



The EU's Contribution to the Effectiveness of the UN Security Council: Representation, Coordination and Outreach

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Abstract

This paper aims to assess the EU's contribution to the work of the UN Security Council (UNSC) and outline the prospects for future developments under three main dimensions: representation, coordination and outreach. The first part analyses the EU's presence in terms of its unitary representation and coordination among the EU members of the UN Security Council, with a particular focus on the innovations introduced by the Lisbon Treaty. The second part is dedicated to the EU's contribution, in terms of process and outreach, to the main policy areas within the SC's competence. These include traditional SC matters, such as peacekeeping and non-proliferation, as well as emerging and still contested competences of the UN's supreme organ, such as climate change. The paper was prepared for the second meeting of Working Group I on "The Reform of the UN Security Council: What Role for the EU?", held in Rome on 14 May 2010, in the framework of the IAI-University of Kiel project on "The European Union and the Reform of the United Nations" (Effective Multilateralism).

Keywords: *UN Security Council / European Union / European Security and Defence Policy (ESDP) / UN Peacekeeping / Nuclear non-proliferation / E3/EU Iran initiative / Climate change*

The EU's Contribution to the Effectiveness of the UN Security Council: Representation, Coordination and Outreach

by Nicoletta Pirozzi*

The European Union (EU) is characterised by a “dual nature, being both a subsystem in its own right and an actor within the wider international system”.¹ This is particularly evident when we investigate the EU's relations with the United Nations (UN) and its performance in the UN system, especially as regards the UN Security Council (UNSC). In conceptualising the EU's actorness on the international stage, three main dimensions must be taken into account: coordination (among EU member states and institutions), representation (of the EU as a single actor) and outreach (measured in terms of what the EU and its member states collectively achieve at the international level). Taking these considerations as its starting point, this paper aims to assess the EU's contribution to the work of the UNSC and outline the prospects for the future development of two main aspects:

- the EU's presence in terms of its unitary representation and coordination among the EU members of the UN Security Council;
- the EU's contribution, in terms of process and outreach, to the main policy areas within the UN Security Council's competence. These include traditional UNSC matters, such as peacekeeping and non-proliferation, as well as emerging and still contested competences of the UN's supreme organ, such as climate change.

1. The EU at the UN Security Council: representation and coordination

The EU as such still has no independent status within the United Nations. The European Community was granted observer status in 1974 at the General Assembly (GA). This means that a representative of the European Commission is allowed to take the floor during the General Assembly's meetings – but only after all 192 member states have done so, and without the right to vote.

No formal EU representation is envisaged in the UN Security Council. Until the Lisbon Treaty entered into force, EU members of the UNSC had to abide by the provisions of former article 19 of the Treaty on the European Union (TEU). These provisions included the responsibility for all EU members – permanent and non-permanent – of the Security Council to liaise with each other and to keep the other EU members fully

Paper prepared for the seminar “The Reform of the UN Security Council: What Role for the EU?”, Rome, 14 May 2010.

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¹ See K. E. Jorgensen, *Analyzing the European Union's Performance in International Institutions*, presented at the 2009 ISA Convention, New York, 15-18 February 2009, p. 13, available at http://www.allacademic.com/meta/p310500_index.html.

informed of Security Council issues. France and the United Kingdom, which hold permanent seats in the Security Council, were obliged to “ensure the defence of the positions and the interests of the Union” in the execution of their functions. However, article 19 made clear that this obligation should be without “prejudice to their responsibilities under the provisions of the United Nations Charter”, which had to be safeguarded first and foremost.

On the basis of article 19 TEU, weekly meetings on UN Security Council matters were institutionalised in 2001: these meetings are intended to ensure information sharing and coordination among EU member states at Political Counsellor level (on Thursday afternoon). They are accompanied by weekly meetings in New York by the Heads of Mission of the EU member states (on Tuesday morning). While these meetings favoured an increase in the flow of information circulating among EU representatives in New York, no regular coordination mechanism in anticipation of the UN Security Council's discussions has yet been fully established. To improve this situation, further mechanisms have been developed in recent years, including monthly gatherings in New York of the Permanent Representatives and UNSC Coordinators of the EU members sitting on the UNSC (once a month) and targeted meetings in EU capitals by the EU members of the Security Council at UN Director level. The Political and Security Committee (PSC) of the EU Council in Brussels has also started more regular discussions of the issues on the UNSC's agenda. Debates on the broad UN agenda are also conducted once a month in Brussels by the EU Council's Working Party on United Nations issues (CODUN).²

One of the main objectives of the Lisbon Treaty is to give the EU a more coherent and unitary presence on the world stage, including within international organisations. In keeping with this aim, the new Treaty formally recognises the legal personality of the EU (article 47 TEU) and has eliminated its pillar structure, at least on paper. Although these innovations carry a significant political message, they are destined to have only a limited impact on the EU's international actorness and its representation at the United Nations.

Article 34 TEU, which has replaced former article 19 TEU, does not contain innovative elements. It extends the obligation to defend the position and interests of the Union to all EU members of the UN Security Council – the obligation was previously limited to EU permanent members – but continues to prioritise their responsibilities as UN members over their membership of the EU. This stance is reinforced by Declarations 13 and 14 on the Common Foreign and Security Policy annexed to the Lisbon Treaty.

Nevertheless, the future implementation of the Lisbon Treaty offers a wide range of possibilities to make the EU a more credible presence within the UN, and the Security Council in particular. The EU has started to grasp – in part – these opportunities. The European Commission's Delegation in New York and the EU Council Secretariat's UN Liaison Office have been unified under the authority of the EU Council's representative, Mr. Pedro Serrano, who is acting as Head of the Delegation. He chairs former article 19 meetings and often intervenes to present the EU's position on particular issues

² See D. Marchesi, “The EU Common Foreign and Security Policy in the UN Security Council: Between Representation and Coordination”, in *European Foreign Affairs Review*, 2010, Vol. 15, pp. 97-114.

debated in the UN Security Council, tasks that were previously performed by a representative of the rotating EU presidency. The representative of the rotating EU presidency continues to chair the Heads of Mission meetings, while other meetings are chaired on a case by case basis.

Article 34 TEU also provides that “when the Union has defined a position on a subject which is on the United Nations Security Council agenda, those Member States which sit on the Security Council shall request that the High Representative be invited to present the Union's position”. On 4 May 2010, Lady Ashton intervened for the first time in a UN Security Council meeting. Although her speech on that occasion was limited to broadly addressing the current status of and further opportunities for EU-UN cooperation, her interventions could be usefully exploited in the future to raise the profile of the EU's presence at the UN on crucial Security Council matters.³

At least since 1993, when the Common Foreign and Security Policy (CFSP) was established by the Maastricht Treaty, there has been a series of attempts to give greater space to the EU and its foreign policy at the UNSC, possibly by creating a permanent EU seat. This proposal has received particular support from the Uniting for Consensus (UfC) movement, which counts a number of European countries, including Italy and Spain, at its forefront.

However, the implementation of this proposal is hampered by a number of legal and political obstacles: France and the United Kingdom are reluctant to support any UNSC reform proposal that might diminish their privileges as permanent members; Germany has campaigned at length for a national permanent seat in the G4 framework (together with Brazil, India and Japan); the creation of a UNSC seat for a regional organization such as the EU would entail a difficult amendment of the UN Charter and give space to similar claims by other entities (i.e. African Union, Organisation of American States, etc.). Last but not least, the EU has often proved to be unable to find common ground among its members on sensitive UNSC issues – i.e. the split over the Iraq war in 2003 or the recognition of Kosovo's independence in 2008 –, thus ruling out the possibility of presenting a unitary stance in New York in the CFSP framework.

More pragmatic approaches have been promoted since 1993, but they have usually failed to gain the consensus of all EU member states. For instance, when Germany and Spain announced – during their two-year mandate at the UNSC in 2003-04 – their intention to offer a seat to the EU Presidency within their delegations in the framework of the so-called “European laboratory”, they were blocked by France and the UK. The same happened when Italy suggested that an EU Council representative – from the Presidency and/or High Representative's office – should be permanently associated with its delegation at the UNSC in 2007-08. The initiative met with firm opposition from France and the UK, and a lukewarm reception from Germany, which was due to hold the EU Presidency at the beginning of Italy's UNSC mandate. During their stint as non-permanent members of the Security Council, Italy and Belgium promoted the Union's visibility by regularly referring to the EU position in their interventions at the UNSC. In

³ See European Union, *Statement by High Representative Catherine Ashton at the UN Security Council*, New York, 4 May 2010, A70/10, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/EN/foraff/114179.pdf.

order to establish more effective intra-EU coordination, Italy has also created a “focal point” within its Mission to liaise permanently with other EU countries’ representatives, with the EU Presidency and with the Council Secretariat.⁴

In the framework of the current intergovernmental negotiations for Security Council reform, which started in February 2009, the UfC group has taken a new initiative. The idea behind the UfC platform is to make UNSC members more accountable to the regions they represent, especially by establishing election/re-election and rotation mechanisms within the regional groupings themselves. In so doing, the ability of each country to contribute to the UN’s machinery and peace and security operations would be taken into account. In line with this concept, the UfC coalition proposes to create a new category of longer-term non-permanent seats (from three to five years without possibility of immediate re-election or two-year with the possibility of up to two immediate re-elections) to be assigned to the regional groups. One of these seats would be allocated on a rotating basis to the Western European and Others Group and the Eastern European Group.⁵ The members of those groups would be encouraged to designate an EU member state to occupy the seat and thus ensure that the Union has an indirect institutional presence in the UNSC.

EU member states have also started preliminary consultations on a resolution to be tabled at the UN for a “reinforced observer status” to be accorded to the whole Union, and not to the European Community only. This would allow the EU to be among the first speakers at the UN General Assembly and to have more visibility and impact on GA discussions. However, UN members’ reactions to this idea have been rather cautious, as it has the potential to open the “Pandora’s box” of regional representation within the UN. For the time being, it is still the representative of the EU’s rotating presidency who presents the position of the Union.⁶

Another interesting sector for future development of the EU’s representation at the UN is the provision contained in article 27 TEU for the creation of a European External Action Service (EEAS). The EEAS is meant to assist the High Representative in fulfilling his or her mandate and shall “work in cooperation with the diplomatic services of the Member States and shall comprise officials from relevant departments of the General Secretariat of the Council and of the Commission as well as staff seconded from national diplomatic services of the Member States”. EEAS personnel will supplement the structures of EU Delegations in third countries and international organisations. In New York, the EU Delegation would be boosted by up to 50 additional officials. As a provisional solution, the under-staffed EU Delegation has worked in collaboration with the Spanish Permanent Mission to the UN (holding the rotating EU presidency in the first semester of 2010): joint teams of EU and Spanish officials have been created to work on the different UN issues.

⁴ See N. Pirozzi, “Italy’s mandate at the UN Security Council (2007-2008): a missed opportunity?”, in Jan Wouters, Edith Drieskens & Sven Biscop (eds.), *Belgium in the UN Security Council: Perspectives on the 2007-2008 Membership*, Antwerp [etc.], Intersentia, 2009, p. 63-71.

⁵ See *UfC platform on Security Council reform*, A/64/CRP.1, 21 January 2010, available at <http://www.italyun.esteri.it/NR/rdonlyres/3661BCE2-6BFC-49A2-81E8-F8FFBFB58FE8/0/20100210125245277.pdf>.

⁶ Interview with an official of the Italian Permanent Mission to the UN, New York, 5 May 2010.

Until now, the EU's presence at the UN has been highly fragmented, with a proliferation of different actors. This has generated confusion and complexities in its interactions with external partners. However, the EU's representation to the different UN bodies could be significantly improved if the potential of the Lisbon Treaty were fully exploited. The objective is to establish a single point of reference for UN institutions and member states, thus ensuring increased EU visibility and continuity.

2. The EU's contribution to UNSC matters: process and outreach

As correctly pointed out by David Hannay, the EU could be a crucial actor in helping the UN to overcome the current stalemate and find a solution that is “a good deal better than the UN oscillating between indispensability and ineffectiveness” as it has been in the last two decades.⁷ He also identifies a series of policy areas and functions on which decisive progress will be needed in order to restore the United Nations Security Council's role and legitimacy on the world stage. Over and above the need to find a more efficient format for UNSC membership and working methods, these priorities include: peacekeeping, nuclear disarmament and the prevention of nuclear proliferation, and environmental challenges associated with climate change.⁸

The following paragraphs aim to assess the EU's performance in these sectors, in terms of both process and outreach, and its relevance in achieving a more effective UNSC. As for peacekeeping, the analysis will look at the evolution of the cooperation between the EU's crisis management actions in the framework of the European Security and Defence Policy (ESDP) and the UN peacekeeping, with a reference to both military and civilian aspects and support to other security actors, such as the African Union (AU). The EU's contribution in the field of non-proliferation is investigated with regard to the E3/EU initiative towards the Iran's nuclear issue, its impacts on the EU-Iran cooperation and the UN Security Council's role in this field, as well as the EU's performance in the 2010 NPT Review Conference. Finally, the last section is focused on the EU's performance as concerns climate change, a raising UN Security Council's attribution, by considering its failure in the last Copenhagen summit and the possible changes introduced by the Lisbon Treaty.

2.1. Peacekeeping

EU-UN relations in peacekeeping (or crisis management, in EU terminology) has gone through a series of major changes in recent years. These were essentially due to the need for the two organisations to adapt their structures and operational capabilities to the new international security environment.

On the UN side, the increasing demand for and changing nature of peacekeeping interventions led to a greater recognition of the role of regional organisations, and in

⁷ See D. Hannay, *Effectiveness and ineffectiveness of the UN Security Council in the last twenty years: a European perspective*, Paper presented at the first meeting of Working Group I “The EU and the reform of the UN Security Council”, Rome, 12-13 November 2009, <http://www.iai.it/pdf/DocIAI/IAI0928.pdf> and <http://www.effectivemultilateralism.info/library/Hannay.pdf>.

⁸ *Ibidem*.

particular the EU, in promoting and enforcing peace in partnership with the UN.⁹ A first acknowledgement of the strategic interest of having a division of labour between the UN and the various regional actors can be found in the “Agenda for Peace”, drafted by the then Secretary General, Butrus Butrus Gali, in 1992.¹⁰ This new focus on a UN-regional organisations (UN-ROs) partnership developed significantly in the course of 1990s and was reinforced by a series of high-level meetings between the UN Secretary General and its specialist agencies, on the one hand, and regional organisations on the other. In October 2005, in its first resolution on the subject, the Security Council expressed its determination to further develop UN-ROs cooperation and asked the Secretary General to report on challenges and opportunities in this area.¹¹ At the September 2006 high-level meeting, the Secretary General presented his report, “A Regional-Global Security Partnership: Challenges and Opportunities”, in which he advanced eight recommendations for the development of the partnership. These included clarification of roles, agreement on guidelines for UN-regional cooperation and the formalisation of partnerships with the UN by concluding formal agreements, and a general statement of principles.¹² Another important report on the relationship between the United Nations and regional organizations in the maintenance of international peace and security was produced by the Secretary General in April 2008, which was particularly focused on the African Union.¹³

On the EU side, the development of the ESDP, now Common Security and Defence Policy (CSDP), led to a review of its relationship with the UN, “both as a legitimising body and as the main peacekeeping implementer”.¹⁴ A turning point in this process was the 2003 Iraq crisis: it weakened both the UN and the EU by delegitimising the role of the UN Security Council as guarantor of international peace and security and dividing EU member states. As a consequence, the EU decided to put a strong emphasis on supporting the UN, in an attempt to revitalise both multilateralism and its own actorness on the world stage.¹⁵ This resulted in the adoption of two pivotal documents for CFSP. The European Commission Communication “The European Union and the United Nations: The choice of multilateralism” presented the EU’s commitment to

⁹ See T. Tardy, “EU-UN cooperation in peacekeeping: a promising relationship in a constrained environment”, in M. Ortega (ed.), *The European Union and the United Nations – Partners in effective multilateralism*, Chaillot Paper No. 78, Paris, EU Institute for Security Studies, June 2005, <http://www.iss.europa.eu/uploads/media/cp078.pdf>.

¹⁰ See *An Agenda for Peace, Preventive diplomacy, peacemaking and peace-keeping. Report of the Secretary-General pursuant to the statement adopted by the Summit Meeting of the Security Council on 31 January 1992, A/47/277-S/24111*, 17 June 1992, <http://www.un.org/Docs/SG/agpeace.html>.

¹¹ See *Security Council Resolution 1631 (2005) on Cooperation between the United Nations and regional organizations in maintaining international peace and security (S/RES/1631)*, 17 October 2005, http://www.un.org/disarmament/disarmsec/Coop/Security_Council_Resolution_1631%282005%29.pdf.

¹² See *A Regional-Global Security Partnership: Challenges and Opportunities. Report of the Secretary General (A/61/204-S/2006/590)*, 28 July 2006, <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/UNRO%20S2006%20590.pdf>.

¹³ See *Report of the Secretary-General on the relationship between the United Nations and regional organizations, in particular the African Union, in the maintenance of international peace and security (S/2008/186)*, 7 April 2008, http://www.un.org/Depts/dpa/reports/S_2008_186.pdf.

¹⁴ See T. Tardy, “EU-UN cooperation in peacekeeping”, op. cit.

¹⁵ See L. Van Langenhove, I. Torta, T. Felicio, *The EU's Preferences for Multilateralism; a SWOT Analysis of EU/UN Relations*, UNU-CRIS Occasional Papers No. 0-2006/21, Brugge, United Nations University - Comparative Regional Integration Studies, p. 9, <http://www.cris.unu.edu/fileadmin/workingpapers/20060919114318.O-2006-21.pdf>.

multilateralism as a defining principle of its external policy¹⁶. And the European Security Strategy “A Secure Europe in a better world” stated that strengthening the United Nations and equipping it to fulfil its responsibilities and to act effectively is a European priority.¹⁷ In the “Report on the Implementation of the European Security Strategy”, adopted in December 2008, EU leaders recognised once again that the UN stands at the apex of the international system and affirmed that everything the EU has done in the field of security has been linked to UN objectives.¹⁸ With a specific reference to conflict prevention and crisis management, the report also recalled that international co-operation, with the UN and regional organisations, will be essential.¹⁹

The conceptual framework for EU-UN cooperation in crisis management was defined in the Joint Declaration of September 2003. From the Declaration stem four areas of action for further cooperation – planning, training, communication and best practice – and the creation of a joint consultative mechanism known as the Steering Committee. This document also encouraged additional reflections on the EU's possible contribution to UN peacekeeping, either in the form of a “stand alone force” or as part of a larger UN mission. In “EU-UN Co-operation in Military Crisis Management Operations: Elements of Implementation of the EU-UN Joint Declaration”, a document adopted by the June 2004 European Council, two specific models are identified for conducting EU operations under a UN mandate:

- “bridging model”: the EU rapidly intervenes for a short period – with a clearly defined endpoint – to give the UN time to mount a new operation or reorganise an existing one;
- “stand-by model”: an “over the horizon reserve” or “extraction force”, whereby the EU provides support to a UN operation.

Finally, the EU can be used by its member states in a “clearing house process” when they provide national contributions to UN missions. Under this process they would submit information on the capabilities they have committed to the UN and, should they so wish, use the EU Council to coordinate national contributions. Similar options have been developed in the civilian field.

But over and above the declarations made, the EU has contributed operationally to UN peacekeeping in many ways and with mixed results. Each of the scenarios envisaged in military crisis management has been experienced, with different levels of success. The bridging model was implemented with Operation Artemis, deployed in the Ituri province of the Democratic Republic of the Congo (DRC) from June to September 2003 to tackle a humanitarian crisis and allow the UN to reorganize and reinforce the Mission of the United Nations Organisation in DRC (MONUC). Again in the DRC, the

¹⁶ See European Commission, *Communication from the Commission to the Council and to the European Parliament. The European Union and the United Nations: The choice of multilateralism*, (COM (2003)526 final), Brussels, 9 September 2003, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2003:0526:FIN:EN:PDF>.

¹⁷ See *European Security Strategy. A secure Europe in a better world*, Brussels, 12 December 2003, p. 9, <http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf>.

¹⁸ See *Report on the Implementation of the European Security Strategy. Providing Security in a Changing World* (S407/08), Brussels, 11 December 2008, p. 11, http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/EN/reports/104630.pdf.

¹⁹ *Ibidem*, p. 6.

EU sent the EUFOR RD Congo operation, a stand-by force with the mandate of helping MONUC maintain the security situation during the parliamentary and presidential elections in the summer of 2006. In the case of UNIFIL II in Lebanon, the EU Council acted as a clearing house for EU member states' contributions to the UN mission. In the civilian field, EU-UN cooperation currently includes EUPM, which replaced the UN International Police Task Force (IPTF) in Bosnia-Herzegovina in January 2003, and EULEX Kosovo, deployed in 2008 – after Kosovo's declaration of independence – to take over from UNMIK. UN and EU missions are also deployed simultaneously in Afghanistan and the Palestinian territories.

Practical EU-UN interaction in the field has not always been easy, due to both operational and political constraints. However, it still represents the most advanced form of international-regional peacekeeping cooperation. The EU has sometimes failed to fulfil UN requests for intervention. As a recent example, in the autumn of 2008 the UN again asked the EU to conduct a short-term operation to protect the civilian population in the Ituri province of the DRC and to allow the UN to reinforce MONUC by deploying additional personnel. The calls for action by the UN Secretary General and the international community did not suffice to convince the EU member states to intervene, as they ran up against the opposition of Germany and the United Kingdom and the hesitation of Italy and France.

In addition, EU member states have become more and more reluctant to deploy their personnel in the framework of UN missions: they currently provide about 8% of the uniformed personnel taking part in UN peacekeeping operations around the world.²⁰ As a partial compensation for this, it must be acknowledged that EU member states collectively contribute nearly 40% of the UN peacekeeping budget (some \$5 billion annually).

A number of recent developments in both the UN and the EU offers inputs for new routes to cooperation between the two organisations. First of all, future opportunities for EU-UN collaboration in crisis management can be found in the deployment – if the UN so requests – of EU rapid deployment capabilities. The EU Battlegroups, drawn up in the framework of Headline Goal 2010, reached operational readiness by January 2007 but have never been employed by the EU. Efforts are also underway within the UN system and the EU to develop their capacities for planning and implementing the civilian components of multidimensional peacebuilding.²¹ The challenge here is to coordinate these initiatives effectively and thus produce a unique, enhanced base for peacebuilding activities.

Another sector to be explored is cooperation with other regional organisations. For example, the EU and the UN are both committed to support the efforts undertaken by the African Union (AU) to develop African capabilities to address peace and security

²⁰ Data as of February 2010. EU member States contribute about 8,000 personnel out of 100,000 blue helmets currently deployed. The major EU member state contributors are Italy (2,265 personnel), France (1,673) and Spain (1,134).

²¹ See S. Forman, *Building Civilian Capacity for Conflict Management and Sustainable Peace*, Discussion paper prepared for the Government of Denmark's Meeting on "Strengthening the UN's Capacity on Civilian Crisis Management" Copenhagen, June 8-9, 2004, <http://www.cic.nyu.edu/archive/conflict/Forman-%20Building%20Civilian%20Capacity.pdf>.

challenges. In 2004, the EU established an African Peace Facility (APF) to provide funding for African-led peace support operations and capacity-building activities. For the period 2008-10, the EU allocated 300 million euros to the APF under the 10th European Development Fund. The UN is currently exploring options to enhance the predictability, sustainability and flexibility of resources for AU peacekeeping operations mandated by the Security Council. This process was triggered by a recognition that funding for regional peacekeeping usually relies on voluntary contributions by UN member states: it remains *ad hoc*, uncoordinated and depends on the vagaries of donor financing. To improve this system, a report by an AU-UN Panel chaired by Romano Prodi recommends that two new financial instruments be established. The first would be based on UN-assessed contributions through both the regular and peacekeeping budgets; the second, a multi-donor trust fund that would finance an AU Comprehensive Plan for long-term capacity building.²² The follow-up process would be a great opportunity to stimulate a wider dialogue between international actors on how to improve their support for AU peacekeeping capabilities. The aim would be to identify possibilities for complementarity and interaction with existing funding mechanisms, particularly with the APF.

At the meeting of the EU Foreign Affairs Council that took place in Luxembourg on 26 April 2010 the conclusions on the Common Security and Defence Policy laid special emphasis on the importance of enhancing the visibility of the EU positions and contributions on crisis management in all the relevant UN fora.²³ During the last Franco-Italian Summit, a common declaration on security and defence was issued on 9 April 2010. The declaration underlined the importance of enhancing the visibility of the EU's positions and its contribution, in the UN Security Council framework, to managing those crises in which it is involved.

Generally speaking, it is important for the EU to clarify once and for all its position *vis-à-vis* the United Nations in the field of peace and security, and to draw up clear strategic priorities and conditions for intervention following a request by the UNSC.

2.2. Nuclear disarmament and the prevention of nuclear proliferation²⁴

The role played by the European Union in the field of nuclear disarmament and non-proliferation can be analysed through the case of the E3/EU Iran initiative. This is interesting from a number of perspectives. First, it represents a test case to assess the possible impact of "minilaterals" in shaping the EU's role as a key actor in the security field. Second, it serves as a model to see whether and under what conditions

²² See *Report of the African Union-United Nations panel on modalities for support to African Union peacekeeping operations* (A/63/666-S/2008/813), 31 December 2008, available at <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/RO%20S2008%20813.pdf>.

²³ See Council of the European Union, *3009th Foreign Affairs Council meeting*, Luxembourg, 26 April 2010, Press release, 8979/10, http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/EN/foraff/114044.pdf.

²⁴ This paragraph largely relies on the information and inputs collected through an interview with Riccardo Alcaro, Researcher in the Transatlantic Affairs area of the IAI, who is currently conducting a research on "Exploring the potential and limits of CFSP: the EU action on the Iran's nuclear issue" in the framework of the European Foreign and Security Policy Studies programme (<http://www.efsp.eu>).

minilateral cooperation can evolve into multilateral cooperation in the UN framework, thus reinforcing institutions such as the Security Council and the International Atomic Energy Agency (IAEA). And third, and last, it helps us understand whether and how the EU has managed to achieve results in international negotiations.

Sebastian Harnisch maintains that minilaterals in security policy often fill a “niche” which the relevant multilateral institutions have (temporarily) vacated.²⁵ This “niche opportunity” relies on the implicit admission that the advantages of minilateral cooperation – basically flexibility and speed in the decision-making process – outweigh the disadvantages – weaker legitimacy and authority. He identifies two reasons why this opportunity opened up in the case of the E3/EU: the lack of an institutionalised actor for non-proliferation issues within the EU; and the inability of the IAEA and the UNSC to perform their original tasks.

However, both these assumptions could be contested. First of all, the development of the negotiations on the Iran issue shows a close relationship between the activation of the E3/EU action and the EU initiatives in this field. It is true that the E3 format (composed of the representatives of Germany, France and the United Kingdom) initially met with opposition from some EU member states, notably Italy and the Netherlands. It must also be underlined that the E3 has received no formal endorsement from the EU institutions. At the same time, the former High Representative for CFSP, Javier Solana, was associated with the E3 initiative as far back as September 2004, and his office backed the talks between the E3 and Iran for the conclusion of the Paris Agreement of 15 November 2004.

Moreover, both the Presidency conclusions of the European Council and the General Affairs and External Relations Council (GAERC) conclusions have made repeated reference to the initiative and recognised its links to the EU. Starting with the Presidency conclusions of 4-5 November 2004, the EU considered the E3/EU as acting on behalf of the Union, through which it ensured its representation and involvement in the dispute over Iran's nuclear programme.²⁶ In addition, the negotiations between the E3/EU and Iran were based from the outset on an explicit connection between the suspension of Iran's uranium enrichment and reprocessing activities, as well as full cooperation with the IAEA in terms of the Additional Protocol, and the continuation of EU-Iran talks on political and trade agreements.²⁷ Finally, it must be recalled that E3/EU actions have always been fully in line with the principles and objectives of the

²⁵ See S. Harnisch, “Minilateral Cooperation and Transatlantic Coalition-Building: The E3/EU-3 Iran Initiative”, in *European Security*, Vol. 16 No. 1, March 2007, p. 1-27.

²⁶ The Presidency conclusions of the European Council held on 4-5 November 2004 state that: “[The European Council] confirmed that the European Union and its Member States would remain actively engaged – notably through the efforts of France, Germany, the United Kingdom and the High Representative – with the objective of achieving progress on the Iranian nuclear issue before the IAEA Board of Governors meeting starting on 24 November 2004”. See Council of the European Union, *Presidency conclusions of Brussels European Council, 4/5 November 2004 (14292/1/04 REV 1)*, Brussels, 8 December 2004, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/82534.pdf.

²⁷ In connection with the regular EU-Iran comprehensive dialogue launched in 1998, talks on a Political Dialogue Agreement (PDA), a Trade and Cooperation Agreement (TCA) and a human rights dialogue, started between Iran and the EU in 2002.

EU Strategy against the proliferation of Weapons of Mass Destruction (WMD), adopted in December 2003.²⁸

The EU/E3 initiative can also be viewed as a good example of a contribution to an enhanced role for both the UNSC and the IAEA. The policy established autonomously by the EU/E3 has been largely adopted by the UNSC, which accepted the US and EU's main request. It also pursued the two-track strategy strongly favoured by the latter: incremental pressure by sanctions and maintenance of a "win-win" diplomatic option. The E3/EU have always put the role of the IAEA at the centre of their negotiations, making cooperation with the Agency one of the mandatory conditions of any agreement with Iran, in line with a genuine multilateral approach.

On 12 January 2006, the E3/EU released its first public statement asserting its intention to support the immediate referral of Iran to the UN Security Council. Later that month, the non-European permanent members of the UNSC (US, China and Russia) made a joint statement with the E3/EU, concisely repeating the same complaints and demands on Iran and initiating what will be called the E3/EU + 3. The IAEA Board also adopted a resolution on 4 February 2006 calling on the Security Council to step in, despite the perplexities of the Non-Aligned Movement (NAM). The UNSC action came in the form of resolutions 1696 (2006), 1737 (2006), 1747 (2007), 1803 (2008), 1835 (2008) and 1929 (2010), which imposed increasingly heavy sanctions on the Iranian government.

Beyond this process itself, it is also important to assess what the EU has achieved through the E3/EU process and what lessons can be drawn for its future engagement in non-proliferation matters. It can be said that the EU/E3 has been instrumental in drawing attention to Iran's nuclear ambitions and putting them under international scrutiny. Its actions may also have delayed the development of Iran's nuclear programme, although this aspect remains uncertain. Nevertheless, the E3/EU strategy has failed so far in making the Iranian government comply with the international non-proliferation regime. Iran recently announced that it would enrich uranium up to the level of 20%.

The reasons for this failure include the "incoherent definition of goals by the EU itself and [the] disjointed conduct of policy and diplomacy" by its institutions and by the E3/EU, especially on the coherent application of negative conditionality measures such as sanctions.²⁹ Moreover, the E3/EU was unable to effectively mediate between the Iranians and the international community.³⁰ Even though the US seemed to have aligned with the E3/EU policy, EU actors would need to elaborate a more credible strategy to reach other crucial interlocutors and meet their expectations. As things stand at present, it is crucial for the E3/EU to find ways to establish closer ties with

²⁸ See Council of the European Union, *EU strategy against proliferation of weapons of mass destruction* (15708/03), Brussels, 10 December 2003, <http://register.consilium.europa.eu/pdf/en/03/st15/st15708.en03.pdf>.

²⁹ See C. Molling, "The grand bargain in the NPT: challenges for the EU beyond 2010", in I. Anthony et al., *Nuclear Weapons after the 2010 NPT Review Conference*, Chaillot Paper No. 120, Paris, EU Institute for Security Studies, April 2010, p. 59, <http://www.iss.europa.eu/uploads/media/cp120.pdf>.

³⁰ See S. Harnisch, "Minilateral Cooperation and Transatlantic Coalition-Building", op. cit.

Turkey and Brazil, which serve as non-permanent members of the UNSC and oppose new sanctions on Iran.

This is a lesson that the EU should also bear in mind when it deals with non-proliferation issues in other frameworks. Talking about the 2010 Non-Proliferation Treaty (NPT) Review Conference, the EU has shown a fairly good level of coordination in the preparation phase. Regular meetings (two times a week) among EU member states representatives in New York and discussions in Brussels have facilitated the adoption of an EU common position on the 29th of March.³¹ The EU's visibility as a single actor was also boosted by the intervention of the newly elected High Representative Catherine Ashton at the Conference's general debate on the 3rd of May.³² However, the EU's performance in terms of concrete output has been rather disappointing. Once again, national interests of EU member states (particularly France and UK, which are nuclear powers and permanent members of the UNSC) prevailed on a cohesive EU stance during the negotiations. Looking at the Conference Final Document, it is not easy to identify the specific contribution of the EU in the agreed conclusions and recommendations.³³

2.3. Environmental challenges

As David Hannay correctly maintains, "environmental challenges associated with climate change contain important threats to international peace and security".³⁴ With the recognition of this environment-security nexus, climate change has become a major agenda item for both the European Council and the UN Security Council.³⁵

Since the 1990s, the EU has increasingly assumed a leadership position on climate change and in global environmental governance in general. During the negotiations for the Kyoto Protocol of 1997, the EU pushed for stringent international commitments. It proposed the deepest emission cuts and accepted the highest reduction target among

³¹ See *Council Decision 2010/212/CFSP of 29 March 2010 relating to the position of the European Union for the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons*, Official Journal of the European Union, L90/8, 10 April 2010, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:090:0008:0014:EN:PDF>.

³² See *Statement of behalf of the European Union by H.E. Catherine Ashton, High Representative of the European Union for Foreign Affairs and Security Policy, at the General Debate of the Review Conference of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT)*, United Nations, New York, 3 May 2010, http://www.un.org/en/conf/npt/2010/statements/pdf/eu_en.pdf.

³³ See *2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. Final Document*, NPT/CONF.2010/50 (Vol. I), New York, 2010, available at [http://www.un.org/ga/search/view_doc.asp?symbol=NPT/CONF.2010/50 \(VOL.I\)](http://www.un.org/ga/search/view_doc.asp?symbol=NPT/CONF.2010/50 (VOL.I)).

³⁴ See D. Hannay, *Effectiveness and ineffectiveness of the UN Security Council in the last twenty years: a European perspective*, op. cit. See also *Resolution adopted by the General Assembly on Climate change and its possible security implications (A/RES/63/281)*, 11 June 2009, available at <http://www.un.org/ga/63/resolutions.shtml>.

³⁵ See UN Dept. of Public Information, *Security Council holds first-ever debate on impact of climate change on peace and security, hearing over 50 speakers*, SC/9000, 17 April 2007, <http://www.un.org/News/Press/docs/2007/sc9000.doc.htm>. See also C. K. Penny, "Greening the Security Council: Climate Change as an emerging threat to international peace and security", in *International Environment Agreements*, Vol. 7, No. 1, March 2007, pp. 35-71, <http://www.springerlink.com/content/j4857081065920w1/fulltext.pdf>.

the major industrialised countries (a reduction of 8%).³⁶ In 2007, the EU unilaterally committed to cutting greenhouse gas emissions by 20% of the 1990 level by 2020. This “leadership by example” enabled the EU to play a crucial role in launching negotiations on a global post-2012 climate agreement by the parties to the UN Framework Convention on Climate Change (UNFCCC).

Over the last two decades, the EU has succeeded in improving the coordination of its external climate policy, considered a key test area in the implementation of effective multilateralism. At the same time, the EU has put a lot of effort into developing effective domestic policies in this sector, helped by the new centrality of the energy security agenda and the mounting concerns on rising energy prices and the differentiation of energy suppliers. Nevertheless, its impact on the UNFCCC and the Kyoto Protocol has been comparatively limited.³⁷ The EU's performance in the UN Climate Change Conference in Copenhagen in December 2009 was affected by the same shortcomings, and has been judged a failure of the EU's international diplomatic efforts. Why has the EU's contribution to this important UN policy failed and what are the main lessons to be learned for the future?

One of the main reasons for the EU's scarce outreach in boosting the international climate agenda lies in its institutional and organisational arrangements. As Piotr Maciej Kaczynski recently underlined, the EU “learned that a choir of European leaders could not sing convincingly even with a single voice”.³⁸ The Copenhagen EU mandate was prepared within the EU Council by specific working parties and then discussed by COREPER I and the Environmental Council. In consideration of the complexity and importance of the issue, it was referred to the European Council, which adopted the EU's position in October 2009.³⁹ The EU-led negotiations were managed by the EU Troika, composed of the current holder of the EU rotating presidency, the incoming presidency and the European Commission. In addition to the official EU representation, national representatives of EU member states played a full part, as UN members, in the negotiations.⁴⁰

This multiple political representation had the effect of undermining the official EU negotiators' position. Moreover, as is often the case in the UN framework, the position agreed among the EU member states cannot be negotiated with third countries with the sufficient degree of flexibility. Indeed, any important change needs to be decided through additional gatherings of the 27 leaders: such meetings are time-consuming and do not favour the EU's external interaction with other delegations.

³⁶ See S. Oberthür and C. Roche Kelly, “EU Leadership in International Climate Policy: Achievements and Challenges”, in *The International Spectator*, Vol. 43, No. 3, September 2008, p. 36, http://www.iai.it/pdf/articles/oberthur_roche-kelly.pdf.

³⁷ *Ibidem*.

³⁸ See P.M. Kaczynski, *Single voice, single chair? How to re-organise the EU in international negotiations under the Lisbon rules*, CEPS Policy Brief No. 207, Brussels, Centre for European Policy Studies, March 2010, p. 1, <http://www.ceps.eu/ceps/download/3040>.

³⁹ See Council of the European Union, *Council Conclusions on EU position for the Copenhagen Climate Conference (7-18 December 2009)*, 2968th ENVIRONMENT Council meeting, Luxembourg, 21 October 2009, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/envir/110634.pdf.

⁴⁰ See P.M. Kaczynski, *Single voice, single chair?*, op. cit., p. 1.

With the entry into force of the Lisbon Treaty, climate change policy remains a shared competence between the Union and its member states. However, the rotating EU presidency has been replaced by a permanent President (with a two-and-a-half-year mandate, renewable once). Article 17 TEU explicitly states that the European Commission “shall ensure the Union’s external representation” (for all but CFSP matters, for which the task lies with the new double-hatted High Representative). A stronger role is also envisaged for the European Parliament. Moreover, the competence of the Environment Commissioner in this field has been shifted to the new Commissioner for Climate Action, Connie Hedegaard, whose mandate is to play “a central role [...] in leading the EU’s negotiations on climate as well as helping the EU to deal with the consequences of climate change”, with the support of the new External Action Service.⁴¹ This would require a rethinking of the composition of the EU’s negotiating team and the role of the Troika. Even so, the mutually wary relations between the EU institutions, and primarily the European Commission, and the member states would continue to impinge on the effectiveness of the EU’s diplomatic efforts in international negotiations in the UN framework.

The reason for the disappointing results achieved by the EU in Copenhagen does not, however, lie solely in the organisational aspects of the EU’s representation. It is probably true that, over and above the institutional aspects of its representation in international talks, we should look “more to the substance of what the Union brings to the table”.⁴² EU President Herman Von Rompuy has himself pointed out the need to “talk about the lessons to be drawn from Copenhagen for our relations with strategic partners”.⁴³ One of the main such lessons is the urgent need for the EU to take into account the evolution of the international climate agenda and develop policies that are able to respond to the needs and concerns of emerging powers (China, India, Brazil, South Korea, South Africa and others). This means, in effect, broadening its climate policy agenda beyond greenhouse gas emissions, “to include financial assistance and investments, technology transfer, adaptation and equity”.⁴⁴

Conclusion

The analysis conducted in this paper has showed a number of features of the EU’s presence within the UNSC and its contribution to the effectiveness of the supreme UN organ. Most notably, the EU’s aspirations for an active role within the UNSC have always oscillated between the need for coordination among its member states and claims for a unitary representation of the Union as such. This tension persists in the new provisions of the Lisbon Treaty and informs the debate by EU member states on the UNSC reform.

The two dimensions of coordination and representation also have an impact on the EU’s performance in key UNSC matters. The assessment of the EU’s contributions in

⁴¹ *Ibidem*, pp. 2-4.

⁴² *Ibidem*, p. 6.

⁴³ See European Council, *Invitation letter by Herman Van Rompuy, President of the European Council, for the Informal meeting of Heads of State or Government*, PCE 25/10, Brussels, 8 February 2010, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/112819.pdf.

⁴⁴ See S. Oberthür and C. Roche Kelly, “EU Leadership in International Climate Policy”, *op. cit.*, p. 47.

the fields of peacekeeping, non-proliferation and climate change shows that it is not possible to identify any stable patterns of correlation between a specific internal coordination process and external outreach. The modalities and priorities of the EU's interventions in the different cases in question have varied considerably and the assessment of the results obtained is mixed.

What has emerged clearly is that the EU is called upon to display its potentialities with a view not only to contributing, but also to shaping, the UNSC agenda. This requires "a greater sense of strategy and a greater degree of tactical flexibility than the EU has so far managed to demonstrate".⁴⁵ The opportunities opened up by the Lisbon Treaty should not be underestimated. New instruments and structures are now at the disposal of the EU leaders to equip the Union with one voice and one face and enable it to finally abide by its proclaimed commitment to effective multilateralism, starting with the UN Security Council.

Updated: 15 July 2010

⁴⁵ See D. Hannay, *Effectiveness and ineffectiveness of the UN Security Council in the last twenty years: a European perspective*, op. cit.



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