

**CONV 46/02**

**CONTRIB 26**

**COVER NOTE**

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from :	Secretariat
to :	Convention
Subject :	<b>Contribution from Mr Alain Lamassoure, member of the Convention</b>

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The Secretary-General of the Convention has received the attached contribution from Mr Alain Lamassoure, member of the Convention.

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## CONTRIBUTION TO THE WORK OF THE CONVENTION

***Turning foreign policy into a specific competence of the Union***

At the April meeting of the Convention, many speakers were of the view that the Union should play a more important role in foreign, security and defence policy.

Taking this to its logical conclusion, the report to be submitted to the European Parliament on 15 May 2002 proposes that foreign, security and defence policy should be a '*specific competence of the Union*'. Competence in these areas, currently shared by Member States and the Union, would then be vested principally in the Union. This option will obviously have to be put before the Convention for evaluation.

As a contribution, this note looks at the reasons for this pioneering solution (I), and outlines a process by which it can be achieved (II).

**I – Why? The choice between powerlessness and the Union:**

1. 'Political cooperation' has been ongoing for over twenty years and it is ten years since the Union's Member States started to practise a common foreign and security policy and set up Eurocorps. For the last three years, the High Representative, Javier Solana, whose personal qualities are admired by all, has been tasked with acting as a spokesman for the Fifteen. What overall picture emerges from these efforts to breathe life into a European identity in the international arena?

In Europe itself, between countries that were enemies in the past, we have succeeded so well that there is no longer any need for foreign policy. The construction of political union continues to be piecemeal and incomplete, but, for these fifteen countries, diplomatic relations have been replaced by joint work and this will soon be the case for another fifteen. All our diplomats agree, but are reluctant to say so in public: our bilateral embassies are now obsolete. This is a major victory: foreign policy is a thing of the past.

Outside Europe, however, the situation is far less satisfactory. We are all keen enough to dispense with purely individual foreign policies, but not to the extent that we can accept a genuine common policy on the main issues. At the Union's very borders, in Croatia, then in Bosnia and Kosovo, thousands of people had to die before the European countries decided to act together, in a makeshift and too often chaotic way, before finally asking for decisive intervention from the United States. Outside our continent, European foreign policy is fairly limited in range: joint communiqués and financial aid.

Significantly, the only areas in which the European Union has a genuine influence in the world are those where its Member States have accepted the transfer of powers to the Union: trade and the environment. The creation of the World Trade Organization is a European idea, which the Americans did not really want to hear about. Like the Kyoto Protocol on greenhouse gases. In these areas, Europe has genuine guiding principles, a clear policy line, a reasonably efficient decision-making system and readily identifiable spokesmen.

Elsewhere, however, and looking at the major issues of war and peace, democracy or development, would the world have been any different without the European Union and its Member States?

In the last year, whether together or separately, have our countries been able to exert any perceptible influence on the stances taken by the current American administration? On Russian policy in Chechnya? On the Muslim world after 11 September? On the situation in the Middle East since the return to Intifada – despite further financial and commercial aid for both parties to the conflict? Over and above these current issues, have we any reason to be proud of the outcome of forty years of privileged, bilateral and multilateral, cooperation with Africa, when we compare the fate of Africa with that of Latin America and Asia?

2. At a time when they have yet to find a way of acting together, what progress have the European countries made with a joint analysis of the objectives and resources of their foreign policy(ies)? The truth is that we are afraid to ask ourselves the right questions. Here are some:

- In a century that seems set to be as unstable, unpredictable and dangerous as previous centuries, can we content ourselves with the *soft* diplomacy of goodwill? Are we sure that playing the part of critical but under-armed onlookers will be enough to shelter us from the sound and the fury of the world? In other words, is it sensible to gamble on the fact that our universal mildness will protect us against any outside hostility or, failing that, that the United States will continue to have enough patience to take most of the political, financial and military responsibility for the protection of our continent?

- If not, what are the threats to the security of our countries? Are they common to the continent as a whole, or are there particular threats to some of us? What military and political resources do we need to face up to them? What, nowadays, is the purpose of the British and French nuclear forces? Should the mission, nature, composition and organisation of NATO, set up at the beginning of the cold war, remain the same in 2002?

- What line should we be taking on the other threats to our planet (terrorism, proliferation of weapons of mass destruction, mafias, regional crises in the developing world, the major nuclear, chemical, biological and genetic threats to our society, financial instability, and so on)? Do we want to play a part in drawing up the rules of the world game, or merely fit in with rules decided elsewhere?

- Over and above the problems raised by the right of asylum, what line should we take on migratory pressures, now that they concern, in one way or another, the whole of the continent, at a time when people's freedom of movement in the Union is secure and we are starting to gain more of an idea of the economic repercussions of the falling birth rate?

- What frontiers are desirable for the European Union, once the enlargement that Convention members are currently addressing has been completed? It is astonishing and very serious that this question has never been discussed in public, even within the European institutions.

3. This experimental period, already fairly lengthy, has therefore borne out the lessons of history: while policies can be coordinated or harmonised, foreign policy cannot move in different directions: there can be only one direction. Which is in the hands of a single responsible authority. Which consults, listens, draws on a whole range of opinions, but which decides.

Another lesson: the best diplomacy is worthless unless it is served not just by the 'civil' resources of foreign relations (trade, financial and technical cooperation, cultural influence, etc.), but also by a military resource – the hard as well as the soft.

Does this mean that the privileged relations that each of our countries has with a different region of the world will come to an end? Certainly not! On the contrary, for the countries of Western Europe, these economic, cultural and human relations will be freed from the political, nationalistic or post-colonial ulterior motives that are nowadays their hidden vice. The future Member States which share borders with third countries will be able to draw on the might of the Union to place often complex relations on a footing that serves their interests better, while at the same time being natural intermediaries between their neighbours and the Union.

## II – How? A three-stage plan

The approach proposed is similar to the approach taken to monetary union in the Treaty of Maastricht: to set the *objective* – the unity of foreign policy; to specify political and technical *conditions*; to define *organs and a decision-making system*; and lastly, to draw up a reasonable *timetable* which could be built around three stages.

1 – The first stage would be to **separate the diplomatic from the Community sphere.**

### Procedures

The first essential step would be separate the *Foreign and Security Policy Council*, made up of national diplomats, from the *General Affairs Council*, on which the Member States would be represented by *ad hoc* Ministers. This idea has been put forward for a number of years in all the plans for reform of the Council.

Once this is achieved, foreign, security and defence policy can then be subject to Community decision-making procedures that are adapted to these specific issues, but no longer ‘intergovernmental’. A single authority (the High Representative of the Council, or Vice-President of the Commission) would be responsible for managing all appropriations in respect of third-country relations and would represent the Union externally. However, most decisions would continue to be taken by unanimity. In cases of majority decisions, it would still be possible for States in the minority not to take part in any joint action.

### Diplomatic resources

During this first stage, the bilateral embassies and consulates that Member States have in each other’s countries would be converted into economic and cultural representations.

A *European Centre for Higher Diplomatic Studies* would be set up. It would offer lifelong common training for European diplomats, and supplementary initial training for future diplomats.

### Security and defence

A White Paper on the defence of Europe would specify the threats to the European continent and outline the military, industrial and diplomatic resources needed to face up to them, in conjunction with enlargement and the reform of NATO.

The ‘blue berets’ made available to the UN by Member States would be taken from European units, such as the Rapid Reaction Force.

### Democratic control

During the first two stages, a joint parliamentary assembly encompassing the European Parliament and national Parliaments would meet twice a year to help to shape policy and ensure democratic control of the overall process.

2 – **The second stage would be one of *harmonised policies***

### Powers

Powers over international relations, other than purely bilateral problems, could then be vested in the Union.

The Union would adopt a *Declaration on World Peace* which would set out its guiding principles in respect of international relations. A charter of this type is necessary, both for the Member States themselves, which need to agree on common principles, and for third countries, not all of which have happy memories of past days of European glory. Here, the paradoxical concept of ‘power of equilibrium, justice and peace’ would need to be highlighted and placed on a credible

footing.

#### Procedures

States' representation on the Foreign Policy Council would no longer be limited to government members, but would also be open to national politicians, without changing voting rights, which would pave the way for wider-ranging consultation and discussion before decisions are reached.

Qualified majority voting would be the common-law rule for decision-making. States in the minority would be obliged to implement joint actions, the only exception being the actual commitment of armed forces outside the legal and political framework of the UN.

In all the international forums, Member States would vote in the same way on issues over which the Union has power.

#### Diplomatic resources

National consular facilities in third countries would be merged.

Exchanges of diplomats would be placed on a systematic footing in order gradually to foster common attitudes.

#### Security and defence

The guiding principles for the defence of the Union would be laid down in a framework military planning text that would also make provision for the progressive allocation of the necessary personnel and material resources.

The various European or multinational forces within the Fifteen (Eurocorps, Eurofor, Eurmarfor, Rapid Reaction Force, etc.) would be merged to form a *common European army*.

Financing of this joint effort would come from the Community budget, or would be shared equitably between all the Member States of the Union in accordance with the Union's rules.

**3 – The third stage would be one of a *shared destiny*.** This supposes that, in parallel, the future constitution gives the Union a genuine specific political authority (President or Government of the Union), separate from the body of national heads of state and government, but having the same democratic legitimacy and subject to the same political accountability as them. Failing that, it will not be possible to go any further than the second stage.

#### Powers

Union foreign policy would then replace national policy in all areas over which the Union has power.

The Union would in particular replace the Member States in all defence agreements and alliance treaties such as NATO.

#### Procedures

All Member States would be obliged to apply all joint decisions, and would have to take part in any use of force.

The embassies of Member States in third countries would be merged everywhere to form a common diplomatic representation.

In those of the international organisations whose competences involve powers vested in the Union, the Union would have a single representation and a single voting right, starting with the UN's Security Council. When making this historic gesture, the Union would put forward proposals for the reform of the UN and the major international organisations, one of whose aims would be to

encourage the creation of other comparable regional groupings on other continents.

#### Security and defence

The President or Prime Minister of the Union would be the commander-in-chief of the Union's armed forces.

The Union would have the power to mobilise citizens to defend its territory. This would involve keeping a permanent army, the temporary mobilisation of specialist resources or even, in exceptional circumstances, the conscription of Union citizens.

Member States' strategic, including nuclear, forces and reconnaissance and intelligence services would be placed under a European political authority.

Each State would keep its own army, which would act as a national guard: surveillance of air space and land and sea borders, civil protection, protection of sensitive sites and anti-terrorist operations, training of reservists.

#### Democratic control

The European Parliament would be wholly responsible for democratic control of foreign, security and defence policy; each national Parliament would supervise operations falling within its own legal and geographical competence.

#### **4 - Options:**

As in the case of monetary union, it is reasonable to offer those Member States so wishing the opportunity to defer their participation in the third stage.

However, they should not be exempted from playing their part in the harmonisation of national policies and the financing of joint efforts (second stage).

#### **5 – Timetable:**

The route towards monetary union showed that such an important reform needs to be phased in over a reasonable period: neither too short, as a result of the complex issues involved, nor too long, in order to keep up the necessary momentum: between some six and ten years.

The best solution would be to base the timetable on the timetable for future enlargement.

Most of the proposals for the first stage do not require any revision of the treaties and do not include any irreversible action. They could therefore be set in motion from the beginning of 2004, following ratification of the treaties of the next accession round.

The second stage could be set in motion around 2007, a date in keeping with the foreseeable timetable for the following accession round, whose participants would thus be invited to enter the second stage directly.

The final stage could come into force at the time of the final enlargement of the Union, likely to concern the remaining countries of the former Yugoslavia in particular, for which the date has yet to be set – in all likelihood between 2009 and 2012. It is also quite logical to wait until geo-strategic construction is complete before introducing common policy instruments at this level.

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