



# Common Foreign & Security Policy



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“ The Union's competence in matters of common foreign and security policy shall cover all areas of foreign policy and all questions relating to the Union's security, including the progressive framing of a common defence policy that might lead to a common defence. ”

ART. 24 I TEU

# Common Foreign & Security Policy

- ★ The EU's **Common Foreign and Security Policy (CFSP)** is based on unanimous consensus among the Member States
  - ▶ “common” means that the sovereign governments of all EU Member States choose to work together to the extent that they can reach a consensus on any given policy issue

# Common Foreign & Security Policy

## ★ Mechanism for

- (1) adopting common principles and guidelines on political and security issues
- (2) committing to common diplomatic approaches
- (3) undertaking joint actions

# Foreign Policy

- ★ **Enlargement & Neighbourhood**
- ★ **Human Rights & Democracy**
- ★ **Humanitarian & Emergency Response**
- ★ **Refugee Protection & Migration**
- ★ **Development Co-operation**
- ★ **Multilateral Relations**
- ★ **Climate, Environment & Energy**
- ★ **Culture**
- ★ **Economic Relations**
- ★ **Connectivity & Innovation**

# Security Policy

- ★ Security
- ★ Defence
- ★ Crisis Response
- ★ Countering  
Desinformation

# Institutions of the CFSP

- ★ The EU institutions representing the Member State governments play the central role in formulating the CFSP
  - ★ **European Council**
  - ★ **Council of the European Union**

# European Council

- ★ EU's highest level of political authority
- ★ meets twice every 6 months ("EU Summit"), and more often if required by exceptional circumstances
- ★ supplies political direction and defines the priorities that shape CFSP
- ★ decisions made on basis of consensus



# European Council

- ★ President of the European Council is tasked with managing its work, facilitating consensus, and helping to ensure policy continuity, while also serving as the group's spokesman
  - ▶ CFSP voice at the heads of state or government level
- ★ High Representative also takes part in the work of the European Council and may submit CFSP proposals for consideration
  - ▶ CFSP voice at the ministerial level

# Council of the EU

- ★ forum for developing political consensus and direction, and it is where most of the formal mechanics of CFSP decision making are carried out
- ★ comprises the foreign ministers of the Member States who typically meet once a month (the **Foreign Affairs Council** configuration of the Council of Ministers)
  - ▶ unanimous agreement needed to adopt a decision

# Council of the EU

- ★ supported by the **Political and Security Committee (PSC)**, a Council structure composed of ambassadors from the Member States
  - ▶ chaired by the High Representative
  - ▶ monitors and assesses international affairs relevant to CFSP
  - ▶ provides input into CFSP decision making
  - ▶ monitors the implementation of CFSP

# Council of the EU

- ★ the EU has its own diplomatic service:  
**European External Action Service (EEAS)**
  - ▶ helps the High Representative to carry out the EU's CFSP
  - ▶ working alongside the EEAS, the service for **Foreign Policy Instruments (FPI)** is responsible for operational expenditures in the crucial area of EU external action

# Instruments of the CFSP

★ The Treaty of Amsterdam from 1997 first identified four main CFSP instruments:

## **(1) Principles and Guidelines**

▶ provide general political direction

## **(2) Common Strategies**

▶ set out objectives and means

## **(3) Joint Actions**

▶ address specific situations

## **(4) Common Positions**

▶ define an approach to a particular matter

# Instruments of the CFSP

- ★ Art. 25 TEU: EU shall conduct its CFSP by
  - (1) defining the general guidelines**
  - (2) adopting decisions defining:**
    - a) actions to be undertaken by the Union
    - b) positions to be taken by the Union
    - c) arrangements for the implementation of the decisions referred to in points (a) and (b), and by
  - (3) strengthening systematic co-operation btw Member States in the conduct of policy**

# Instruments of the CFSP

- ★ The Lisbon Treaty reconceptualizes CFSP instruments into four types of Decisions:
  - (1) on the strategic objectives and interests of the EU**
  - (2) on common positions**
  - (3) on joint actions**
  - (4) on the implementing arrangements for common positions and actions**

# Decisions

- ★ unanimously at the highest political level
- ★ shape the framework of EU policies & actions
- ★ conclusions and results documents published after a meeting of the European Council or the Foreign Affairs Council are the main ways of promulgating strategic decisions
- ★ for those purposes and on the basis of the TEU, the European Council and the Council adopt non-legislative decisions (Art. 31 I TEU)



# Decisions

- ★ Decisions on common positions or joint actions take political agreement a step further, committing Member States to their provisions after formal adoption by the Council of the EU
  - ▶ conceptually, these instruments occupy something of a grey zone between legislation and political co-operation

# Decisions

- ★ Key strategy documents adopted by the European Council in recent years:
  - ★ **European Security Strategy (2003)**
  - ★ **EU Strategy Against Proliferation of Weapons of Mass Destruction (2003)**
  - ★ **EU Counterterrorism Strategy (2005)**
  - ★ **EU Internal Security Strategy (2010)**
  - ★ **EU Global Strategy (2016)**

# Common Positions

- ★ often reiterate the EU's objectives and define a collectively agreed diplomatic approach to a particular region or country
- ★ addresses a problematic situation, often involving a foreign government that fails to respect principles of human rights, democracy, rule of law, or international law
- ★ might address a cross-cutting topic such as conflict prevention and resolution, non-proliferation and arms control, or terrorism

# Common Positions

- ★ in relevant cases, sanctions are often included as part of a broader Common Position
- ★ although the EU generally looks to a UN Security Council mandate to impart legitimacy for sanctions, in almost all cases the Council of the EU must adopt a formal instrument for the EU to put sanctions in place
- ★ Member States have to make sure that their national foreign policy is in line with the EU's common position

“ The Member States shall support the Union's external and security policy actively and unreservedly in a spirit of loyalty and mutual solidarity and shall comply with the Union's action in this area. ”

ART. 24 III TEU

# Joint Actions

- ★ unanimously decided
- ★ adopted if the EU wants to operate in a specific foreign policy area
- ★ need to include the concrete aims and means of the joint action
- ★ sanctions, election observations and piece-building are some of the EU key activities aiming to promote democracy, human rights and the rule of law worldwide

# Joint Actions

- ★ often consist of launching or extending an out-of-area civilian or military operation under the **Common Security & Defense Policy (CSDP)**
- ★ may include the appointment of **EU Special Representatives (EUSRs)**, senior diplomats assigned to a sensitive country or region in order to give the EU extra political clout
- ★ might provide (financial) support to the activities of another international organization engaged in non-proliferation or peace building

# Implementation

- ★ under primary law, the EU has only limited powers of enforcement, as EU law is usually enforced by the Member States
- ★ Art. 291 I TFEU adds that Member States shall adopt all measures of national law necessary to implement legally binding Union acts
- ★ where uniform conditions for implementing legally binding Union acts are needed, the Commission exercises its implementing powers (Article 291 II TFEU)





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