector. The Union has now acquired a significant international status and actorness, making it a strategic actor in many respects. The new challenges, however, call for an integrated and unified approach so that it is necessary to address the systemic weaknesses of the security and defence system and move towards a common evolution and strengthening.