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# Venus Approaching Mars?
# The EU as an Emerging Civilian World Power

by

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# 1. Introduction: Normative, Soft, Civilian, or Simply Weak Power? The EU's Foreign Policy Identity

For decades, debates about European foreign policy more or less focused on the question whether there was such a thing as a "European foreign policy", i.e., the emphasis was on the actorness of the EU in foreign policy matters. Christopher Hill's famous argument about the "capability-expectation gap" concerned such actorness (Hill 1993). Today, things have gradually started changing, in parallel to the continuing institutionalization of CFSP/ESDP matters. For the past few years, the scholarly debate largely focused on the question "what characterizes this European foreign policy" (Sjursen 2006b, 169). Various concepts are floating around in the discourse: "Venus" (Kagan 2003); "normative power Europe" (Manners 2002); "postmodern state" (Cooper 2000); "civilian power" (Duchêne 1972).

These conceptualizations – for all their differences and their analytical weaknesses (see below) – share two features: First, they recognize that the EU indeed has a distinctive foreign policy by now and that, thus, the EU has emerged as an international actor. Even if – as (neo-) realists such as Robert Kagan or Adrian Hyde-Price do (Kagan 2003; Hyde-Price 2006) – one explains the specific features of this foreign policy with its lack of (military) capabilities and with its intergovernmental decision-making process, the actorness of the EU in world affairs is no longer in doubt. This in itself is a significant development in the scholarly reflection of European foreign policy which should not be overlooked.

Second, the four concepts mentioned above engage in identity discourse, whether explicitly or implicitly. As Thomas Diez points out, "the discourse of the EU as a normative power [or civilian power, for that matter. TAB/T.R.] constructs a particular self of the EU" (Diez 2005: 614). Identity discourse, however, has its own problems, since it easily overlooks the difference between descriptive-analytical and normative statements. Ian Manners' recent statements are interesting in this context: Only few years after he had coined the term "normative power," he complains that the so-called "militarization" of the EU means that it is abandoning an identity that he himself has helped constructing (Manners 2006). Moreover, identity talk inevitably relies on distinctions between "self" and "other" which take on different forms (see again Diez 2005, 628-629). In the case of the EU, its "normative power" identity is often contrasted to the U.S. which overlooks the fact that the U.S. has arguably been one of the biggest norm promoters in the international system for decades. Hegemonic and other great powers tend to build the international (or the regional) system according to their own principles, norms, and rules. Nazi Germany, the Soviet Union, the U.S., and now the EU have all been "normative powers" in the sense of their attempts and capacities "to shape con-

ceptions of 'normal' in international relations" (Manners 2002, 239; see also Diez 2005, on this point). Fortunately, Nazi Germany and the Soviet Union utterly failed in their attempts, while the U.S. post-World War II attempts have been rather successful, particularly with regard to the international economic order. In other words, it makes little sense to ascribe a normative quality to a great power's foreign policy identity as long as we do not specify *which* norms are being promoted.

Last not least, describing a particular foreign policy identity should not be conflated with explaining it. A (neo-) realist account of the EU's civilian or normative power is an attempt at explanation (see Hyde-Price 2006). So is a sociological institutionalist attempt which uses the concept of institutional isomorphism to explain the EU's policies toward the Mediterranean (Bicchi 2006a). One could add another institutionalist story emphasizing the EU's peculiar cross-pillarized decision-making structure in foreign policy mixing supranational and intergovernmental elements to explain why it primarily uses "soft power" instruments.

This paper does not engage in explanation. Rather, we ask whether the EU's efforts at the promotion of human rights, democracy, and the rule of law, on the one hand, and the ESDP's increasing role in peace-keeping and post-conflict state-building operations, on the other hand, are actually consistent with these role identities. For reasons explained below, we stick to the older concept of "civilian power" rather than the newer "normative power." We argue that, yes, the EU's democracy promotion, peace-keeping, and state-building policies have developed into a fairly consistent and comprehensive approach of an emerging civilian power. These policies are also implementing the EU's self-description in foreign and security affairs, the "European Security Strategy" (ESS, see European Council 2003), in a rather coherent way. This is surprising, for two reasons. First, the EU has developed these policies in a very incremental way and through a "trial and error" process whereby methods and instruments were often transferred from one policy area to another. Second, the EU is not a state. Its foreign policy apparatus still pales compared to the member states and its decision-making process in foreign affairs is not only intergovernmental, but also opaque and sometimes even chaotic given its cross-pillarized nature. Nevertheless, the EU has developed into a truly civilian world power, which disposes of the entire spectrum of policy instruments necessary to effectively promote the "civilization" of international relations.

Note that this paper is confined to analyzing the policies as revealed in the various documents. We ask whether the EU actually tries to implement what it professes to do, namely to promote democracy, human rights, the rule of law, "effective multilateralism," and to contribute to peace and sta-

bility-building.[1] We are not concerned here with the effectiveness of these efforts on the ground. We are fully aware of the literature that points to difficulties and outright policy failures (see e.g. the constantly updated contributions in "CFSP Forum" provided by FORNET).

We proceed in the following steps. First, we define what we mean by "civilian power" and develop criteria for its evaluation. Second, we review the EU policies for promotion of human rights, democracy, and the rule of law. Third, we look at the various ESDP missions for peace-, stability- and state-building. We conclude with some general observations on the suitability of the concept of "civilian power."

## 2. How Do We Know a Civilian Power When We See One?

For various reasons, we prefer the concept of "civilian power" over its competitors, in particular in comparison to the concept of "normative power." While the latter has sparked quite a debate in recent years (see particularly the March 2006 issue of the *Journal or European Public Policy*), we agree with Helene Sjursen's criticism of its vagueness and imprecision (Sjursen 2006a, 236). We find Manners' attempt at defining normative power "that the EU exists as being different to pre-existing political forms, and that this particular difference predisposes it to act in a normative way" (Manners 2002, 242) not only unclear, but bordering to tautology. Moreover, norm promotion is not a unique feature of the EU's foreign policy, but fairly common for the foreign policies of great powers, as noted above.

Last not least, the concept of "normative power" easily leads scholars to fall into the "norms versus interest" trap of theorizing (see also Diez 2005, 624-626). Social constructivists in particular should recognize that there are no interests outside social norms and that norm promoting agents can behave as instrumentally and strategically as other actors. The real issue should rather be *which* type of norms inform and are related to *which* type of interests. In the case of EU's foreign policy, the "norms versus interests" trap still informs many analyses of its human rights and democracy promotion policies. The argument, for example, that the EU's norm promotion efforts are driven by allegedly material interests such as security and stability overlooks that a) security and stability are legitimate foreign policy goals and b) that the promotion of democracy and human rights indeed con-

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tributes to stability in the long run.[2] In other words, there are even many empirical reasons to suggest that "norms" and "interests" cannot be easily disentangled.[3]

At first glance, the concept of "civilian power" shares the weaknesses of the notion of "normative power." If civilian powers are "states which actively promote the 'civilising' of international relations" (Harnisch and Maull 2001b, 3), this borders on the same tautology as to say that "normative powers" promote norms. Moreover, Hedley Bull misunderstood Duchêne's original formula, namely that civilian power implies a renunciation of the use of force under almost all circumstances rather than emphasizing political and economic over military means to promote one's interests (see Bull 1982; Duchêne 1972). As a result of this early debate, the concept of "civilian power" was often used as the opposite of "military power," confusing it almost with pacifism.

In the meantime, however, and largely overlooked by the English-speaking international relations community, German scholars in particular have refined the concept of civilian power as an ideal type of foreign policy role identity in the Weberian sense. The Trier-based group of foreign policy analysis chaired by Hanns Maull who had written about "civilian power" in 1990 (Maull 1990), used it as an analytical tool to evaluate Germany's post-unification policies (Harnisch and Maull 2001a; see also Kirste and Maull 1996; Maull 2002). Maull even invoked Germany's contribution to the military intervention in Kosovo in the absence of a UN mandate as a "hard test" for the concept (Maull 2001).

According to Maull and others, the foreign policy identity of a civilian power is characterized by six elements (see Harnisch and Maull 2001b, 4; see also Maull 2001, 124-126):

1. efforts to constrain the use of force through cooperative and collective security arrangements;
2. efforts to strengthen the rule of law through multilateral cooperation, integration, and partial transfers of sovereignty;
3. promotion of democracy and human rights, both within and between states;
4. promotion of non-violent forms of conflict management and conflict resolution;
5. promotion of social equity and sustainable development;
6. promotion of interdependence and division of labor.

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[2]  Note, however, that democratization can have significant destabilization fact in the short run (Jünnemann).

[3]  Of course, an explanatory story about the EU's human rights and democracy promotion policies should evaluate the proposition that the EU only promotes human rights and democracy to the extent that this is consistent with its security and stability goals. Such an account would then suggest that security considerations trump human rights and democracy concerns in cases of norm conflict. But such an explanatory story does not need to be framed in "norms vs. interests" terms, but remains inside a constructivist ontology.

These elements are actually in line with Sjursen's suggestion that strengthening the cosmopolitan dimension of international law would be a strong indicator for what she calls "normative" or "civilizing" power (Sjursen 2006a, 249). Moreover, the acquisition of military capabilities and the actual use of force do not per se disconfirm a civilian power identity. Rather, the issue becomes in what type of political strategy military means are embedded, how force is used, and whether the use of force is legitimized by the international community. In this sense, the Kosovo intervention represents indeed a rather extreme test case for the concept.

In the following, we use "civilian power" as specified above as an analytical tool to evaluate the EU's foreign policy with regard to the promotion of human rights, democracy, and the rule of law, on the one hand, and its participation in post-conflict peace-keeping and stability-promotion efforts, on the other.

## 3. EU Policies for the Promotion of Human Rights, Democracy, and the Rule of Law

*Overview*

With the end of the Cold War, democracy promotion has been mainstreamed into the development strategies of international organizations such as the UN or the World Bank, but also of individual Western states such as the United States, or the Federal Republic of Germany. The European Union (EU) is no exception. In fact, the EU has been among the first of any Western state or international organization to write human rights, democracy, and the rule of war into its agreements with external partners. The Lomé IV agreement of 1989 between the EU and the so-called ACP countries (African, Carribean, and Pacific Group, mostly former colonies of Great Britain, France, and Belgium) was the first multilateral development agreement to include political conditionality. Ten years later, in 1999, the EU adopted the European Initiative for Development and Human Rights (EIDHR) regulations (975 and 976/1999) as a comprehensive strategy "in support of democratisation, the strengthening of the rule of law and the development of a pluralist and democratic civil society" (EIDHR 976/1999, preamble).

Today, the EU has a comprehensive programme for democracy promotion in place governing all its external relations with third countries. This includes the so-called "circle of friends" and the "neighbourhood policies" toward Russia, the so-called Newly Independent States (NIS = former Soviet Republics, minus the new EU members in the Baltics, of course), the Balkans, the Southern Mediterranean countries, but also EU relations with Africa, Latin America, and Asia. The instruments used by the EU to promote human rights, democracy, the rule of law, and "good governance"

look surprisingly similar across the globe. Moreover, countries with an accession perspective have to comply with the Copenhagen criteria of 1993 focussing on democracy, the rule of law, human rights, and the protection of minorities *before* they are entitled to enter accession negotiations. Thus, the strategies and policies to promote democracy are similar, and the mechanisms and incentives to promote compliance vary only slightly with the type of third country (accession, association, partner, "circle of friends", other third world countries). In fact, the EU follows quite clearly a specific cultural script.

Thus, democracy promotion has become a centrepiece of the EU's foreign policy and it is backed up by considerable financial and personal resources. Just to give a rough idea: the EU foreign aid managed by the EU Commission represents 12% of all international financial aid. Combined with foreign aid by individual member states, the EU and its member states account for more than 55% of all financial aid worldwide (according to Petiteville 2003, 138, fn.7). While precise data on democracy promotion funds are hard to come by, the EU and its member states combined spent ca. $ 900 Mill. on various democracy programmes in 2001, compared to ca. $ 633 Mill. in the USAID democracy assistance allocation of the same year (according to Youngs 2003, 128). The new financial perspective of EIDHR for 2007-2013 envisions an financial envelope of € 1,1 trillion which amounts to roughly € 160 million per year to promote civil society efforts promoting human rights and democracy.[4] The programming for the new financial perspective is not available yet. But in previous period of 2001-2006, EIDHR projects which do not depend on government approval in the country where the projects take place, spent about

- 60% of its resources on democratization, governance, and rule of law issues,
- 17% on efforts to combat the death penalty and torture as well as support for the international judiciary system including the International Criminal Court,
- and another17% on fighting racism and supporting minorities as well as indigenous peoples (2002-2004 figures, according to Europäische Kommission 2004, 9).

If we add the democracy and human rights promotion components in programmes such as PHARE for the Eastern European accession states (€ 1,5 bln/year), TACIS for Russia and the CIS states, or ECHO, the EU's humanitarian aid programme, the EU's own funding for democracy, human rights, and good governance exceeds comparable U.S. programmes. If we combine it with the funding for

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[4] Regulation (EC) No 1889/2006 of the European Parliament and of the Council of 20 December 2006 on establishing a financing instrument for the promotion of democracy and human rights worldwide, OJ L 386, 29.12.2006, p. 1–11, Art. 19.

such purposes by EU member states, Europe is probably by far the largest contributor to democracy promotion on the globe.

With the financial perspective of 2007-2013, the EU launched another attempt to mainstream its democracy promotion approach. Existing programmes, such as TACIS, CARDS, or MEDA were replaced by a whole set of new instruments for development cooperation (DCI), stability (IfS), pre-accession assistance (IPA), and neighbourhood and partnership (ENPI). This new generation of instruments of cooperation is less geared towards specific regions (ACP, NIS, Latin America, Western Balkans) but targets specific types of countries (post-conflict, developing, accession, neighborhood).[5] Moreover, they all contain the explicit goal of democracy promotion supported by a suspension clause.[6] As a result of this democracy mainstreaming, the Commission had planned to abolish EIDHR. But due to the opposition of the European Parliament, which insisted that the EU needed an instrument specifically dedicated to the promotion of democracy – without the consent of the governments concerned, EIDHR was preserved (see also below).[7]

The various policies and strategies developed through an incremental process of "learning by doing" rather than a great master plan. The instruments adopted were initially developed for the ACP countries, then "travelled" simultaneously to the Eastern enlargement process, to Russia, the NIS countries, the Mediterranean etc. While there is an explicit effort at exporting European values and – most recently – to distinguish these values from overall Western (and US American) ones, the underlying assumption of these programmes implies that the world can be shaped according to European democracy and welfare state standards (including the export of the European model of regional integration). This "our size fits all" (Bicchi 2006a) approach shows little sensitivity for national or local cultures and values, let alone an effort at exploring functional equivalents for Western democratic statehood in weak, failing, or failed states. National and local considerations only come into play through the implementation of the programmes on the ground. The "top down" approach of EU democracy promotion has only changed very recently with the recognition that is no unitary institutional model to promote democratic governance and that efforts have to take into account the situation inside the particular country (see e.g. Europäische Kommission 2006, 5, 9).

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[5]  The only exception are the ACP countries, whose financial assistance continues to be funded by the European Development Fund, while the Instrument for development cooperation applies to all the other developing countries (Regulation (EC) No 1905/2006 of the European Parliament and of the Council of 18 December 2006 establishing a financing instrument for development cooperation).

[6]  The only exception is the instrument for cooperation with industrialized and other high-income countries and territories.

We will now briefly examine the history of the various EU efforts at promoting human rights, democracy, and the rule of law.

*EU Development Policy: Towards Economic and Political Conditionality*

Until the end of the 1980s, EU development policy used to be about granting preferential trade agreements and financial aid to the former colonies of member states. It centred on the Lomé agreements, the first of which was signed in 1975 between the EU and the African, Caribbean, and Pacific Group (ACP countries). The Lomé system provided the ACP countries with preferential access to the Common Market since they could export almost all their products custom free without reciprocating by opening their markets to EU imports (General System of Preferences). Political considerations came explicit for the first time in Lomé III (1985-90), which announced the commitment of EU and ACP countries to human dignity (including the value of the human person and equality between genders), and economic, social and cultural rights (preamble, Art. 4 and annex I). But the agreement did not provide for any sanctions in cases of violation of these norms. Yet, the question of the relationship between human rights and development had already been evoked under Lomé I (1975-80) when the EU suspended officially channelled aid to Uganda due to the human rights violations committed by Idi Amin (leaving humanitarian aid in place, however).

It was the Lomé IV agreement (1990-2000) that marked the beginning of both economic and political conditionality in EU development policy (see also Santos 2006 for the following). In previous agreements, the ACP countries had successfully prevented the EU from introducing clauses on democracy and human rights. Lomé IV, by contrast, included provisions on democracy, human rights, and the rule of law for the first time, without, however, linking them to specific sanctions. The revision of Lomé IV upgraded the provisions on democracy, human rights and the rule of law making them into the essential condition for development cooperation with the EU (Art. 5). Art. 5 of the Lomé IV bis Convention also mentions good governance for the first time as a particular aim of cooperation operations excluding it, however, from the essential elements of the agreement. Most importantly, Lomé IV bis implemented the two-track approach to development cooperation which the Council laid out in its Resolution on Human Rights, Democracy, and Development.[8] The pro-active promotion of these principles through financial assistance (indicative programmes) and open and constructive dialogue (political dialogue; Art. 30.3) is complemented by re-active sanctions in case

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[7] We thank Vera van Hüllen for this important insight from her own study on democracy promotion in the Mediterranean.

[8] Resolution of the European Council, November 28, 1991, OJ EEC 11-1991: 122ff.

of their violation. For violations of democracy, human rights and rule of law, however, the EU invoked the suspension clause several times in the 1990s, e.g. against Nigeria, Rwanda, Burundi, Niger, and Sierra Leone (Holland 2002: 134).

The Cotonou Agreement, signed in 2000 and valid until 2020, terminated the Lomé system. Not only does Cotonou reiterate the nexus introduced by Lomé IV between development, democracy, human rights, the rule of law, and good governance (preamble). It broadens the scope of development cooperation to peace-building and conflict prevention stressing "an integrated approach taking account at the same time political, economic, social, cultural and environmental aspects of development" (Art. 1.2). Moreover, political conditionality was strengthened. Title II develops the political dialogue introduced by Lomé IV bis into a pro-active instrument of conflict prevention in the area of peace-keeping, human rights, democracy, the rule of law, and good governance. Art. 8.2 stresses the preventive character of the political dialogue which shall preclude the use of sanctions. It shall foster the exchange of information and the development of a mutual understanding of the meaning and application of the principles and strategies laid down in the Convention.

The underlying approach corresponds closely to the Open Method of Coordination (e.g. Hodson and Maher 2001). Unlike in previous Lomé Agreements, the EU no longer unilaterally imposes certain development policies. Rather, goals and principles shall be formulated in consensus with the developing countries and jointly evaluated on the basis of formerly agreed benchmarking criteria. Periodic monitoring, evaluation, and peer review shall induce processes of mutual learning through the diffusion of best practice. These processes of coordination are complemented by reinforced efforts at capacity building. In Cotonou, capacity-building is no longer confined to the public sector but includes the strengthening of civil society (Art. 7). Non-governmental actors, including the private sector, have a right to be consulted and incorporated into the political dialogue. They shall get involved in projects funded under Cotonou, and finally, qualify for support of organizational capacity building and financial assistance. Yet, soft coordination and capacity building still take place in the shadow of sanctions. The suspension clause is retained and extended to good governance, but only as far as serious cases of corruption are concerned, which significantly narrows the enforceable parts of good governance.

Unlike under previous agreements, EU financial assistance, mostly provided by the European Development Fund, has become conditional upon the performance of the recipient country with regard to certain indicators including the implementation of reforms on democracy, human rights, the rule of law, and good governance (Art. 3.1b, Annex IV; for an excellent assessment see Beck and Conzelmann 2004). In contrast to Lomé IV, the EU now has complete discretion in the allocation of its

development funds (Art. 3, Annex IV, 57.5). The decision, however, which specific programmes and projects are to be funded with how much money is subject to negotiations with the individual recipient countries as specified in Art. 4.3 Annex IV. Since the conditions for resource allocation are no longer fixed by the agreement but to be negotiated, the procedural regulations create a strong incentive for the recipient countries to comply with the principles guiding EU development policy.

In sum, EU development policy changed significantly during the 1990s. The EU has subsequently institutionalized democracy, human rights, the rule of law, and good governance as the guiding principles of its development policy. In order to promote these principles, the EU gives priority to a "positive approach" outlined in the Council Resolution on human rights, democracy, and development in 1991. Rather than pressuring recipient countries into compliance, an "open and constructive dialogue" is supposed to stimulate the respect for human rights and encourage democracy.

*EU Enlargement Policy: From Association to Accession*

Eastern enlargement has been the most ambitious effort of the EU to promote democracy, human rights, and the rule of law in third countries. The prospect of membership helped transform ten former communist countries into consolidated liberal democracies with functioning market economies in less than 15 years. Since so much has been written on Eastern enlargement, we can be rather brief here (e.g. Kelley 2004; Schimmelfennig 2003; Schimmelfennig and Sedelmeier 2005; Grabbe 2003; Gheciu 2005).

After the collapse of communism in Central and Eastern Europe, the EU started to shift its priorities from the ACP countries to the transition countries. However, the EU used policy tools developed in its cooperation agreements with the ACP countries and adapted them to the situation in Central Eastern Europe. The so called Europe-Agreements were meant to support the economic, political and social transition in Central and Eastern Europe. They contained provisions on democracy, human rights, and the rule of law, complemented by suspension clauses in 1992 making accession and financial aid conditional upon compliance with democratic principles, human rights, the rule of law, and market economy. The 1993 Copenhagen European Council then formally accepted the possibility of membership of all associated CEE countries – provided that they achieve (1) a functioning market economy; (2) stable institutions guaranteeing democracy, the rule of law, human rights, and respect for and protection of minorities, and market economy, and (3) the ability of implementing the *acquis communautaire* (Copenhagen criteria). Thus, the Europe-Agreements became the framework for the applicant countries' integration into the EU.

In order to help accession countries comply with the Copenhagen criteria, the EU installed similar mechanisms as in development policy. The PHARE programme (Poland and Hungary Aid for Economic Reconstruction)[9] has provided 1,5 billion Euro per year of financial assistance to prepare the candidates for institution-building, adopting the *acquis*, and implementing Structural Funds after accession (cf. Bailey and de Propris 2004). But the focus of PHARE has been on capacity-building in the public sector rather than on supporting political reforms.

Although not specified in the PHARE regulations, countries seeking access for financial assistance had to provide clear commitments regarding the rule of law, respect for human rights, establishment of a multiparty system, the holding of free elections, and introducing a market economy (Maresceau 2003). Consequently, the EU never resorted to negative political conditionality suspending the association agreements. It has, however, delayed the conclusion of accession agreements and the provision of financial aid with Rumania and Bulgaria in order to encourage political and economic reforms. Next to the "carrots" and "sticks" provided by political conditionality of the Europe-Agreements, the EU has relied on political dialogue. Regular bilateral meetings at the highest political level between the EU and the individual candidate countries allowed for consultations and the exchange of views on all topics of common interest related to the enlargement process. Comparable to EU development policy, the political dialogues have been crucial to clarify the conditions for (opening negotiations for) membership.

Moreover, the Commission monitored the performance of each candidate and reported the progress in an annual report presented to the Council together with recommendations for improvement. These annual progress reports, first published in 1997, introduced a system of benchmarking between the accession candidates. The annual progress reports have also included an assessment of the political Copenhagen criteria, democracy, the rule of law, human rights, and minority rights (cf. Kochenov 2004).[10] Moreover, the Commission and the European Parliament would officially reprimand accession countries for cases of serious non-compliance with these principles (Maresceau 2003). Thus, political dialogue has always taken place "in the shadow of accession" (membership conditionality).

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[9]  Initially meant to help Poland and Hungary make the transition to market economy, PHARE was quickly extended to other transition countries preparing them for EU membership.

[10]  Note that protecting minority rights is not included in the Treaties. Thus, the EU requires accession countries to comply with standards that do not apply to member states. For details on EU policies concerning minority rights see Kelley, Judith G. (2004) *Ethnic Politics in Europe. The Power of Norms and Incentives*, Princeton NJ: Princeton University Press..

Given the success of Eastern enlargement as a transformation tool for the consolidation of CEE democratic transition, the EU invoked membership conditionality as an instrument to stabilize another region that has been vital to its geopolitical interests: the Western Balkans. While the EU had been unable (and initially unwilling) to prevent military conflict in the region, it has been engaged in the stabilization and reconstruction since the early 1990s. The EU's Humanitarian Aid Office (ECHO) has provided emergency supplies, technical assistance and related support since the first war in 1991. After the Kosovo conflict had broken out in 1998, the EU changed its approach toward the Western Balkans. It had become clear by now that development cooperation would not be sufficient to stabilize the region so close to the EU's borders. The Stability Pact for South-Eastern Europe of 1999 promised candidate status to Croatia, Macedonia, Albania, the Federal Republic of Yugoslavia (FRY), and Bosnia-Herzegovina as soon as they would meet the Copenhagen criteria. The Pact introduced a political dialogue organized in three "working tables" on democratization and human rights, economic reconstruction and development, and security and justice and home affairs. The Commission would periodically assess whether the candidates complied with democracy, human rights, and the rule of law. Its assessment, annually published in regular reports, would determine whether the EU would sign a cooperation agreement providing additional incentives for political and economic reform, such as trade concessions and additional financial aid from PHARE. Next to funding immediate projects of democratization and economic reconstruction, the Commission would grant selective incentives, such as autonomous trade preferences as a reward for specific reforms. The Stabilization and Accession Process (SAP) launched in 1999 reinforced the efforts of the EU to secure political and economic stability in the Western Balkans and bring them into the enlargement process. If the candidates satisfied political conditionality, they could open negotiations with the EU for a Stability and Association Agreement (SAA) as the first formal step towards accession.

The pre-accession strategy for the Western Balkans closely follows the CEE trajectory combining financial incentives with trade concessions in the shadow of membership conditionality (Kelley 2006). Yet so far, EU membership has not motivated Balkan leaders very strongly to undertake the necessary reforms as was the case in Central and Eastern Europe, where regime transformation had been peaceful. Problems of economic backwardness, feeble state institutions, ethnic conflicts, and political extremism are much more severe due to the major wars the Balkan region had suffered. Membership puts up a far greater challenge than for the CEE countries and thus remains a rather

distant prospect. The new financial instrument for pre-accession assistance introduced in 2007 is unlikely to change these unfavourable conditions.[11]

*EU Neighbourhood Policy: Friends, not Members!*

The promotion of democracy, human rights, and the rule of law also constitutes the core of the EU's effort in achieving political and economic stability in its immediate neighbourhood. Eastern enlargement has stretched the EU's backyard considerably East, as a result of which Russia, Ukraine, and some of the Newly Independent States have been admitted to the club of "close friends". Between 1997 and 1999, the EU entered eight partnership and cooperation agreements. The EU uses the same strategies and instruments to induce these countries into compliance with the Copenhagen criteria (Kelley 2006) – with one major exception. In sharp contrast to Central and South Eastern European countries, these agreements envision close trade relations and political co-operation but not EU membership. They aim for a political dialogue on democracy, human rights, and the rule of law but did not contain a suspension clause, which only changed with the introduction of ENPI (European Neighbourhood and Partnership Instrument, which replaced TACIS and MEDA in 2007)[12]. In cases of violation, the partners of the agreement could only take "appropriate measures". Like PHARE and CARDS, TACIS (Technical Assistance for the Commonwealth of Independent States) provided and ENPI now provides financial assistance to political, legal and administrative reforms aimed at promoting these political principles.

In 2003, the EU launched its official European Neighbourhood Policy to offer a privileged relationship to its immediate neighbours building upon a mutual commitment to common values (democracy and human rights, rule of law, good governance, market economy principles and sustainable development). The ENP seeks to go beyond existing forms of cooperation offering a deeper political relationship and economic integration. The central element of the European Neighbourhood Policy is the bilateral ENP Action Plans agreed between the EU and each partner. These set out an agenda of political and economic reforms with short and medium-term priorities. Implementation is jointly promoted and monitored through sub-Committees and the Commission, which closely evaluates the progress reports the partner countries have to submit on a regular basis.

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[11] Council Regulation (EC) No 1085/2006 of 17 July 2006 establishing an Instrument for Pre-Accession Assistance (IPA), OJ L 210, 31.7.2006, p. 82–93.

[12] Regulation (EC) No 1638/2006 of the European Parliament and of the Council of 24 October 2006 laying down general provisions establishing a European Neighbourhood and Partnership Instrument, OJ L 310, 9.11.2006, p. 1–14.

While the EU adopted a more bilateral approach to its far Eastern friends, its policy towards the *Mediterranean* neighbours has been based on a regional (multilateral) framework (for details see Bicchi 2007; Gomez 2003). The EU decided to upgrade its relations with the Mediterranean after the end of the Cold War and the rise of new security challenges in the Southern Mediterranean and the Middle East. As in the case of its development policy, the EU realized that preferential trade agreements neither reduced the development gap between the Mediterranean countries and EU member states nor did they have an impact on democratic reforms. The "Barcelona Process", established by the Barcelona Declaration of the Euro-Mediterranean Conference in 1995, sought to re-launch the EU-Mediterranean cooperation and provide it with a multilateral framework. It identified three baskets[13] on which the new Euro-Mediterranean Partnership would focus: political stability and security, economic and financial cooperation, and cooperation on social, cultural and humanitarian issues.

These goals were to be operationalized in a working programme and the EU provided financial and technical assistance for its implementation through MEDA (Mediterranean Development Assistance) and through loans of the European Investment Bank. As usual, political conditionality applied. The signatories of the Barcelona Declaration *de facto* subscribed to the Copenhagen criteria, which are not, however, mentioned. Rather the Declaration provided a catalogue of principles against which the cooperative behaviour of the participating countries could be assessed and be made subject to a political dialogue on the progress made. The MEDA Association Agreements restated the provisions on democracy and human rights and include a suspension clause. Moreover, they established a bilateral political dialogue. In 1999, the newly established EIDHR took over MEDA, and since 2007, it is part of the European Neighbourhood and Partnership Instrument.

Since 2003, the EU has subsequently integrated its policies towards its Southern and Eastern friends into one common framework. Paradoxically, the one-size fits all approach seems to have shifted the EU's relations with its Mediterranean back towards the original bilateral mode (see the paper of Andreas Stahn and Vera van Hüllen in this panel).

The Euro-Mediterranean Partnership institutionalized an ongoing process of negotiations and consultations among the governments and non-governmental actors across a wide range of issues. But there has been only little transition from dialogue to action. The Arab-Israeli conflict and the breakdown of the Middle East Process in 1996/97, in particular, have seriously obstructed the implemen-

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[13] The similarity with CSCE terminology is no coincidence. It is reminiscent of the failed attempt to launch a Conference on Security and Cooperation in the Mediterranean in 1990.

tation of the Barcelona Working Programme. Measures on strengthening democracy and the respect for human rights have been sidelined by the gulf between the signatories on security issues and the rejection of EU interference with domestic policies by the Mediterranean countries. As a result, economic and financial cooperation has become the centre piece of the Barcelona process. MEDA Democracy has funded projects directed towards training and education on human rights and democracy, awareness campaigns, women's rights and the media. However, as Federica Bicchi (2006b) points out, MEDA Democracy tended to privilege partnerships between European NGOs and local NGOs. In particular, the EU has refused to fund groups that are considered Islamic, even though at least some of these groups form the cornerstone of civil society in the Arab world (Bicchi 2006b). Furthermore, the EU's difficulties with democracy promotion in the Middle East and its inherent contradictions resulting from conflicting objectives became particularly apparent when Hamas, the terrorist organization that nevertheless provides most social services in Palestine, won the Palestinian elections in early 2006. It must be noted in this context that Palestinian governance is essentially on the payroll of the EU and its member states (ca. € 500 Mill./year). In order to reconcile the conflicting goals of democracy promotion versus preventing the ultimate derailing of the Middle Eastern peace process resulted in an uneasy conditional engagement with the new Palestinian government (Tocci 2006).

While not belonging to its immediate neighbours, the EU has also intensified its cooperation with Asia and Latin America during the 1990s. Latin America receives EU financial assistance under the ALA programme. In the mid-1990s, the EU signed agreements with Mexico, Chile and the MERCOSUR to prepare them for association. All three agreements create a framework for political dialogue on issues of democracy, human rights, and the rule of law. Chile was the first to conclude the association agreement in 2002. It contains provisions on democracy human rights, the rule of law, and good governance.

In its relations with Asia, the EU has been less effective in pushing political conditionality. The cooperation agreement between the EU and ASEAN, signed in 1980, did not contain any provisions on democracy and human rights. With its new Asian Strategy adopted in 1994, the EU has sought to intensify the political dialogue with Asian countries but issues of human rights and democracy have been largely banned from the agenda of the Asia-Europe Meetings (ASEM) established in 1996 and the talks within the regional forum of ASEAN (ARF). Bilateral cooperation agreements with India (1994), Sri Lanka (1995), Nepal (1997), Cambodia (1997), Vietnam (1997), Bangladesh (2000), and Pakistan (2001) contain democracy and human rights clauses. In contrast, China, South Korea, Laos, the Philippines, and Malaysia refused to have political conditionality included in their sectoral

trade agreements with the EU. While the promotion of human rights and democracy has been incorporated in the Partnership and Cooperation Agreements with Central Asian countries, there appears to be quite a gap between rhetoric and reality in the EU's approach to the region (Warkotsch 2006). It remains to be seen whether the new Central Asian strategy promoted by the German EU presidency is going to change the situation. The same is true for the new financial instrument of development cooperation (DCI), which shall finance development projects in Central Asia, Asia, South Africa, the Middle East, and Latin America. After all, DCI explicitly refers to democracy and human rights and contains a suspension clause (see above)

*The European Initiative on Democracy and Human Rights (EIDHR)*

As demonstrated above, the EU has mainstreamed its external relations with third countries with regard to the promotion of democracy, human rights, and the rule of law. Since the Maastricht Treaty went into force in 1992, political conditionality has become mandatory in all formal agreements between the EU and third countries. By 1995, these agreements also included suspension clauses in cases of democratic and human rights violations. Only few countries have been able to resist political conditionality, among them the U.S., Australia, and China. While democracy and human rights mainstreaming has been an incremental process, the EU passed two regulations in 1999 as an attempt to establish a coherent framework for the EU's global efforts in "developing and consolidating democracy and the rule of law and so that of respecting human rights and fundamental freedoms in third countries".[14] One Regulation covered operations within, the other operations outside the framework of EU development cooperation.[15] The part not related to EU development policy applied to operations implemented within the framework of existing programmes, such as TACIS, PHARE, or MEDA (Art. 2), which where replaced by the ENPI in 2007. The various programmes complemented each other in so far as the latter mostly allocate funds to institution- and capacity-building, while the regulations specifically focus on democracy and human rights (including administrative accountability and the fight against corruption, i.e. good governance). For the period of 1999 until 2004, the two regulations foresaw the allocation of € 410 mill. on technical and financial assistance, humanitarian aid, and other measures.

The new framework provided the legal basis for measures under the European Initiative on Democracy and Human Rights (EIDHR). The EIDHR is complementary to other EU programmes, such as

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[14]  Council Regulation 976/1999 adopted on April 29, 1999, preamble, OJ 120/8 of May 8, 1999.

[15]  Council Regulations 975/1999 and 976/1999 adopted on April 29, 1999, preamble, OJ 120/8 of May 8, 1999.

PHARE, TACIS, MEDA, or CARDS, in that it can be implemented with partners other than national governments (and without their consent), and in particular with non-governmental organizations and international governments. Thus, EIDHR allows to circumvent the governments of the recipient countries and can be used even if other programs have been suspended, e.g. in cases of violations of human rights. In 1998, EIDHR integrated the democracy programmes under PHARE, TACIS, and MEDA. Since 1994, the EIDHR has provided funding (ca. € 100 mill./year) for projects that promote representative structures in both government and working place, access to reliable information, ethical practices in government and public service agencies, principles of equal opportunity and non-discrimination against minorities, respect for human rights, just to name a few.

In the programming document for 2005 and 2006, the Commission thoroughly revised the EIDHR (see Europäische Kommission 2004 for the following; see also European Commission 2006). EIDHR was renamed into European Instrument for Democracy and Human Rights.[16] As already mentioned, the Commission considered EIDHR superfluous after the creation of the new financial instruments of cooperation. However, thanks to the pressure of the European Parliament, the unique feature of EIDHR was preserved. Moreover, it advanced from a mere budget heading into a proper instrument for democracy promotion that distinguishes itself by providing support for NGOs and civil society organizations without having to rely on the consent of the governments of the recipient countries. The programming document (not available yet for the current period of 2007-2013) established four so-called campaigns:

1) Promoting justice and the rule of law: This includes support for the International Criminal Court (ICC) and other international criminal tribunals and measures to combat the death penalty leading to its eventual abolition;

2) Fostering a culture of human rights: This includes strengthening civil society organizations, combating torture, and enhancing education and training on human rights;

3) Promoting the democratic process: This includes the various EU Election Observation Missions, but also measures to promote freedom of association and free media;

4) Advancing equality, tolerance, and peace: This includes awareness-raising measures against racism, for minority rights, and the rights of indigenous peoples.

The programming document specified eligible regions and countries of the world for each of the various campaigns. As to the allocation of resources, ca. 40% of the money was allocated for promoting the democratic process including electoral observation missions, while one third was de-

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[16] Regulation (EC) No 1889/2006 of the European Parliament and of the Council of 20 December 2006 on establishing a financing instrument for the promotion of democracy and human rights worldwide, OJ L 386, 29.12.2006, p. 1–11.

voted to the campaign toward a culture of human rights. In particular, the Commission strongly encourages joint applications by EU based NGOs with civil society organizations in the target countries.

The EIDHR is the only instrument comparable to the National Endowment for Democracy or the German party foundations allowing to circumvent the governments of the recipient countries. The debate about its future has triggered demands for an EU agency for providing democracy assistance. Thus, the European Parliament and political foundations have advanced a proposal for a "European Foundation for Democracy".

*Evaluation*

For a long time and similar to most other Western political systems, the EU had ignored the promotion of democracy, human rights, and the rule of law. Its development policy mainly focused on economic cooperation. Moreover, the member states had made hardly any effort to bring their policies in line with the EU. Consequently, the role of the EU had been rather weak acting as an additional donor rather than a coordinator of European development policies (Stokke 1995). By 1999 at the latest, everything had changed. The EU now has a comprehensive strategy for the promotion of democracy, human rights, the rule of law, and "good governance" in place covering the entire globe. The various programmes concern accession candidates with a membership perspective, the "circle of friends" and immediate neighbours which are explicitly to be kept out of the union, as well as the ACP countries, Latin America, and Asia. The EU is making an explicit effort to project its own identity of a democratic polity into its relations with third countries. The goal of democracy promotion is enshrined in the EU treaties since the early 1990s, has been formulated in the 1999 Regulations on Democracy and Human Rights in a comprehensive fashion and reinforced by the introduction of a whole set of new financial instruments on cooperation in 2007.

The various policies consist of remarkably similar tools which usually encompass three types of instruments (see table 1). These instruments differ mainly with regard to the steering mechanisms by which democracy and human rights are being diffused. First, "political dialogues" use persuasion and learning strategies. Second, political conditionality clauses try to manipulate cost-benefit calculations through creating incentive structures (positive and negative). Finally, there are various programmes in place geared toward capacity-building for institutionalizing democracy, human rights, and the rule of law.

The most remarkable feature of these three types of instruments is their similarity across regions. The EU follows one single cultural script that it uses to promote democracy, human rights, and the rule of law across the globe. With EIDHR at the latest, policy goals and instruments have been streamlined and written into the union's standard operating procedures. If the programmes vary at all, it concerns their budgetary allocations. While the programmes and instruments appear to be strikingly similar, this does not mean that the EU ignores local conditions or applies these instruments in a uniform way. Indeed, the empowerment of the EU Delegations in the various countries in the implementation and management of these programmes together with the de-centralization of their administration should lead to a greater sensitivity to the varying political, economic, and cultural situations on the ground.

*Table 1    EU Approach in the Promotion of Democracy, Human Rights, and the Rule of Law across Regions*

| Africa, Caribbean, Pacific | Central and Eastern Europe | Western Balkans | Newly Independent States | Mediterranean Countries | |
|---|---|---|---|---|---|
| democracy, human rights, and the rule of law (Copenhagen criteria) | | | | | **Policies** |
| | | | | | **Instruments** |
| | | | | | political conditionality |
| Suspension clause | Suspension clause | Appropriate measures | Appropriate measures | Suspension clause | - Negative |
| | | Suspension clause | Suspension clause | | since 2007 |
| Market access | Membership | Membership | Market access | Market access | - Positive |
| | PHARE democracy programme | PHARE democracy programme | TACIS democracy programme | MEDA democracy programme | 1992-1998 |
| EIDHR | EIDHR | EIDHR | EIDHR | EIDHR | since 1998 |
| | IPA | IPA | ENPI | ENPI | since 2007 |
| √ | √ | √ | √ | √ | Political dialogue |
| Cotonou EDF | PHARE | CARDS | TACIS | MEDA | Capacity-building |
| | IPA | IPA | ENPI | ENPI | Since 2007 |

How does this EU approach to the promotion of democracy, human rights, and the rule of law perform with regard to the criteria of a "civilian power's" role identity developed above? In general,

the conformity between the identity of a "civilian power" and the EU's programs to promote democracy and the rule of law worldwide is striking. This begins with the measures to sustain the legalization of world politics through the International Criminal Court and other international legal instruments and ends with support for local human rights NGOs in various countries. Interestingly enough, the programs are also fairly consistent with the EU Security Strategy (European Council 2003). The EU approach reflects its preference for "soft security" and "soft power" in its foreign policy inducing compliance with its policies by incentives, capacity-building, and persuasion and learning. Compliance management rather than enforcement does not only correspond to the EU self-understanding as a civilian power. In the absence of uniform criteria for the evaluation of compliance and application of sanctions in case of violation, a cooperative and process-oriented approach allows to develop a common understanding of the behavioural requirements under the Copenhagen criteria. Socialization also appears to be more promising since the EU has no means of forcing the more than 120 countries with which it signed cooperation and association agreements into compliance with democracy and human rights norms. This is often overlooked by the human rights community and by scholars alike who question the EU's sincerity in these programs, because it mainly uses carrots rather than sticks.

Of course, implementation on the ground is a different matter. The EU is often using double standards when dealing with human rights violators. It is tough on Myanmar, but rather soft on China. In many cases, it does not use the instruments available in the various partnership agreements or uses them only reluctantly (see e.g. Youngs 2004; Santos 2006; Kelley 2006). Nevertheless, a quantitative study by Hadewych Hazelzet of the use of EU carrots and sticks in its human rights policies during the 1990s did not reveal a particular bias in one way or the other. In particular, Hazelzet tested various "realist" hypotheses in order to get a measurement for supposedly strategic security and economic interests, but these hypotheses could not be verified (Hazelzet 2001). In short, it is certainly true that the EU human rights and democracy promotion policies are implemented in a differential way and that these norms do not always trump other concerns. But it is equally true that the standard rationalist account according to which economic and security concerns are usually prior to democracy and human rights goals, cannot be confirmed, either.

One should not overlook in this context that the evolution of EU democracy promotion programmes did not follow a grand design, but incremental "learning by doing" (see also Kelley 2006). The policy instruments of conditionality were first developed in relations with the ACP countries as part of the 1990 Lomé IV agreement. From there, the Commission quickly introduced conditionality clauses into the so-called Europe Agreements with the Central Eastern European countries during

the early 1990s. By the mid-1990s, political conditionality had become an essential ingredient of the EU strategy for democracy promotion.

A similar process of a new instrument travelling from one EU regional strategy to another can be observed with regard to capacity building including knowledge and financial transfer. In this context, it was the PHARE programme for Central Eastern Europe which was initially developed for Poland and Hungary in 1989. One year later, TACIS was created to help the transition process in Russia and the Soviet successor states. The experiences with PHARE and TACIS were then used to build the CARDS programme for the Western Balkans and the former Soviet Republics, and the MEDA programme for the Mediterranean region. The regional programmes were finally replaced in 2007 by a set of new instruments that mainstream democracy promotion and differ only in the type rather than the geographical location of the recipient countries.

In sum, in the course of the 1990s, the EU has embarked on a major effort at "value export" that tries to incorporate the promotion of a specific European version of democracy into its external relations with the rest of the world. In this regard, the EU is surprisingly explicit about promoting a particular democratic self-understanding and identity distinguishing itself from, e.g., the U.S. version of democracy and capitalism. Examples for such identity markers in the human rights area include the opposition to the death penalty and an emphasis on social and economic rights. Concerning regional cooperation, the EU tries to promote its own model of regional integration, i.e., including strong supranational institutions and going beyond mere free trade areas. In Latin America, for example, the U.S. and the EU seem to compete in advertising their preferred models of regional integration. As Bicchi points out with regard to the Mediterranean, this externalization of one's own institutional design can be well explained by sociological institutionalism's emphasis on institutional isomorphism (see Bicchi 2006a referring to DiMaggio and Powell 1991).

EU democracy and human rights promotion might be considered an easy case to confirm the identity of a "civilian power." Therefore we will now turn to the ESDP and EU peacekeeping missions which have been labelled by some as the militarization of EU foreign policy (e.g. Manners 2006; similarly Smith 2000). We will explore the extent to which the EU's identity as a civilian power has prevailed also after it started to develop some significant military capabilities.

## 4. The EU and Conflict Prevention, Crisis Management, and Peacekeeping Missions

In 2003, just when the Iraq crisis dwarfed once again the EU's attempt to develop an effective Common Foreign and Security Policy (CFSP), the EU launched its first autonomous military opera-

tion. While the member state were deeply divided over US military intervention in Iraq, on March 31, 2003 EU forces took over NATO's Operation Allied Harmony in the Former Yugoslav Republic of Macedonia (FYROM). On January 1, 2003, only two months before, the EU had launched its first-ever civilian crisis management operation. The EU Police Mission (EUPM) replaced the United Nations' International Police Task Force in Bosnia-Herzegovina seeking to establish law enforcement capabilities at the local level. Both EU missions have been part of UN Peace-Keeping Operations.

Since 2003, the EU has launched altogether seventeen missions within the framework of the ESDP. Among them are (see the database in Abellan 2007)

- *Police missions*: EUPM (mentioned above); Proxima (FYR Macedonia, 2003-2005); EUPAT (FYR Macedonia, 2005-2006); EUPOL COPPS (Palestine, since 2006); EUPOL Kinshasa (DR Congo, since 2004);

- *Border assistance missions*: Border Assistance to Moldova and Ukraine (since 2005); EUBAM Rafah (Palestine, since 2005);

- *Missions to support the rule of law*: EUJUST Themis (Georgia, 2004-2005); EUJUST Lex (Iraq, since 2006); EUPT Kosovo (since 2006);

- *Monitoring and security sector reform missions*: AMM (Banda Aceh, 2005-2006); EUSEC DR Congo (since 2005); AMIS II (Sudan, since 2006);

- *Last not least, military peacekeeping operations*: Concordia (FYR Macedonia, 400 troops, 2003); Artemis (DR Congo, 1800 troops, 2003); EUFOR Althea (Bosnia-Hercegovina, 7000 troops, since 2004); EUFOR DRCongo (1450 troops, 2006).

In addition, one should mention the substantial EU engagement in the post-conflict reconstruction and stabilization efforts in Afghanistan where the EU is the largest single donor of humanitarian assistance. Moreover, EU member states such as Britain, France, Germany, Italy, the Netherlands and others provide troops for the NATO led "International Security Assistance Force" (ISAF) and for "Operation Enduring Freedom," the US-led war on terror against Al Quaeda and the Taliban (details in Gross 2006).

Finally, the EU and its member states are heavily involved in the Middle Eastern conflicts. For quite a while, the EU has been involved in the Palestinian-Israeli conflict and maintains two ESDP missions in Palestine. The E3 (Britain, France, Germany), the other permanent members of the UN Security Council, and the EU High Representative are engaged in the diplomatic effort to prevent Iran from acquiring nuclear weapons. Individual EU member states such as Britain still deploy troops in Iraq and are engaged in the stabilization efforts there. Most recently and probably most significantly

with regard to the long-term consequences, EU member states – with the explicit approval of the EU General Affairs and External Relations Council – lead and supply more than half of the troops monitoring and enforcing the ceasefire in Lebanon that ended the armed conflict between the Hizbollah militia and the Israeli Defense Forces. While UNIFIL II constitutes a UN peacekeeping operation mandated by Security Council Resolution 1701 of 11 August 2006, EU members have taken the lead in this mission (details in Dembinski 2007).

The military component of ESDP was systematically introduced by the European Councils in Helsinki (1999) and Nice (2000). In Helsinki, the EU member states decided to establish the "headline goal" of an EU military intervention force, i.e. the capacity of the EU to deploy within 60 days, and sustain for at least one year, up to 60.000 troops. The Nice Treaty established a new crisis management system for EU-led military operations. As in CFSP, member states are directly responsible for initiating and implementing EU military crisis management operations. Decisions to launch military – as well as civilian – operations take the form of joint actions agreed in the General Affairs and External Relations Council (GAERC). The rotating Presidency of the Council and the Secretary-General/High Representative of CFSP also exercise powers of initiative. The Commission and the European Parliament, by contrast, are merely informed and not directly involved in any decisions taken. The newly established Political and Security Committee (PSC) keeps track of international developments, helps define policies and monitors implementation of agreed policies. The latest development to strengthen military crisis management was the commitment of the member states in 2004 to the establishment of 13 EU Battlegroups. They shall form the core of a *rapid reaction force* of 1.500 troops deployable within 10 days for a period of 30 to 120 days.

The civilian component of ESDP was developed by the European Councils of Feira (2000) and Gothenburg (2001). In Feira, the member states established the headline goals for civilian crisis management in four areas:

- *police cooperation*: the capacity of the EU to deploy 5.000 police officers, including 1.000 within 30 days, for tasks ranging from restoring order in cooperation with military forces to the training of local police;
- *strengthening the rule of law*: the possibility of providing up to 200 judges, prosecutors, and other legal experts;
- *civilian administration*: the possibility of providing a team to prepare or monitor elections, taxation, education, water provision etc.

- *civilian protection*: possibility of assisting humanitarian actions through emergency operations, i.e. the immediate deployment of two to three assessment teams of ten experts each as well as intervention teams of 2.000 persons.

The third component of ESDP – next to military and civilian crisis management – is conflict prevention. It seeks to establish/restore a favourable political and economic environment in precarious regions. Since conflict prevention entails a comprehensive set of instruments that cut across all three pillars of the European Union, the role of the European Commission is key. It shall ensure the integration and consistency of all EU action. Next to developing an early-warning system, the European Commission focuses on developing crisis management instruments, such as the Rapid Reaction Mechanism introduced in 2000, enabling the Commission to rapidly disburse funds to conflict prevention and post-conflict reconstruction projects.

The EU policy toward Peace-Keeping Operations is firmly integrated in an overall framework of crisis management, which the EU most explicitly laid out in its European Security Strategy (ESS; European Council 2003). The ESS defines democracy, human rights, and the rule of law as the core European values, on which the EU has been built and which shape its vision of the world. This vision is based on the premise that creating a democratic society is the best way to achieve peace, stability and wealth. The ESS also lays out the two sets of instruments by which these goals are to be achieved: "soft power" and "effective multilateralism" (ESS, pp. 9-10). Thus, the EU involvement in UN Peace-Keeping Operations in Former Yugoslavia and the Democratic Republic of Congo has to be seen as part of a greater effort on which the EU has embarked to export its values in order to bring peace and stability to other countries and regions, particularly but not exclusively in its close neighbourhood.

In sum, within a relatively short period of time, namely five years, the EU has become a major player in post-conflict peace-building and reconstruction efforts including robust peacekeeping. With regard to the latter, EU members provide by far the largest number of troops in the various missions, be it under UN auspices, under NATO or under EU command.[17] All EU-led military peacekeeping operations are legitimized by UN Security Council resolutions, normally under Chapter VII of the UN Charter. As a result, the EU is now a major subcontractor of the UN with regard to peacekeeping. It should also be noted that the EU missions are embedded in larger political stabilization and peacebuilding efforts that include the promotion of democracy, human rights, and the rule of law, as described above. Take EUFOR DR Congo, for example: While it has been rightly

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[17] Note that the U.S. usually does not provide troops in multilateral peacekeeping operations.

criticized as too limited in scope and timescale (see Gegout 2007), the EU spent € 750 million in Congo on development, economic, and humanitarian aid including sponsoring the elections in 2006. For an international body, this is quite unique. It enables the EU to provide a whole package of political, economic, social, cultural, and military measures in crisis prevention, crisis management, and post-conflict situations even though coordination between the various EU agencies and the EU delegations on the ground is often problematic.

*Evaluation: Still a Civilian Power?*

How are the increasing military role of the EU and the various military missions to be evaluated? Are we seeing the gradual militarization of European foreign policy, is Venus approaching Mars, to use Kagan's famous term (Kagan 2003; see also Smith 2000)? We argue that, quite on the contrary, the EU is only recently emerging as a civilian world power, precisely because it only now disposes of the entire spectrum of policy instruments necessary to effectively promote the "civilization" of international relations. In that sense, the recent ESDP missions constitute the first signs that the EU is actually taking "effective multilateralism" seriously and that EU puts its money where its "civilizing" mouth is.

As argued above, civilian power requires "efforts at constraining the use of force in settling political conflicts, both within and between states" as well as the "promotion of non-violent forms of conflict management and conflict resolution" (Harnisch and Maull 2001b, 4). The emerging conflict prevention, crisis management, and post-conflict peace-building role of the EU that includes robust peace-keeping is consistent with these criteria. First, EU operations since 2003 have proven that the EU is willing and capable of reacting to ongoing and emerging humanitarian and security crises, by using both military and civilian instruments of crisis management. While the immediate goal is the provision of security and stability, all EU missions have been linked to the long-term goal of state-building and democracy promotion that require civilian rather than military measures. Thus, the ESS puts strong emphasis on security sector reform as an important condition for successful state-building and democratic transformation (cf. Osland 2004). A major focus is the (democratic) control of those actors who command executive and coercive power. This is why all EU missions have made training and monitoring police forces a major if not the exclusive priority. All military operations have been complemented or followed-up by so called civilian EUPOL missions for the building and reforming of police institutions.

While EU missions in the framework of ESDP focus on security issues, they are embedded in civilian measures aiming at the economic and political development of the target state. In case of Mace-

donia, for instance, the military operation was not only followed by a police mission; it was also backed up by substantial financial assistance from the CARDS[18] institutional reform and emergency assistance programmes, e.g. for the drafting of a law on local self-government that formed another key element of the Ohrid Agreement. Moreover, the perspective of a Stabilization and Association Agreement with the EU provided a main incentive for the Macedonian government to move forward the implementation of the law.

Second, all EU missions have been firmly embedded in a multilateral framework. They were either requested or at least endorsed by the UN and – with the exception of Artemis in Congo – supported by NATO assets. The EU explicitly recognizes the UN Security Council as primary responsible for the maintenance of international peace and security (see Dembinski and Brock 2004). In their *Joint Declaration on EU-UN Cooperation in Crisis Management*, the two organizations committed themselves to establishing a joint consultative mechanism (Steering Committee) to examine ways of enhancing mutual cooperation in planning, training, communication and the exchange of best practice. The two organizations agreed to develop mutually reinforcing approaches to conflict prevention and to ensure that the EU's evolving military and civilian capacities would provide real added value for UN crisis management. EUPOL Kinshasa served as a first test operation demonstrating that the EU can contribute effectively to UN peace-keeping operations.

Against initial worries, the capacity of the EU for autonomous operations under ESPD has not distracted European contributions to UN peace-keeping. While EU member states are very reluctant to place their troops under UN command,[19] they contribute 39% of the UN peace-keeping budget (compared to 22% of the US) and 36,8% of the regular budget (compared to 27% of the US) (cf. Tardy, 2005: 51). Moreover, the general absence of EU states from *UN-led* operations has to be checked against their presence in *UN-mandated* operations. The EU does not consider a UN mandate necessary for operations that are deployed in Europe, with the consent of the host state, and of non-coercive nature. But the UN has usually endorsed EU missions and the two organizations have closely cooperated in case of a UN involvement. The EU has proven itself as a reliable "burden-sharing" partner, particularly in areas where the UN is the weakest: rapid reaction to humanitarian crisis, on the one hand, and sustainable post-conflict management, on the other (cf. Novosseloff 2004; Tardy 2005). The EU-UN cooperation in the field of military and civilian crisis management

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[18] In 2002, the EU gave 63,5 million Euros in aid to Macedonia (cf. Mace, Catriona (2003) 'Operation Concordia: Developing a 'European' approach to crisis management', *International Peacekeeping* 11, 3: 474-491.: 479).

[19] EU member states only account for 6.52 % of UN troops (cf. Tardy, 2005: 52). Moreover, EU member states have dismissed the request of the UN to "re-hat" some of their assets when handing responsibilities over to the UN, e.g. after the departure of ARTEMIS from Congo.

has developed faster and deeper compared to any other regional organization, such as NATO. Many see it as a model for the cooperation between the UN and the African Union, for example (cf. Tardy, 2005).

The EU also cooperates with other international and regional organizations, such as the OSCE in the Western Balkans (Macedonia and Bosnia-Herzegovina) and the periphery of Russia (Georgia, Ukraine, and Moldava), the African Union (Sudan), and ASEAN (Aceh/Indonesia). The cooperation with NATO is of particular relevance. The *Berlin Plus Agreement* provides a framework for the coordination of military action.[20] It is a series of arrangements for EU access to NATO assets and capabilities. The cooperation with NATO has not only enhanced the still weak military operational capabilities of the EU. It has also prevented a rift with the U.S. and its major European allies, notably the UK and Turkey, which do not want ESDP to become a rival to NATO and transatlantic military cooperation with the US. However, relations between NATO and the EU are still sensitive. There is a serious lack of coordination on the ground, e.g. in places such as Afghanistan. This has led to quite some concern about the prioritization between military and political means in the reconstruction effort which has only recently been clarified (quote).

In general, however, the EU's increasing role in inter- and intra-national conflict resolution and peace-building is fully consistent with the foreign policy of a "civilian power" as identified above. The EU eschews purely military security concerns in favour of security sector reform. In order to induce compliance with its security policies, the EU relies on capacity-building and positive conditionality rather than sanctions and coercive power. While the EU does not preclude the use of military force, military operations are integrated in the overall framework of crisis management that combines the use of financial, civilian and military instruments. The EU is thus not only able to enforce and maintain peace, but also seeks to maintain law and order and build peace.

## 5. Conclusions: An Emerging Civilian World Power

We have argued in this paper that the EU's role in the promotion of democracy, human rights, and the rule of law as well as its engagement in conflict prevention, crisis management, and post-conflict peace-building and reconstruction is fully consistent with a foreign policy identity of a "ci-

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[20] Berlin Plus builds on the arrangements concluded in Berlin in June 1996, which served as a basis for cooperation between the West European Union (WEU) and NATO (cf. Haine, Jean-Yves (2004) *Berlin PLUS*: Institute for Security Studies.). It includes four major elements: assured access to NATO planning; presumption of availability of pre-identified NATO common assets and capabilities; European command options including the role of the NATO Deputy Supreme Allied Commander Allied Forces, Europe; and a NATO-EU Security Information Agreement.

vilian power" that emphasizes peaceful means of conflict resolution, principled, but effective multilateralism, as well as the legalization and democratization of world affairs. In fact and contrary to some arguments in the literature, we would argue that the EU has assumed the role of a civilian power only recently and after the end of the Cold War. "Civilian power" requires pro-active foreign policies and it necessitates that a polity has the whole range of political, economic, cultural, and military instruments at its disposal. If we use this yardstick, one could argue that the EU only became a "civilian power" at about 2000. By that time, the various strategies and instruments for the promotion of democracy, human rights, and the rule of law, had been integrated into a common framework. Moreover, only around the turn of the century was the EU capable to assume an active role in peacekeeping through the gradual buildup of the ESDP. The European Security Strategy (ESS) was then the first attempt at formulating a comprehensive foreign policy strategy.

Since the early 1990s, the EU has tried to systematically incorporate the promotion of a specific set of European values into its external relations. In this regard, the EU is surprisingly explicit about projecting a particular identity distinguishing itself from the US, particularly with regard to principled, but effective multilateralism. It is the combination of civilian and military resources to manage violent conflict where the EU sees its main contribution to international security.

Yet, the civilian power EU still faces two major obstacles in becoming an effective and coherent actor regarding crisis management and conflict resolution: intergovernmental decision-making in ESDP, on the one hand, and the separation of military and civilian crisis management operations in the second (ESDP/CFSP) and third pillars (JHA) from programmes managed by the European Commission in the first pillar (humanitarian and development aid, trade policy, environmental and social policy), on the other (cf. Gourlay 2004). These two factors also hamper the capacity of the EU to implement the integrated and comprehensive approach aspired by the European Security Strategy. Yet, one should not overlook that the intergovernmental nature of ESDP and the EU's complex and cross-pillarized decision-making structure might have some beneficial elements: It institutionally prevents the militarization of EU foreign policy and the emergence of a European "supranational security state."

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