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Note from the Editors

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In this issue of *CFSP Forum* we focus on aspects of foreign policy of the EU and its member states in central and Eastern Europe.

This issue opens with an analysis of how the EU's European Neighbourhood Policy (ENP) looks from the standpoint of Belarus and Georgia. The focus on the ENP continues with the second piece in this issue examining the Eastern Partnership that has been advanced by Poland and Sweden. The third article in the issue is an examination of the foreign policy relationship between France, Germany and Poland in the Weimar Triangle.

We would very much welcome your comments on this issue and your suggestions for future content. Please contact us via email at cfspforum@lists.bath.ac.uk

Contents

ENP viewed from Belarus and Georgia	1
Eastern Partnership	7
The Weimar Triangle	10
New books and articles and calls for papers	15

The European Neighbourhood Policy viewed from Belarus and Georgia¹

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For the European Union (EU), the European Neighbourhood Policy (ENP) is certainly the most important instrument in its relations with its neighbours. Yet how is this initiative seen in the neighbouring states themselves?

The ENP, which was launched in 2003, has become more sophisticated over the past years. New instruments like the Governance and Investment Facilities have been introduced; assistance instruments have been unified; systematic monitoring and evaluation of Action Plans has become an established practice; and the political cooperation between the parties has been strengthened. All these changes were meant to reinforce the ENP, and encourage partner states to increase their efforts in complying with the EU's recommendations and demands. Taking into account all the innovations, one could expect greater interest and commitment to the ENP by partner countries, both in cooperation-willing countries like Georgia and outsiders like Belarus. An additional reason to assume the

¹ This is a summary of the paper presented by the authors at the WISC 2008 Second Global International Studies Conference, July 2008.

increase of neighbour states' attention to the ENP is the changing geopolitical situation in the grey zone of influence between the EU and Russia, where the former has strengthened its presence and the latter has developed a more assertive foreign policy.

This contribution looks into how the ENP has been viewed in two countries: Belarus and Georgia. Although both states are located in the grey zone of disputed influence and share a common Soviet past, they have a different ENP status. Belarus is included, but has never fully participated in the ENP, i.e. it has had neither an ENP Action Plan (AP), nor commonly agreed bodies for the monitoring of the implementation of the European Neighbourhood and Partnership Instrument (ENPI). As for Georgia, it is one of the most active ENP participants. This difference in ENP status is part of a broader picture of the foreign policy priorities and respective transition paths chosen by both states: pronounced pro-Western policy in the case of Georgia and overwhelming orientation towards Russia in the case of Belarus. Considering the differences in foreign policy orientation of both selected countries, one can expect more enthusiasm and support for the ENP in the case of Georgia than in the case of Belarus.

In spite of all the differences, both countries share one commonality in terms of the ENP: neither Belarus nor Georgia consider the ENP as the main instrument for the promotion of their national interests. How then do policy-makers in Georgia and Belarus see the ENP in terms of their foreign policy priorities?

The view from Minsk: costs versus benefits of staying 'out'

Belarus' unusual position in the ENP, i.e. eligibility under the ENPI and simultaneous exclusion from fully-fledged participation in the ENP, was defined at the very first phases of the initiative's evolution. The Council Conclusions of July 2004 set the current status of Belarus under the ENP, by stating that 'it will also be possible to extend the full benefits of the ENP to Belarus when that country has established a democratic form of government, following free and fair

elections'.² Since the EU demands remain unfulfilled, the ENP status of Belarus has not changed, either. The ENP, however, continued to be the central element of the EU's approach towards Belarus, where the mobilisation of the Belarusian population was increasingly prioritised. Following the presidential elections in March 2006, the Commission consolidated this new approach in a non-paper entitled 'What can the European Union Bring to Belarus',³ where it tried to point out the benefits of Belarusian participation in the ENP, such as easier travel, economic benefits, increased cross-border cooperation, improvement of living conditions, and provision of healthcare and education. In return, the Belarusian government was expected to take measures aimed at the democratisation of the country, which were summarised in a list of twelve demands, including transparent elections, freedom of expression and association, fair treatment by the judicial system and the release of political prisoners. These demands remain the main reference in EU-Belarus relations, and constitute preconditions for joining the ENP. The new EU approach has been welcomed by the Belarusian democratic opposition, but the EU has not managed to win the hearts and minds of the Belarusian population thus far.⁴

As for the Belarusian leadership, the ENP is certainly not its main foreign policy goal. The benefits of full participation in the ENP have always been too distant and too vague, and could not be compared to tangible and instantly available offers from Moscow, which include stabilisation loans and preferential treatment towards Belarus as the energy trade partner of Russia. Together with economic benefits, Russia offers political support, which facilitates the power position of the Belarusian leadership domestically. The EU on the contrary has been consistent in its condemnation of the Belarusian regime, and has not offered anything but sanctions. It therefore comes as no surprise that the

² Presidency Conclusions, Brussels European Council 17 and 18 June 2004.

³ European Commission Non-Paper 'What the European Union could bring to Belarus'. November 2006, http://ec.europa.eu/external_relations/belarus/intro/non_paper_1106.pdf, accessed 26.10.2008.

⁴ Alena Vysotskaya Guedes Vieira and Giselle Bosse, 'ENPI Implementation: the case of Belarus. Briefing for the Foreign Affairs Committee of the European Parliament', 2008, p. 15

Belarusian leadership has very little interest in the initiative.

The Belarusian evaluation of the ENP has been, however, strongly dependent on the changing state of affairs with Russia. When relations with Russia met Belarusian expectations, Belarusian officials did not express any interest either in the ENP, or in any conditionality-based forms of cooperation implying fulfilment of EU demands. Nevertheless, when relations between Belarus and Russia deteriorated, Belarus was looking for EU support and demonstrating willingness to follow EU requirements. In 2008, the Belarusian leadership took some unprecedented cooperation-oriented measures, including the decision to open the representation of the European Commission in Minsk in March, and the release of political prisoners between January and August. Not only has the Belarusian leadership actually fulfilled one of the twelve demands put forward by the EU in its non-paper of 2006, but President Aliaksandr Lukashenka publicly acknowledged that the EU demands have finally been heard.⁵

Meeting the conditions of the EU's non-paper was, however, not regarded by the Belarusian officials as a step towards the ENP. The ENP has never been proclaimed as the goal of the Belarusian leadership. Nor has inclusion in the ENP ever been part of Belarus' wish list during negotiations with the EU (unlike the removal of visa bans). To be sure, the key principles of the initiative, such as democratisation, the rule of law, free and fair elections, were threatening the stability of Lukashenka's regime. Rather, fulfilling the demands formulated by the EU was a way to retaliate against Russia's actions towards Belarus.

The critical juncture in relations between Minsk and Moscow, which forced officials in Minsk to listen carefully to the EU, was the crisis in Russia-Belarus relations in December 2006. Pressed against the wall with the demands to sell a 50% share in the nationally owned gas pipeline firm,

Beltransgaz, to the Russian state-controlled firm *Gazprom*, and faced with rising gas prices as well as the prospect of energy cuts, the leadership of Belarus had been desperately looking for ways to secure economic support and preferential prices for Belarusian energy imports from Russia. However, the Belarusian authorities could not avert the oil stoppage in January 2007 and the gas crisis in August 2007. Such energy crises eventually showed that the EU and Belarus were in a similar position, demonstrating equal dependence on Russia as the Great Energy Power. Under these circumstances, the EU started to revisit its adamant, conditionality-based approach towards Belarus. Whereas earlier demands of democratisation were the EU's absolute priority and constituted preconditions for any upgrade of relationship, after the crisis, EU-Belarus relations reverted towards pragmatism. The negotiations on the opening of the European Commission delegation were not linked to any demands by either of the parties, and in the first months of 2008 the Commission started consultations with Belarus on technical and expert levels.⁶ In October 2008, the increased engagement of the EU towards Belarus was confirmed by the position the EU took on the parliamentary elections. Although the elections were not recognised by international observers as free and fair, and in spite of initial declarations from the EU indicating that the elections would be the test case in EU-Belarus relations, the EU eventually decided to lift visa bans, targeting several Belarusian high officials, including Aliaksandr Lukashenka, for six months.

Nevertheless, even after the deterioration of relations between Russia and Belarus, and the improvement of relations with the EU, the benefits for the Belarusian leadership of staying outside the ENP continue to outweigh the benefits of joining the initiative. In particular, the current marginal status of Belarus under the ENP entails implicit benefits to the leadership of the country. Namely, it allows Belarusian authorities to manoeuvre in a disputed zone of influence between East and West. For instance, any measures leading to political liberalisation in Belarus can be interpreted equally as steps towards the ENP, and away from Russia.

⁵ Press Department of the President of Belarus. Address of the President of Belarus to the students of the Belarusian State University (in Russian), 12.02.2008. <http://www.president.gov.by/press49929.html#doc>, accessed 26.10.2008.

⁶ Ibid., pp. 13-14

Other than domestic politics, foreign policy tools are employed by Belarus to improve the negotiation position towards both Russia and the EU. In particular, Aliaksandr Lukashenka has been reluctant to recognize the independence of Abkhazia and South Ossetia. Yet, instead of trying to meet EU demands in order to be eligible for full participation in the ENP, the Belarusian authorities prefer to keep a distance from the initiative in order to use this position as a stick and carrot in its relations with the EU and Russia.

The view from Tbilisi: the danger of great expectations

Georgia was included in the ENP in the regional context of the South Caucasus after a revision of EU policies towards Eurasia. Behind the decision to include Georgia in the ENP lay several important factors: the 2004 enlargement created new advocates for the EU's interests in the region; Georgia's peaceful 'Rose Revolution' and a pro-Western foreign policy orientation left a positive impact on the EU; the opening of the Baku-Tbilisi-Ceyhan pipeline reinforced the strategic importance of the region and of Georgia as a transit country; and finally, the European Security Strategy of 2003 underlined the strategic importance of addressing regional instability in the South Caucasus in the context of the ENP initiative. By recognising its interests in the region and creating a framework for enhanced cooperation, the EU raised enthusiasm and expectations in its South Caucasian neighbours, and especially in Georgia. The period of negotiations of the Action Plan, from 2004 to 2006, was marked by close cooperation and increased financial assistance: the EU established the post of EU Special Representative (EUSR) for the South Caucasus in 2003⁷; a donors' conference was convened in 2004⁸; and the first European Security and Defence Policy Rule of Law mission was deployed in Georgia in 2005. Following a period of neglect on the part of the EU, Georgia became an example of the

EU's pro-active attitude in its neighbourhood. This carried the EU to the top of Georgia's foreign policy priorities and raised expectations that the ENP could deliver in stabilising the region.

Overall, the ENP had a strong impact on Georgia's European identity and was decisive in the process of replacing the Commonwealth of Independent States (CIS) family with the ENP family, forged by closer political and economic links between Georgia and the EU. Nevertheless, despite the geographical and financial relevance of the EU, the ENP lost relevance in the face of US military assistance and the Bush Administration's strong support for Georgia's NATO membership, seen in Tbilisi as responding to the country's urgent political problems.⁹ Therefore, early in the process, Georgian leaders began displaying a pragmatic interest in the Neighbourhood Policy, abandoning the previous rhetoric on EU membership and focusing on bringing the Action Plan as close as possible to its own priorities.¹⁰

The ENP also faced difficulties at the technical level. Despite the general alignment in reforms between the EU and Georgia after the 'Rose Revolution', mismatches were apparent in EU-Georgia relations as early as during the ENP Action Plans' negotiation phase. The streamlining of legislation, necessary for *acquis* transfer, suffered from divergent priorities and lack of preparation. While the European Commission insisted on an even application of the *acquis* throughout the entire neighbourhood, the Georgian government sought instead a 'selective convergence'¹¹ with the *acquis*, making use of the joint ownership principle of the ENP. Visa facilitation issues, on the

⁷ Council Joint Action 2003/496/CFSP of 7 July 2003 Concerning the appointment of an EU Special Representative for the South Caucasus.

⁸ See Pamela Jawad, 'Europe's new neighborhood on the verge of war. What role for the EU in Georgia?' *Peace Research Institute Frankfurt Reports* N°. 74, 2006.

⁹ As the Georgian political scientist Ghia Nodia argues 'It is well understood – at least by the [Georgian] political elite – that EU membership is a distant prospect at best. This weakens the political importance of the ENP [...] The ENP comes a poor second to co-operation with NATO as a priority for Georgia, in part because Georgians, feeling threatened by Russia, crave security above all. But the principal attraction of NATO is that the carrot of membership is within reach [...] This makes all the difference.' Ghia Nodia, 'Reviving Georgia's Western dream', *Project Syndicate*, January 2008.

¹⁰ Mary Dejevsky, 'Georgia shelves claim for place in Europe'. *The Independent*, 25 May 2006.

¹¹ Interview by the author with Tamar Berushashvili, Georgian Deputy Minister for European and Euro-Atlantic Integration, Tbilisi, 31st October 2006.

other hand, acquired a security character linked to the secessionist conflicts. Georgia sees great urgency in revising the current situation where EU visa facilitation agreements with Russia have *de facto* created an added barrier between Georgia and its breakaway regions of Abkhazia and South Ossetia.¹²

During the negotiation period the regional context in and around Georgia dramatically deteriorated. Georgian military manoeuvres around the conflict areas in the summer of 2004 and of 2006 cast a shadow of suspicion over the government's true engagement to the peaceful resolution of the conflicts and accentuated Russia's uneasiness with Tbilisi's behaviour towards Abkhazia and South Ossetia.¹³ This, in turn, led to an historical low in Georgia-Russia relations in 2006, with a Russian unilateral ban instituted on Georgian products in March, and a land, flight and postal boycott in October. Unlike other times, when EU leaders were reluctant to criticise Moscow, the EU voiced its concern in bilateral meetings with the Russian leaders, and the European Commission began consultations with member states on how to open the European market to Georgian products. These moves were seen in Tbilisi as important but nevertheless insufficient and too slow. Because regional stability and conflict resolution are two absolute priorities of the Georgian administration in the process of the ENP, great efforts have been made to engage the EU as a broker in the difficult relations between Tbilisi and Moscow, and in changing the *status quo* in the conflict areas. As such, the risk exists that the success of the ENP will be measured against this backdrop,

although this policy was never meant to deal with hard security issues directly.

As regards conflict resolution, the ENP has been perceived in Tbilisi as a weak framework. Making use of the existing presence on the ground, the EU has engaged in a strategy of rehabilitation in the conflict areas in Abkhazia and South Ossetia. However, the EU has been careful not to take on more responsibilities in conflict resolution than it has had to. Efforts by the EUSR for the South Caucasus, Ambassador Semneby, to make the EU more visible in the region as well as in conflict resolution issues, led to a joint EUSR-European Commission expert mission to Georgia (including Abkhazia and South Ossetia) in January 2007. The EUSR's conclusions and recommendations presented to the Political and Security Committee indicated a series of areas where confidence building measures could be taken with EU support.¹⁴ The Council would later approve more palliative measures by appointing advisors and liaison officers to the United Nations Mission in Georgia (UNOMIG) and the Organisation for Security and Cooperation in Europe (OSCE) mission, as well as the Georgian Ministry of Conflict Resolution,¹⁵ further undermining good perceptions of the EU.

The Russian-led military intervention in South Ossetia and Georgia, in August 2008, risks making the ENP even more irrelevant to the short-term security needs of Georgia. By failing to successfully mediate between Tbilisi and Moscow, either bilaterally or multilaterally, the EU has failed in a central goal of the ENP Action Plan with Georgia. In the future, maintaining the promise of support for Georgia's territorial integrity might prove even harder, since there is today a *de facto* annexation of Abkhazia and South Ossetia to the Russian Federation. The ENP has no instruments to deal with such a crisis; it must coordinate CFSP and ESDP instruments to be relevant, as in the case of the observer mission deployed by the EU in Georgia from the 1st October. Despite this dim scenario, it is not clear whether the Georgian leaders and population will consider EU engagement and the ENP as irrelevant.

¹² Georgian non-paper on 'Starting a Dialogue on Visa Facilitation and Readmission Agreements between Georgia and European Union', Tbilisi, 8 June 2007.

¹³ During the summer of 2004, central authorities in Tbilisi attempted to militarily take control over South Ossetia. See 'Government Comes under Fire from Opposition over South Ossetia' *Civil Georgia*, 17 September 2004. In July 2006, Georgian authorities dispatched what they called a police mission to the Kodori Gorge in Abkhazia announcing that they intended to provide immediate assistance to Abkhaz families in the region and to rehabilitate the main road running through the gorge and the Kodori airfield. See Molly Corso, 'Georgian Minister: Kodori Gorge Operation Winding Down' *Eurasia Insight*, 27 July 2006; and Igor Torbakov, 'Moscow Warily Tracks Tbilisi's Moves in the Kodori Gorge' *Eurasia Insight*, 1 August 2006.

¹⁴ 'Russia-wary EU States Could Stifle Georgia Peace Plan', *EU Observer*, 20 March 2007.

¹⁵ Commission Staff Working Document on 'Implementation of the ENP in 2007', *Progress Report on Georgia*. SEC(2008) 393, Brussels, 3 April 2008.

The way in which President Saakashvili handles the criticisms of the decision to act militarily in South Ossetia will prove crucial for the credibility of the democratic steps taken by Georgian society. ENP objectives might be more at risk if the democratic reforms underway in Georgia are questioned or reverted, because this has been the core of EU action in Georgia. Both the US and NATO have taken on the burden of military cooperation and it is towards them that Georgia looks to assure its short-term stability.

Conclusions

Georgia and Belarus are very different ENP partners in terms of the proclaimed values of their leaderships, their political regimes and foreign policy orientations, and in their ENP status. Nevertheless, there is a similarity in the views from Minsk and Tbilisi: ENP values are not the absolute priority of the leaderships of these countries, but the ENP is used as an instrument to promote their national interests (conflict resolution in the case of Georgia, and offsetting the Russian influence in the case of Belarus). As a result, the ENP is not necessarily the most desirable format of cooperation with the EU.

In the case of Belarus, one can observe an increase in interest in cooperation with the EU. However, this increase of attention is not related to the successes of the ENP, the inclusion of new participants, or new financial and administrative tools. Belarus' interest in the EU has arisen as a function of its increasingly unstable relationship with Russia. At the same time, the benefits of staying outside the ENP continue to outweigh the benefits of joining the initiative. Moreover, the current marginal status of Belarus fulfils the main goal of the Belarusian leadership: to manoeuvre between East and West in order to avoid challenging the basis of the regime.

In the case of Georgia, the initial expectations of the leadership of the ENP as an instrument of conflict-resolution and EU engagement in the region explain the current disappointment with the ENP in Tbilisi. Given the reluctance of the EU to engage in the conflicts, the importance of the ENP, and therefore of the EU, has declined, while NATO is perceived as the most important

partner to assure state survival, independence and sovereignty. The future of relations with the EU will thus largely depend on changes in Washington's foreign policy towards Tbilisi.

Whatever the outcome, the influence of third parties can be confirmed as a more important factor than the evolution of the ENP *per se*.◊

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The Eastern Partnership: the EU goes East?

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In June 2008, the European Council conclusions welcomed the Polish-Swedish proposal to create the Eastern Partnership, ushering in closer and more institutionalised cooperation with the European Union (EU)'s Eastern Partners¹⁶. This new initiative would perhaps have remained unnoticed if not for three factors that made it a major development in EU external relations. First, it was proposed by, and lobbied for, by one of the states that joined the EU in 2004, which is an early sign of the growing influence and aspirations of the new entrants in EU external relations, and also a sign that some of them, Poland specifically, have learned how to use the 'Brussels machinery' in their favour. Secondly, it was proposed as a balance to the French proposal of the 'Union for the Mediterranean', and illustrates that the Central and Eastern European (CEE) states will attempt to push Eastern issues onto the EU's agenda. Thirdly it shows that the EU has reemphasized the importance of Eastern neighbours other than Russia, and has started to enter the 'Russian sphere of influence', demonstrating the will to be more present and visible in Eastern Europe and the Caucasus.

Still in the early stages of development, the Eastern Partnership is a positive sign for the EU: it demonstrates that the Europeanization dynamic affects new EU members. The Eastern Partnership promises to make an impact on peripheral states to the East of the EU, even though it does not propose, so far, any substantial changes within the European Neighbourhood Policy (ENP). This short article investigates the Polish-Swedish proposal and assesses its potential significance for the EU and the Eastern partner countries. It mainly focuses on the Polish role in the initiative, not only because Poland was a '*force motrice*' of the project, but because it is the first successful attempt of a new Central and Eastern European EU

member to constructively promote its national interest within the EU. This not very 'traditional' Polish-Swedish alliance, born mainly as a result of good personal relations between Polish and Swedish Foreign Ministers, is also an example of lessons learned, as Poland finally recognized that without building coalitions in support of its ideas not much can be achieved. Its experienced partner also proved to be a great asset in finding the way in Brussels corridors.

Shifting the balance towards the East?

The establishment of the Eastern Partnership is a flagship project of Polish diplomacy in the EU, as Poland has been trying to promote the idea of the Eastern Dimension of the European Neighbourhood Policy since 2003.¹⁷ The aim of an Eastern Partnership has until only recently had little influence in Brussels and EU member state capitals. This was not only due to a failure of Polish diplomacy to influence EU foreign policy, but also due to the institutional constraints from the EU side. Since its launch in 2004 the ENP was defined as a tool for achieving stability and prosperity in the EU's neighbourhood. The principle of differentiation – tailoring ENP policy to individual states – was fundamental to the development of the ENP. As the ENP Action Plans are negotiated separately with each of the partners according to their wishes, it was believed that there was no need to establish additional institutions which would offer the same. The 2004 enlargement and the rapid development of the ENP, as well as domestic changes in many of the Eastern partner countries, has motivated the EU to establish more enhanced cooperation with the Eastern neighbours.

Since its accession to the EU four years ago, Poland has made several efforts to bring the Eastern neighbours closer to the EU. However, it has managed to have an impact only on minor issues in the EU's relations with the Eastern states. It failed to successfully promote the idea of the Eastern dimension or any institutionalized

¹⁶ Presidency Conclusions, Council of the European Union, Brussels 19-20 of June 2008, 11018/1/08, p.19, available from http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/ec/101346.pdf, accessed 20.09.2008

¹⁷ W. Cimoszewicz *Non Paper on the 'The Eastern Dimension of the European Union: The Polish view'*, 20 February 2003, available from Ministry for Foreign Affairs web site: <http://www.msz.gov.pl/>, accessed 28.07.2008

cooperation with the Eastern European partners and the EU, which was one of its major EU objectives. Taking into consideration its size and aspirations within the EU or even in the international arena, the ability to influence proved to be low, as Europeanization in the area of external relations was limited. Other new EU members, even though smaller and only taking their first steps in the EU, such as Romania and Bulgaria, managed to have more influence, for example by lobbying for the Black Sea Synergy initiative.¹⁸ The ability to quickly recognize and adapt to the Brussels way of work gives a power to influence, and being a newcomer does not restrain this ability (as Finland proved before with the Northern Dimension).¹⁹ So far, however, despite being a strong group, the CEE members of the EU were not able to 'upload' their interest to the EU level.²⁰

Recently, Eastern Europe and the Caucasus have become crucial regions for the EU, as the questions of energy security, trade, migration and conflicts in the EU's neighbourhood have risen in profile, prompting the member states to look at possibilities for deeper cooperation. The shift towards the Eastern neighbourhood is also linked to the re-birth of the Russian Federation and its growing influence in post-Soviet states. These geopolitical factors, together with the growing ability to use 'Brussels machinery' by the CEE states in their favour, created a good opportunity to transfer the Polish ideas onto the EU level more effectively. The proposal of French President Sarkozy to create the 'Union for the Mediterranean' has given another opportunity for the negotiations of the Eastern dimension to the Polish government.

¹⁸ Fabrizio Tassinari 'A Synergy for Black Sea Regional Cooperation. Guidelines for an EU initiative', *CEPS Policy Brief* 105/June 2006.

¹⁹ Kristi Raik and Teemu Palosaari 'It is the taking part that counts, the new EU states adapt to the EU foreign and security policy' *The Finnish Institute of International Affairs, FIIA Report* 10/2004; Annika Björkdahl 'Norm advocacy: a small state strategy to influence the EU', *Journal of European Public Policy*, vol. 15, no.1, 2008, pp.135-154

²⁰ On mechanism of Europeanization, specifically downloading and uploading see Alister Miskimmon and William E. Paterson, 'Foreign and Security Policy: On the Cusp between Transformation and Accommodation' in Ken Dyson and Klaus Goetz (eds) *Germany, Europe and the Politics of Constraint*, (Oxford: Oxford University Press, 2003)

The argument of the balance between relations with eastern and southern neighbours was among the key issues in the Polish negotiation strategy.

The Polish-Swedish proposal: a new Eastern strategy or a placebo?

The EU offers many different policy tools to its various neighbours and partners, but those that have proven to be the best reform incentives are not available to the current EU Eastern peripheries. This is a major stumbling block in the relationship between the EU and Eastern European states – with some of them only interested in EU membership, they perceive any EU offer as not fully satisfactory. This is the case with Ukraine, and might become soon an issue with Moldova and others. The lack of a coherent strategy and long term plan of development for relations with the Eastern neighbours was the motivation for the Black Sea Synergy and the Eastern Partnership. The new Polish-Swedish alliance, formed to support this particular project, recognized the growing need to respond to the requests of those standing at the EU's door. Big ideas that Poland hoped to negotiate, such as a European perspective for Ukraine, clashed with the reality of the ENP, failing to strike a balance between what EU neighbours want, and what the EU can give.

The Polish-Swedish document proposes the establishment of the Eastern Partnership, which goes 'beyond the current ENP' by deepening bi-lateral relations and creating a 'permanent formula' for multilateral co-operation.²¹ It does, however, highlight the complementarity with other regional initiatives, such as the Black Sea Synergy and the Northern Dimension, to avoid any duplication of activities in the region. This highlights Poland's ability to work within the institutional constraints of the proposal, and is a good example of policy learning.

Deeper bilateral co-operation should include, according to the proposal,²² further cooperation towards visa facilitation with the

²¹ *Polish-Swedish proposal on the Eastern Partnership*, May 2008 available via: http://www.tepsa.eu/docs/draft_proposal_eastern_partnership.pdf, accessed 22.08.2008

²² Ibid.

Eastern partners, including the long-term aim of a visa-free regime, creating a 'deep' Free Trade Area, and enhancing EU support for sectoral reforms. Other objectives of enhanced cooperation will be the intensification of people-to-people contacts, the promotion of the European integration process amongst the EU Eastern neighbours, and the development of new Action Plans, as well as successor agreements to the Partnership and Cooperation Agreements (PCAs).²³ Looking at the current state of EU relations with its Eastern neighbours, and especially in light of Action Plans and new agreements being negotiated²⁴ during last year, it is clear that bilateral co-operation in all these mentioned areas is already advanced. The Polish-Swedish proposal is novel in its multilateral focus, with enhanced regional cooperation on political, security, economic, social, environment and border policies.

Cooperation will be 'based on the implementation of concrete projects', but will draw on the already existing funding and will therefore be 'resource neutral'. The funding from the existing instruments, such as the European Neighbourhood and Partnership Instrument (ENPI), thematic programmes, cross border cooperation and others, would also be complemented by financial support from international financing institutions, such as the European Investment Bank (EIB) and the European Bank for Reconstruction and Development (EBRD). The document also proposes the establishment of the 'Trust Fund mechanism open to contributions of EU Member States, the EEA and other partner countries.'²⁵ The Trust Mechanism is the only new element of the institutional structures. But, in practice, it already exists within the ENP financial setting as the Neighbourhood Investment Fund (NIF), from which all ENP Eastern partners are eligible for funding.

The least developed element of the proposal concerns the practical implementation modalities and the appropriate institutional framework. Poles and Swedes argue that the institutional structure for the Eastern

Partnership should be 'light-weight', and 'goal-oriented'.²⁶ There is, however no concrete proposals on how the entire project should be managed and, more importantly, who or which institution should do that. The Eastern Partnership does not propose any new institutions, although it suggests the establishment of a Special Coordinator. It does not, however, specify the Co-ordinator's institutional affiliation or who should fund the position.

Major challenges

The Eastern Partnership seeks EU cooperation with the Eastern ENP partners as a group, even though some of them are not entirely happy with the project. Some of the ENP partners, such as Ukraine and Moldova, would prefer to receive the promise of EU membership only, and others, namely Armenia and Azerbaijan, do not wish to cooperate because of their opposing positions on the unresolved Nagorno Karabakh conflict. Bringing in and motivating all of these partners, including Belarus, to work together and as close to the EU as possible are its major challenges.

To be a success the Eastern Partnership needs to bring tangible benefits and provide the ENP partner countries with new and attractive incentives for reform and rapprochement with the EU. The incentives that are regarded as attractive by the EU neighbours are not on the table.²⁷ The promotion of co-ownership is viewed as the most effective way of providing assistance, ensuring that the partner country takes responsibility for a reform agenda, and seeks and sustains support for it. The lack of enthusiasm from the Eastern EU partners shows that the incentives for reform and engagement might not be regarded as strong enough. The Ukrainian Foreign Ministry in its response to the Polish-Swedish proposal published a statement in which they declared that they 'carefully follow the discussions' and 'believe that the initiative of the 'Eastern partnership' should envisage a clear EU

²³ Ibid.

²⁴ *New Enhanced Agreement with Ukraine*, for details see the Website of the European Commission: http://ec.europa.eu/external_relations/ukraine/index_en.htm, accessed 23.09.2008

²⁵ *Polish-Swedish proposal*, op. cit.

²⁶ Ibid.

²⁷ In its initial reaction Ukraine made it very clear that 'Ukraine is not interested in anything else but the association process, leading to full EU membership'. (J. Sopinska, 'Ukraine cool to Polish partnership proposal', *Europolitics*, accessed 23.05.2008)

membership perspective to those European neighbours of the EU who can demonstrate seriousness of their European ambitions through concrete actions and tangible achievements.²⁸ The lack of strong and enthusiastic support from the biggest potential member of the initiative might cause several constraints in achieving its goals.

Conclusions

The major advantage of the Eastern Partnership as a regional initiative should be greater EU actorness in Eastern Europe. The growth of tensions in the region and in post-soviet states necessitates greater EU visibility in this area and shows that the EU has to reconsider its engagement there. The contribution of the Eastern Partnership and similar initiatives towards confidence-building and regional integration needs to be recognized and promoted. The confrontational style and negative rhetoric of the new EU members towards Russia, the most influential actor in the Eastern European neighbourhood, might limit the scope of the project, even though it involves Russia on the level of projects. The divergence of approaches on how to deal with Russia among the old and new EU members 'waters down' the potential stronger and more visible EU engagement in the East. The Eastern Partnership is so far the success of Poland (along with Sweden), but only in terms of the country's increase in profile and power on the EU internal scene. The Eastern Partnership as a modest proposal, however, will result in a missed opportunity to make a significant difference in the EU's Eastern neighbourhood. ♦

The potential of the Weimar Triangle for consensus-building in EU foreign policy

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The rejection of the Treaty of Lisbon by the Irish has given rise to the possibility of revisiting its central tenets. This is urgently needed for the formulation of a coherent European foreign and security policy. While the new member states tend to have a transatlantic orientation, many old member states are seeking to make Europe more independent from the US. Tension exists between Central and Eastern European security interests and Western European energy policy as regards to relations with Russia. The European Neighbourhood Policy (ENP) is a juxtaposition of unconnected political projects. The Treaty of Lisbon offers no real solutions to any of this. It does not provide for decisions to be made on the Common Foreign and Security Policy (CFSP) by qualified majority as a rule. Attaining a unanimous decision in the Council on delicate issues of foreign and security policy has become more difficult, especially since the EU's enlargement to 27 member states. The fact that every member state has the formal right to obstruct proposals in the Council through a veto does not enhance the likelihood of reaching a unified decision.²⁹ Against this background, it seems necessary to encourage the formation of foreign policy groupings, and especially to revitalize the close coordination between Germany, Poland and France in what is known as the 'Weimar Triangle'.³⁰

France and Poland are of the utmost importance to the formulation of German foreign and security policy. Germany maintains close neighbourly relations with both states, and they all have a shared historical experience that demonstrates the

²⁸ Statement of the Ministry of Foreign Affairs of Ukraine regarding the development of the eastern dimension of the European Union foreign policy, 26th of May 2008, Ministry of Foreign Affairs of Ukraine, available at <http://www.mfa.gov.ua/mfa/en/news/detail/13102.htm>, accessed 28.09.2008

²⁹ See Jonas Tallberg, 'Bargaining Power in the European Council', *Journal of Common Market Studies*, vol. 46, no. 3, June 2008, pp. 685-708

³⁰ See Iris Kempe, The German Impact on the European Neighbourhood Policy, in: *Foreign Policy in Dialogue*, vol. 7, Issue 19, 2005 pp. 26-34; <http://www.deutsche-aussenpolitik.de/newsletter/issue19.pdf>.

need for close political coordination. However, such coordination is hindered by the fact that the foreign and security policy orientations of the three states are not always in accord. France has traditionally focused on the Mediterranean area, and tends to see itself as an opponent of the US, rather than as a close ally. Thus, the determination with which the French President pursues his initiative to re-integrate France into NATO remains to be seen. In its foreign and security policy, Poland often adopts a position that is diametrically opposed to that of France, especially given its close links to US foreign and security policy. The French initiative entitled 'Barcelona Process: Union for the Mediterranean'³¹ and the Polish proposal for an Eastern partnership³² between the EU and the Ukraine and other states also indicate competing positions on the development of the ENP.

A fundamental reform of the EU's structures for making foreign and security policy decisions is required to avert the risk of a deep split in this area. Structures are needed that promote European consensus on foreign and security policy issues and a common foreign and security policy identity. In this context, the main question is how to better facilitate consensus building in foreign and security policy in the EU in the future.

Harmonization despite unanimity

The unanimity requirement is accompanied by the risk that only the lowest common denominator has a chance. The greater the number of EU member states, the lower the denominator. Hence, vetoing decisions or proposals is more frequently used when vital interests of states are concerned. If the EU is unable in the medium term to introduce qualified majority decision-making as a rule in the area of foreign and security policy, new ways of harmonizing EU foreign policy will have to be devised.

The formation of interest groups in the EU is not a new phenomenon, and will also remain unavoidable in the future.³³ A strengthening of institutionalized cooperation is also required, in tandem with a cautious flexibility. From a German perspective, the Weimar Triangle, established in 1991, appears particularly suitable in this context. It is a symbol of the process of reconciliation between France, Germany and Poland, and has the potential to function as a common engine for driving forward European integration.³⁴ In general, future German-Polish-French initiatives will strive toward closer cooperation in the field of the CFSP.

Trilateral cooperation in the Weimar Triangle has been suffering in recent years from repeated notes of discord in both German-Polish and French-Polish relations. The disagreements between Poland and France on the issue of intervention in Iraq, and the German-Polish disputes over the Treaty of Lisbon, are only a few examples from a long list. However, the newfound pragmatism that has played a decisive role since the change of government in Warsaw has created an opportunity to give the Weimar Triangle a second chance.³⁵

Such efforts have become even more crucial since the Irish 'no' vote in the referendum and the increasing emergence of a 'Europe of different speeds'. The Treaty of Lisbon also demonstrated that only a few approaches can be found for a renewal of European foreign and security policy. Whether or not the double-hatting of the High Representative for CFSP will improve the effectiveness of EU foreign and security

³¹ See http://ec.europa.eu/external_relations/euromed/docs/co_m08_319_en.pdf

³² See Agnieszka K. Cianciara, 'Eastern partnership – opening a new chapter of Polish Eastern policy and the European Neighbourhood Policy?' *The Institute of Public Affairs, Analyses and Opinions*, no.4, June 2008.

³³ However, this so-called 'differentiated integration or 'flexibility' of foreign and security policy must be exercised with great caution. During the war in Iraq, it became clear that disagreement on foreign and security policy issues can rapidly lead to a general deterioration in the political climate. The societies of Europe ultimately and rightly expect their governments to show unity on such fundamental matters as war and peace, rather than continually going their own way.

³⁴ The Weimar Triangle was established by Hans-Dietrich Genscher, Roland Dumas and Krzysztof Skubiszewski, the Foreign Ministers of Germany, France and Poland respectively, and provides for annual consultations to be held on issues of European policy (for further information see <http://www.weimarer-dreieck.eu>).

³⁵ See Aleksandra Krakiewicz and Piotr Buras, *Die Aussen- und Sicherheitspolitik Polens unter der Regierung Tusk*, (Polish Foreign and Security Policy under the Tusk Government) SWP-Aktuell 40/2008, May 2008.

decision-making will be evident only when the Treaty of Lisbon is ratified. The negotiations on the drafting of the Treaty also revealed that Great Britain has strong reservations about intensifying the CFSP which – on the basis of the Treaty provisions – includes the European Security and Defence Policy (ESDP). Thus, cooperation between Berlin, Paris and Warsaw could become a decisive factor in reaching a compromise within the EU on political crises in which the national interests of the member states are highly divergent. Several reasons indicate that these three countries could play such a role.

Firstly, it is difficult to reach agreement on European policy when animosity exists between Germany and Poland, as demonstrated by the EU budget negotiations. Secondly, greater cooperation between Germany, Poland and France appears indispensable for dealing with a large number of important issues on the current security policy agenda, ranging from NATO-ESDP relations to the ENP. Thirdly, trilateral coordination always carries greater weight than a narrow bilateral agreement between Germany and France, or between France and Poland. Fourthly, close coordination between the three states can ensure that the flexible group formation within European foreign and security policy that is necessary for Europe to take action can be integrated into, and maintained within, certain bounds, through inner cohesion in the form of the Weimar Triangle. Foreign and security policy issues on which the three states cannot achieve consensus could have an explosive effect on the political cohesion of the Union. Conversely, they benefit from trilateral coordination at an early stage.

Trilateral cooperation between Germany, France and Poland will therefore remain of great importance for the harmonization of foreign and security policy, regardless of whether the Treaty of Lisbon is ratified. Three main foreign policy areas can be identified which seem well-suited to the development of closer cooperation between Germany, France and Poland, namely the European Neighbourhood Policy (ENP), the Common Foreign and Security Policy (CFSP) and the European Security and Defence Policy (ESDP).

The European Neighbourhood Policy (ENP)

The political elites in Germany, France and Poland wish to see the Europeanization of the EU's neighboring states, and hence a strong ENP. The fact that the ENP has been enshrined in a treaty for the first time bears testimony to the EU's special interest in stability within its immediate neighbourhood. Through the ENP, which explicitly excludes accession prospects, the Union is committing itself to developing special relations with the relevant countries, 'to establish an area of prosperity and good neighborliness, founded on the values of the Union and characterized by close and peaceful relations based on cooperation.' The Commission, which is responsible for the ENP, is able to enter into special agreements with the ENP countries, which may be accompanied by reciprocal rights and obligations. Regular consultations are held between the Union and the ENP countries on the implementation of the agreements.³⁶

However, differences of opinion can be seen among the EU member states in relation to the setting of geographical priorities. While France is focused on the south, and thus favours the concept of the Mediterranean Union, which is intended to further develop the Euro-Mediterranean partnership, Germany placed Eastern neighbours and the Black Sea Initiative at the forefront of its political endeavors during its Council Presidency. Poland even supports offering tangible prospects of accession to neighboring eastern states and Turkey. While the common organization of the Black Sea Initiative and the Mediterranean Union has introduced at least a minimum amount of coordination within the two big regional pillars of the ENP—which may be directed towards offering Turkey an alternative to EU accession—it will nonetheless hardly suffice to reconcile the three states' diverging interests in the ENP. If the EU wishes to have a credible foreign policy, the regional initiatives of individual member states must be agreed to at an early stage in the Council of Ministers.

Ongoing political dialogue is needed between France, Poland and Germany to prevent the

³⁶ See Annegret Bendiek, 'Wie effektiv ist die europäische Nachbarschaftspolitik? Sechzehn Länder im Vergleich', SWP-Studie S24/2008, September 2008.

ENP from being trampled by different national interests. The Treaty of Lisbon contains no opinion-forming and decision-making procedures for contentious questions relating to the configuration of the ENP. The negotiations held between Germany and France at the beginning of March 2008 on the establishment of a Mediterranean Union showed that foreign policy initiatives in such areas as the Neighbourhood Policy can only gain acceptance if they are open to all EU member states and can build on consensus between Germany, France and Poland. The decision on the Mediterranean Union was ultimately only made possible because Poland ended its long-held blocking position.³⁷ Germany advocated a Community position between France and Poland in this context, under which it ensured that the French initiative was integrated into the ENP framework. In return, Poland has responded to the French-initiated Mediterranean Union project with a corresponding structure in Eastern Europe. All of the initiatives are now taking place in an institutional and financial sense under the umbrella of the ENP.

Flexibility in the Common Foreign and Security Policy (CFSP)

Even after the (still pending) adoption of the Treaty of Lisbon, the CFSP's biggest shortcoming remains the principle of unanimity in decision-making (Art. 31 Treaty on European Union, TEU). The possibility of constructive abstention by individual member states alleviates the problem, but does not solve it.³⁸ EU foreign policy should fulfill the assertion that all EU states participate in it on an equal footing. The adoption of decisions on the basis of a qualified majority is only possible in specific cases, and may be prevented by the member states for 'vital and stated reasons of national policy'. In addition, no decision may be adopted by qualified majority where there are abstentions by at least one third of the member states comprising at least one third of the population of the Union.

In future, 'specific rules and procedures' (Art. 24 (1) TEU) will continue to apply to the CFSP. The 'passerelle clause' constitutes an important step in this regard. It enables the European Council to unanimously adopt a decision stipulating that the Council shall act by qualified majority in existing areas of the CFSP that are subject to unanimity (Art. 48 (7) TEU).³⁹ However, this does not apply to decisions having military or defense implications. The passerelle clause can thus be used to attain greater flexibility in specific areas of foreign policy, in which different alliances and historical possibilities of exerting influence may arise. A common foreign policy on energy could, for example, be established in the context of close cooperation between Germany, France and Poland.

Finally, the enhanced cooperation procedure is an additional instrument for introducing greater flexibility into the CFSP (Art. 27A-27E TEU).⁴⁰ This procedure may only be used following a unanimous Council decision and an opinion from the High Representative and the Commission (Art. 329 Treaty on the Functioning of the European Union, TFEU). Enhanced cooperation is especially suitable for conflict management. The procedure has not yet been used, as the political fear of an internal split in Europe has been too strong. However, this does not mean that it is unlikely to be implemented in the future. In the event of the failure of the Treaty of Lisbon, institutional alternatives will be needed in order to continue with the integration process.

The European Security and Defence Policy (ESDP)

The European Security and Defence Policy has been a focal point since trilateral cooperation commenced within the framework of the Weimar Triangle. Confidence-building measures such as joint military manoeuvres, meetings of experts and an annual political-military seminar have been held. The three states remain willing to act as a security policy engine to drive forward a strategic debate on the future of

³⁷ Elitsa Vucheva, 'EU leaders agree to weakened Mediterranean Union plan' 14 March 2008, <http://euobserver.com/9/25835>.

³⁸ See Annegret Bendiek, 'CFSP after the Footnote Summit', SWP-Aktuell 2007/A 42, July 2007.

³⁹ http://europa.eu/scadplus/constitution/procedures_en.htm

⁴⁰ http://europa.eu/scadplus/nice_treaty/cooperations_en.htm

the ESDP. To this end, regular meetings are held at the level of the defence ministers, military policy directors and the highest-ranking members of the armed forces. Poland also wishes to take part in Eurocorps in 2008, which has already seen participation by Germany and France, along with Belgium, Luxembourg and Spain. A joint military combat unit (battle group) composed of German, French and Polish troops should even be operational by 2013.⁴¹ The Treaty of Lisbon makes provision for the Council to entrust the implementation of a task to a group of member states (Art. 44 TEU). The political framework conditions are to be set by the Council on the basis of consensus, with the technical details pertaining to the management of the task being established by the participating member states.

Finance presents a particular problem for the further development of the ESDP.⁴² The common costs of EU military operations are borne by the member states in accordance with the 'Athena' procedure, i.e. without the involvement of the European Parliament.⁴³ The financing of the ESDP thus falls outside the treaty framework of the Union. This constitutes a problem for the coherence of the ESDP, insofar as it decouples the political and financial dimensions of the policy. Where political decisions are adopted unanimously, but the financial decisions necessary to their realisation are made unilaterally, it must be assumed that an arbitrary implementation of common policies will be the usual outcome. Unlike Germany, Poland and France are positively disposed towards the common financing of the ESDP.

The introduction of the new mutual assistance clause is an important step towards the deepening of EU security policy (Art. 42 (7) TEU). According to this clause, the member states 'shall have . . . an obligation of aid and assistance by all the means in their power' if a member state is the victim of armed aggression on its

territory.⁴⁴ This could guarantee the security of states such as Poland in the medium to long term, thereby at least reducing the perceived need for close ties with the US. While this clause is without prejudice to collective defense under NATO, it is the first indication of an understanding of the Union as a defensive alliance. In addition to the mutual assistance clause, Article 222 TFEU also contains a solidarity clause, although this is not a component of the ESDP. This clause enables the Union to mobilize all of the instruments at its disposal, including military resources, in the event of a terrorist attack or a natural or man-made disaster.

The structured cooperation introduced by the Treaty of Lisbon should be highlighted as a means of deepening security policy cooperation (Art. 46 EUV and Protocol on Permanent Structured Cooperation). The general aim of this form of cooperation is to provide a forum for closer cooperation to those member states that are willing and able to develop European military capabilities more intensively.⁴⁵ Once this group has been established by means of a qualified majority decision in the Council, its members will be able to make autonomous decisions on measures. If a member state no longer fulfils the criteria, its participation can be suspended by the Council. In the context of furthering the development of European military capabilities, the new provisions on the ESDP contained in the Treaty of Lisbon are well-suited to intensifying cooperation between Germany, France and Poland on foreign and security policy. The introduction of permanent structured cooperation responds to important political demands by France and Poland for a deepening of security policy in a way that can simultaneously strengthen European cohesion.

⁴¹ Jörg Himmelreich, 'The Weimar Triangle – Improvements in the German-Polish Relationship', The German Marshall Fund, 2006, <http://www.gmfus.org/publications/article.cfm?id=247>.

⁴² See also Annegret Bendiek, 'The Financing of the CFSP/ESDP: There is a deficit problem', *CSFP Forum*, vol. 4, no. 6, 2006.

⁴³ See Annegret Bendiek, 'ATHENA und die Finanzierung der militärischen ESVP', SWP-Diskussionspapier FG2, April 2008.

⁴⁴ Bruno Angelet and Ioannis Vrailas, 'European Defence in the Wake of the Lisbon Treaty', Egmont Institute, 2008,

<http://www.egmontinstitute.be/paperegm/ep.21.pdf>.

⁴⁵ Sven Biscop, 'Permanent Structured Cooperation and the Future of ESDP: Transformation and Integration' Egmont Institute, 2008, <http://www.egmontinstitute.be/papers/08/secgov/080918-Biscop-Helsinki-paper.pdf>

Conclusions

The EU is capable of action when it can base itself on consensus among its member states on central issues of foreign and security policy. Where consensus cannot be reached within the Union, the number of vetoes on foreign and security policy must be reduced. However, for as long as qualified majority decisions are not the rule in relation to the CFSP, no real alternative exists to the formation of groupings on CFSP/ESDP.

Achieving consensus within the context of the Weimar Triangle can strengthen the internal cohesion of the Union on foreign and security policy issues and reduce the transatlantic component of EU foreign policy. The EU does not need to become a counter-model to the US in this regard. Nonetheless, a functional ESDP is a prerequisite for a credible CFSP, as well as for cohesion on foreign policy within the EU. Only a Union that is capable of taking action on foreign and security policy will be able to guarantee the security of individual member states, thereby enabling them to relativise their disproportionate transatlantic orientation in an EU-compatible manner.

The mutual assistance and solidarity clauses in the ESDP, along with the passerelle clause and enhanced cooperation in the CFSP, send out important signals to the member states to coordinate their foreign and security policy within interest groups. As regards risk deterrence and disaster management, Germany would nonetheless be reliant on both close cooperation with its direct neighbours and consensus on foreign and security policy within the Union.

This remains without prejudice to the positive option of allocating foreign policy roles within the Union, and to the historical possibilities of exerting influence. The coordination or formation of groupings within the EU requires 'unity in diversity' to be fundamentally regarded as a strength. It can be advantageous for states in the Union to set themselves greater challenges, as long as the condition is respected that these foreign policy partnerships are open in principle to all member states. The French initiative to establish a Mediterranean Union and the Polish idea of an Eastern Partnership are examples of such challenges.

The Weimar Triangle has sown the seeds of a core European group on foreign and security policy. The EU will only be able to contribute to greater peace and effectively assert its international interests if it is able to shape the cooperation between its 27 member states in the area of foreign and security policy by simultaneously increasing flexibility and promoting unity within a European core. The unity established within the Weimar Triangle following the enlargement round in 2004 is at the origin of the mantra-like invocation of 'unity in diversity' in Europe in the area of CFSP/ESDP.◊

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