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## The Role of European Foreign Policy and Common Security in the Resolution of International Conflicts

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### Abstract:

*When talking about the common security policy of the European Union, it can be emphasized from the beginning that the first signs of this policy are encountered as early as the beginning of the second half of the 20th century, respectively during the period when the cold war was taking on different dynamics. In such circumstances, the states of Western Europe considered it necessary to create an alliance that would provide security in case of eventual threats. Initially, in 1948, England and France created the Brussels Treaty Organization, which organization had the primary purpose of defense and security.*

*Then, other organizations started to emerge that will deal with security and defense, such as NATO, the Council of Europe, etc. which basic function had the issues that were foreseen by the Brussels Treaty Organization, which later became the Western European Union Organization, to which other countries such as the Federal Republic of Germany, Italy, Spain, Greece, Portugal. This Organization, regardless of the purpose it had, the institutions that made it up, has functioned as a superficial instrument and for a period of over 50 years it had only two peaceful and monitoring interventions.*

*Throughout the 60s, the objective need and willingness of the member states of Western Europe to further develop their cooperation, especially in terms of politics, appeared. This is about the new initiative towards the creation of a common policy, which initiative until this time had encountered obstacles, because in reality the creation of such a common policy directly violated the sovereignty of the member states. The circumstances of the time, then the need to appear in an agreed manner in international organizations, including the United Nations, the United States, required the continuous unique status of states as a political group. Such circumstances influenced the creation of a European Political Community in 1970, which continued to develop and function as such for almost two decades among the member states of that Community.*

*When we talk about the common and security policy of the European Union, it can be said that it is a new field that is already three decades old, in contrast to the existence of the European economic communities since 1950<sup>1</sup>.*

*The Maastricht Treaty, signed in 1992, represents the basic document, which creates a new stage in the development of the European Union. This document entered into force almost a year after signing, in November 1993.*

**Keywords:** security, politics, defense, sovereignty, member states, conflict, organization

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<sup>1</sup> Anton Bebler: "EU Institutions and Policies", written by Prof. Florent Bakija, Pristina, 2009

## I. INTRODUCTION

The Maastricht Treaty, otherwise known as the European Union Treaty, is the first treaty that established the Common Security Foreign Policy and once again defined the foreign policy objectives (Bargiacchi, 2015:39). This treaty sanctioned a unique institutional architecture composed on the basis of three main pillars (Canaj and Bana, 2014:17). These three pillars included three separate policy areas of the European Union with important differences in terms of the community and intergovernmental approach.

As stated, the general provisions of the Maastricht Treaty presented its main objectives, which were: sustainable economic and social development, the creation of economic monetary union and a common currency, the affirmation of the identity of the Union in the international arena through the realization of a policy of common external and security, the development of a close cooperation in the field of justice and internal affairs. These objectives that we also partially encounter in the previous agreements, only this time treated in more detail, which was a necessity along with the political changes of the time.

With the approval of the Maastricht agreement, three basic pillars were created on which the European Union rested. In addition to the old objectives that were like the preservation of common values, the basic interests of the independence of the Union, the development of democracy, respect for human rights, the new objective was to strengthen the security of the Union and its member states, in all forms.

The division of the pillars was defined in this way: the first pillar included the founding treaties of the European communities that operated based on the community method (Canaj and Bana, 2014: 37). The second pillar included all the provisions regulating foreign policy and common security, and the cooperation in this pillar was characterized by the so-called intergovernmental method, which refers to the cooperation between the governments of the member states of the European Union based on the preservation of state sovereignty.

The decision-making power (CANaj and Bana, 2014:37) in the intergovernmental method in the Treaty of Mastic belongs to the member states as sovereign subjects, through a regime that follows unanimous decision-making procedures. In contrast to this definition, according to a minority of the doctrine, intergovernmental rules are defined as a legal process that leads to binding decisions only with the approval of the parties or governments (Georgopoulos, 2007:201).

The third pillar included judicial and police cooperation in the criminal field. This pillar was also part of the intergovernmental method with a unanimous decision-making process.

The realization of these objectives was foreseen to be done through two paths: the first was that of cooperation at a higher and more organized level in the matter of foreign policy and security, the second through joint actions that would be implemented step by step by step in the areas where the member states had common interests.

## II. THE ROLE OF THE FOREIGN AND COMMON SECURITY POLICY OF THE EUROPEAN UNION IN THE RESOLUTION OF INTERNATIONAL CONFLICTS

From the beginning, we must emphasize that the resolution of international conflicts by the European Union is based on three main policies: foreign policy and common

security; common security and defense policy as well as the European neighborhood policy.

In this framework, the foreign policy of common security is the main policy that focuses on the external relations of the European Union and is considered the main instrument of the European Union. Meanwhile, the common security and defense policy is established within the framework of the common foreign and security policy, as its main mechanism that covers the aspect of the protection of the European Union, in contrast to the European neighborhood policy, which aims to establish of special relations with those neighboring countries for which accession to the European Union is seen as a distant perspective and contributes to the resolution of conflicts in those countries. In this direction, the European Union should definitely take measures to increase its role and identity (Buchan, 1993: 4).

The capacities available to these three types of policies are the fundamental basis for achieving coherence and increasing the role of the European Union in the international arena, in other words, the efficiency of these policies as well as their involvement in conflict resolution and crisis management. given a special role to the European Union.

### **Common security and defense policy**

The common security and defense policy is categorized as one of the most important components and is an integral part of the common foreign and security policy. The purpose of this policy is to strengthen the external action capabilities of the European Union, through the development of civil and military capabilities for the prevention of international conflicts<sup>2</sup>. The goal of the common security and defense policy is to strengthen the external action capabilities of the European Union, through the development of civil and military capabilities for conflict prevention and international crisis management (Gross, 2009:6).

Through the Common Security and Defense Policy, the European Union intervenes directly in conflicts, defining its role as an actor representing the armed operations of the common foreign and security policy. regardless of its military and defense aspects, this policy does not exclusively represent the military nature of the European Union, because it does not mean turning the EU into a military force<sup>3</sup>, because the obligation is only to give aid and assistance<sup>4</sup> and not to join in a collective force in the war against the aggressor<sup>5</sup>.

The European Union Treaty does not impose a strict obligation on all member states and certainly includes an obligation which is weaker than the collective security commitments made in the context of NATO (Vooren and Wessel, 2014:403).

The Common Security and Defense Policy approves the course of European defense under the European flag and for this the member states are obliged to engage immediately with each other. However, the security and common defense policy rather

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<sup>2</sup> Article 42, point 1: Common Security and Defense Policy as an integral part of the Common Foreign and Security Policy

<sup>3</sup> Article 42, point 1: Common Security and Defense Policy as an integral part of the Common Foreign and Security Policy

<sup>4</sup> Article 42, point 7: Common Security and Defense Policy as an integral part of the Common Foreign and Security Policy

<sup>5</sup> Committee of the European Union, 2008. The Treaty of Lisbon: an impact assessment of the common security and defense policy

than developing military operations in practice refers to civil activities such as police activities, judicial training as well as reforms in the security sector.

In this sense, we say that the common security and defense policy deals with five types of civilian missions: peacekeeping activities, conflict prevention, crisis management, post-conflict stability maintenance, and humanitarian missions. So, this policy is not a foreign policy that only aims to protect the territory, but it has to do with operations, which are really far from the territories of the member states of the European Union.

In this respect, the common security and defense policy does not mean the creation of a common European force to guard the borders of the EU, but rather it is seen as an international security policy to ensure order and guarantee security where it occurs. the need. According to the Treaty of Lisbon, the basic functions of EU member states such as: territorial integrity, maintaining order, law enforcement and especially the protection of national security are competence and sole responsibility of each of its members<sup>6</sup>. Therefore, we say that the European Union cannot be compared with the UN or NATO, which organizations are seen as the main guarantors of peace and security in the international arena.

With the entry into force of the Treaty of Amsterdam, the defense policy of the European Union was turned from an opportunity into a goal (Dyson and Konstadinides, 2013:62). Meanwhile, in 2003, the Council of Europe adopted the European Security Strategy<sup>7</sup>, which aimed for the European Union to assume greater responsibility in the framework of global defense and security. The strategy aimed to fulfill the collective security challenges of the member states of the European Union in accordance with the strategic concept of NATO. In this respect, the first operation of the European Common Security and Defense Policy was in the states that arose from the breakup of the former Yugoslavia, such as in Bosnia and Herzegovina, Kosovo and the Republic of North Macedonia. Initially, EU member states intervene as part of UN peacekeeping forces and then under the leadership of the US as part of NATO forces.

### **European neighborhood policy**

In 2003, in order to protect security and promote its values, the European Union established three strategic objectives within the framework of the European Security Strategy: addressing threats, building security for its neighbors and building an international order based on in effective multilateralism<sup>8</sup>. This neighborhood policy was aimed at establishing special relations with neighboring countries in Eastern Europe, the Mediterranean and the South Caucasus. So this goal of the European Neighborhood Policy was based on strengthening prosperity, security, stability and democratic values<sup>9</sup>. So, the main goal of this policy was to address the new challenges that the EU would face after the last rounds of enlargement (Emerson, 2004:7) and to contribute to the further advancement of the foreign policy objectives of EU (Hillion, 2013:2).

The European Neighborhood Policy has tried to contribute which consists in establishing international peace through the promotion of local democracies, regional cooperation and social and economic development, which at the same time present elements that contribute to a climate of security for the prevention and resolution of

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<sup>6</sup> Article 42, point 2 Common Security and Defense Policy as an integral part of the Common Foreign and Security Policy

<sup>7</sup> EU: European Security Strategy, Brussels, December 2003

<sup>8</sup> A Secure Europe in a Better World, European Security Strategy, Brussels, 2003.

<sup>9</sup> Council Conclusion, Council of Ministers of the European Union, 2003.

international conflicts<sup>10</sup>. In this sense, these areas include the consolidation of relations between the European Union and neighboring countries aspects of foreign policy and security for matters of common interest, such as conflict prevention, crisis management, information exchange, and participation in various crisis management operations.

To establish these goals, the Treaty of Lisbon, through Article 8 of the European Union Treaty, recognized a constitutional status for relations between the European Union and its Neighbors<sup>11</sup>. With this article, the European Union has the possibility to conclude special agreements with neighboring countries, through which mutual rights and obligations are created, including the undertaking of joint activities.

The types of conflicts that are the subject of treatment and resolution by the European Union within the framework of the European Neighborhood Policy are different. Activities within this policy include two types of actions: short-term and long-term actions. These actions are aimed at civil and military crisis management, conflict resolution, as well as state building efforts, democratization and social reconciliation. So, the neighborhood policy has tried to contribute which consists in the establishment of international peace through the promotion of local democracy, regional cooperation and economic progress. These are elements that contribute to guaranteeing a positive climate for the prevention and resolution of international conflicts (Blockmans and Wessel, 2011; 73-103).

### **III. COOPERATION BETWEEN THE EUROPEAN UNION AND NATO FOR THE RESOLUTION OF INTERNATIONAL CONFLICTS**

It is natural that the European Union has close cooperation with NATO in order to resolve conflicts. Based on this cooperation, the European Union has increased its role as an important actor in the international arena that undertakes successful civilian missions and military operations. The legal framework for establishing permanent relations of the European Union with NATO was signed in March 2003 by the Secretary General of NATO and the High Representative of the EU<sup>12</sup>, known as the Berlin Plus Agreement. In this agreement, three main elements are foreseen for the development of operations, i.e.: EU access to NATO planning, the opportunity to lead with the European command as well as the use of NATO equipment and capacities.

We can emphasize that this agreement facilitated the start of the first military operation in 2003 of the European Union, in the former Yugoslav Republic of Macedonia, known as Operation Concordia<sup>13</sup>, continuing then with the other operation in 2004 known as ALTHEA in Bosnia and Herzegovina, which is considered the largest operation of the European Union to date. This operation was aimed at resolving the conflict, maintaining stability and supporting the training of the armed forces in Bosnia and Herzegovina and the legal basis for such an operation from the Dayton Agreement as well as Resolution 1575 of the UN Security Council.

The close cooperation between the European Union and NATO for the use of NATO's capacities does not mean the transformation of the European Union into a military alliance, because the obligation is only to give help and assistance and not to join in a collective war against the aggressor. In this aspect, the relationship between

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<sup>10</sup> European Commission, Communication from Commission, 2004

<sup>11</sup> Article 8, the EU builds special relations with neighboring countries, with the aim of creating an area based on the values of the European Union.

<sup>12</sup> NATO-EU: Framework for Permanent Relations and Berlin Plus, 2003

<sup>13</sup> Council Decision 2003/2023/Foreign Policy and Common Security, March 2003 for the start of the EU military operation in FYROM.

these two organizations has been successful and cooperative, as in the case of Bosnia and Herzegovina, where NATO has offered the European Union command of its peacekeeping troops. Precisely for this reason, the Treaty of Lisbon has confirmed the primary role of NATO in the mutual defense of its members (Vooren and Wessel, 2014: 403-404).

#### **IV. SOME CASES OF MEDIATION AND CONFLICT RESOLUTION BY THE EUROPEAN UNION**

It is more than true that the European Union has engaged and contributed to a number of cases of international conflicts, showing that it is one of the main actors in the international arena for conflict resolution.

If we take the Kosovo-Serbia conflict as a case in point, we can say that the European Union has had an important role in mediating this conflict. After the Opinion of the International Court of Justice where the unilateral declaration of Kosovo's independence was assessed as not constituting a violation of any applicable rule of international law, the European Union in July 2010 issued a statement through which it expressed that it is ready to facilitated the process of dialogue between Pristina and Belgrade, which would promote cooperation, development towards European integrations and as such would be a factor for peace, security and stability in the region<sup>14</sup>.

As a result of the mediation by the European Union, the peoples of both countries involved in the conflict have had a slight improvement in their living conditions. Issues that were mediated at the beginning of this process and an agreement was reached between the two states had to do with the recognition of university degrees, customs stamps, the return of civil registry books, the issue of the management of the north, etc.

Despite these symbolic results, which were not implemented until today due to Serbia's fault, there are a number of factors that influenced the lack of effectiveness of the European Union as an actor in resolving disputes in the case of Kosovo.

The key factor for the lack of effectiveness in the case of Kosovo is that the identity of the European Union as the main actor is contested due to the division and internal differences of its member states into two groups, in terms of the recognition of Kosovo's independence, where 5 of 28 countries members such as Spain, Greece, Romania, Slovakia and Cyprus have not yet officially recognized the state of Kosovo and this fact harms the adoption of policies in favor of Kosovo.

The other case has to do with the Ukraine-Russia conflict, which has attracted the attention of the European Union. In this respect, the European Union has taken measures against Russia, as a result of Russia's aggression towards Crimea. Mediation in this conflict was difficult due to the fact that the same problem can be observed here as in the case of Kosovo, where EU member states have been divided depending on their interests.

In addition to the two cases mentioned above, it is also worth mentioning the Moldova-Transdnistria conflict which constitutes one of the cases of the European neighborhood policy located directly on the borders of the European Union<sup>15</sup> and where from 2004 the European Union through the Action Plan of the European Policy of

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<sup>14</sup> Declaration by High Representative Catherine Ashton on behalf of the European Union on the ICJ advisory opinion. Brussels, 2020

<sup>15</sup> European Commission, European Neighbourhood Policy EU, Moldavia action plan, 2004

Neighborhood (EU-Moldova) also included the issue of the problem with Transnistria. In this case, Moldova has benefited from the European Union's assistance through regional programs such as the European Neighborhood Policy Instrument, the one for democracy and human rights and the instrument for stability.

## V. CONCLUSIONS

This paper presents a brief history of the common foreign and security policy of the European Union. In this elaboration, it should be borne in mind that the common market has been a dominant factor in the aspiration of a common European security and defense policy. Of course, as in relation to the general policies of the European Union, there have always been countries and societies that are more skeptical of a united Europe, and this applies especially in relation to foreign and security policies.

When we talk about the common foreign and security policy of the European Union, it is worth analyzing the European economic policy because in that sphere the most pronounced advances towards a common policy have been made. However, we are witnessing that a common economy requires joint decision-making and not only appeals according to the principle that the sovereignty of states is above all. This is because the consequences of a unilateral decision by a country are felt even beyond the borders of that country. The same applies to the common foreign and security policy. If in this particular case we overlook the role of NATO as a guarantor of security, it turns out that Europe does not have a security umbrella independent of the USA. In fact, the main role of the US in relation to security in Europe has necessarily influenced that the embrace of foreign and security policies in Europe is noticeably slower than economic and commercial policies.

This is best seen in the case of Kosovo, where the lack of unity of the EU countries in relation to the status of Kosovo, has resulted in hindering the capacities of Europe to address the problem of Kosovo, caused by Serbia. This has also resulted negatively in the security of EU member states, by not adequately attacking the problem of organized crime, trafficking, etc.

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