

The Lisbon Treaty Evaluated: Impact and Consequences

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**Building the European External Action Service:
Institutional Learning versus Intergovernmental and Bureaucratic Politics**

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The creation of a new ‘European External Action Service’ (EEAS) under the Treaty of Lisbon represents one of the most far-reaching attempts to reform EU foreign policy institutions in the long history of European integration. However, the negotiations throughout 2010 to structure and staff the EEAS provoked intense conflicts between EU member states, between major EU institutions, and even among various senior EU officials. At the time of writing, it is unclear whether the EEAS will in fact function as intended, and enhance the EU’s capacity for coherent and effective action in world politics.

This paper analyzes these changes and incorporates evidence from elite interviews conducted with over 40 senior EU foreign policy officials over the past three years. Beyond the political conflicts noted above, which generally involve intergovernmental disputes among major EU member states and bureaucratic politics within/among EU institutions, a third dimension to the process must be noted: the clash between informal working methods and institutions devised in the years prior to Lisbon, and the new formal reforms required under the Treaty (including, but not limited to, the EEAS). Thus, the conflict over the EEAS represents an interesting ‘natural experiment’ for comparing formal intergovernmental/ bureaucratic and informal/cognitive approaches to institutional reform. The outcome to this process will therefore have important implications for both the theoretical analysis of institutional approaches to European foreign policy and the actual practice of it, for years to come.

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The Treaty of Lisbon (Lisbon Treaty, or LT) of the European Union (EU) entered into force on 1 December 2009; it amends the 1957 Treaty of Rome and the 1991 Treaty on European Union (or Maastricht Treaty) in a number of important ways, not least in the area of European foreign policy (EFP). Specifically, Title V of the new ‘Consolidated Versions’ of these treaties¹ specifies the EU’s new provisions for external action and its Common Foreign and Security Policy (CFSP). Among the provisions listed under Title V, Article 27(3) indicates that a new ‘High Representative for Foreign Affairs and Security Policy’ of the EU (HR) shall be assisted by a ‘European External Action Service’ (EEAS). Further, the new EEAS:

...(S)hall work in cooperation with the diplomatic services of the (EU) Member States and shall comprise officials from the relevant departments of the General Secretariat of the Council and of the Commission as well as staff seconded from national diplomatic services of the Member States. The organisation and functioning of the European External Action Service shall be established by a decision of the Council. The Council shall act on a proposal from the High Representative after Consulting the European Parliament and after obtaining the consent of the Commission.

This single paragraph, which creates an entirely new EU institution for the conduct of EFP, has provoked an extremely high degree of confusion and conflict within the halls of EU bodies and within the government ministries of all EU member states. These conflicts have involved disputes among EU member state governments, among major EU institutions involved in EFP, and among top officials charged with devising and implementing EFP. Although many of the disputes can be framed in terms of the decades-old controversy between intergovernmental versus supranational visions of how EFP should be governed (i.e., by EU member states or by EU organizations), the far-reaching nature of the EEAS has inspired several other important, but somewhat less obvious, political disputes about the future of European foreign policy.

¹The consolidated versions includes the amendments of the LT, and all subsequent references to specific treaty articles in this paper are taken from this version rather from the LT. See the Council of the Union document 6655/08 (14 April 2008).

This paper examines the political conflicts generated by the creation of the EEAS by embedding these conflicts within the context of broader debates about institutional change and performance in EFP. Beyond the intergovernmental-supranational dichotomy noted above, the creation of the EEAS has provoked two other important debates about the institutional reform of the EU's foreign/security policy machinery.

One debate involves the appropriate and effective balance between, and interaction of, EU foreign policy tools. Specifically, beginning in 2003 the EU began to launch its own conflict resolution and crisis management operations under a new institutional framework, the Common Security and Defense Policy (CSDP).² The CSDP has launched more than 20 foreign security assistance missions of various types since then, spanning a range of geographical areas and functional problems. Taken together, these operations arguably represent the most ambitious foreign/security policy initiatives in the history of European integration, and they have been undertaken with remarkably little public discord (Giegerich and Wallace 2004). Many knowledgeable observers of the EU doubted this capacity was even possible in light of the EU's experience in the Balkans (Gordon 1997/98; Hoffman 2000); moreover, this capacity has involved an increasingly complex range of both civilian and military policy tools, whose application in specific operations generates numerous institutional questions at the national and EU levels. The EU has shown a capacity to innovate as well in terms of providing foreign security services, particularly with security sector reform and civilian crisis management, and these new EU competences raise critical questions regarding the structure and functioning of the EEAS.

A second debate is more subtle but no less important; it involves the effective balance between formal and informal methods of institutional reform. Given the highly institutionalized – if not 'supranationalized' – nature of most traditional EU policy domains

²Prior to the Lisbon Treaty, the CSDP was known as the European Security and Defence Policy. For the sake of consistency I use the term CSDP throughout this paper.

(i.e., socio-economic policies), there is an inherent tendency in EU foreign policy circles to adopt or look to the use of Community-based rules and procedures when considering the institutional reform of EFP, many of which have been codified in formal treaty documents. One aspect of this tendency involves the balance between intergovernmental and supranational methods as noted above; another aspect, however, involves a more general question about the extent to which EFP can be governed through rigid treaty articles as opposed to more flexible and pragmatic methods developed through experience. There has always been a strong element of informal institutional coordination in the long history of EFP, and this tendency now involves a range of social mechanisms (i.e., elite socialization, institutional learning, feedback mechanisms, networking, normative suasion, etc.) that can be easily disrupted. This is not just a conceptual debate either; since 2003 the implementation of the CSDP in particular has provoked a range of novel institutional changes whose effectiveness was still under review when the EEAS debate erupted immediately following the ratification of the LT.

In the rest of this paper I analyze these questions, starting with a brief discussion of the major EFP-related institutional changes required by the LT. The creation of the EEAS must be understood within the context of these changes, and the LT left unresolved many questions about how the EEAS would interact with other elements of the EU's new foreign/security policy machinery. In the second section of the paper I turn to an examination of the actual institutional problems and reforms in EFP that developed in the few years just prior to the ratification of the LT, paying special attention to the role of CSDP missions in provoking these problems and their informal solutions. In the third section of the paper, I examine what happened since the LT entered into effect, which generally involved increasing tension and confusion among EFP insiders about how the new EEAS would mesh with the

working methods they had painstakingly developed during the years when the LT was still under consideration.

I. Why an EEAS?

The creation of the EEAS continues a long tradition of institutional reform in EFP extending back to the creation of European Political Cooperation (EPC) in 1970. Since then, the EU has evolved an increasingly complex, and even incoherent, institutional infrastructure to devise and implement various EU foreign policies. However, the EEAS breaks with this tradition in one crucial way: most institutional reforms in EFP, beginning with changes to EPC during the 1970s-80s and followed by the transition from EPC to the CFSP after 1991-93, have involved the codification of informal procedures that have developed out of actual practice. In other words, there has been a strong ‘bottom-up’ dynamic of institutional reform whereby EFP elite practitioners develop new working procedures in light of actual problems they encounter in their work; these procedures are then codified in formal treaty documents. The EEAS, however, is a more ‘top down’ solution driven by the negotiators of the LT and it is entirely unclear whether the EEAS will in fact result in a more effective and coherent EU foreign policy system. In fact, it could quite easily be argued that the EEAS is a solution in search of a problem, or perhaps the wrong solution to a long-standing problem.

This point can be appreciated more clearly by examining how the EEAS relates to other aspects of the LT regarding the institutional machinery of EFP. The most general ‘change’ here is the supposed new focus on EU ‘external action’ rather than the maintenance of a distinction between ‘external relations’ (i.e., mainly the ‘low politics’ of trade and development) and ‘foreign/security policy’ (i.e., mainly the ‘high politics’ of the CFSP/CSDP). To help facilitate this change in terminology, a new Chapter 1 under Title V brings together a wide range of general principles (such as democracy, human rights, and the

rule of law) and specific goals (such as conflict prevention, trade liberalization, and sustainable developed) to be served by the EU's external action policies. However, most of these goals were already part of existing EU/EC treaties; moreover, and despite the new focus on 'external action,' the LT maintains, and even emphasizes, the 'specific rules and procedures' that govern the CFSP/CSDP as opposed to all other EU foreign policies. These include a limited role for the Commission and European Parliament (EP), as well as the long-standing exclusion of the European Court of Justice (ECJ) from nearly all decisions and actions taken under the CFSP/CSDP (Title V, Art. 24). In other words, this is 'business as usual' regarding the specific roles of the EU's most important supranational institutions: the Commission, the EP, and the ECJ.³

Other marginal changes to the conduct of EFP include changes to the role of the HR (which replaces the previous role of 'High Representative of the CFSP'), the removal of the notion of 'common strategies' for EFP (which had never developed as expected), and the creation of 'legal personality' for the EU (Title VI, Art. 47), which allows the EU to negotiate and sign international agreements and join international organizations.⁴ No major decision-making innovations were introduced beyond those already in place under previous treaties, which means that unanimity still tends to govern all major CFSP/CSDP decisions. Mechanisms for 'enhanced cooperation' (Title IV) and 'constructive abstention' (Title V, Art. 31), which theoretically allow for 'coalitions of the willing' to take certain foreign policy decisions, remain in the treaties, yet the EU has always been, and still is, reluctant to take such decisions on the basis of anything other than consensus/unanimity (although not all EU member states will then actually participate in the mission). Similarly, no EU institution has a monopoly on CFSP agenda-setting, as questions or proposals/initiatives regarding the CFSP

³For more details on these provisions, see Whitman 2008.

⁴The European Community already had legal personality prior to the negotiation of the LT.

may come from any EU member state, the HR alone, or the HR with the support of the Commission (Title V, Art. 30[1]); the Political and Security Committee (PSC) also has the right to give opinions on policy initiatives regarding the CFSP (Title V, Art. 38).

The most significant EFP-related reform, therefore, is the creation of the EEAS and the relationship of the HR to that new institution. Unlike the situation prior to the LT, the HR now serves as a formal institutional linkage for EFP matters between the Council of the EU (the HR as the ‘general manager’ of CFSP/CSDP affairs) and the Commission (the HR as an *ex officio* Commission Vice President). However, while the HR was originally devised by some Constitutional/Lisbon Treaty architects as a ‘foreign minister’ of the EU, that view has diminished considerably since the LT was finalized. And although the HR is supposed to replace the holder of the EU Presidency as the main driver of CFSP/CSDP affairs (Title V, Art. 18), he/she still must compete with the new position of the President of the European Council, who is charged with ensuring the ‘external representation’ of the Union on issues concerning the CFSP (Title III, Art. 15[6]), as well as the Commission President, who still retains considerable authority over most economic-related aspects of EFP and ‘ensures the EU’s external representation’ over non-CFSP foreign affairs matters (Title III, Art. 17).⁵ Both of these positions, further, hold a higher diplomatic status relative to the HR (as full members of the European Council, the highest authority in the EU⁶), and therefore they can easily usurp the HR’s authority in day-to-day decision-making; they are also charged with ensuring the overall consistency of the EU’s external actions and other policies (Title V, Art. 21[3]).⁷

⁵The President of the Commission may also ask the HR to resign, under Title III, Art. 17(6).

⁶Although the HR is permitted to take part in the work of the European Council.

⁷Though the HR is supposed to assist the European Council President and the Commission President with this task.

These provisions clearly confuse the nature the practical working relationship between the President of the European Council, the President of the Commission, the HR, and top government officials of EU member states (particularly the holder of the EU Presidency, which remains as an institution); the fact that the CFSP is supposed to be ‘put into effect’ by the HR and the Member States, using both national and EU resources, only adds to the confusion (Title V, Art. 26[3]). There is similar confusion regarding crisis procedures and EFP: the President of the European Council – not the HR - has the authority to convene ‘extraordinary meetings’ of the European Council ‘if international developments’ require (i.e., a crisis), with the goal of defining the ‘strategic lines’ of the EU’s policy in such a situation (Title V, Art. 26[1]), yet the HR can also request an extraordinary Council of the EU meeting within 48 hours (or less) ‘in cases requiring a rapid decision’ (Title V, Art. 30[2]). As a result of these shared responsibilities, the only tangible sources of ‘uniquely HR-owned’ institutional power under the LT would be: 1) the HR’s chairmanship of Foreign Affairs Council meetings (Title III, Art. 18; Title V, Art. 27[1]); 2) his/her ability to appoint ‘special representatives’ (Title V, Art. 33); and 3) his/her ‘ownership’ of the EEAS network (Title V, Art. 27[3]). In short, rather than clarify who represents the EU’s ultimate ‘face’ or ‘voice’ in world politics, the LT has only made the situation more confusing than ever before.

II. Waiting for Lisbon: Institutional learning and informal institution-building in EFP

The provisions noted above took years to negotiate, starting with the Constitutional Treaty (CT) agreed in June 2004, and implementation was then delayed further with the rejection of the CT in 2005, the drafting of the ‘new’ LT in 2007, and the difficult ratification process for the LT through 2009. In the meantime, however, the EU still had to take decisions on a range of important international problems despite the absence of a new framework for EU foreign policy-making. Even more remarkable was the EU’s clear drive to

develop a completely new foreign policy competency - the CSDP – in the face of disputes over treaty reforms, the Iraq War, America’s ‘war on terror,’ and other international controversies. In other words, the highly anticipated ‘reforms’ of the CT/LT were not at all necessary for the EU to undertake some very important actions (and related institutional improvisation) while waiting for the Lisbon process to conclude.

As the CSDP is the most important EFP trend during the years leading up to the LT reforms, in the rest of this section I examine the institutional debates and changes in this realm that would have a direct impact on, and be impacted by, the implementation of the LT and the creation of the EEAS. These debates and changes were directly inspired by actual EU experiences in conducting the CSDP, at the EU level and in theatre, as lived by CSDP practitioners, as opposed to the more sterile and conceptual EFP-related treaty negotiations that were occurring at the same time. As noted earlier, a major tension developed between the civilian and military aspects of the CSDP, which influenced the long-standing debate between intergovernmental versus supranational approaches to EFP and the later debate about how to create the EEAS. A second tension involved the role of specific EU bureaucracies in conducting the CSDP, and several institutional mechanisms were devised to deal with this problem; these were later disrupted by the creation of the EEAS (see the next section below).

I argue that the EU began to engage in a process of learning-by-doing, or institutional learning, as it attempted to expand EFP in general and implement the CSDP in particular after 2003. For the purposes of this paper, I define ‘institutional learning’ as changes in an institution’s functions, resource base, and skill set as a result of new information, observation, or experience. More specifically, such learning can be measured in terms of institutional changes across three major dimensions: responsibilities, rules, and resources.

Responsibilities refers to the EU’s own conception of its place in the world and the specific

types of foreign/security policy missions that might reflect or advance its role. *Rules* refers to the institutional rules and organizational structures, both formal and informal, that govern a particular policy domain, in this case the CSDP and related EFP domains. Finally, *resources* refers to both material and non-material assets the EU makes available to the CSDP as a policy tool. Material resources might include financing, personnel, and equipment provided by the EU or its member states; non-material resources might include the provision of best practices, progress reports, data sets, and other pools of knowledge relevant to the functioning of the CSDP.

Thus, in my view institutional learning is deliberate, pro-active, transparent, collective/social, policy-relevant, and progressive. This view clearly differs from other approaches to learning based on vague ‘lessons of history’ or analogical reasoning (Jervis 1976; Etheredge 1985; Neustadt and May 1986; Breslauer 1987; Breslauer and Tetlock 1991) that have received some criticism in the literature (Levy 1994). It also differs from ideational approaches to foreign policy and international relations (Goldstein and Keohane 1993; Yee 1996), which often do not explain why one policy-relevant idea gets chosen over other, equally plausible, ideas. Based on my previous work (Smith 2003), I have also found that one must also explain how new ideas or lessons are *institutionalized*, hence my specific focus on social-institutional-organizational, rather than merely personal or cognitive, learning. And since learning typically involves changes over time, we need some type of benchmark or reference point to determine the extent to which new lessons or ideas differ from an institution’s earlier approach to a specific policy domain.

New CSDP experiences

Experiential institutional learning also requires new experiences in order to start the learning process, and there has been no shortage of such experiences since 2003. With the

CSDP in particular, the EU has gained experience with a range of new foreign/security policy competences or tools. These include police missions, military peacekeeping missions, rule of law missions, border monitoring missions, counter-piracy naval missions, technical assistance missions, and others.

For example, the first-ever CSDP mission involved a police mission (known as EUPM) in Bosnia-Herzegovina (BiH) intended to succeed the UN International Police Task Force in 2003. Later, with Operation Concordia, the EU deployed its first military CSDP mission to help oversee the implementation of the EU/NATO co-sponsored cease-fire between the government and rebel forces in the Former Yugoslav Republic of Macedonia (FYROM). This was also the EU's first test of the Berlin Plus arrangement for resource-sharing between NATO and the EU.⁸ The EU then led a second military mission, Operation Artemis, from June - September 2003, to help stabilize the Ituri region of the Democratic Republic of Congo (DRC) at the request of the UN. Since the operation included troops from several non-EU states, the EU again demonstrated its ability to lead foreign troops in a military operation as it had done in FYROM. Equally importantly, the EU also demonstrated for the first time its willingness and ability to initiate, plan, and execute a military operation *completely autonomously of NATO*.

Several other, smaller-scale, CSDP operations have provided additional experiences for the EU draw upon. These include rule of law missions (to establish independent judiciaries), monitoring missions (to oversee a ceasefire or border crossing), and technical aid missions (to establish effective police and military forces requested by foreign governments or international institutions). These missions demonstrate increasing confidence on the part

⁸The 'Berlin Plus' arrangement allows for 'assured access' to NATO planning capabilities, a 'presumption of availability' to the EU of NATO assets, and NATO European command support for EU-led operations. Berlin Plus discussions began in June 1996 but were not completed (and thus made operational) until December 2002.

of the EU, and on the part of those seeking assistance, in the EU's ability to provide a range of innovative security services.

For example, the EU has deployed two rule of law missions, one to the Republic of Georgia (EUJUST Themis) in 2004 and one for Iraq (EUJUST LEX) in 2005. These missions were created in responses to requests from the Georgian and Iraqi governments. With the Aceh Monitoring Mission the EU monitors compliance with the cease-fire in Banda Aceh, following a UN-facilitated (and EU-financed) peace agreement in 2005. The Indonesian Government, supported by the Free Aceh Movement, invited the EU to undertake this mission in close cooperation with the Association of Southeast Asian Nations (ASEAN) – another first for this type of EU activity. In the EU Border Assistance Mission, the EU provides police and customs officials on the border between Moldova and Ukraine to help prevent smuggling, trafficking, and customs fraud. In 2005 the EU agreed, in response to an invitation from Israel and the Palestinian Authority (PA), to dispatch a monitoring mission to provide a third-party presence at Rafah (EU BAM-Rafah) to monitor the PA's performance, to contribute to the Palestinian capacity to monitor border control and customs, and to contribute to the liaison between PA, Israeli, and Egyptian authorities. Also in 2005 the EU deployed a technical support mission to Sudan, which provides a program of support to African Union (AU) peacekeeping and humanitarian efforts in Darfur, including training, technical, and logistical support and equipment for the policing effort of the AU peacekeepers. The EU assists in the lifting of African battalions in Darfur, provides training in aerial observation, and offers financial assistance to support the salaries and insurance for AU troops.

More recently, the EU has attempted its first-ever CSDP naval operation, Operation Atalanta, to combat piracy and facilitate the delivery of humanitarian aid in the coastal regions of the Horn of Africa. Atalanta (or EU NAVFOR) therefore is another critical new

experience for the ESDP and the mission offers key lessons regarding the EU's role in regional and international security. Atalanta has a mandate to deter, prevent, and repress acts of piracy and robbery at sea, including within Somali territorial waters. These goals indicate that the operation goes well beyond the traditional Petersberg-type ESDP tasks that originally helped to justify an independent EU military capability in the 1990s.⁹ Petersberg tasks consist of humanitarian or rescue operations, peace operations, and combat missions for crisis resolution, including peacemaking operations. Atalanta, however, exercises a monopoly on the legitimate use of violence on the high seas and within another state's territorial waters in order to protect the EU's and its member states' *own* interests (maritime trade), in addition to protecting the population of the state in question through the delivery of humanitarian aid (Germond and Smith 2009).

CSDP-related experiential learning

Considering this wide range of ESDP 'firsts' since 2003, it would indeed be surprising if the EU did not engage in some degree of learning based on these experiences. However, this learning can vary widely, from 'accidental' lesson-drawing on an *ad hoc* basis to more deliberate and formalized processes for improving performance through learning processes. Based on the EU's performance since the first CSDP mission in 2003, we can state quite conclusively that EFP in general, and the CSDP in particular, are developing a far more formalized approach to learning, although the degree of such formality still varies across EU organizations. By using 2003 as a baseline starting point, we can also demonstrate the creation of new procedures and institutional roles involving learning processes devoted to the improvement of CSDP functionality.

⁹Defined in 1992 by the Western European Union (WEU) and later incorporated into EU treaties.

Given the expansion and close involvement of the EU Military Staff (EUMS) in several major ESDP operations since 2003, it is appropriate to begin our discussion with this body. The EUMS in fact has developed one of most sophisticated lessons-learned systems within all EU institutions involved in the CSDP. This system involves regular lessons-learned meetings among the key principals involved in every CSDP operation, as well as new organizational roles and responsibilities to oversee the lessons-learned processes. The EU's mission to support African Union (AU) peacekeeping in Darfur (the AMIS mission), for example, led to a two-day workshop in Brussels devoted to lessons-learned; it involved EU staff from the civilian and military parts of the system. This effort has been repeated with all other CSDP missions over the past few years, meaning that a post-mission lessons-learned debriefing process has been institutionalized within the EU. The EU's experience with the Artemis mission in the DRC also led it to create a 'Battlegroup concept', which provides a system of ready-response European multinational forces in various permutations.¹⁰

This finding is supported by the fact that many of the specific lessons or best practices drawn from these efforts are then incorporated into an increasingly sophisticated EUMS database, the 'Lessons Management Application' (LMA). The LMA has become a real knowledge base to apply information produced during specific CSDP operations to future tasks. It has generated well over 1,000 specific lessons for the EUMS, and is regularly updated with new data. In light of this information, the EUMS has improved its planning procedures to anticipate, rather than merely wait for, the kinds of CSDP missions that might be required in the short to medium term; this process also involves the generation of 'watch lists' for potential hotspots around the globe that might require an EU response. The watch

¹⁰The EU's battlegroup concept is also a way to rationalize the proliferation of European multinational brigades dating back to 1973 (Lindstrom 2007). A battlegroup is a form of rapid-response capacity-building, each one consisting of around 1,500 troops reinforced with combat support elements, including relevant air and naval capabilities, which can be launched on the ground within ten days after the EU decides to act. More than a dozen such groups have been organized with various groupings of EU member states.

lists are created by a body created after 2006, the Single Integrated Analytical Capability, which then transforms the lists into ‘dossiers’ for potential CSDP operations. This information is then coordinated with analysis generated by the EU’s Situation Centre, another post-2003 innovation. With these mechanisms the EUMS does not initiate or suggest CSDP operations, but offers advice on what the EUMS could contribute to handling a certain problem. This need to engage in planning much earlier in the process was a direct result of the Artemis operation in the DRC, which involved a very short timeline relative to most other CSDP missions (i.e., instigated in days/weeks rather than months).

The General Secretariat of the Council of the EU, particularly various offices within Directorate General E (DG-E) for External and Political/Military Affairs, as well as the personal office of the HR, has also developed its own lessons-learned procedures, although these are not as institutionalized and centralized as those found in the EUMS, even though the EUMS is organizationally part of the Council of the EU. As DG-E directs civilian CSDP missions, it has had to adopt feedback mechanisms and standard operating procedures to avoid creating each new mission from scratch. Its approach to such missions is now far more systematic as opposed to the more *ad hoc* approach during 2003-05, and it is using a database of lessons similar to that adopted by the EUMS. The Council also coordinates its learning efforts with those of other EU actors; these procedures are reviewed on a six-month basis in light of lessons-learned reports and post-mission reports delivered by relevant participants in each CSDP mission. Finally, the creation of two new bodies in the Council – the Civilian Planning and Conduct Capability (CPCC) mechanism and (later) the Crisis Management Planning Directorate (CMPD) – were a direct result of the EU’s growing experience in planning and executing various *civilian* CSDP operations, a capacity that grew on almost an ‘accidental’ basis since 2003 and required entirely new structures to oversee it.

In addition to institutionalized lesson-learned procedures and organizational reforms, both the Council of the EU and the EUMS have conducted various exercises to improve their performance; these involve both military and civilian/policing tasks.¹¹ Crisis management exercises involving planning capacities in Brussels have been instigated, partly to determine how much support individual EU member states could be willing to provide to a given problem. Policing exercises involve a ‘rapid deployment of police elements’ planning concept, followed by a training exercise to prepare the police officials who volunteer for ESDP operations. These efforts have produced better coordination with the military during such operations, especially in light of the EU’s considerable experience in the Balkans. These exercises also give individual EU member states some degree of experience in leading a mission; as various CSDP missions have been led by a range of EU member states, any efforts to develop such experience could improve the EU’s response capacity in the longer term. Moreover, the leadership candidates include not just the ‘usual suspects’ (i.e., the larger EU member states); they have included smaller states such as Lithuania (in the Georgia rule of law mission) and Finland/Sweden (in the Aceh monitoring mission). The involvement of ‘officially’ neutral EU member states in military ESDP operations (as with Swedish special forces operating in Artemis in the DRC) is similarly useful for providing foreign military experience to non-NATO EU member states.

The specific lessons generated by these new procedures and institutions are far too numerous to list in the scope of a single paper, and many are actually classified. We can however report that they cover a wide range of operational tasks at all levels of analysis during a specific CSDP mission. For example, as with all CSDP operations, the EU has gained experience in negotiating Status of Forces Agreements and Host Nation Support Arrangements with the authorities where the CSDP operates, both of which can be delicate

¹¹Such as the Common Effort (2002) and MILEX (2005) exercises, among others.

political issues for fragile host nations. More parochial lessons have involved the provision of medical care, evacuation procedures, food supplies for mission staff, and other logistical issues; this effort is partly due to the EU's experience of difficulties in relying on other organizations (such as the AU) for the overall chain-of-command in certain operations.

At the more organizational level, various CSDP missions have given the EU valuable experience in managing a security operation through the coordination of its pillar one (European Community) and pillar two (CFSP/CSDP) policy tools and the establishment of best policing and rule of law standards for future missions. As some of these operations have involved non-EU member states, the EU has become more adept at convincing third states to participate in its CSDP operations. One important side effect of these learning and leadership efforts involves the EU's constant, even vigilant, desire to distinguish itself from other major players in international security, particularly the US. In fact, the demonstration effects of America's experiences in Afghanistan and Iraq have played an important role in how the EU thinks about, and plans for, its own ESDP operations. As more than one EU official put it, Europeans do not want to repeat the mistakes of others in developing this capability.

Lessons learned

The discussion above clearly indicates that formal learning procedures are in place, and that a wide range of 'lessons' are being generated. But is this activity actually improving the functionality of European foreign policy in general or the CSDP in particular? And if so, do these lessons then improve perceptions of the EU's effectiveness and legitimacy with each new mission?

The evidence that the EU has been attempting to apply various lessons can be seen in terms of changes in responsibilities, rules, and resources as noted above. Regarding responsibilities, for example, the EU has taken a strong interest in stopping organized crime

and corruption as a result of its ESDP experience. It has also attempted to improve the coordination of its civil and military responsibilities during such operations through various institutional mechanisms. Many aspects of CSDP missions also involve teaching *European* (not international or American) standards to soldiers, police, and legal officials, which requires some degree of self-reflection about what those standards are. To support these efforts, the EU has created a ‘civilian crisis management’ capability¹² and later a formal European Gendarmerie Force (EGF).¹³ This is another capacity that the UN and NATO cannot provide.¹⁴

Regarding institutional rules, and in addition to the learning processes noted above, the EU learned from early CSDP missions (particularly Concordia and Artemis) that it needed to streamline its CSDP funding procedures where common-pool resources (that is, those not funded by the EC budget) had to be devised; this realization directly led to the institutionalization of the ‘Athena’ funding mechanism.¹⁵ It was first applied in Operation Althea in BiH, and was later followed by an additional mechanism, the Instrument for

¹²As decided by the Feira European Council in June 2000; also see the Council of the European Union, “Civilian Capabilities Improvement Conference 2006,” ministerial declaration (Brussels: 13 November 2006).

¹³While the EGF is currently comprised of France, Italy, the Netherlands, Portugal, and Spain, it is open to all EU member states who possess police forces with military status. It is also clearly designed to be primarily at the disposal of the EU, with a mandate to perform all kinds of police functions in crisis management operations under either civilian or military chain of command. The force will normally consist of up to 800 gendarmes (though up to 2,300 personnel with reinforcements) capable of deploying within 30 days. It opened its headquarters in Vicenza, Italy in January 2006.

¹⁴The US has conducted various exercises regarding closer civilian-military coordination in multinational peacekeeping operations (the “Multinational Experiment’ exercises); however, its ability to project paramilitary or gendarmerie forces pales in comparison to that of the EU, even though it possesses a similar such force in the form of the US National Guard, which is commanded (during peacetime) by the governors of individual US states.

¹⁵As the EU budget cannot be used to fund military operations, the Athena facility (codified in Council decision 2004/197/CFSP on 1 March 2004) provides for a common pool of financial and other resources supplied by, and drawn upon, EU member states who participate in an ESDP military operation. It thus speeds up disbursement of funds and, critically, allows for contracts to be signed with sub-contractors and other suppliers of mission resources.

Stability (IFS).¹⁶ More comprehensive institutional changes – the CPCC, the CMPD, the LMA and so on – were discussed above; the key point here is that the EU has attempted to change its institutional structure and working methods to cope with its increased CSDP workload, in both the civilian and military realms.

Finally, regarding resources, the EU has improved its ideational inputs to the development of the CSDP, as through the EU Institute for Security Studies, which provides analysis and recommendations regarding the EU's new security capabilities.¹⁷ In addition to reports and working papers, the Institute produces a regular newsletter which often documents specific lessons drawn from CSDP missions. The establishment of various 'headline goals' for national defence spending/procurement and the creation of the European Defense Agency (EDA) were similarly intended to improve the EU's military resource base for CSDP missions by reducing duplicated efforts and facilitating joint research and procurement projects. The EDA also took the lead in launching an effort to improve air-to-air refueling capabilities in light of experience with CSDP missions. The EU Satellite Center and related cooperation in intelligence-sharing further add to the EU's resources for CSDP operations. And in what is a first for the EU, the creation of a 'virtual' CSDP College helps to not only institutionalize the lessons learned regarding the EU's security capabilities; it also aids in the teaching of those lessons to both EU and non-EU nationals. In this sense the EU is already attempting to export its security-related knowledge to non-EU states in the form of a CSDP curriculum.

¹⁶Unlike the Athena mechanism, which involves intergovernmental contractions, the IFS is a new Community budget line that helps to speed up the disbursement of funds controlled by the Commission in situations involving crisis management, conflict resolution, and peacebuilding.

¹⁷Formerly the WEU Institute for Security Studies; the EU assumed control of this Paris-based agency in January 2002.

III. The EEAS controversies

The historical record of EFP/CSDP clearly indicates that institutional learning was taking place after 2003, and that the EU was attempting to adapt itself to meet its new EFP responsibilities while the CT/LT debates wore on. However, this learning process was quickly disrupted immediately following the entry into force of the LT in December 2009, an event which essentially opened up some very old wounds in the overall structure of the EU's foreign policy machinery. The first clear indication of trouble was the limited professional background of the new HR, Catherine Ashton, and the somewhat distasteful deal-making surrounding her appointment and that of the new President of the European Council, Herman von Rampuy. Ashton undoubtedly lacks the foreign/security policy experience and stature of the previous holder of the HR position (Javier Solana), and her appointment was received by EFP insiders (as well as other informed commentators) with surprise at best and dismay at worst. The same might also be said for von Rampuy, although his appointment was not nearly as surprising as that of Ashton, given his previous (but very brief) experience as Prime Minister of Belgium.

These appointments were quickly followed by intensive jockeying among leading EU governments for other important EFP positions, particularly regarding the EEAS structure. As with most EU treaties, the details were left to be decided at a later date, and in the case of the EEAS Ashton as HR was charged with proposing the structure and staffing of the new EEAS, one of the most wide-ranging institutional changes ever attempted in the history of the EU given its impact on EU member states, on the Council of the EU, and on the Commission. In fact, this shared impact – which could involve up to 7,000 staff and an annual budget of three billion euro - led directly to one of the first agreements on the structure of the EEAS: its initial ('first stage') staff would be taken equally from these three sources (i.e., one third EU member states, one third Council, and one third Commission). Beyond this view, Ashton's

proposals for the structure and staffing of the EEAS, and its relationship to other EU bodies, underwent several permutations throughout 2010 whose details can only be touched upon here.¹⁸ For example, questions regarding staff rotations, conditions of employment, training, pensions, diplomatic security, and similar topics required detailed negotiations, and cannot be dealt with at length here. Instead, I focus on the more general and higher-profile problems regarding the EEAS.

Intergovernmental politics

Beyond the general agreement on staffing the EEAS from various institutional sources at the EU and national levels, things quickly grew more complicated as EU policy elites realized the various implications regarding the creation of the EEAS. In fact, EU legal officials in various bodies later admitted that they had no idea how the EEAS was supposed to be structured and staffed, or even how it was supposed to function. In their view, there was a distinct lack of intellectual preparation regarding these critical questions, plus some degree of ‘legal fatigue’ following the move from the CT to the LT negotiations followed by the Lisbon ratification process. Another very senior EFP official in the Commission confessed to me that ‘everyone’ in the EU underestimated the scope of the task, while an EU member state PSC representative admitted that ‘no one expected Lisbon to be so difficult’. EU member governments, however, had many ideas along these lines and they began to assert their views well before Ashton had devised her own initial proposal on the structure/staffing of the EEAS and other EFP-related bodies.

The most important player in this sense was France, which had pushed successfully to create a kind of ‘hybrid’ of DG-8 (defence/military) and DG-9 (civilian crisis management,

¹⁸Other actors within the EU submitted their own views on the structure and staffing of the EEAS, so that by early 2010 there were over half a dozen such non-papers in circulation among EFP elites. In some cases the authorship was unclear, which only added to the confusion about official positions on such matters.

which includes the CPCC unit) in the Council General Secretariat in the form of the CMPD, which will play a central role in the new EEAS (although the French initially resisted the inclusion of the CMPD in the EEAS). Following ratification of the LT, and in a deal with Finland, France then won a critical appointment in the form of the new head of the CMPD, Claude-France Arnould, a French national (and the former head of DG-8 for defence).¹⁹ This change provoked a great deal of conflict within the Council and even with related actors in other bodies, such as the Commission and the EP, and it is still too early to tell whether it will function as intended. Two major concerns are that the highly respected (and experienced) former head of the EU's civilian crisis management office (the CPCC), Mika-Markus Leinonen, was effectively demoted (as a 'counselor' now rather than a key decision-maker) in favour of Arnould, and that about four-fifths of the CMPD staff have military rather than civilian backgrounds. This structure and leadership effectively undermine the knowledge base and importance of civilian crisis response even though most CSDP operations have in fact been civilian in nature – another example of civilian-military suspicion provoked by the LT process.²⁰ France also made a deal with Germany: France would appoint the new Secretary General of Council (Pierre de Boissieu) while Germany would appoint the new holder of the role of EEAS Deputy Secretary General for Political Affairs (Helga Schmid).

Compounding this problem is the more general fact – admitted by multiple EFP officials in various EU bodies and the PSC - that Ashton has an 'impossible' set of responsibilities, especially in terms of moderating the positions of powerful EU member state governments and balancing the Commission-Council division of labour. In fact, she has more responsibilities – but less experience and a much weaker reputation – than Solana ever

¹⁹The CMPD is more correctly known by its new French name, the *Direction Gestion de Crises et Planification*.

²⁰In fact, several Members of the EP sent an official letter to Ashton to complain about this development, yet it had no impact. Among other things, the Members said that the new CMPD structure would lose the conflict resolution and peacekeeping/prevention capacities that had been built up in DG-9 over the past several years.

had. These include acting as Vice President of the Commission (which provoked other problems; see below), creating/running the EEAS, chairing meetings of the Foreign Affairs Council of the EU,²¹ acting as the external face of the EU or as a lead negotiator, and coordinating the civilian and military aspects of peace-keeping tasks (which gives her a role in the military chain of command), among other things. Given this range of responsibilities, and the HR's competition from other officials noted above (and discussed below), it will be all too easy for an assertive EU member state to undermine her position.²² Smaller EU member states in fact are already growing worried about these trends (and others; see below), which may reduce their willingness to support various EFP/CSDP initiatives. They are especially wary about the future role of 'permanent structured cooperation' in EFP affairs, as this method could easily allow a *directoire* of more powerful EU member states to set the EFP agenda. The EP also wants more details about, and oversight of, the EEAS in general and permanent structured cooperation in particular, yet the LT does not really allow this, at least not formally.²³

Finally, it is important to keep in mind that the CFSP/CSDP is still conducted largely through consensus, and achieving this consensus through intergovernmental talks often requires more time and effort than a more streamlined decision approach. The EU therefore has never actually used its own rules on 'flexible' or 'enhanced' cooperation in EFP, which would allow a smaller 'coalition of the willing' to undertake a CSDP mission on behalf of the

²¹This role in particular will be time-consuming; Ashton was scheduled to attend 46 such ministerial meetings in her first semester on the job. Solana, conversely, rarely attended such meetings.

²²Although Ashton has proposed that she can appoint a secretary-general to handle the day-to-day business of the EEAS. This idea, however, provoked criticism by the EP as the secretary-general would be less accountable to it than Ashton herself. Ashton later retracted the idea in favour of a collegial leadership of three officials: herself, an Executive Secretary General (Pierre Vimont) and a Chief Operating Officer (David O'Sullivan).

²³The EP does have the authority to approve the budget of the EEAS, and it successfully threatened to use this power to gain more control over EEAS appointments and related issues.

EU while many other EU member states simply opt out. Nor is the EU willing to apply QMV rules to major CFSP/ESDP decisions, even though such provisions exist. Instead, all major CFSP/CSDP operations have involved a very high degree of consensus and, accordingly, a high degree of participation by a majority of EU member states (at a minimum). This approach also requires EU member states to agree to finance or support various ESDP missions on a case-by-case basis, which puts severe limitations on mission resources and creates uncertainty about the EU's actual commitment to a problem until the assets have actually been deployed. In short, the EU is extremely reluctant to undertake CFSP/ESDP actions that do not have at least the tacit support of all EU members, and no amount of treaty reform is likely to change that fact. This tendency also means that CFSP/CSDP operations that do not involve support by the EU's more powerful EU member states are unlikely to move beyond the planning stage.

Bureaucratic politics

Beyond these problems we still see evidence of bureaucratic politics among key EU organizations, particularly the Council of the EU, the EUMS, the Commission, and to a lesser extent, the EP. These organizations still compete for influence and resources, which (as with intergovernmental politics) can inhibit the EU's ability to improve its performance based on various lessons learned. Problems here are too numerous to mention in detail; the key point is that EU insiders across the system can cite various examples of how petty disputes about institutional procedures or roles interfere with the smooth planning and execution of a CFSP/CSDP missions. As just one example, EUPOL Afghanistan has been very difficult according to various EU insiders; 20 points of deployment raised many logistical problems that took too much time and effort to coordinate. This mission (as with CSDP missions in Africa) also raised the question of evacuation procedures; in this case, conflict arose between

the narrow military view (evacuation simply falls under ‘logistics’) and the broader civilian view (evacuation is a mission-critical issue across all support services). In this sense, mission support must be brought in to the lessons-learned process rather than simply focusing on the direct goals of an CSDP mission.

A related problem here is the EU’s clear need for a better and permanent European OHQ for CSDP missions rather than relying on the goodwill of an EU member state to offer its own²⁴ and/or relying on NATO’s own OHQ at SHAPE under the Berlin Plus arrangement. The EU does have, since 2007, its own small OHQ in Brussels to run missions of a limited size (around 2,000 personnel), but this has not been used to run an actual CSDP mission. Instead, each CSDP mission requires negotiations among EU member states about which OHQ will be used; EU member states who volunteer their OHQs for a mission must also agree to provide additional resources in case Brussels fails to do so. In a similar manner, the EU’s battlegroup concept also has not developed as hoped; it has become more of a capacity-building mechanism rather than a rapid response force. Despite several opportunities to deploy standing EU battlegroups on actual ESDP missions, various EU member states have opposed this approach in favour of organizing missions on a case-by-base basis.

The reluctance of some EU member states to permit a more effective and better-resourced OHQ in Brussels is related to a second problem: the need for greater civil-military coordination during CSDP missions, which is often undermined by bureaucratic politics. Despite the evolution of the EU’s learning processes noted above, there is still in fact some degree of suspicion between the civilian and military parts of the structure. This occurs not just between bodies such as the Commission and EUMS, but even within the Council of the EU itself (which houses the EUMS). For example, the ‘Civ-Mil Cell’ organized by the

²⁴Specifically, the French OHQ in Mont Valérien, Paris; the UK OHQ in Northwood; the German OHQ in Potsdam, Berlin; the Italian OHQ in Rome; and the Greek OHQ in Larissa.

EUMS to improve civilian-military coordination in the CSDP did not work as desired and resulted in the creation of redundant planning/coordination system in the General Secretariat of Council of the EU (which became the CMPD); more than one CSDP official later confessed that they had no clue as to the function of the Civ-Mil Cell, nor which bureaucratic office it was supposed to serve. One member of the Cell also admitted that it was not getting the ‘tasking’ it had expected, possibly because it was located in the EUMS rather than in the Council more generally. The creation of a ‘Situation Centre’ within the CSDP infrastructure also undermined the need for a Civ-Mil Cell, as both bodies attempted to claim some authority over CSDP analysis and – crucially – operational planning. The Situation Centre also has taken the lead over risk assessment, which is an integral part of the planning process. As a result, the EU has never actually mounted a joint civilian-military operation (i.e., with a single chain of command), although it has conducted simultaneous civilian and military operations in a single foreign country. The LT intensifies these civ-mil disputes by retaining two separate funding lines: Athena plus a new ‘start up fund’ for military operations, and the IFS for civilian operations.

The question of funding, in fact, has also been complicated by bureaucratic politics, both before and since the LT. The Commission still retains control of several important first pillar (European Community) foreign policy instruments (such as humanitarian aid, European Neighbourhood Policy instruments, and development funding, among others) and Ashton has not been able to consolidate those under her authority. The result is that the first pillar still provides equipment and financing, while the second pillar actually conducts CFSP/CSDP actions. As these pillars are subject to their own oversight mechanisms, which differ considerably, an accountability/legitimacy gap can also easily result. Since the LT entered into effect, the Commission (with support by the EP) has asserted its authority over budgetary matters to retain control of various EFP responsibilities (particularly development), and it has

attempted to maintain control CSDP rule of law missions against the wishes of the Council. The Commission does see the CSDP as a threat to its bureaucratic interests, while some EU member states have reinforced this view by attempting to exclude the Commission from a role in CFSP operations, especially military ones. As always, there is still a clash between the ‘security’ and ‘development’ agendas in EFP, which manifests itself as dispute between the appropriate division of labour between the Commission and the Council (i.e., EU member states).²⁵ Ultimately, then, the appointment of Ashton, the creation of the EEAS, and the new structure of the CMPD cannot prevent these civilian-military, and Commission-Council, disputes from potentially undermining the conduct of EFP in general and the CFSP/CSDP in particular. As just one example, Ashton as HR is authorized to manage (within the new EEAS) various crisis-management and defence-related EU bodies - the EUMS, EDA, the European Union Satellite Centre, EU Institute for Security Studies, and the European Security and Defence College – but it is unclear how much authority she will actually have over these bodies with regards to actually planning and executing CFSP/ESDP missions.²⁶

The most obvious evidence of this fact is that the EU almost completely ceased undertaking new CSDP missions once it became clear that Lisbon was going to be implemented along with its new EEAS. Simply put, those in charge of EFP have been, and still are, far too busy with protecting their roles in the face of the Lisbon reforms to worry about taking on new CSDP missions. This situation, it seems, has now produced a kind of ‘holding pattern’ for the EU/CSDP while the bugs are worked out of the new system, and

²⁵This clash even led the the Commission to take the Council to court regarding a CFSP mission to control small arms in Chad in cooperation with the Economic Community of West African States. The Commission successfully argued that the CFSP mandate had mentioned ‘socio-economic stability’ as a goal of the policy, which is a Commission competence.

²⁶Also note that, on the civilian side, Ashton does not have an official portfolio as a Vice President of the Commission, nor is she on the official Vice President rotation among other Commissioners who hold a Vice-Presidential role (i.e., taking the place of Commission President José Manuel Barroso when he is unavailable). These facts clearly indicate that her Commission Vice Presidential role is mainly ceremonial.

may take at least another year or two (or more) to start working effectively. Moreover, the major structural problems in EFP remain (i.e., multiple ‘voices,’ insisting on consensus, no consistent source for agenda-setting, lack of civilian resources, etc.), so that the EEAS is likely to remain a major point of contention as the EU struggles to enhance its foreign policy ambitions as outlined in the LT.

In any event, and after months of controversy throughout 2010, Ashton’s final proposal for the structure and staffing of the EEAS was approved by the EP on 20 October, and the EEAS came into existence on 1 December 2010.²⁷ Ashton is now in process of appointing her senior managers and other EEAS staff, such as the staff for various geographic and thematic desks, which should provoke another set of institutional battles throughout 2011 as the EEAS attempts to become a new institutional centre of gravity for EFP. Moreover, as the Commission has retained a considerable degree of authority over EFP, and therefore can (like the HR herself) issue instructions to the new ‘EU delegations’ in third countries and international bodies (as well as maintain its own non-EEAS staff members), there will be no shortage of opportunities for the HR, the European Council, the Commission, and official representatives from EU member states to clash over the formation and conduct of European foreign policy.²⁸ In other words, business as usual.

IV. Conclusion

The fact that the EU has developed such a wide range of EFP competences, up to and including the use of policing/military forces, is a major achievement for a regional

²⁷See the HR’s Draft Council Decision Establishing the Organisation and Functioning of the European External Action Service, 25 March 2010 (Council of the EU, Brussels), doc. 8029/10. This document, however, contains various provisions indicating that important powers of the HR/EEAS will be subject to further review (or to be determined) once the EEAS assumes its operations.

²⁸The Commission, along with representatives of EU member states and the Council General Secretariat, also will sit on the new Consultative Committee on Appointment, which shall choose senior appointments to the EEAS.

international organization, especially one with such a diversity of interests and disparity of power among its 27 member states. This achievement has been realized through a combination of formal intergovernmental treaty reforms and, equally importantly, informal socialization processes and working procedures. Since 2003 in particular, the EU has gained many new experiences in foreign/security policy, has made active efforts to draw lessons from its experiences, has catalogued various lessons, and has attempted to apply some of these lessons to future policies and missions. In fact, it could be argued that there has been more dynamism and institutional innovation in this domain than in any other EU policy area in the past decade. Moreover, various EU insiders across the system consistently report their support for keeping the EU in the business of international security/crisis management; they also clearly believe that the EU can bring a unique capability to this domain despite the best efforts of the UN, NATO, and other international organizations.

However, when compared to other EU policy domains (namely those of the first pillar), there is still a high degree of uncertainty and inconsistency regarding how the EU will respond to a major crisis or other foreign policy problem. Formal treaty reforms to EFP may have reached their limit, as there is no agreement among EU member states to 'Europeanize' the CFSP/CSDP any more than has already occurred, especially if one measures Europeanization primarily in terms of policy delegation to a supranational body (the Commission), the regular use of some form of majority voting within the Council, greater oversight by the EP, and reliance on the ECJ to resolve disputes over compliance and other problems. EU member states are unlikely to pursue any of these options when reforming EFP decision-making procedures in the near future, so EU policy elites will have to resort to other consensus-building mechanisms, such as networking, socialization, and learning, for the foreseeable future. Informal social methods have a long and interesting history in EFP and efforts to reform EU treaties should attempt to respect this fact (Smith 2003).

Instead, the drive to implement the LT has seriously disrupted these social processes in numerous ways, not the least of which is the ‘top-down’ and very ill-considered creation of the EEAS and the question of its working relationship with other EU bodies. The EFP-related debates raised by the LT have taken various forms, such as: the question of adequate and consistent resources for CFSP/CSDP missions; the use of Battlegroups for CSDP missions (which has yet to occur); the question of who speaks for the EU in foreign affairs; the balance between, and command of, civilian and military EFP instruments; general lines of authority over various EFP competences; excessive duplication of EFP responsibilities among EU bodies; and the ongoing question of developing a stronger OHQ in Brussels to oversee CSDP operations (among other problems). The LT was supposed to have solved some of these problems, but at present the Treaty seems only to have fanned the flames of inter-institutional conflict regarding the structure and conduct of EFP. The most obvious evidence of this fact is that the EU almost completely ceased undertaking new CSDP missions once it became clear that Lisbon was going to be implemented. Simply put, those in charge of EFP have been far too busy with protecting their roles in the face of the Lisbon reforms to worry about taking on new CSDP missions. This situation, it seems, has now produced a kind of ‘holding pattern’ for the CFSP/CSDP while the bugs are worked out of the new system, which is likely to require several years to start working more effectively.

Despite these limitations, the EU clearly has shown a capacity to innovate in foreign policy and security affairs, in terms of the overall expansion of CFSP/CSDP operations, the EU’s civilian crisis management capability, and mechanisms such the Athena facility, the IFS, an EGF, and others. By helping to fill the ‘security gap’ between major combat operations and the resumption of normal government operations in failing, war-torn, or crisis-prone states, these missions clearly have political impact on the host states and on other state and global security providers (Ginsberg and Smith 2007). The expansion of this capability,

and its links with other EU policy tools, could be the EU's most important and unique contribution to international security affairs, but only if EU reformers can effectively balance pragmatic working methods and roles with their desire for higher-profile, and more permanent, formal institutional reforms. This balance was clearly disrupted thanks to years of CT/LT controversies, and now it will take years for the reform process to sort itself out.

Even so, the EU is seriously and actively attempting to fill a niche as a unique actor in world politics in the sense that its officials and police/military forces – which are always invited by the host government, mandated by the UN, and/or invited by another regional security organization - are viewed as a source of humanitarian aid, political/economic development assistance, and civil society-building rather than as self-interested occupiers or invaders. Moreover, given that CFSP/CSDP operations are not those of a single state, and given the EU's reputation as one of the world's leading democratic regional bodies, demand for such missions is only likely to increase thanks to the EU's own legitimacy and appeal in the eyes of those seeking security assistance and sustainable development. It remains to be seen whether the reforms of the LT, centering on the HR and the EEAS, will live up to these demands. The early signs, however, are not very promising.

Bibliography

Breslauer, George W. (1987). "Ideology and Learning in Soviet Third World Policy," *World Politics*, Vol. 39.

Breslauer, George W., and Philip E. Tetlock, ed. (1991). *Learning in U.S. and Soviet Foreign Policy*. Boulder: Westview Press.

Cawthra, Gavin and Robin Luckham (eds)(2003). *Governing Insecurity: Democratic Control of Military and Security Establishments in Transitional Democracies*. Zed Books.

Etheredge, Lloyd S. (1985). *Can Governments Learn? American Foreign Policy and Central American Revolutions*. New York: Pergamon.

Germond, Basil, and M.E. Smith (2009). "Re-thinking European security interests and the ESDP: Explaining the EU's anti-piracy operation," *Contemporary Security Policy* 30/3: 573-93.

Giegerich, Bastian, and William Wallace (2004). "Not Such a Soft Power: The External Deployment of European Forces," *Survival*, Vol.46.

Goldstein, Judith, and Robert O. Keohane (eds.)(1993). *Ideas and Foreign Policy: Beliefs, Institutions, and Political Change*. Cornell University Press.

Gordon, Philip H. (1997-98). "Europe's Uncommon Foreign Policy," *International Security*, Vol. 22.

Hoffman, Stanley (2000). "Towards a Common European Foreign and Security Policy?" *Journal of Common Market Studies*, Vol. 38.

Jervis, Robert (1976). *Perception and Misperception in International Politics*. Princeton University Press.

Levy, Jack S. (1994). "Learning and Foreign Policy: Sweeping a Conceptual Minefield," *International Organization*, Vol. 48.

Lindstrom, Gustav (2007). *Enter the EU Battlegroups*. EU Institute for Security Studies.

Neustadt, Richard, and Ernest May (1986). *Thinking in Time*. Free Press.

Smith, Michael E. (2003). *Europe's Foreign and Security Policy: The Institutionalization of Cooperation*. Cambridge University Press.

Whitman, Richard (2008). "Foreign, Security and Defence Policy and the Lisbon Treaty: Significant or Cosmetic Reforms?" University of Bath Global Europe Paper 2008/1.

Yee, Albert S. (1996). "The Causal Effects of Ideas on Policies." *International Organization*, Vol. 50.