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**Effective Multilateralism and Collective Security:  
Empowering the UN**

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## **1. The Strategy of Effective Multilateralism and the Choice for Collective Security**

The European Security Strategy (ESS), the first ever common strategic document of the EU, adopted by the European Council in December 2003, accords a central place to the collective security system of the UN. The best way of summarizing the ESS is through ‘effective multilateralism’, the last of the three strategic objectives that the document outlines. ‘Effective multilateralism’, defined by the ESS as ‘the development of a stronger international society, well functioning international institutions and a rule-based international order’, concerns the global order, the world system itself. As such, it aims to address the long-term underlying factors determining peace and security (Biscop, 2005). At the same time the Strategy strongly stresses that for ‘international organisations, regimes and treaties to be effective’ the EU must be ‘ready to act when their rules are broken’. ‘Effective multilateralism’ thus appears to imply enforceable multilateralism. In the words of Christoph Heusgen (2004, p.7), Director of the Policy Unit of High Representative Javier Solana: ‘Military intervention, however, is only the last resort of EU policy’. The emphasis clearly is on long-term stabilization and on a gradual approach towards – emerging – crises putting to use the full range of instruments at the disposal of the EU.

For the EU, in achieving ‘effective multilateralism’, the UN is the central actor: ‘The fundamental framework for international relations is the United Nations Charter. The United Nations Security Council has the primary responsibility for the maintenance of international peace and security’. The EU opts for the *collective security system*; accordingly, ‘Strengthening the United Nations, equipping it to fulfil its responsibilities and to act effectively, is a European priority’. Nevertheless, the ESS, which was drafted in the wake of the Iraq crisis, was criticized for not expressly saying that in principle the EU should seek a UN mandate for coercive military action. It can pragmatically be understood to imply that ‘in emergency situations immediate action is not always compatible with a formal application of international public law’ (Haine, 2004, p.110). In other words, the ESS can be interpreted as allowing a Kosovo scenario. A look at state practice reveals however that all Member States are willing to use force if necessary, and some have a stronger tradition of intervention than others, often related to a colonial past – e.g. France in Ivory Coast, the UK in Sierra Leone, Belgium in Central Africa – but none regards the use of force as a first-line instrument and all prefer to do so with a UN mandate. The adoption of the *EU Strategy against Proliferation of Weapons of Mass Destruction* by the December 2003 European Council, which provides for a long-term and comprehensive approach, bears witness to this consensus (Spear, 2003). In this document the EU renders explicit that ‘coercive measures under Chapter VII of the UN Charter and international law’ can only be considered when other instruments have failed, and that the Security Council (UNSC) is ‘the final arbiter on the consequences of non-

compliance'. Even the intra-European divide over Iraq in early 2003 did not essentially concern the collective security system. The real issue at stake rather appeared to be the relationship with the US. If in a situation in which the EU would not apply force – yet – the US decides to do so, where do Europe's priorities lie: in upholding its own principles or in supporting its foremost ally?

In view of its attachment to collective security, the EU welcomed the creation by Secretary-General Koffi Annan at the end of 2003 of a *High-Level Panel on Threats, Challenges and Change* with the aim of recommending 'clear and practical measures for ensuring effective collective action'. In May 2004 the Council approved for the transferral to the Panel a Paper for Submission to the High-Level Panel on Threats, Challenges and Change, which emphasizes the primary role of the UNSC in a much more explicit way than the ESS: 'In the view of the EU, it should remain for the Security Council, in accordance with its primary responsibility for the maintenance of international peace and security, to decide on the appropriate response to the risks in any situation that is brought to its attention, and to form a judgement on the appropriate course of action in any given situation.'

Through its contribution to the work of the Panel, the EU thus further clarified its own position, even though the status of this EU submission to the High-Level Panel is perhaps debatable: some regard it more as an academic contribution than as an official EU position. The Panel's report itself, which was submitted to the Secretary General on 1 December 2004, is remarkably close to the comprehensive approach of the EU: it adopts a wide definition of security, including social, economic and environmental issues, and strongly emphasizes prevention, which in the Panel's view begins with development. With regard to contingencies that warrant coercive measures, the Panel (p.13) reaffirms the validity of the Charter: 'In all cases, we believe that the Charter of the United Nations, properly understood and applied, is equal to the task: Article 51 needs neither extension nor restriction of its long-understood scope, and Chapter VII fully empowers the Security Council to deal with every kind of threat that States may confront. The task is not to find alternatives to the Security Council as a source of authority but to make it work better than it has.'

Accordingly, the EU very much welcomed the Panel's report and commended the Secretary-General, who personally presented it to the December 2004 European Council, 'for his leadership and vision'. In view of the exemplary function of the EU, one can indeed regret that the principle of UNSC authorization was not expressly included in the ESS – who else would send such a clear message in favour of the collective security system if not the EU? Clearly though, since the 2003 Iraq crisis and the debate on the UN that it engendered, through the drafting of the ESS and through its support for the recommendations of the Panel,

the EU as such under the heading of ‘effective multilateralism’ has emerged as one of the staunchest supporters of collective security.

## **2. Effective Multilateralism at the UN: Conceptualizing EU Actorness in the UNSC**

Today, of the 25 EU Member States, only France and the UK are represented on a permanent basis in the UNSC. The remaining Member States may obtain a seat for two years if they are elected by the UNGA regional groups. What does this mean for the EU’s *presence*? Following Allen and Smith, the notion of presence refers to ‘the ability to exert influence, to shape the perceptions and expectations of others’ (Allen & Smith 1990, 19-34). In recent years, scholars have often enclosed this notion in a broader framework, applying the concept of actorness to describe and evaluate the EU as an international actor (Hill 1996, Jupille & Caporaso 1998, Vogler 1999, Ginsberg 2001, Laatikainen 2002, Vogler 2002, Joleka 2002). For a definition, these scholars still refer to the definition of ‘actor capacity’ Sjöstedt gave in 1977, namely ‘the capacity to behave actively and deliberately in relation to others in the international system’. In 1998, Jupille and Caporaso operationalised the concept and established four criteria for evaluating actor capacity: *recognition, authority, autonomy* and *cohesion* (Jupille & Caporaso 1998, 214-221).

According to Jupille and Caporaso, *recognition* by third parties of EU competence is a ‘minimum condition’ for global actorhood as it allows for presence. Such external or outside recognition does not necessarily imply diplomatic recognition under international law of the EU or formal EU membership of an international organisation (*de iure* or formal recognition). It may also be the result of third parties interacting with the EU rather than with the individual Member States (*de facto* or informal recognition). In the UNSC, the degree to which such indirect recognition is possible is dependent upon the degree to which the relationship between the EU Member States and the European members of the UNSC can be defined in terms of principals and agents. As here not only the notions of authority and autonomy pop up, but also the notion of cohesion, the status-quo of EU actorness in the UNSC provides a clear illustration of the degree to which the four dimensions of actorness as proposed by Jupille and Caporaso are interlinked.

In the current stage of integration, the EU does not have the legal competence or *authority* to act on behalf of the EU Member States in the UNSC. Yet, the fact that the EU does not have a seat in the UNSC does not mean that there are no legal impulses for the EU Member States in the UNSC to speak with a common voice. Indeed, as stipulated in article 19(2) of the Treaty on European Union, EU member states who are also members of the UNSC should ‘concert’ and keep their colleague member states ‘fully informed’ about their activities. In addition, those European member states participating as permanent members in the UNSC should also

‘ensure the defence of the positions and the interests of the Union’. However, they have to do this ‘without prejudice to their responsibilities under the provisions of the United Nations Charter’.

Moreover, in contrast to recognition, *authority*, *cohesion*, and *autonomy* are *active* dimensions of actorness, meaning that they can be directly influenced by EU decision-making. As *authority* refers to the legal competence of the EU to act externally, the EU Member States can change the legal basis for acting externally by amending the Treaty. Moreover, in practice the interaction of *cohesion* and *autonomy* may create a situation of *indirect authority* and positively influence the degree to which the EU can be seen as an international actor, without Treaty reform. Indeed, the degree to which the relationship between the EU Member States in the Council and the European members of the UNSC, as defined by article 19(2) TEU, can be characterised as a relationship between *principals* and *agents* in which the agents strictly resound the coordinated position of the principals (i.e. the *perfect* principal-agent relationship), can create a situation of *de facto pooled international representation*. Indeed, if the EU member states reach a coordinated position at the level of the EU and the European members of the UNSC echo this position at the UNSC, countries like the US, China and Russia are sitting round the UNSC table with a number of European discussion partners who strike the same note, creating a negotiation context resembling one of *bilateral cooperation* between the EU and these countries in a multilateral context. In contrast, in case the outcome of the internal coordination is not a coordinated position, there is also the possibility that these countries face a number of – maximum four – European discussion partners who may all strike different notes, resulting in a situation of *multilateral cooperation* in a multilateral context. This may also be the case if the EU member states do reach a coordinated position at the level of the EU, but if the European members of the UNSC do not echo this position at the UNSC. In other words, for a *perfect principal-agent relationship*, two conditions have to be fulfilled. First, the principals have to succeed in reaching a common position. Secondly, the agents have to resound this position strictly at the UNSC. Whereas the first condition fits in with the *cohesion* dimension of actorness, the second condition is in keeping with the *autonomy* one.

With regard to the question of *autonomy*, according to Jupille and Caporaso the degree of delegation of authority by the principals is a *conditio sine qua non* (Jupille & Caporaso 1998, pp.216-217). In recent years, a growing number of scholars have applied *principal-agent* insights in the study of the EU to conceptualize and explain the delegation of negotiating authority from the Member States to EU institutions (Ballmann, Epstein & O’Halloran 2002; Kassim & Menon 2003; Meunier 2000; Pollack 2003). Scholars applying these insights to the study of EU external relations have mainly focused on external trade policy (Kerremans 2004, Nicolaïdis 1999). In external trade negotiations Member States (principals) mostly delegate

negotiation authority to the Commission (agent) according to the procedure prescribed in articles 133 TEC and 300 TEC. In comparison to these negotiations, when applying principal-agent concepts to decision-making in the UNSC, two things have to be kept in mind. First and foremost, as appears from the wording of article 19(2) TEU, the delegation of negotiating authority – in practice: by the Council or the Political and Security Committee (PSC) – is neither formalised nor institutionalised. As a formal negotiating mandate is not provided for in the TEU, and Member States in the UNSC have to defend EU common positions without prejudice to their responsibilities under the UN Charter, delegation is an *option* and will always be informal. Consequently, the agents may not only have incentives to act autonomously, but also the possibility to do so. Secondly, whereas in case of external trade negotiations there is mostly only one agent, here, there are a number of countries who could be assigned the role of agents. In addition, being a subset of the principals, they are always part of the decision to delegate negotiating autonomy and can thus directly influence *cohesion*. For this reason, these member states could be in a position to develop a de facto initiating right in the Council, becoming first movers in EU decision-making.

Today, in most of the debates planned in the UNSC, the EU is *directly* represented by the Presidency, which is invited to participate in the meetings without voting rights and makes a statement on behalf of the EU, to which the other Member States routinely refer. Most of the time not only the candidate countries (Bulgaria, Croatia, Romania and Turkey), but also the countries participating in the Stabilisation and Association Process (Albania, Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia and Serbia and Montenegro) as well as the EFTA-countries (Iceland, Liechtenstein and Norway) align themselves with these statements. Administratively, since 1994 Member States' and especially the Presidency's delegations are supported by the Council's Liaison Office in New York (NYLO). The NYLO assists the Presidency in its task of coordinating between the 25, providing secretariat services and functioning as the institutional memory. In 2004, 39 Presidency Statements were issued, of which 25 on specific states and regions and 14 on horizontal issues. In comparison, in 2001, 2002 and 2003, the Presidency delivered respectively 45, 38 and 32 statements. The items covered in 2004 included: the Balkans (8), West and Central Africa (5), the Middle East (4), Timor (4), Afghanistan (2), Sudan (1) and Haiti (1), as well as terrorism (5) and non-proliferation (2), and issues in the field of conflict prevention, crisis management and post-conflict reconstruction (7). Moreover, in 2004, the EU Presidency invited EUHR Solana twice to address the UNSC. Solana invited ESDP Deputy Director-General Peter Feith to speak on his behalf on cooperation between the UN and regional organisations on 20 July 2004, but attended the discussion on civilian crisis management on 22 September 2004 himself. The Presidency Statements often stress a number of 'traditional' EU priorities, notably the comprehensive approach to security. This involves an integrated use of civilian and military means, tackling the root causes of terrorism, and the importance of reconciling a stepped up

fight against terrorism with respect for human rights and the rule of law. The inclusion of a human rights expert in the Executive Directorate of the UNSC Counter-Terrorism Committee is an example of an EU-propagated measure. Other recurrent items are the need for a regional approach in dealing with conflicts, the International Criminal Court and stronger cooperation between the UN and regional organizations.

Yet, as Laatikainen noted, there is a difference between presenting the European view on certain issues before the UNSC and joint European decision-making in the UNSC (Laatikainen 2003, 424-425). In contrast to the representatives of the European members of the UNSC, in these sessions, these 'EU representatives' do not have voting rights. Moreover, with regard to actual decision-making, the majority of negotiations on draft resolutions are conducted by the UNSC members in the margins of and in between these gatherings. As a result, notwithstanding the fact that the EU has been increasingly visible in the UNSC by the Presidency delivering statements on behalf of the EU, the degree to which the EU is present in actual UNSC decision-making is dependent upon on the degree to which the European members of the UNSC allow for this, i.e. on their autonomy in the application of article 19(2) TEU. Or, what it boils down to is the degree to which the EU Member States in the UNSC consider themselves representatives of the EU rather than actors in their own right, i.e. consider their seats in the UNSC as instruments of EU foreign policy cooperation rather than as expressions of national sovereignty.

Indeed, for many years, France and the UK have given their obligation to provide information a minimalist interpretation, limiting themselves to their ambassadors answering the questions of their colleagues at the weekly meetings of the EU heads of mission in New York. In January 2001, this changed as the practice of 'article 19 briefings' was established on the initiative of France and Spain. In these weekly briefings chaired by the member state holding the Presidency, France and the UK inform the permanent missions of the EU Member States about the ins and outs in the UNSC. Just like it prompted the adoption of the ESS, the Iraq crisis of early 2003 seems to have given this development a new impulse as EU Member States are now mostly briefed at an earlier stage on draft resolutions. According to Luif, the fact that in the summer of 2003 the French and British delegations came up with the idea of organising weekly 'forward-looking debates' on the upcoming UNSC agenda also indicates that France and the UK are taking the demands of article 19 TEU more seriously (Luif 2003, 16-19; Sucharipa 2003, 786-794). Yet, with the exception of the fact that the EU Member States having recently agreed on organising extensive consultations at 25 regarding draft UNSC resolutions providing for the possibility of sanctions against individuals, in view of the legal difficulties created by the transformation of such resolutions into European and national legislation, a systematic *ex ante coordination* between the EU Member States on UNSC matters is, especially for the UK, still out of the question.

An additional problem is that EU common positions and/or CFSP declarations/statements adopted by the EU on topics discussed in the UNSC rarely present the right framework for representing the EU in the UNSC. As a result, the *cohesion* thus achieved leaves to be desired. Firstly, the agenda of the PSC is not very well aligned with the agenda of the UNSC in New York, although on occasion France in particular attempts to obtain a fixed position from the PSC in function of its own needs, notably in cases when it can be expected that the view of Paris will be different from that of London. Secondly, CFSP declarations/statements are often rather-too general for such a purpose. At the same time, as the practice of EU participation in EU conferences learns, too detailed and rigid EU positions limit the room for negotiations in the UNSC, which would be unworkable and would therefore probably not be acceptable to the Member States on the UNSC, specifically France and the UK, who greatly value their *autonomy* as permanent members. Thirdly, a personal factor must also be taken into account: Member States' permanent representatives in New York, who are among their most senior diplomats, are not always looking forward to receive what may look like 'instructions' from their most of the time more junior colleagues in the PSC. In consequence, a balancing act is required: an EU position must not yet have carved every single aspect of a debate into stone, but must not be so vague either as to give no direction at all. In that respect it would be useful when issues are up for discussion in the UNSC to include them on the agenda of the PSC beforehand in order to frame the debate in New York, even if only by recapitulating EU positions on the issue at hand.

Here, the debate on the *Presidency Declaration on the Report by the International Commission of Inquiry on Darfur* (7 February 2005) can serve as an example of the need to balance direction/*cohesion* and flexibility/*autonomy*. Whereas France wanted a strong declaration in favour of the Commission's recommendation to involve the ICC, the UK preferred more flexibility in view of the need to negotiate with the US, as the latter had expressed its opposition to the implication of the ICC. As indicated by the following excerpt, the Declaration adopted confirms the standing EU position but at the same time can be interpreted as leaving considerable leeway to the Member States on the UNSC: 'The Commission of Inquiry recommends that those responsible should answer for their acts before the International Criminal Court. In this context, the EU reaffirms its constant support for the International Criminal Court, and reiterates its common position on the ICC, while noting that it is for the United Nations Security Council to take a rapid decision on this matter.'

There is a strong consensus between the Member States on the *long-term strategy* of prevention and stabilization, and the actions that it entails. On the whole it does appear from Presidency Statements and Member States' positions in the UNSC that on such issues the EU acts in a coordinated/*cohesive* manner, and that its voice is heard/*recognized* by the other members. In this regard the UN setting does not seem to present any particular difficulties for

the EU. Only exceptionally do the Member States on the UNSC vote divided on such issues; e.g. in 2004 on two occasions (25 March and 4 October) France and Spain voted in favour of a draft Resolution condemning certain actions by Israel, while Germany and the UK, although agreeing on the substance, abstained for a lack of balance in the text, which made no mention of equally unjustifiable actions by Palestinian extremists. Rather the caveat that does apply is valid for CFSP/ESDP as such: the ability of the EU to act as one in response to *crisis situations* will remain doubtful as long as the Member States rest divided over the degree of autonomy of the EU as an international actor. That in some cases Member States prefer national policies is not really problematic, as long as these are consistent with the policies of the EU, e.g. French and British involvement in Ivory Coast and Sierra Leone. Fundamental is that as long as some Member States continue to look to Washington for guidance first rather than coordinate within the EU, the latter cannot be a resolute actor or develop the ‘strategic culture that fosters early, rapid, and when necessary, robust intervention’ called for in the ESS. When, as a consequence of this divide over the degree of EU autonomy vis-à-vis the US and NATO, *cohesion* is lacking and the EU is divided internally on the need for action, it is absent from the debates in the UNSC, e.g. with regard to Iraq. As the current system of EU representation allows for great *autonomy*, the individual Member States in the UNSC are then free to voice their – contradictory – positions. Whether the EU acts resolutely in crisis situations, in the UN and elsewhere, will have to be judged on a case-by-case basis. The conditions for establishing EU actorness in the UNSC do not differ from the conditions for establishing general EU actorness in the framework of the CFSP and ESDP, on the contrary.

### **3. New impulses for a uniform EU representation in the UNSC?**

In the *Draft Treaty establishing a Constitution for Europe* (TCE) most of the rules concerning EU coordination in international organisations like the UN remain similar (article III-305). New is that the EU foreign minister will be responsible for organising ‘the coordination’ in international organisations, a task that is currently reserved for the EU Presidency (article I-28 TCE). Also, when only some EU Member States are member of a certain international organisation, the foreign minister, like the other Member States, shall be kept informed. The same goes for the Member States who are – permanent or elected – member of the UNSC. These countries have to defend the EU positions and interests in the execution of their functions. However, still without prejudice to their responsibilities following the UN Charter. Also new is that in case the EU has defined ‘a position’ on a subject which is on the UNSC’s agenda, the Member States sitting on the UNSC shall request that the foreign minister is asked ‘to present it’. In this regard, according to the draft constitution, the future European Council President shall, ‘at his or her level’, ‘ensure the external representation of the Union on issues concerning its common foreign and security policy, without prejudice to the powers of the Union Minister for Foreign Affairs’ (article I-22). As a result, it remains to see whether he or she might not consider the UNSC to be precisely ‘at his or her level’.

As he or she will combine the functions of EUHR en Commissioner for external relations, the draft constitution envisages a strong role for the future European Union Minister for Foreign Affairs. As chair of the Foreign Affairs Council and Vice-President of the Commission, a powerful Minister would be able to act as engine of external action in all of its dimensions and stimulate *cohesion*. The involvement of the Minister could increase consistency in the EU's representation in the UN, as compared to the current mechanism of inviting the (rotating) Presidency. Presumably the Minister could appoint a permanent representative in New York, making use of the system of *Special Representatives*, who could represent him at all debates. This *envoy* could be included in the delegation of one of the Member States on the UNSC, perhaps on the basis of a rotation scheme. This way, the EU would acquire a permanent voice in UNSC meetings and be able to increase its actorness without having to change the UN framework. From an administrative point of view, in Brussels, the foreign minister will be supported by a *European External Action Service (EEAS)* comprising officials from the Council, the Commission and the member states. In line with the philosophy behind the creation of the EEAS, the Council and Commission delegations to the UN in New York could be merged and reinforced, in order to strengthen their role as guardians of EU positions. This would also be to the advantage of the smaller member states in the UNSC, as they could replenish their limited diplomatic resources by appealing to the delegation of the External Action Service.

Yet, since the Constitution does not provide for formal *delegation of authority*, the key role in the negotiation of resolutions will continue to be played by the Member States in the UNSC who will retain a large degree of *autonomy*. The issue is often said to be solved by the creation of a single EU seat in the UNSC. On 24 March 2003, in an interview with *Die Welt*, also EUHR Javier Solana alluded to this. According to Solana, as differences of opinion had been running exactly between the four European members of the UNSC, a possible explanation for the *Iraq saga* within the UN in the spring of 2003 could have been the lack of a single EU representation in the UNSC: 'The EU is not represented by one seat in the UN. Yet, the problems started in the UN. What makes it difficult for the EU and me is that the EU has four members in the UNSC. (...) Imagine what influence Europe could have had if it had spoken with one voice. The lesson we learnt is that Europe is losing influence when it does not speak with one voice' (Solana 2003). One year later, Solana put it as follows: 'If France and the UK do not reach a common position, there will be no common EU position. Therefore, I advise all permanent and non-permanent members of the UNSC to be aware that they are not just representing their own country but also representing the spirit of the EU – or at least should be representing the spirit of the EU' (Solana 2004). The Iraq crisis thus not only greatly influenced the drafting of an ESS, but also intensified the debate on the institutional dimension of the EU's representation in New York.

The support for a single EU representation in international organizations like the UN follows from the idea that such form of representation will increase the bargaining power of the EU in these organizations. Furthermore, if the EU is represented by a single seat, the Member States will have to choose between the adoption of a common position or being absent from the debate altogether. In consequence, cohesion would be stimulated, while the problem of the autonomy of individual EU Member States on the UNSC would no longer pose itself. Of course, as Frieden remarked, by itself, *pooled representation* does not necessarily increase the EU influence over bargained outcomes (Frieden 2004, 262-274). The degree to which pooled EU representation affects bargaining outcomes is sensitive to many features of the European and international environment, including the number of countries involved and the distribution of their preferences, and the voting rules applied, both inside the EU and UNSC. Indeed, that speaking with a single voice does not necessarily results in an increase in bargaining power, has also already been acknowledged by the European Commission in the autumn of 2003: “While the EU has moved progressively towards speaking with a common voice in UN debates, its real influence – and its ability to project European values – on the world stage still falls short of its economic and combined political weight, or indeed its contribution to the funding of UN organizations” (COM(2003)526, 3). Moreover, as UN membership is still reserved for states, the creation of a single and permanent EU seat in the UNSC implies a profound institutional reform of the UN system.

#### **4. Bringing ‘Effective Multilateralism’ into Practice: Spreading the Word**

As one of the members of the High-Level Panel, Lord David Hannay (2005), noted, ‘the fit between the Panel’s proposals and EU objectives is astonishingly close’, a fact which, as he emphasises, has consequences:

‘But this presents the EU with a fundamental challenge: can its foreign policy move beyond warm words and fine-sounding communiqués to action; and can it deploy its influence to convince less enthusiastic members to move forward?’

As is has proclaimed itself the defender of collective security, and with two of the permanent members in its ranks, the EU is indeed one of the primary addressees of the High-Level Panel report, and is rightfully expected to contribute in very concrete terms to the functioning of the UN. As Kofi Annan (2004) said to the European Council: ‘As we move ahead, full European engagement will be essential. [...] the world now looks to you to support a global multilateral framework’ – a clear indication of the degree of recognition of the EU.

A first contribution which the EU can make is promoting the reinvigoration of the collective security system as advocated by the High-Level Panel and the implementation of the

necessary measures to that end, through the multi- and bilateral political dialogue in its elaborate range of regional partnerships and with its partner countries. The EU could try to reach out to Russia and China, whose support for collective security as permanent members is vital. It should not be forgotten that for many Southern members of the UN several aspects of the Panel's recommendations are highly controversial (Berdal, 2004, p.95); diplomacy is needed to ensure their continued commitment. Significantly, following the release of the Panel's report, the EU as such entered into a direct dialogue with the US on issues relating to collective security which had not been the subject of EU-US meetings before. In the first place the Panel's recommendations themselves were the topic of direct talks in the run-up to the September 2005 Millennium+5 Summit. But the EU also started coordination with the US in the field of development and in the field of conflict prevention and post-conflict reconstruction created a desk-to-desk dialogue with the new Office of the Coordinator for Reconstruction and Stabilization in the US State Department. In both areas coordination efforts are undertaken in function of the agenda of the UN. Once again, this development demonstrates that EU actorness on UN issues has increased through its commitment to the reinvigoration of collective security launched after the Iraq crisis.

## **5. 'Effective Multilateralism' in the Field**

The second contribution of the EU must of course be in the field. The first major step to a concrete partnership with the UN in the field of security was the adoption, by the June 2001 Göteborg European Council, of a declaration on EU-UN Cooperation in Conflict Prevention and Crisis Management, which named three priority areas: conflict prevention, the civilian and military aspects of crisis management, and particular regional issues (the Balkans, the Middle East, the Great Lakes Region, the Horn of Africa and West Africa). In the field of conflict prevention and early warning, both the EU and the UN have created extensive instruments for the worldwide monitoring of developments, the effectiveness of which can only increase by combining the assembled information. On 24 September 2003 both organizations signed a joint declaration on cooperation in crisis management, with the aim of increasing coordination and compatibility of mission planning units, training, communication and best practices. A Steering Committee at working level was established in February 2004. Regular meetings now take place between staff from both organizations, involving, on the side of the EU, the Policy Unit, the EU Military Staff, the Council Secretariat and the Commission, and, on the side of the UN, DPA, DPKO, OCHA and the UN Situation Centre (Manca, 2004); the NYLO acts as support for these contacts. A specific Council Working Group, CONUN, covers EU-UN relations. At the administrative level the EU is thus very much present.

The EU-25 contribute about 40 per cent of the UN's peacekeeping budget, making the EU the largest contributor by far (European Union, 2004), but their contribution in terms of

manpower is rather smaller. In November 2004 the EU-25 provided 4,836 military observers, civilian police and troops for UN operations or only about 7.5 per cent out of a total of about 64,000 (UN, 2004). In recent years, the absolute numbers of EU troop contributions have not varied that much, but the overall number of UN operations and of troops engaged has risen enormously – e.g. in November 1998 only about 15,000 troops were deployed on UN operations – so the relative weight of the EU contribution has greatly diminished. This is a distorted image however, since these figures only take into account operations under direct UN command. EU Member States further contribute in much more substantial numbers to operations mandated by the UN but undertaken by the EU and NATO: about 7,000 in Bosnia-Herzegovina (EU operation Althea), over 16,000 in Kosovo (about 70 per cent of NATO's KFOR) and about 4,000 in Afghanistan (over 60 per cent of NATO-led ISAF). If these operations are counted as well, the Member States are on average deploying some 32,000 men in support of the UN, which represents about half of the average total deployment of European forces at any one time in 2003–2004.

The Member States seem to prefer operations on behalf of the UN, rather than contributing troops to UN operations directly under the command of New York. This attitude appears to be motivated *inter alia* by the experience of Rwanda, when communications between the UN Headquarters and the force commander on the ground, and hence decision-making, proved to be slow and cumbersome, which increases the risks for the troops in the field. It is evident however that in all cases the political authority must remain with the Security Council: the body that authorizes an operation and sets its objectives decides when the objectives have been achieved, have to be adjusted or have to be abandoned. In practice however, the exact nature of the relationship between the Security Council and a regional organization implementing an operation on its behalf is often far from clear.

The first ESDP military operation which the EU implemented completely autonomously, i.e. without the use of NATO assets, was in fact an operation requested by the UNSC, which in Resolution 1484 (30 May 2003) authorized the deployment of an 'interim emergency multinational force' in Bunia in the Democratic Republic of the Congo, where armed militias threatened the security of the local population and humanitarian aid workers, in order to allow the UN time to reinforce the military presence of MONUC, the UN mission, in the region. The EU operation, baptized Artemis, was one of limited scope, in time (12 June – 1 September 2003), in scale (about 2,000 deployed, including 400 at the support base at Entebbe airport in Uganda) as well as geographically (securing the town of Bunia in the Eastern province of Ituri), but it certainly was a high-risk operation, in an extremely volatile environment, undertaken at very short notice at a great distance from the EU. Its successful implementation served to boost Europe's confidence in the abilities of ESDP. Artemis can be seen as an expression of the EU's commitment to the UN, as well as of its – developing –

special interest in helping to maintain peace and security in Africa. The operation also highlighted the need however to detail the relations between the UNSC and the EU when acting on behalf of the former (Tardy, 2004, pp. 63-4). On a practical level, the EU and France at first appeared reticent to communicate all information regarding the deployment. At the political level, the EU apparently did not accept any subordination of the PSC to the UNSC, though it did of course report to the Security Council on the implementation of the mandate as stipulated in Resolution 1484.

Operation Artemis subsequently served as a model for the so-called 'battlegroup' concept. Acting on the original proposal by France, Germany and the UK, the EU has decided to create battlegroups, each some 1,500 strong (one combat battalion plus supporting units), which must be able to deploy no later than ten days after an EU decision to launch an operation and be sustainable for 120 days until the termination of the operation or relief by another, larger and longer-term force. By 2007 the EU aims to be able to undertake two concurrent battlegroup-sized operations. Member States' commitments made in November 2004 are to eventually create 13 national and multinational battlegroups. The EU has stated its intention to deploy the battlegroups primarily at the request of the UN, either for small-scale stand-alone operations, or as the initial entry force pending the deployment of a longer-term UN operation (or an operation by another regional organization, such as the African Union), or as an interim force between two such operations – the so-called bridging model. As the UN's force generation process tends to be rather cumbersome, this would represent a very welcome addition to the UN's capabilities. The High-Level Panel e.g. expressly welcomed the EU initiative and recommended that 'Others with advanced military capabilities should be encouraged to develop similar capacities at up to brigade level and to place them at the disposal of the United Nations' (p.59).

However, a military contribution equal to its economic and political weight – and its share in the UN's peacekeeping budget – seems to demand a greater effort from the EU than the implementation of the battlegroup concept. The offer to undertake interim operations for the UN is extremely useful, but one would expect an effective commitment to e.g. peace in the DRC also to be translated into long-term participation in peacekeeping, *in casu* MONUC. Even when taking into account the participation of Member States' forces in 'subcontracted' operations, the current contribution of about 32,000 by the EU-25 does not seem proportionate to their combined capacity or to the position of the EU in the UN. In comparison, in November 2004 the *seven* largest contributors of military forces and civilian police together also provided over 32,000 personnel for ongoing UN operations: Bangladesh, Pakistan, Nigeria, India, Ethiopia, Ghana and Nepal (the first two accounting for 8,212 and 7,503 respectively) – countries that do not exactly have the same wealth or sophisticated military capabilities as the EU. It must also be noted that the UN-mandated EU and NATO

operations are either taking place on the European continent, or, as regards Afghanistan, as a follow-up to an initial operation of self-defence. The EU thus seems to assume only a limited part of the UN's responsibility for the maintenance of *worldwide* peace and security, apart from its financial contribution to the peacekeeping budget. Mainly financing other States' troops falls short however of the burden-sharing that can be expected from one of the most powerful global actors. Likewise, highly commendable efforts to empower other regional organizations to undertake peace support operations, such as the African Union through the African Peace Facility, do not absolve the EU from its own responsibility, certainly not while e.g. the AU's capacity is still far from fully-fledged (Gowan, 2004). An increased EU contribution of military and police forces is of paramount importance if the UN is to fulfil its collective security role, for currently, in view of the number of crises, 'there remains a glaring gap between the demand and the supply of capable peacekeeping forces that the international community can mobilize' (O'Hanlon and Singer, 2004, p.79).

It has to be recognized that currently the EU is constrained by the limited deployability of a large share of the Member States' armed forces. It is recommendable therefore that in the framework of 'effective multilateralism' the EU would include a future larger-scale contribution to UN-led or UN-mandated peace support operations around the world in the objectives of the capability-building process in ESDP. While it is sometimes feared in New York that less EU troops will be available for UN operations (Tardy, 2004, p.74), the further development of ESDP should precisely enable the EU to contribute more.

Assigning forces to UN-led operations remains a national decision, on a case-by-case basis, and several Member States have bilateral stand-by arrangements with DPKO in which they commit to maintain specific capabilities on stand-by in order to be able to react rapidly if they so wish to requests from the UN Secretary-General. This does not mean though that the Member States cannot jointly undertake to increase their contribution, agree a quantitative objective and take that into account when planning capability needs and defining requirements in the framework of ESDP. In its June 2004 declaration on EU-UN Cooperation in Military Crisis Management Operations the European Council launched the idea of a 'clearing house process' as a complementary role for the EU in this regard, with the aim of providing a framework for Member States to exchange information and coordinate their national contributions to UN operations.

Similarly, a quantitative objective could be set, looking beyond the battlegroups and including both military and civilian capabilities, with regard to EU operations at the request of the UN, defining how many operations of which type – including peacekeeping – and at which scale the EU would be willing to undertake. These could be short and long-term EU-led operations, such as Artemis and Althea, under EU-command and under the political control of the

Council and the PSC and only indirectly of the Security Council. Perhaps specific components or modules within the structure of a broader UN mission could also be envisaged, with an EU force commander in the field, but under the operational command of UN Headquarters in New York and under the direct political control of the UNSC. In both cases the relations between the various bodies involved of both organizations need further clarification. A specific type of high-intensity operation in which the UN is interested, but with regard to which the EU appears rather reluctant, is that of an ‘over the horizon reserve’ or ‘extraction force’, i.e. an EU reserve force that would be on stand-by if rapid response were required in support of a UN operation, e.g. in support of, or to evacuate, peacekeeping forces in case of an escalation of violence.

The EU also has civilian capabilities to contribute to deploy as part of integrated civil-military operations or for exclusively civilian missions. This is particularly relevant in the light of the Panel’s recommendation to establish a Peacebuilding Commission, and a Peacebuilding Support Office, to fill a gap in the institutional architecture of the UN and create a body that can identify States in risk of collapse and coordinate international assistance to frail States and States in post-conflict situations. The ongoing development of the EU’s civilian capabilities means that the EU could make an eminent contribution to such peacebuilding missions.

## **6. Conclusion**

In view of its political and economic weight, and of its actual financial contribution to the UN, the EU as such enjoys the *recognition* of both the other members of the UN and the UN bodies as an indispensable partner in the field of peace and security. Since the Iraq crisis of early 2003, this recognition has increased as a consequence of the expression, throughout the debate on the future of the UN, of strong EU support for the collective security system. EU Member States have also shown a greater willingness to coordinate their actions within the UN, and to contribute to the UN, both financially and militarily, although in the latter field an enhanced contribution is required to fully reflect the EU’s weight. On the whole, on issues of long-term stabilization and conflict prevention the EU does speak with a single voice in the UNSC, in spite of the imperfections in the system of EU representation, in the sense of a lack of formal mechanisms for the *delegation of authority* from the Council/PSC (principals) to the Member States on the UNSC (agents) and, consequently, a large degree of autonomy for the agents. The effects of these imperfections show themselves when the EU fails to achieve a common position. In such cases of a lack of *cohesion*, which are most likely to occur with regard to crisis response, the individual Member States are then free to defend their – often contradictory – national positions and the EU as such is left without presence. A strong EU foreign minister could potentially stimulate cohesion, but only a single EU seat in the UNSC would completely resolve the issues of *authority* and *autonomy*. However, EU presence in the

UN suffers from the same disease as EU presence does in general: the unresolved fundamental debate about the degree of ambition and autonomy vis-à-vis NATO and the US of the EU as an international actor. An increased contribution of military and civilian capabilities is meaningless without the political will to make use of such assets when the need arises. Only when this political issue is finally settled will the EU be able to emerge as a resolute international actor in the field of long-term conflict prevention and crisis management.

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