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Evaluating the CFSP/ESDP: A plea for theory-driven comparative studies

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Starting with a review of current research on European security policy, this article argues in favour of a more theory-driven comparative research agenda for the evaluation of European crisis management. It introduces two models that are derived from the literature on international regimes and coercion: The EU as a Mediator and an External Power, and which allows for empirical testing via the degree of Neutrality and Credibility. Beyond evaluation, the research design proposes five causal institutionalist explanations of why in certain empirical cases, European impact on the ground is weak and in other cases stronger.

A Critique of current research

In 1998, five years after the birth of the Common Foreign and Security Policy (CFSP), Knud-Erik Jørgensen asked the CFSP academic community *How Should We Measure Success?* He identified three sources that might provide an answer: the actors involved in the political process, outside observers and a combination of the two (Jørgensen, 1998: 87). In *The European Union As Others See It*, Martin Holland et al (2006) also highlighting the importance of the target's perceptions when evaluating EU foreign policy. In Holland's view, the analytical focus should be on local or regional actors that are targeted by CFSP measures.

While the academic community has produced a considerable amount of excellent studies regarding different security policies and military operations and the functioning of EU crisis management in general, we are still far from offering a persuasive answer to Jørgensen's question which seems important for researchers and politicians alike. With Bassuener/Ferhatovic (2007) and Vajic (1992) only two publications are available that explicitly focus on the perception of CFSP's targets.

There are two main problems that remain to be solved in order to deepen our knowledge about the impact of CFSP/ESDP on target actors and the success rate. The first problem concerns the adequate operationalization of existing theoretical concepts to measure the impact of the CFSP's impact. Classic theoretical concepts of CFSP's impact include *civilian power* (Dûchene, 1977 and Whitman, 1998), *capability-expectations-gap* (Hill, 1993), *international presence* (Allen/Smith, 1990), *international identity* (Whitman, 1998), *international personification* (Rhodes, 1998). More recently, scholars have advanced *normative influence/power* (Björkdahl, 2005, Noutcheva 2007), *transformative power* (Diez et al, 2006) and *external governance* (Lavenex, 2004 and Schimmelfennig/Wagner, 2004) as theoretical standards to examine policy output and impact.

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While these concepts have a theoretical appeal, they tend to be underutilized because only few of these concepts readily identify indicators that allow for empirical measurement and comparative analysis. Furthermore, the more applicable concepts often pertain to rather specific policy issues.

For instance, while the recent concept of *external governance* enjoys a comprehensive theoretical concept and empirical measurable indicators (Diez et al, 2006), its primary focus is on soft security and not the management and prevention of violent conflict. Similarly, *normative power* seems to be first of all an analytical tool for measuring the effects of post-conflict stabilization programs, not for crisis management during political and military crises (Björkdahl, 2005 and Noutcheva, 2007). Only for Hills' seminal concept of a *capability-expectations-gap*, two studies have been conducted that explicitly focus on political and military crisis and the impact of EPC and CFSP (Ahlbrecht, 2004 and Dover, 2005).

The second problem seems to be related to the socialisation and training of the CFSP academic community. Most CFSP/ESDP experts are extremely well-informed about PSC, EUMC, SITCEN, CPCC and DG RELEX procedures, personnel, budget and capabilities, but lack regional expertise. The problem starts as soon as one wants to explore the question of CFSP's impact on target countries, government or rebels. Here, a minimum degree of regional expertise seems indispensable, especially if one seeks to identify minor and perhaps even unintended behavioural changes at the target level. I am not regional expert myself and my impression is that more often than not, the effects and success rates of CFSP/ESDP are less than obvious, especially if one is not well-versed in the historical and political background of a country. Furthermore, easily classifiable major events such as cease fires and peace agreements are rare and often the changes in the hostility level occur on the combat-unit or individual level. It seems that a lot of progress could be made if CFSP experts and regional experts worked closer together than is currently case.

EU Crisis Management models: *Mediator* and *External Power*

I seek to contribute to the research on a theoretically informed, but empirically tenable concept of policy impact and success by drawing on recent developments in the rationalist conflict literature. While these concepts are not entirely novel, they have not been applied to the study of CFSP/ESDP so much.

The rationalist literature starts with the problem structure that drives a conflict among local or regional actors, states or rebel groups. According to James Fearon (1995), such conflicts have in general two possible problem structures. The less problematic is a "Prisoner's Dilemma" situation, in which compromise is possible but actors are not able to secure it because they do not trust the commitment of the rival. By contrast, in a zero-sum or "Rambo" game, preferences are incompatible in such a way that compromise is out of question and resolution means the defeat of one party.

Authors like Lisa Martin (1992), James Fearon (1995) and Virginia Page Fortna (2003) argue that an external crisis manager is able to resolve a *commitment-problem* by providing neutral and credible *mediation* and *implementation guarantees*. In zero-sum situations, an external crisis manager needs to be partial and ready to invest in sanctions, military threats or positive incentives and thereby persuade at least one party to give in. Hence, these measures are designed to make the continuation of fighting getting too costly in comparison to the benefits of peace for the target. According to the *external power* model it is critical that the parties in conflict perceive such economic and military threats or economic or humanitarian aid as credible.

I propose a conceptualization of EU crisis management that relies on two models: "CFSP as a Mediator" and "CFSP as an External Power". Regarding the mediator, the adoption of cooperative behaviour by the parties in conflict depends on both, the degree of neutrality and credibility. Regarding the external power role, only the degree of credibility matters.

Factors that strengthen CFSP's Credibility and Neutrality on the ground

The IR literature identifies at least nine indicators that can be used to identify CFSP's credibility and neutrality, both as external power and mediator. Four of them focus on the mediator role and five on the external power role.

Containment the Commitment Problem: The credibility of a mediator is increased and with it the likelihood of peace, if he is able to *side payments* and *issue-linkages* (Martin, 1992: 145, Martin, 1993: 407). Secondly, credibility is generated and increased, if parties in conflict delegate *monitoring* for compliance and *punishment* of non-compliance to the mediator, once a compromise has been secured.

Reduction of Uncertainty: One well-known source of war and violent conflict is a poor information flow between rivals about intentions, resolve and capabilities. A mediator can provide vital information and increase his neutrality if he is able to *formalize a high degree of clarity* and *precision* regarding the terms of cooperation among opponents and provide *monitoring on a regular basis* (Page Fortna, 2003).

Increasing the credibility of carrots and sticks: According to the literature on coercion (George 1994, Regan 1996, Freedman 1998, Auger 1999) and external incentives (e.g. Schimmelfennig, 2007) at least five factors make economic and/or military threats more credible or financial, economic or political aid more attractive so that parties in conflict abandon a confrontational strategy. The most important factor for increasing the external power's credibility is the amount of *enforcement costs* invested by the sender (Freedman, 1998: 5). Other factors that can be examined to measure the external power's credibility of are *message clarity* and the *directness of communication* between sender and target (Freedman, 1998: 24f). Additionally, the level of credibility is decreased with raising *number of members of a coalition* of senders and it is increased in case the sender is *partial*, preferably for the local government (Regan, 1996).

In the next section I will turn to the question on what to do once different degrees of credibility and neutrality have been identified in an empirical case. Often, researchers want to move from description to explanation, i.e. they would like to explore the reasons for the variance in CFSP's impact on conflicts across and in between cases.

Higher institutionalization=higher effectiveness?

A multitude of different factors potentially explains varying degrees success and failure of European crisis management. But for most people studying CFSP and ESDP in action, the crucial question is: how does the CFSP's institutional design affect its credibility and the neutrality of its policies? Indeed, academics and politicians alike often argue or hypothesize that increasing institutional procedures and capacities of CFSP and ESDP have increased the chances for obtaining more positive impact, the effectiveness of EU crisis management on the ground. Specifically, most observers agree that the shifts from EPC to CFSP in 1993, from the Maastricht regime to Amsterdam in 1999, and then to ESDP with Nice in 2003, have continually equipped the EU with a better institutional framework for managing crisis abroad.

Conventional institutionalism provides several factors that allow empirical testing of this general *Institutionalization-Hypothesis*. All these mechanisms focus on the ability of rules, procedures and other institutional tools to overcome a second problem of collective action. This problem pertains to the difficulty of member states to conduct common policies and coordinate national policies while they have to cater to their specific domestic constituencies. The following five institutional mechanisms appear to be the most relevant for the reduction of this problem which arise as soon as members states try to act collectively via a CFSP policy.

Pooling of transaction costs (Keohane, 1984 and Martin, 1992): The credibility of EU crisis management heavily depends on both, the ex ante mobilization of member states and the ex post avoidance of unilateral defections by single member states. Empirically, a huge step regarding the reduction of

transaction cost has been made by transferring EPC organs, working groups and the secretariat into the unitary institutional structure with the Treaty of Maastricht.

Transparency of decision-making (Martin, 1993): The credibility of EU crisis management is directly related to the ability of being able to send clear, strong and direct messages to target actors, which is only possible if the “noise” by single member states and also institutional actors is reduced. In reality, transparency increased with the introduction of the European Council’s competence on general CFSP guidelines in 1993 and with the introduction of the legal instrument Joint Action. The latter formally requires EU Foreign ministers to clarify goals, means and time frame for operative measures in the field of crisis management.

Increase in internal ex post monitoring (Martin, 1992 and Drezner, 2000): The credibility of EU crisis management is strongly dependent on institutional mechanisms that detect and punish unilateral defection of single member states. Until now, there are only few formal institutional elements that allow for effective internal monitoring and punishment. In general, the Maastricht treaty charged the Foreign affairs ministers with “politico-moral” self-control of their colleagues’ respect for Joint Actions and Common Positions. In the case of the economic sanctions against Yugoslavia, the EU created an ad hoc capacity to monitor compliance (SAMCOM), partially because Greek and Italian companies continued to deliver goods to the region.

Reduction in reaction time: The credibility of EU crisis management depends on the ability to react within a short time frame which requires mechanisms to overcome blockades by single members states. The most well-known development in this regard is the introduction of qualified majority voting (QMV). In contrast to EPC decision making rules, which relied on a consensual mode, CFSP introduced the possibility to decide by consensus the use of QMV for subordinate decisions related to the implementation of Joint Actions. In reality, Foreign ministers and Political directors alike continue with pure consensual decision making.

Containment of strong members: The neutrality of EU crisis management is dependent on the ability to reduce the bargaining power of single powerful member states. There are only few institutional mechanisms that have been introduced by the Maastricht treaty that reduce for example the danger of France pushing for an ESDP operation to secure post-colonial interests somewhere in Africa. QMV would have been such a mechanism, but it is not relevant. CFSP introduced three mechanisms that “civilize” the actions of powerful member states: The obligation to report in advance in case of disagreement to the Council and the “legalization” of national urgency measures provided they respect certain standards. Additionally, the Amsterdam Treaty introduced “constructive abstention” as a third possibility.

Comparative CFSP-Studies

In general, it is crucial to compare across cases and within cases (King et al, 1994) in order to increase general knowledge about the effects of EU crisis management and the reasons for success and failure. I argue that the question of the relevance of CFSP’s institutional design can only be answered when comparing different degrees of institutionalization. In short, there has to be variance of institutional design features between cases.

Because almost all international institutions, also the *sui generis* CFSP, is only an intervening factor in the strategic interplay between member states and actors in crisis regions, one has to take care of and control for member states’ and local actors’ preferences. In case a member state or a party in the conflict profoundly changes its preference structure, it is difficult to show that varying degrees of cooperative or non-cooperative behaviour has something to do with institutional, procedural or administrative changes in CFSP’s Brussels headquarters.

Bosnia 1991-1994: Both EPC and CFSP in action

The Bosnian conflict is a good testing ground for the evaluation the two model's predictions of the EU's crisis management. It also provides an excellent opportunity for testing the institutionalization hypothesis because between both the European crisis management initiatives as well as the institutional setup changed from EPC to CFSP while the Bosnian conflict remained relatively stable.

In early 1992, European Political Cooperation (EPC) intervened with two main instruments in the Bosnian conflict. At that time, there was a sharp political conflict between three factions, but war had not yet broken out. EPC Foreign ministers were responsible for decision-making on the recognition policy. A team composed of the chairman of the International Conference on Yugoslavia (ICY), Lord Carrington, and Jose Cutileiro, the Portuguese Presidency's political director, was responsible for a mediation initiative called *Carrington-Cutileiro-Plan*, or Cantonization-Plan. Despite the signing of two agreements regarding Bosnia's external borders and the introduction of three ethnic cantons which had been mediated by Cutileiro on 23 February and 18 March, war broke out around March 25 1992. Two weeks later EPC Foreign ministers recognised Bosnia's independence on April 6th.

In the run-up to European mediation, the parties in conflict tried twice to secure a compromise on their own. These failed compromises consisted in constitutional changes that made the regions in Bosnia stronger, but which had to be implemented before international recognition. By following a strategy of simply combining maximalist positions, ethnic mini-states and recognition before constitutional reform, European mediators and Foreign ministers alike were not able to foster both, neutrality and credibility. This was on the one hand a policy failure due to misunderstandings on the nature of the conflict and a lack of willingness to invest in credible implementation guarantees: the *Carrington-Cutileiro-Plan* offered half a dozen legal experts for the territorial demarcation of the three ethnic cantons it had proposed and offered no guarantees for the respect of external borders. Institutionally, European crisis management was planned and executed by two different bodies that were not, on a regular basis, exchanging drafts cantonization plans and timetables regarding recognition policy. The creation of an ad hoc body for mediation had actually raised transaction costs and so forth.

In November 1993, within two and a half weeks, Foreign ministers and Political directors were able to draft a comprehensive peace plan, the so-called EU Action Plan. This plan comprised percentages of the overall Bosnian territory for each of the three ethnic republics and included a mixture of carrots and sticks: lifting sanctions against Serbia-Montenegro in case *Republika Srpska* renounces 3.5% more territory to the Bosnian government in comparison to the last ICFY-Plan from late September 1993. In case the Bosnian government accepted this additional territory as a final solution for its search for a "viable territory", the EU Action Plan offered economic assistance, reconstruction and more humanitarian aid. On November 22, GAERC adopted the Action Plan and send EU Special envoy Lord Owen in order to negotiate the plan.

After four weeks of intense negotiations, comprising two plenary sessions with GAERC, Serbia, Croatia and the three Bosnian parties, and also several bilateral round chaired by Owen, the EU Action Plan failed and all three parties started military offensives by the end of December 1993.

This second case shows that CFSP was equipped with a much better institutional framework for planning EU crisis management. Peace plans and incentives were integrated into one comprehensive concept following a clear internal procedure from PC to GAERC and then to the Special envoy. But there were two policy failures and one institutional element that are responsible for the overall failure: the EU Action Plan did not focus on the behaviour of the Croatians, Tudjman and his Bosnian ally Boban, who were responsible for much of the fighting in 1993 in their search to establish *Herzeg Bosna*, the Croatian counterpart to *Republika Srpska*. The EU Action Plan neither offered carrots nor sticks to Tudjman and Boban for a more cooperative behaviour. Second, the lifting of sanctions against Serbia-Montenegro in case the Bosnian Serb leadership complies was not credible because GEARC and Owen did not secure, in advance, the support of the UN Security Council, who was the relevant body for decisions on suspension and lifting of sanctions against Serbia-Montenegro.

The grave institutional failure was due to the fact, that EU Special envoy Lord Owen had tried hard to negotiate a bilateral settlement between Milosevic and Tudjman, ignoring the mandate given by the EU Action Plan which explicitly stipulated a multilateral solution and partiality in favour of the Bosnian government in their search to get a “viable territory”. Two days before the final round of negotiations Political directors tried to secure the pro-Bosnian approach of the EU Action Plan by issuing, without consulting Owen, a “Request to all the parties” directly faxed to the parties in conflict. But again, Owen ignored this second and much more precise EU Action Plan and continued with his bilateral approach that was unacceptable for the Bosnian government. Owen was able to ignore his EU mandate several times because he was able to formally switch the negotiation fora being not only the EU Special envoy but also at the same time the chair of the International Conference on Former-Yugoslavia (ICFY). In institutional terms, this second case reveals that the main reason for failure resided in poor mandate implementation, meaning the lack of control by GAERC and PC regarding the own Special representative. A “politico-moral” supervision by GAERC and parallel negotiation by the Political Committee was not sufficient to stimulate cooperation of the parties in conflict.

To conclude, the two Bosnian cases show little evidence for EPC/CFSP being a credible and neutral mediator or external power. One part of the problem seems to be the mix of the two models, mediator and external power, in the planning of crisis management initiatives. The two Bosnian cases also show that the introduction of CFSP increased the ability to plan comprehensive and coherent peace plans, but that at this time mechanism that effectively control the EU Special representative were lacking and became one major reason for the overall failure in the implementation phase. Lastly, both cases also falsify the institutionalization-hypothesis, but other comparative studies might come to a much more positive conclusion.

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