



CFSP Forum

Volume 5, Issue 1

January 2007

Note from the Editor

Karen E. Smith, London School of Economics, Editor

Happy new year!

This issue of *CFSP Forum* begins with two articles on European peacekeeping and crisis management. Matthias Dembinski first looks at the European contribution to UNIFIL II; Catherine Gegout then an

region and on ways to restart the peace-process.

And should a cease-fire take effect immediately or should Israel, as was alluded to by the American government, be given enough time to destroy the military infrastructure of Hizbollah?

The question whether pressure should be applied on Israel to accept an early cessation of hostilities turned out to be a thorny issue for Europe as well. While many member states, including Finland – which held the EU Presidency, argued that the EU should demand an early and basically unconditional cease fire, Germany, the UK and the Czech Republic adopted a more ambivalent position. Although

other words, the impression remains that due to the rather uncoordinated way in which EU member states generated troops for UNIFIL II France, and with it the EU, did not succeed in getting a robust and precise mandate in return for its pledge of troops. To be sure, some improvements have been achieved that will allow European states to exert a considerable degree of control. The rules of engagement, accepted on 28 August, authorize UNIFIL to take necessary action to fulfil the mandate. More importantly, UNIFIL II is governed by a unique structure of command. European force providers will exert operational control within the theatre. At the strategic level, for the first time a strategic military cell, commanded by an Italian General, has been created at UN Headquarters. Instead of the UN Peacekeeping department, which is usually in charge of commanding UN operations, the UNIFIL commander will directly report to this cell, which itself will be answerable to the Secretary General. Hopefully, this arrangement will be more effective than the traditional chain of command that has often hampered swift and effective decisions of previous UN operations.¹⁰

Nevertheless, the impression remains that the rules of engagement do not rectify the deficiencies of Resolution 1701. So far, this ambiguity has caused frictions in the relationship between UNIFIL and Israel. It has been reported in the press that at several occasions, European troops felt threatened by aggressively approaching Israeli aircraft. However, it is not unlikely that the relationship between UNIFIL on the one hand and Hizbollah as well as the Lebanese government on the other hand will turn out to be even more conflict-ridden. Without progress in the peace process and without a solution of the Lebanese power struggle, UNIFIL II might sooner or later find itself confronted with a re-ignition of the militarized conflict. It remains to be seen whether the strong European component within UNIFIL II will enable the UN force to respond effectively to provocations. The recent disagreements as well as the unintended consequences of the force generation process should dampen the optimism about the European capacity to respond to violent conflicts in the Middle East.

¹ Horst Bacia, 'Die wichtigste Entscheidung seit Jahren', Frankfurter Allgemeine Zeitung, 4 September 2006.

² See United Nations Security Council Resolution 1701 (2006).

³ See Nicoletta Pirozzi, 'UN Peacekeeping in Lebanon: Europe's contribution', in *European Security Review*, No. 30, September 2006.

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The EU and Security in the Democratic Republic of Congo in 2006: Unfinished Business

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This article analyses the EU's presence and security policies towards the Democratic Republic of Congo (DRC) in 2006, a year during which the Congolese voted for their President and their Assembly for the first time since 1965. The EU's main mission was that of EUFOR DR Congo, a localised military operation conducted on the ground from June until December 2006 to help ensure the safety of the Congolese people during these elections. In terms of mandate, this EU policy was successful: it conducted its mission on time, reinforced its military capacity when needed, supported MONUC (UN Mission in the DRC) in Kinshasa, and used its technology to enforce the ban on weapons in Kinshasa. However, in order to assess EU policies in the DRC, it is necessary: 1) not only to analyse EUFOR DR Congo but also all the EU's economic and security policies and; 2) to evaluate the EUFOR DR Congo mission from a local perspective (i.e. within the DRC), and over a long period of time.

An overview of the situation in the DRC is followed by a detailed analysis of EU policies towards the DRC. Finally, an assessment of EUFOR DR Congo is offered. I argue that EUFOR DR Congo was decided for the 'wrong' reasons, and will have no impact in the long term in the DRC. EU policy towards DRC remains unfinished business.

Precarious Political, Security and Social Situation in the DRC

The DRC faces serious on-going instability. In 2006, the International Rescue Committee estimated that 1,200 people, half of these, children, died each day in the DRC as a direct or indirect cause of the conflict.¹ An estimated 400,000 refugees (or IDPs – internally displaced people) have fled DRC to Burundi, Rwanda and Sudan. In Eastern DRC, foreign armed groups (Rwandan former FAR/Interahamwe, and various Ugandan groups) are a continuing source of instability.² For instance, in July 2006, 17,000 people moved away from the fighting in Ituri. MONUC stated that the humanitarian situation in North Kivu remains 'precarious'.³

After the 'Agreement on Transition in the Democratic Republic of Congo', signed in Pretoria on 17 December 2000, the DRC is 2000 away from

Afghanistan and Iraq, and Germany faced pressure at the Bundestag not to intervene in an African state.

[IOUE%20%20RDC%20FR.pdf](#); Auswaertiges Amt Document,
'The EU mission in the Democratic Republic of the Congo',

Siamese Twins: NATO, The EU And Collective Defence

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NATO's feverish activity

NATO's summit at Riga, in the last days of November 2006, has again shown that the Organisation is no longer a military alliance *strictu sensu*, but a politico-military forum, or as qualified during the 1990s, 'an OSCE with rifle', or as referred to in 2006, considering its permanent, ongoing enlargement, 'like a kind of United Nations in military uniform'.¹

Together with an 'open door policy', successfully implemented during the last decade, equally appreciable is NATO's permanent effort to transform its defence structure – an operation efficiently carried out during the Riga summit with the NATO Response Force (NRF) declared fully operational, the endorsement by NATO Heads of State and Government of 'Comprehensive Political Guidance' (a major political document that sets out the framework and priorities for all Alliance capability issues, planning disciplines and intelligence for the next 10 to 15 years), and a new call for member states to increase defence expenditure. These three measures are added to the adaptation of NATO's Strategic concept twice since the fall of the Berlin Wall - the last one, approved in 1999 at the Washington Summit, still considered to 'remain valid'.²

Finally, at the operational level, who would contradict the words of General Jones (SACEUR) when stating that NATO 'has never been busier'?.³ After a relatively boring Cold War for Alliance military personnel, the last decade, and particularly the last five years, has been agitated: together with the harsh test of ISAF in Afghanistan, NATO has deployed troops in Kosovo (KFOR), has recently provided humanitarian assistance in Pakistan, and is training soldiers in Baghdad. Today, NATO manages six different missions in three different geographical locations.

In general, there is little doubt, even for its critics, that NATO was a genial invention, has been an enterprise of resonant military success

and is today, bigger, more active and better adapted to function in a new strategic environment, the essential forum for transatlantic dialogue on security.

Action with crisis

However, the robustness of NATO, its well-gained reputation as 'indispensable', and the fact that prophecies about its dissolution proved wrong and 'were premature', are all arguments that are not always incompatible with analysis that warns of NATO's 'structural crisis'. That structural crisis could be the result of 1) systemic changes occurred in the world order; 2) the existence of centripetal and disruptive forces within the Alliance itself and, fundamentally, 3) the direct consequence of article 5 being superseded by events and affected by a sort of necrosis since the end of the Cold War. NATO's crisis is chronic for the simple and serious fact that article 5, the heart of the North Atlantic Treaty - *la raison d'être* of the Organisation, its condition as bed-rock of the collective defence of its members - seems to have lost its validity in the 21st century. Permanent reforms that seek only to improve structures and procedures, and 'feverish activity' that only mask the lack of a strong mission 'will fail to solve the underlying problems' of NATO.⁴

Recently, another two factors concur to darken the gloomy prospects of NATO as hallmark of the collective defence of its members for the coming future: the first one, the rift of its two arms, the European and the American, in Iraq; and second and complementary, the fact that, as a spill-over of that rift, around the same dates, the Europeans, although divided over the Iraq invasion, were able to reach a historical agreement in the context of the European Convention and finally agree to enshrine a collective defence clause in the Constitutional Treaty that duplicates NATO's article 5. Iraq will be over some day; the pains and scars stemming from that crisis will be probably healed, but the clause approved by the Europeans will continue to be there, interrogative and surprising for its exceptionality.

The 'exceptionality' of the EU collective defence clause

The clause is exceptional on three accounts: in the first place, it is the last stage of the ongoing process of dissolution of the WEU and the symbiotic transfer of its article V into the framework of the EU; in the second place, it is

the result of an ongoing process of convergence of the security interest of two traditionally recalcitrant groups of countries - one set on the paramount centrality of NATO (Atlanticists), and the other set on the paramount value of the EU as a 'civil power' (neutrals) - with the positions sustained by a third group, the so called 'Europeanist countries', which, led by France and Germany, aspire to build and transform the EU into a *Europe puissance*.

In the third place, this unexpected convergence of the three tribes, and agreement on the wording of article I-41.7 of the Constitutional Treaty,⁵ was a surprise for two reasons: it is all in all admirable that the more humble and practicable Franco-German proposal submitted to the Convention – 'closer cooperation' in defence attached to the Treaty through an annexed protocol to be ratified by a number of countries under an 'opting-in' formula (and whose origins can be traced back to the Treaty of Amsterdam in 1996, under the so-called Westendorf formula)⁶ - progressed to become, by general consent, a binding article of the Constitution. Then, and even more surprising, this qualitative step was not the result of a proposal put forward by the Conventionalists, but the output of the negotiating process unleashed by the Heads of State and Government in the Intergovernmental Conference (IGC) that followed the Convention. What the Conventionalists did not even dream of discussing – and was pre-empted by the Working Group⁷ - was what the IGC agreed in one of the most delicate areas of national sovereignty, defence.

Will the EU substitute NATO in tomorrow's collective defence?

The very serious question opened by article I-41.7 of the *non-nata* Constitution is whether or not the cross-lines created by the progressive disentanglement of NATO as a collective defence guarantor, on the one hand, and the progressive entitlement of the EU as a collective defence organisation (which is juridical, institutional and capability based), on the other hand, transform the Union into a military alliance that will substitute the Atlantic Alliance to become, eventually, the bed-rock of the collective defence of EU countries. Certainly, that is a task and a future not very clear for all the members of the Union – not to mention Washington, in spite of the spirit of the Treaty which explicitly refers, as one of the aims of the Union, to keep its 'integrity'.

Those doubts, both of interpretation and conviction, are the result, in my opinion, of five different factors: 1) the historical tradition, the genetics of the Union and the sentimental attachment to the notion of Europe as a 'civil power'; 2) the unquestionable fact that the United Kingdom, the most loyal of all loyalists to NATO, could have consented to equip the Union with the core mission of NATO; 3) the fact that the United States, in spite of having less interest in a Europe in peace and peaceful, pacified and pacifist, civil and civilized, and more and more irrelevant as a security partner; and in spite of the difficulties of dealing with very troublesome and 'ungrateful' Europeans, have worked with intensity to transform NATO and keep its centrality; 4) NATO is not dying and, additionally, the military capabilities of the Europeans are negligible and neglected, so much so that the question arises if they could back up its collective defence commitment with muscle and military beef; and finally, 5) the collective defence clause enshrined in the Constitutional Treaty does not replicate with exactitude the clause of Article V of the Modified Brussels Treaty of 1954.

1) Schoutete is right when he emphasises that 'for an organization that was generally described as a civil power' the change of culture that has been taking place speedily since 1998, with the development of the Common Security and Defence Policy (CSDP), 'était abrupt'.⁸ Diverse sensibilities, fundamentally antagonistic in its motivations, converged in the conviction that the

The position of antiglobalizers, Greens and Communists was clearly expressed in the Convention's debates by Silvie-Ivonne Kaufmaan, for whom the EU has no need for a defence policy, but rather a peace policy, and no need for an armament agency, but a disarmament agency.

Finally, a large number of academics and experts, among them Karen E. Smith, understand that 'the end of civilian power image would entail giving up far too much for far too little'¹⁰ or, in the words of Vogler and Bretherton, that 'the appearance of uniforms in the once exclusively civilian Council of Ministers' is, for many, a 'distinctly retrograde step (...)'.¹¹ Nevertheless, reality and realism find its way: for Mario Telo, the fact that the Union remains limited 'to the aspiration of being nothing more than a kind of "world's Scandinavia" could be seen as equivalent to sticking one's head in the sand or, at the very least, of playing Candide'.¹² In a world where security is again up in the agenda, he is not being unreasonable.

2) For many, the fact that the United Kingdom and other Atlanticists finally ratified the collective defence clause of the Constitutional Treaty is enough to interpret it in a restrictive fashion. Right, certainly there are restrictions: that the European clause must be compatible

similar opinion is held by his Finnish colleague,

The Rhetoric-Reality Gap in the EU's Democracy Promotion in Central Asia

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This article examines European Union democracy promotion in Central Asia. It is argued that the policy is high on rhetoric but remains low on delivery. Relatively low levels of assistance are provided, concentrating mainly on good governance instead of democratisation. Furthermore, strong instruments are hardly ever used; even the principle of positive conditionality lacks observance. At first sight, this result is surprising. Considering Central Asia's non-conformity with liberal principles, one would have expected a more resolute approach. Talk of prospects for democratization in Central Asia seemingly represents the 'triumph of hope over experience'.¹ Presidents have gained wide powers to rule by decree. Parliaments and courts are weak and routinely ignored. Opposition has been circumscribed, co-opted, and/or repressed and almost all elections have had dubious legitimacy. In short, substantive democracy is either absent (Turkmenistan, Uzbekistan) or falls short of the mark (Kazakhstan, Kyrgyzstan and Tajikistan).

EU democracy promotion within the bilateral relations framework

The promotion of human rights and democracy

obviously corroborates this finding.

Explaining the rhetoric-reality gap

From the above examination, it is evident that EU democracy promotion in Central Asia has not lived up to expectations created by its general policy rhetoric. First, aid disbursement is largely unconditional. Second, high-level EU-Central Asian dialogue is both rare and relatively tame. Third, there is much emphasis on the promotion of good governance, leaving aside democracy and human rights issues. Moreover, EIDHR programming astonishingly ignores Uzbekistan and Turkmenistan, the region's worst human rights violators. Three propositions are outlined here to explain the rhetoric-reality gap, drawing on the EU's multi-level system of governance, the structure of resonance and the resource relations between the EU and the target states.

The EU's multi-level character

In promoting democracy abroad the EU is acting within the realm of shared competences. Thus, the multi-level character of the EU is relevant as member states could have interests in a third state which diverge from those of the EU. Two complicating issues have to be considered: first, the special relations of some member states with Russia; and second, the participation of member states in the war against terrorism. In dealing with Russia's self-prescribed role as a hegemonic power in the post-Soviet space, the EU, urged by its larger member states Germany, France and Italy, has always acted very carefully, trying to reassure Moscow that it is not its intention to question Russia's position in its Central Asian backyard. However, an aggressive EU democratisation policy could exactly provoke this: Putin's 'guided democracy' has few difficulties in dealing with the despotic rulers of Central Asia and is skilfully exploiting opportunities stemming from the more and more similar patterns of rule. Second, with the beginning of the war on terrorism some European leaders have increasingly shown a split personality on the promotion of democracy. More often than not, they put aside their democratic scruples as they need the assistance of the Central Asian states to conduct Operation Enduring Freedom in neighbouring Afghanistan. Furthermore, the EU not only tacitly accepted that Central Asia's newly obtained strategic importance paved the way for a new phase of domestic repression, it also doubled annual allocations for TACIS projects from €25 million to €50 million.

Turning a blind eye to conditionality holds especially true for Germany which put some 300 troops at the southern Uzbek city of Termez to support NATO's International Security Assistance Force (ISAF). Allegedly, it was Germany that long prevented EU sanctions against Uzbekistan in the EU Council of Ministers, before it had to give in, in autumn 2005.⁷ Furthermore, the credibility and symbolic value of these EU sanctions has been undermined also by Germany when Uzbek Interior Minister Zokirjon Almatov – literally and figuratively at the top of a visa ban list – received medical treatment in Germany.

Structure of resonance

The central assumption here is that the EU is especially active in countries which provide a favorable context for democracy promotion. This follows the Council's 'common position' that increased democracy support is to be considered where positive changes have taken place, that is, democratization aid falls on fertile ground.⁸ Given the (semi-) authoritarian character of the Central Asian regimes, the EU's approach of 'democratisation producing democracy aid'⁹ is certainly an important factor that accounts for the low level of resources allocated to Central Asia. Democratisation projects are especially complicated by ways in which these societies are structured. First, the social fabric of Central Asian societies is made up of an intermixture of traditional institutions like family, kinship and clan affiliations and loyalties. The underlying culture of these networks is not democratic, but authoritarian, patrimonial and personal; all of them hardly compatible with democratic norms. Furthermore, the absence of recognition in Islamic thought for the legitimacy of an independent political and public sphere as well as the supposed predominance of a corporatist spirit is not particularly conducive to individualism, making Central Asian societies inhospitable places for the emergence of democracy.¹⁰ Second, as the Tajik civil war has shown, Central Asia's clan based societies are highly fragmented along ethnic and regional lines and prone to the 'democratisation-stabilisation dilemma'¹¹: democratic competition is inherently difficult in such societies because of the strong tendency towards politicisation of particularistic demands, with in turn often leads to the growth of zero-sum, winner-take-all politics in which some clans are permanently included and some excluded. Against this background, it is not too astonishing that the EU concentrates in Central Asia largely on issues of state-building than on democracy-building.

Resource Relation

In general, we can observe that on economically potent targets, there are no strong instruments applied and only a very weak political dialogue is set up. In such cases the EU tries to push through its values via alternative arenas (e.g., WTO, UN, OSCE). At first sight, EU Central Asian economic relations are hardly overwhelming. Trade is lopsided with 20 percent of the Central Asian exports going to the EU while only about 0.5 percent of EU exports are shipped to the region. However, EU stakes significantly increase after including the energy issue as part of a larger trade dimension into the calculation. The region is part of a 'strategic energy ellipse', reaching from the Persian Gulf to the Caspian Sea and Russia. For example, Turkmenistan ranks three among the world's largest gas reserves and Kazakhstan has oil in the global ten. Since energy security has risen sharply on the European policy agenda, it cannot be ruled out that the choice

EU and Central Asia: The Energy Dimension, 2009, Center for Strategic and International Studies, Washington, DC, p. 17.

Database of ESDP Missions

Compiled by Miguel Medina Abellan, PhD candidate, Centre of International Studies, University of Cambridge, and working on CONSENT, Team 22

Mission	Geographical Scope	Legal Act	Objectives	Mandate	Kind of mission	Timing	Control and Planning	MS taking part	Financing	Size of the mission	Comment
EUPM	Europe Bosnia-Herzegovina	Council JA 2002/210/CFSP, 11 March 2002	Establish a sustainable, professional and multiethnic police service operating in accordance with best European and international standards.	UN's IPTF	Police mission	Since 1 Jan 2003					

Ukraine

providing
advice and
training to
Moldovan and
Ukrainian
border and
customs
services.

by the EUSR
for Moldova,
Adriaan
Jacobovits de
Szeged. HoM:
Brigadier

			justice system by training high and mid level officials in senior mgt and criminal investigation				direction. HoM: Stephen White	Germany, Italy, Netherlands, Portugal, Spain, UK, Sweden		and 5 experts in Baghdad	
EUBAM Rafah	Palestinian Territories	Council JA 2005/889/CFSP, 12 Dec 2005	Monitor operation of Rafah Crossing Point (Gaza), in accordance with Agreement between Israel and Palestinian Authority (PA)	EU-led operation	Border assistance	Since 30 Nov 2005	PSC political control and strategic direction. SG/HR gives guidance to the Head of EUPAT through the EUSR, Marc Otte. HoM: Major-General Pietro Pistoiese	Denmark, Finland, Italy, Netherlands, Portugal, Romania, Spain	€11.3 m	70 personnel (60 int'l and 10 national)	1 st EU Mission in the Middle East
EUPOL COPPS	Palestinian Territories	Council JA 2005/797/CFSP, 14 Nov 2005	Provide enhanced support to the PA in establishing sustainable and effective policing arrangements, with long term reform focus	EU-led operation	Police mission	Major0.0024					

2005/557/CFSP, 20 July 2005 effective and timely assistance to AMIS II enhancement. EU action to