

**INSTITUTE OF EUROPEAN INTEGRATION AND POLICY  
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DEPARTMENT OF POLITICAL SCIENCE AND PUBLIC ADMINISTRATION  
NATIONAL AND KAPODISTRIAN  
UNIVERSITY OF ATHENS



MARINA PETRELLI - ANNA VALLIANATOU

**The medium-small and big member states: willing enough to draw  
common positions during the European Convention and IGC debate  
on CFSP and ESDP?**

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**“The medium-small and big member states: willing enough to draw common positions during the European Convention and IGC debate on CFSP and ESDP?”**

**by M. Petrelli & A. Vallianatou<sup>1</sup>**

**INTRODUCTION**

The European Constitution signed by the twenty-five member states of the European Union on 29 October 2004, is the product of the Intergovernmental Conference and of a revolutionary procedure in the European Union; the European Convention. The work of the Convention began on 28 February 2002 and was completed in June 2003. The works of the Intergovernmental Conference (IGC) under the Italian Presidency began on 4 October 2003 with the aim to be completed by 12 December within the framework of the European Council. However, that did not happen. The final compromise was reached under the Irish Presidency, on the basis of a package of regulations on 18 June 2004.

The Convention was conceived as a real constitutional assembly and its purpose was partly to diminish the member states monopoly of treaty reforms. The setting-up of the Convention<sup>2</sup> has led to a more balanced representation based not only on a broader presence of representatives but also on proper authorisation, room for manoeuvre and voting rights, as well as an improved degree of responsiveness<sup>3</sup>. Two facts should be taken into account: the change of the Convention dynamics when the foreign ministers got involved in the procedure,<sup>4</sup> and the failure of the Commission to play a leading role in the Convention as it moved towards a conclusion<sup>5</sup>. However, it was argued that discussions in the plenary sessions and in the praesidium increasingly reflected national priorities as the deadline for completion approached and EU member states had not come together as a group, as national parliamentarians or Euro-parliamentarians had<sup>6</sup>. In fact after the ‘big/small’ confrontations and the rift caused by the Iraqi crisis<sup>7</sup>, there was a need for restoration of trust between all member states. According to the normative model of deliberative constitution-making the *“existence of a constitutional common will is tested through actions and interactions between institutional and general publics”*.<sup>8</sup>

This paper examines whether the small and the big member states strove to make common positions on CFSP and ESDP during the Convention process and the

Intergovernmental Conference. Assessment of the democratic character of the Convention<sup>9</sup> or the really significant reforms proposed by the European Constitution on CFSP and ESDP<sup>10</sup> will not be dealt with. Furthermore, political correlations on a European level are not examined as key factors contributing to the formation of member states positions.

This study is solely based on the documents produced in the context of the discussions in the Convention and the IGC. Other documents expressing member states positions were not used since the authors wanted to take into account only the arguments that the EU actors wanted to contribute in the formal discussion of the European Constitution. Hence, if a country did not contribute to the discussions its stance was not documented. However, when a member state expressed a position, it is explicitly expressed.

During our study, we discerned the small from the big member states according to the population criteria. To be more precise, when we studied the stance of the member states during the Convention we made a distinction among big states (Germany, United Kingdom, France, Italy and Spain), the medium-small states and the under accession states (the ten new EU member states that held, at that moment, the position of observer since the accession had not yet taken place - May 2004). It should be underlined that we are not studying the position of the three candidate countries (Turkey, Romania and Bulgaria) to the Convention since, to be blunt, their positions did not practically affect the institutional edifice of EU. During the IGC, the definition of small and big states has changed due to the accession of the ten new member states. Therefore, three categories are drawn: the big member states (Germany, United Kingdom, France, Italy, Spain and Poland), the medium (the Netherlands, Belgium, Greece, the Czech Republic, Hungary, Portugal, Austria, Finland, Sweden and Denmark) and the small member states (Ireland, Luxembourg, Estonia, Latvia, Lithuania, Slovakia, Slovenia, Malta and Cyprus). A horizontal examination of the various subjects raised by big and medium-small states in the context of the Convention and the IGC is conducted.

## **I. CONVENTION**

### **A. The CFSP Debate**

The majority of the members of the Convention supported the extension of the qualified majority voting on CFSP issues. All medium-small EU states, at that

moment, were in favour. They asserted that EU foreign policy actions without military implications could be taken by qualified majority voting (QMV) on a proposal from the Commission. In the absence of such a proposal, decisions will normally require unanimity.<sup>11</sup> It was proposed that if a member of the Council declared that for serious national reasons was opposed to the adoption of a policy with qualified majority, the issue should be transposed to the European Council. With regard to the big states there was divergence: on the one hand France, Germany and, more or less, Spain<sup>12</sup> were in favour of the use of qualified majority voting<sup>13</sup> and on the other hand UK supported the maintenance of the intergovernmental character of CFSP as well as the use of unanimity<sup>14</sup>. As far as the under accession countries are concerned, only Slovenia was opposed to the abolition of the unanimity principle under the present circumstances<sup>15</sup>.

The majority of member states<sup>16</sup> supported the abolition of pillar structure<sup>17</sup>. As far as medium-small countries are concerned, only Finland<sup>18</sup> differentiated its position from all the other countries. With regard to the big state<sup>19</sup>, only UK was opposed to merging the current three Pillars into one<sup>20</sup>.

The medium-small EU member states were in favour of the creation of the post of the Foreign Minister<sup>21</sup> and of the creation of the analysis and policy planning unit. (Greece<sup>22</sup> and the Benelux countries<sup>23</sup>). As far as the big EU member states are concerned, France and Germany were openly in favour of the European Minister<sup>24</sup>. Spain also supported the institution of a Minister of Foreign Affairs<sup>25</sup> but also elaborated a joint contribution with UK<sup>26</sup>. UK believed that the appointment of the High Representative should be strengthened by giving him the formal right of initiative in CFSP and a greater say in CFSP resources but argued that the strength of Europe's foreign policy is based on its member states' commitment, not on Community rules and that the legitimacy of Europe's foreign policy must be based on its accountability to national parliaments<sup>27</sup>. As for the under accession states,<sup>28</sup> Slovenia considered that the office of High Representative "*has the greatest potential for greater linking role between various fields of EU foreign affairs.*"<sup>29</sup> In addition, Poland<sup>30</sup> and the Czech Republic<sup>31</sup> insisted on calling the European Foreign Minister as High Representative. However, they accepted, more or less, most of his new competences. It is significant that the two representatives of the Polish parliament proposed the consolidation of the position of the High Representative with the post of

the Commissioner for external relations, something that was not proposed by the government representative<sup>32</sup>.

Concerning the institutional reform of the six month rotation Presidency and its Council formation, the medium-small EU member states<sup>33</sup> stood up for the setting up of a special Council of Foreign Policy/External Relations that is for the split of the General Affairs/Foreign Policy Council into two different Council formations.<sup>34</sup> As for the big EU member states, UK agreed with the new external relations sub-formation of the General Affairs Council to be chaired by the High Representative but stressed that the Union should respect the diversity of some member states (when they wish to act for their own national interest while the Union chooses not to)<sup>35</sup>. Spain made no special reference on that matter. In proposing a collective Presidency during a two-year period it underlined that each presidential period would coincide with the duration of one of the multiannual strategic programmes.<sup>36</sup>

From the under accession medium-small states, the positions of Lithuania<sup>37</sup>, the Czech Republic<sup>38</sup>, Malta<sup>39</sup> and Poland<sup>40</sup> were, more or less, similar to the common position of most countries. Slovenia claimed that the six-month rotation of the EU Presidency does not represent an obstacle for a more efficient CFSP and supported the adoption of longer term working programmes, binding on several consecutive Presidencies in order not to marginalise the role of small member states<sup>41</sup>.

Furthermore, various proposals were put on the table by several member states from which useful conclusions can be drawn for the priority areas of each country. Among the medium-small member states, Sweden pointed out that the range of policy areas in which the Union can act should be set out in the constitutional Treaty and that the description of the Union's action in each area should be clarified.<sup>42</sup> According to Finland, particular attention should be drawn to external agreements as the constitutive Treaties do not give adequate weight to them as Union instruments.<sup>43</sup>

Among the big member states, Spain underlined that national parliaments must control and influence the actions of their respective governments and that cooperation between the parliamentarians belonging to the foreign affairs and defence committees of the European Parliament and of the national Parliaments should be increased. The EP must be consulted and must control the European Council on all decisions relating to the CFSP or the ESDP<sup>44</sup>. Finally, Spain asserted that the CFSP constitutionalised should encompass all EU policy provided with sufficient economic resources.<sup>45</sup> UK stressed that *“limiting the number but corraling what are essentially different types*

*of acts (particularly under the CFSP) under one name is far from desirable and could be counterproductive.”*<sup>46</sup> In addition, UK questioned the utility of the reduction of the number of seats of Europe (from 15 to 1 in some cases) in international fora for a stronger negotiating position.<sup>47</sup>

For Cyprus external action “will promote multilevel solutions in common problems, in particular in the context of the United Nations”<sup>48</sup>. This issue is related to Cyprus question. Estonia called for more cohesion between different aspects of external actions (especially between trade policy and other external policies) and for stricter application of the principle of conditionality<sup>49</sup>. Slovakia, following its geographical interests pointed out that formulating a more comprehensive and multi-faceted EU Eastern Policy can add new value to future specific initiatives<sup>50</sup>. Poland, also, demanded the shift of interest to establish a higher quality of relations with Russia, Ukraine and Belarus in order not to damage these relations from the entry of Poland into the Schengen system<sup>51</sup>. As far as the coordination of economic policies, Poland argued that the Common Foreign and Security Policy should remain a separate category given in particular the fact that it does not usually involve legislation<sup>52</sup>.

## **B. The ESDP Debate**

The fact that the EU had failed in the Iraq test cast a deep shadow over the Convention. It was a common view that it would take decades, at best, to shape a credible EU defence policy, and that EU credibility in general had been badly damaged<sup>53</sup>.

In the initiative for defence four Member states of the Union joined their forces; Belgium, France, Germany and Luxembourg. This initiative was not aiming to bypass the work of the Convention but most likely to initiate a procedure like Schengen in the defence policy. The Summit of the four Member states of the Union on 29 April 2003 for the European defence concluded in a common position<sup>54</sup> but there was no reference on “independent” and “autonomous” European dimension.

Dominique de Villepin (France) and Joschka Fischer (Germany) submitted a document to the Convention expressing their common positions<sup>55</sup>. Both member states wished the European Minister to chair the Council of Ministers in charge of External Relations and Defence and the decisions concerning defence and security to be taken by consensus. France and Germany were in favour of the principle of flexibility on ESDP issues.

United Kingdom was partly for the reinforcement of the coherence and efficiency of the Union, but due to the special relations it keeps with USA it suggested alternative models, which undermined the realisation of an effort to make ESDP autonomous<sup>56</sup>. Italy agreed that the Petersberg tasks should be expanded. It also favoured a common commitment to solidarity against terrorist threats and the extension of enhanced cooperation to ESDP. Italy shared the recommendation of the working group on defence to establish a European Armaments and Strategic Research Agency which should be combined with greater market openness in the defence sector<sup>57</sup>.

Due to its traditional Atlanticist stance, Portugal<sup>58</sup> was in favour of NATO as the main guarantor of the collective security of its member states. The inclusion in the constitutional text of a mutual solidarity clause in the case of terrorist attacks and natural disasters was particularly welcomed by the government. A mutually defence clause was not seen as necessary, but the government would also not oppose it. According to Greece the common defence should gradually obtain a character of an integrated system of security in accordance with the principles of solidarity and mutual assistance which will function complementary towards the Atlantic Alliance. Greece proposed also the creation of a voluntary humanitarian force consisting of young volunteers from all EU member states.<sup>59</sup> Sweden, Finland<sup>60</sup> and Denmark<sup>61</sup> did not wish an autonomous ESDP. More specifically they were unwilling to support a more integrated European defence as staunch supporters of good transatlantic relations. The intergovernmental model of integration was thought as the most indicative for the defence policy. They were also against the establishment of a “European Army”. Austria<sup>62</sup> supported that a solidarity clause to face terrorist threats and protect civilian populations should be incorporated in the Constitution. The Austrian government would also endorse a collective defence clause provided that its neutrality is preserved. It was also in favour of the establishment of a defence market and agency.

As far as it concerns the under accession countries of Eastern Europe, at the beginning of the Convention work, had adopted a low profile, but later on they became more and more active. Almost in their whole they appeared to stay focused on NATO, denying supporting initiatives for the deepening of the European defence integration<sup>63</sup>.

## **II. INTERGOVERNMENTAL CONFERENCE**

### **A. The Italian Presidency**

#### **1. The CFSP Debate**

The establishment of the function of the Minister for Foreign Affairs<sup>64</sup> was discussed at some length in the IGC. In order to be better prepared for discussions at ministerial level, the Italian Presidency sent a series of questionnaires to the delegations before the official opening of the IGC, summarising the Convention's proposals and setting out the wishes of the national delegations: document IGC 2/03 "The Union Minister for Foreign Affairs: main points", document IGC 9/03 "Questionnaire on the legislative function, the formations of the Council and the Presidency of the Council of Ministers". Unfortunately, the responses of the member states to the first document (IGC 2/03) were not diffused to the public.

As far as the second questionnaire is concerned (IGC 9/03), the Presidency produced separate documents containing the replies from each delegation. Our study will focus on the replies of the big, medium and small member states to questions 4 and 9: "*Should other Council formations apart from the Foreign Affairs Council have a fixed Presidency (i.e. not applying the rotation system provided for in Article 23(4))?*" and "*Which formations? Of what duration? Using what procedure (election by the members of the Council formation concerned)? By the same token, if the Foreign Affairs Minister chaired the Foreign Affairs Council, should the PSC and other external relations working parties be chaired by a representative of the Foreign Affairs Minister?*"<sup>65</sup>

Concerning the big states are concerned, France<sup>66</sup>, Germany<sup>67</sup> (under specific circumstances) as well as Poland<sup>68</sup> responded positively to question 9, at least for COPS and the whole of the groups dispersed in the sector of external relations. On the other hand, UK<sup>69</sup> and Spain<sup>70</sup> pointed out that their answer depended on the status finally agreed for the MFA of the Union. In fact, UK stressed that time constraints will make it impossible for the "European Minister for Foreign Affairs" to chair these working parties and Spain asserted that it would oppose to the chairing of the PSC and of the other Council working parties by Commission officials.

On question 4 France as well as Poland confirmed that they are not negative to other Council formations having a fixed Presidency<sup>71</sup>. Poland added that concerning the General Affairs Council and the COREPER the half-yearly rotation system should be continued, but it should be in line with the sequence of the Team Presidencies. UK

declared that the General Affairs Council should be chaired by the Chair of the European Council something that will ensure consistency and proper coordination under a system of Team Presidencies<sup>72</sup>.

Concerning the *medium-small states*, Austria<sup>73</sup>, Hungary<sup>74</sup> and Greece<sup>75</sup> agreed that apart from the Foreign Affairs Council no Council formation should have a fixed or elected Presidency while Portugal did not agree at all with fixed Presidencies<sup>76</sup>. Sweden<sup>77</sup> as well as Finland<sup>78</sup> opposed to the nomination of any fixed Presidencies and to Foreign Minister chairing the Foreign Affairs Council since it could undermine the institutional balance.

Sweden<sup>79</sup>, Finland<sup>80</sup>, Portugal<sup>81</sup> and Denmark<sup>82</sup> answered negatively to question 9. As Finland claimed, the Presidencies of the External relations committees and working parties (COPS, etc) should be decided by the member states party to the Team. According to Denmark, this way, vertical co-ordination will be ensured without ruling out the possibility of the General Secretariat, of an elected member of the committee or of the Commission chairing. Hungary argued that the rotation mechanism should be applied for PSC and external relations working parties.<sup>83</sup> The Czech Republic<sup>84</sup> and the Benelux countries<sup>85</sup> declared that PSC and other external relations working parties should be chaired by the representatives of the member state which is at that point chairing the General Affairs Council and Coreper I and II. In addition, the representations of the Benelux countries submitted to the IGC on November 18<sup>th</sup> a memorandum on that matter.<sup>86</sup> Austria argued that coordination is a core function of the General Affairs Council that opposes strictly to informal structures for coordination.<sup>87</sup>

Finally, from the *small states*, Ireland<sup>88</sup> and Estonia<sup>89</sup> did not favour the Foreign Minister chairing the Foreign Affairs Council (question 4). Along with Estonia, Ireland claimed that that the issue of the Presidency of the Foreign Affairs Council will have to be discussed together with the whole complex question of the institution of the Foreign Affairs Minister, which is a separate agenda point at the IGC. Slovakia, Slovenia and Malta just argued as most of the small-medium states did that the Presidency of Council formations, other than that of Foreign Affairs, should be held by member state representatives within the Council on the basis of equal rotation.<sup>90</sup>

As far as question 9 is concerned, only Cyprus agreed that PSC and the other external relations working parties could be chaired by representatives of the External Relations Representative.<sup>91</sup> Ireland<sup>92</sup>, Slovakia<sup>93</sup>, Latvia<sup>94</sup> and Estonia<sup>95</sup> declared that

PSC and other external relations working parties should be chaired by representatives of member states (unless the Foreign Affairs Council is chaired by the Foreign Affairs Minister). Malta argued that the PSC and other external relations working parties should be chaired by a representative of the Minister of Foreign Affairs.<sup>96</sup>

## **2. The ESDP debate**

Despite the partial disagreements and the various block alliances which were set up in Europe during the Italian Presidency there could be traced very important elements of political will from United Kingdom, France and Germany<sup>97</sup>. The convergence of their views gave a new dynamic in the IGC for the adoption of the European Constitution<sup>98</sup>.

In a meeting of the Heads of the three countries (October 2003) the British Prime Minister T. Blair made a commitment to support the initiatives for the development of the structured cooperation in the defence policy on the condition that no independent headquarters out of NATO will be created<sup>99</sup>. The decision of the British Prime Minister to support this initiative seemed to be dictated by the need for reinforcement of the role of United Kingdom in the Union especially after the synergies with the USA in the Iraqi.

Based on respective mutual positions that the three biggest countries presented, the Presidency elaborated a new draft article (Art. III-213) for the structured cooperation and a draft of the relevant Protocol for the criteria of the establishment of such cooperation. These texts were not discussed in the Conclave<sup>100</sup> but it appeared to be accepted with some reservations by the so-called neutral states (Sweden, Austria, Finland as well as the new member states)<sup>101</sup>.

In the axis of Europeanists and Atlanticists<sup>102</sup>, the new member states were placed almost in their whole in the “Atlantic camp”, a fact, which made difficult the development of the European defence. But the most important case was their persistence on unanimity. To a less extent, this “centred-state approach” was followed by the Scandinavian member states (Sweden, Denmark) as well as by Portugal, United Kingdom and Spain.

The failure of the Intergovernmental Conference, which started its work with the goal to work on and adapt the final text of the European Constitution, to reach an agreement was caused mostly by the unwillingness of the member states to accept compromising regulations settlements.

## **B. IRISH PRESIDENCY**

### **1. The CFSP Debate**

The Presidency of Ireland promoted the method of bilateral meetings. The President of the EU Council Bertie Ahern had numerous bilateral meetings with all EU member states. This way, the Toiseach tried and managed to play the role of the Presidency broker.

Furthermore, and with the encouragement of the Irish Presidency, Germany, France and the United Kingdom had regular meetings in order to reinforce their common position on European level: the three big countries met on January 5<sup>th</sup>, 2004, on February 18<sup>th</sup>, 2004 and also met before the Spring European Council. The British Prime Minister Tony Blair retreated towards the Franco-German axis in the issue of the weighting of votes in proposition with the population that favours UK in exchange with the official of the vice President of the Commission<sup>103</sup>.

As it was pointed out, meetings of the ‘big three’ were generally encountered with fear from smaller member states but also from the rest of the big member states. Two other big countries left out of these meetings, Italy and Spain, following a bilateral meeting, expressed through their ministers of foreign affairs (Ana De Palacio and Franco Frattini) their opposition to the “big three countries” to be in the lead of EU (30/1/2004). The Spanish Prime Minister José Maria Aznar even talked about “artificial distinctions”<sup>104</sup>. The President of the sixth big EU state, Aleksander Kwasniewski (Poland), claimed that he was sceptical towards the idea of a “European nucleus”<sup>105</sup>.

As it was said before, the Irish Prime Minister Bertie Ahern has welcomed the upcoming meeting as an opportunity for a smaller group to make faster progress on unresolved issues (which according to the Irish Presidency report were the size and the composition of the European Commission, the qualified majority voting and the number of seats of the European Parliament)<sup>106</sup>. “*So whether they are 3 big countries or 3 small countries - and you know the Baltic countries meet, the Mediterranean countries meet, the Benelux countries meet but obviously when it's 3 big countries it gets more media attention*”<sup>107</sup>.

On March 25<sup>th</sup>, 2004, just before the European Council, the leaders of the countries of Visegrad (Poland, Czech Republic, Slovakia and Hungary) and Benelux (Belgium, the Netherlands and Luxembourg) met. The leaders of these countries

expressed their hope an agreement to be signed for the EU Constitution before the European election in June 2004<sup>108</sup>.

## **2. The ESDP debate**

In the same context of bilateral consultations, the Irish Presidency dealt also with the security and defence policy in order to detect problems and possible solutions especially with the “problematic” countries (Spain, Poland, France, Germany). Most of the small-medium (except for Greece and Belgium) member states and the majority of the new comers considered that the negotiation of such important issues for their future were not possible to be limited to such a tight time frame. On the contrary, the majority of the bigger countries (especially Germany, France, Italy with the addition of Greece and Belgium) wished to intensify the work of the Presidency so that the context of the European Constitution should not be alternated.

Germany and France wished the development of an autonomous action of the European Union in issues of security and defence having the support of the majority of the existing member states (especially of Greece, Belgium, and Luxemburg). Greece expressed its wish for further development of the European defence and security policy while Sweden did not appear to have special difficulties accepting the Constitution. However, there was an issue for which Sweden wished its alteration during the IGC; that of the article 40 paragraph 2 on defence.<sup>109</sup> On the other hand, United Kingdom wished to open up the negotiations in basic issues of the draft Constitutional Treaty and insisted negatively in the abstract of the mutual defence proposal as it would undermine NATO and would challenge USA<sup>110</sup>.

The new Member states, with the exception of Poland, which with Spain at the given time, appeared as the strongest opponents of the current draft Constitutional Treaty, wished the reinforcement of the role of the Union in issues of defence policy, as long as the balance of NATO is not interrupted, partly agreeing with the Franco-German proposal on autonomous action from the part of the Union.

The redefinition of alliances is due to the rise of the socialistic party in the power under J. Zapatero. This development allowed the adoption of the Constitution while as a result of the new Spanish approach Poland, gave up its strong positions. Spain's behaviour proved that the basic positions of the Member states were not defined by strict ideological criteria. Aznar's conservative government was for example closer to the labour party government of UK than the socialist government of

Zapatero was. On the contrary, the latter appeared to be closer to the European politics of J. Chirac.

An additional factor that contributed the redefinition of relations and balances of alliances in Europe was the enlargement with the new ten countries which increased the number of the small and middle member states from 10 to 19 while the number of the big ones was increased from 5 to 6 with the addition of Poland. These realignments brought changes in the “thematic” alliances and in the procedures of negotiations of the issues of the daily agenda.

## **CONCLUSIONS**

Normally the questions of big and small can be a kind of red flag in all debates especially the ones on the future organisation of a more political EU. Various analysts have presented that the diverging stances faced in the Convention have been a clash between the smaller and larger member states of the European Union<sup>111</sup>. It was emphasised that, when it comes to the institutional framework (and especially in the issue of a permanent President of the European Council and the size of the Commission) this rule largely applies<sup>112</sup>.

Instead of that during the Convention there was no such evidence of small/medium and big member states drawing common positions in CFSP/ESDP matters. UK and Slovenia were more or less opposed to the abolition of the unanimity on CFSP issues. Finland and UK were opposed to merging the current three Pillars into one. Poland argued that the Common Foreign and Security Policy should remain a separate category. Therefore, Finland, UK Slovenia and Poland differentiated most from the rest on CFSP issues. In fact each one of them belongs to a different group (small state, big states and under accession states respectively).

On ESDP Germany, Poland, Belgium, Austria, Greece, France, Ireland, Italy and Spain considered necessary the reinforcement of the coherence, the efficiency and the action of the Union, especially after the terrorist attacks of September 11 and the changes that took place in the international system. UK, Sweden, Finland, Denmark and the majority of the under accession countries (especially Poland but also Estonia, Malta, Slovakia, and Latvia)<sup>113</sup> were in favour of a more intergovernmental form concerning the policies that are related to ESDP i.e. they should be based on the cooperation between the member states. Those member states fought in the

Convention for the removal of any proposals which could undermine the role of NATO.

As far as the IGC under the Italian Presidency and the specific questionnaire (IGC 9/03) is concerned, it could be argued that Spain and UK (from the big states), Finland, Sweden, Denmark and Portugal (from the medium states) as well as Ireland and Estonia (from the small states) had more or less similar positions on CFSP. It is evident that there is no special link between the positions of small states or of big states. For example, affinity in the positions of Spain and UK is not greater than in the positions of Spain and Sweden. A significant progress was made under the Italian Presidency concerning the regulations of the European defence that were going to be included in the European Constitution. The convergence of views between the United Kingdom on one side, and France and Germany on the other led to the resolution of their disagreements on the constitution of a more reliable and autonomous European action on security and defence issues, which would not be in conflict, but in cooperation with NATO.

After the failure of IGC in December 2003 to end up in an agreement on the European Constitution, most member states of the Union had expressed positively towards the direction of a fast adoption of the Constitution. Three factors predominated in order for the works of the IGC under the Irish Presidency to be completed: first the reactivation of the Franco-German axis, second the “return” of Spain (after the victory of the socialist party) on the side of the supporters of the supranational/federal logic and the positive stance of the Irish Presidency.

This success could be a product of the joint positions formed by groups of member states. It was asserted that the meeting of the French President Jacques Chirac with the German chancellor Gerhard Schröder (16/3/2004) in Paris contributed to the success of the Spring European Council. In addition, the German Chancellor Gerhard Schröder had been quoted earlier by news magazine *Der Spiegel* saying that agreement on the Constitution should be reached by the end of 2004 at the latest. If no solution is found, developments could go in the direction of a “two-speed Europe”.<sup>114</sup> After a meeting with German Chancellor Gerhard Schröder in Warsaw the Polish Prime Minister Leszek Miller announced that he would seek an agreement on the Constitution during the term of the Irish Presidency in order to avoid isolation on the issue of voting power in the Council<sup>115</sup>.

The EU was in a procedure of redefining its alliances, relations and finding its balances. This redefinition was not something completely new; however the degree of its extension was. As expected in a Union of more than 20 members, alliances and coalitions may easily shift according to the contingencies and the issues at stake as well as the priorities, general attitudes and specific interests of each member state. In the Union, the alliances between the member states were in a constant procedure of redefinition on the basis of the agenda of the issues. From issue to issue, the alliances and the relations between the states were changing on the basis of promoting national goals and interests. However, there were some stable and structured relations and alliances.

The keystone through which these alliances were formed is of course the supranational/intergovernmental formation of Europe. There are member states that steadily and through time are gathering together in order to promote the supranational, quasi federal organisation of the Union (Germany, Benelux countries, Greece) and countries that with one way or another appear to favour the intergovernmental, “interstate” formation of the Union (United Kingdom, Sweden, Denmark). On this base, the alliances define the dynamic of the integration. The fixed interests of every member state of the Union did not serve the joint action of the type “we belong to the powerful” or “to the weak”. But, we form negotiable alliances wherever possible so that we secure our national interests.

## **ENDOTES**

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<sup>1</sup> M. Petrelli is PhD candidate and Junior Research Fellow at the University of Athens. She is scolared by the PENED Programme 2003 for the support of research potential (Ministry of Development/GSRT– 3rd EU Framework Programme /Operational Programme of Competitiveness). A. Vallianatou is PhD candidate at the University of Athens and Junior Research Fellow at the Institute of European Integration and Policy (UoA).

<sup>2</sup> The Convention, consisted of representatives of EU governments as well as representatives from national parliaments and the European Parliament (on the whole 105 people including the alternates) and worked in sessions and “working groups”. The Convention consisted eleven working groups for a) subsidiarity, b) the Charter for Fundamental Rights, c) the legal personality, d) the national parliaments, e) complimentary competences, f) economic governance, g) external action, h) defence, i) simplification, j) freedom, security and justice and k) social Europe.

<sup>3</sup> J. Pollack and P. Slominski, “The Representative Quality of EU Treaty Reform: a Comparison between the IGC and the Convention”, *European Integration*, Vol. 26, No. 3, September 2004.

<sup>4</sup> In the late autumn of 2002 first Joschka Fischer of Germany and then Dominique de Villepin of France joined the Convention.

<sup>5</sup> P. Norman, “From the Convention to the IGC (Institutions)”, *The Federal Trust for Education and Research*, September 2003.

<sup>6</sup> D. Dinan, “Governance and Institutions: the Convention and the Intergovernmental Conference”, *Journal of Common Market Studies*, Vol. 42, Annual Review, 2004, pp. 27-42 (pg. 30).

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- <sup>7</sup> T. Brown, "Achieving balance: institutions and member- states", *The Federal Trust for Education and Research*, January 2004.
- <sup>8</sup> J.-E. Fossum and A.-J. Menéndez, "Democratic constitution-making. Reflections on the European experiment", Working Paper No. 18, *ARENA*, Centre for European Studies, University of Oslo, May 2005.
- <sup>9</sup> J. Pollack and P. Slominski, "The Representative Quality of EU Treaty Reform: a Comparison between the IGC and the Convention", *European Integration*, Vol. 26, No. 3, September 2004.
- <sup>10</sup> S. Duke, "The Convention, the draft Constitution and External Relations: Effects and Implications for the EU and its international role", 03/W/02, *European Institute of Public Administration*, Maastricht, 2003.
- <sup>11</sup> Marietta Yannakou, 9/7/2003, [http://european\\_convention.eu.int](http://european_convention.eu.int); P.C. Ioakimidis Alternate Member of the Convention, "The Development of the EU's Common Foreign and Security Policy and Defence Policy (CFSP/ESDP)", *CONV 389/02*, 7/11/2002.
- <sup>12</sup> Spain claimed that the "final decision must lie with the European Council."
- <sup>13</sup> *CONV 489/03*, 16/1/2003; Josep Borrel, Diego López Garrido (member and alternate member of the national parliament of Spain from the party that is in power) Carlos Carnero, (MEP), *CONV 455/02*, September 2002.
- <sup>14</sup> Report submitted by Lord Tomlinson and Lord Maclennan, *CONV 598/03*, 6/3/2003.
- <sup>15</sup> "EU External Action", Contribution by Juraj Migaš, alternate representative of the Government of the Slovak Republic in the Convention Brussels, 11 July 2002 and Intervention by Dr. Nahtigal at the plenary session of the European Convention, 11 July 2002, on external action of the EU.
- <sup>16</sup> The under accession countries did not make any contribution to the Convention against the abolition of the pillar structure.
- <sup>17</sup> P.C. Ioakimidis Alternate Member of the Convention, "The Development of the EU's Common Foreign and Security Policy and Defence Policy (CFSP/ESDP)", *CONV 389/02*, 7/11/2002.
- <sup>18</sup> Finland stressed that the system of EU external policy instruments should be communitarised but the main policy definition of the CFSP could maintain its intergovernmental nature.  
Teija Tiilikainen, Representative of the Finnish government, "The instruments of the EU in clarifying the legal system".
- <sup>19</sup> Josep Borrel, Diego López Garrido (member and alternate member of the national parliament of Spain from the party that is in power), Carlos Carnero, (MEP), *CONV 455/02*, September 2002.
- <sup>20</sup> Report submitted by Lord Tomlinson and Lord Maclennan, *CONV 598/03*, 6/3/2003.
- <sup>21</sup> Merging the post of the High Representative for CFSP with that of the Commissioner in charge of external relations. The holder of this post would be attached simultaneously to the Commission and the Council and the appointment and operation of the vice-president with responsibility for foreign policy could be subject to special procedures involving more extensively the Council of Ministers
- <sup>22</sup> P.C. Ioakimidis Alternate Member of the Convention, "The Development of the EU's Common Foreign and Security Policy and Defence Policy (CFSP/ESDP)", *CONV 389/02*, 7/11/2002.
- <sup>23</sup> Memorandum of the Benelux, "A balanced institutional framework for an enlarged, more effective and more transparent Union", Louis Michel (Belgium), Gijs de Vries (the Netherlands), Jacques Santer (Luxembourg), *CONV 457/02*.
- <sup>24</sup> Paragraph 5, "External action of the Union" in the proposal, "Contribution franco-allemande a la Convention européenne sur l'architecture institutionnelle de l'Union", *CONV 489/03*, 16/1/2003.
- <sup>25</sup> Ana de Palacio, "European Security and Defence Policy", *CONV 706/03*, 29/4/2003.
- <sup>26</sup> He would become a real Minister of Foreign Affairs/External Representative of the Union who, "inter alia", should chair the meetings of the Council of Ministers for External Relations and participate at the Commission's meetings where proposals concerning Union's external action are to be discussed. He/she should also have at his/her own disposal a formal right of initiative for common foreign and security policy matters. Contribution by Mrs Ana Palacio and Mr. Peter Hain, members of the Convention: "The Union institutions", *CONV 591/03*, 28/2/2003.
- <sup>27</sup> Intervention by Peter Hain, UK Government Alternate, on EU external action at the 11 July Convention plenary.
- <sup>28</sup> Speech of M. Attalides in the Convention (20/12/2002), *Newsletter for the European Union and the Future of Europe*, EKEM and European Commission - Representation in Greece, [http://www.ekem.gr/frames\\_gr.html](http://www.ekem.gr/frames_gr.html) ; Memorandum submitted by the Greek government to the Italian Presidency; Statement by Mr. Henrik Hololei Alternate Member of the Convention Government of Estonia on External Actions of the European Union, 11-12/7/2002, Brussels; Contribution by Dr Dimitrij Rupel, Slovenian Foreign Minister and Prime Minister's Representative to the European Convention, 16/5/2003, [http://european\\_convention.eu.int](http://european_convention.eu.int); Position of the government of Lithuania on

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the EU institutional reform, Rytis Martikonis, (Government of Lithuania), *CONV 589/03*, 28/2/2003; Proposals concerning institutional reform, Peter Serracino-Inglott, John Inguanez (government of Malta), *CONV 680/03*, 11/4/2003.

<sup>29</sup> Intervention by Dr. Nahtigal at the plenary session of the European Convention, 11 July 2002, on external action of the EU

<sup>30</sup> Replies by professor Danuta Hubner, Representative of the Polish government, *CONV 613/03*, 12/3/2003.

<sup>31</sup> Non-paper on the reform of EU institutions, Contribution by the Representative of the Czech Government to the Convention Mr. Jan Kohout, *CONV 485/03*, 15/1/2004.

<sup>32</sup> Edmund Wittbrodt (member of the government opposition) and Marta Fogler (alternate but of the government), *CONV 280/02*.

<sup>33</sup> Kimmo Kiljunen, *CONV 403/02* and P.C. Ioakimidis Alternate Member of the Convention, “The Development of the EU’s Common Foreign and Security Policy and Defence Policy (CFSP/ESDP)”, *CONV 389/02*, 7/11/2002.

<sup>34</sup> The General Affairs Council would concentrate on coordinating the legislative functions while the Foreign Policy Council would deal exclusively with foreign policy/external relations. This would upgrade the role of both Councils, particularly that of the Foreign Policy Council. Greece added that, without aiming at establishing a single diplomatic service, the first steps must be taken at setting up Union embassies/missions in selected third countries or organizations where EU interests dictate as provided for in article 20 of the TEU P.C. Ioakimidis Alternate Member of the Convention, “The Development of the EU’s Common Foreign and Security Policy and Defence Policy (CFSP/ESDP)”, *CONV 389/02*, 7/11/2002.

<sup>35</sup> Intervention by Peter Hain, UK Government Alternate, on EU external action at the 11 July Convention plenary.

<sup>36</sup> Contribution by Mrs Ana Palacio and Mr. Peter Hain, members of the Convention: “The Union institutions”, *CONV 591/03*, 28/2/2003.

<sup>37</sup> Contribution by Mr. Vytenis Povilas Andriukaitis, on “The institutional architecture of the EU”, *CONV 719/03*, 7/5/2003.

<sup>38</sup> Non-paper on the reform of EU institutions, Contribution by the Representative of the Czech Government to the Convention Mr. Jan Kohout, *CONV 485/03*, 15/1/2004.

<sup>39</sup> Proposals concerning institutional reform, Peter Serracino-Inglott, John Inguanez (government of Malta), *CONV 680/03*, 11/4/2003.

<sup>40</sup> Poland argued that the High Representative chaired the new External Relations and General Affairs Council should take over the role of the rotating presidency ensuring greater continuity of policy making. He could also chair the Political and Security Committee not only in the times of crises but on permanent basis.

Replies by professor Danuta Hubner, Representative of the Polish government, *CONV 613/03*, 12/3/2003.

<sup>41</sup> Intervention by Dr. Nahtigal at the plenary session of the European Convention, 11 July 2002, on external action of the EU

<sup>42</sup> Lena Hjelm-Wallen and Lord Tomlison, *CONV 377*, 20/10/2002.

<sup>43</sup> Teija Tiilikainen, Representative of the Finnish government, “The instruments of the EU in clarifying the legal system”, <http://european-convention.eu.int/docs/speeches/782.pdf>.

<sup>44</sup> Josep Borrel, Diego López Garrido (member and alternate member of the national parliament of Spain from the party that is in power), Carlos Carnero, (MEP), *CONV 455/02*, September 2002.

<sup>45</sup> *Ibid.*

<sup>46</sup> Report submitted by Lord Tomlinson and Lord Maclennan, *CONV 625/03*, 17/3/2003.

<sup>47</sup> P. Hain, *CONV 345/1/02REV 1* and Intervention on External Action made by the Rt Hon Peter Hain, Representative of the UK Government, at the Convention plenary on 20 December 2002. [http://european\\_convention.eu.int](http://european_convention.eu.int).

<sup>48</sup> Speech of M. Attalides in the Convention (20/12/2002), *Newsletter for the European Union and the Future of Europe* EKEM and European Commission - Representation in Greece, [http://www.ekem.gr/frames\\_gr.html](http://www.ekem.gr/frames_gr.html).

<sup>49</sup> Statement by Mr. Henrik Hololei Alternate Member of the Convention Government of Estonia on External Actions of the European Union, 11-12/7/2002, Brussels.

<sup>50</sup> “EU External Action”, Contribution by Juraj Migaš, alternate representative of the Government of the Slovak Republic in the Convention Brussels, 11 July 2002.

<sup>51</sup> He added that EU should go beyond the Partnership and Cooperation Agreements, to a free trade and cooperation in order to create a yet far larger area of internal security in Europe.

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Personal remarks by Prof. Danuta Hübner Representative of Poland's Government to the Convention on the Future of the European Union Plenary Session, Brussels, 12/7/2002.

<sup>52</sup> Replies by professor Danuta Hubner, Representative of the Polish government, *CONV 613/03*, 12/3/2003.

<sup>53</sup> See: A. Menon, "From crisis to catharsis: ESDP after Iraq", *International Affairs*, July 2004, Vol. 80, No. 4, pp. 631-648; D. Allnoch, "Has the European Convention United Europe in Security and Defence Policy Issues?", *CEuS Working Paper 2003/1*, Jean Monnet Centre for European Studies (CEuS), <http://www.monnet-centre.uni-bremen.de/pdf/wp/2003-1-Allnoch.pdf>

<sup>54</sup> Conclusions of the Meeting of the Heads of State and Government of Germany, France, Luxembourg and Belgium on European Defence, Brussels, 29 April 2003.

<sup>55</sup> Contribution by Mr Dominique de Villepin and Mr Joschka Fischer, members of the Convention, presenting joint Franco-German proposals for the European Convention in the field of European security and defence policy, *CONV 422/02*, 22/11/2002; "Franco-German Contribution to the European Convention concerning the Union's institutional architecture", Contribution submitted by Mr Dominique de Villepin and Mr Joschka Fischer, members of the Convention, Brussels, *CONV 489/03*, *CONTRIB 192*, 16 January 2003.

<sup>56</sup> Report of the Select Committee on the European Union of the House of Lords, presented by Lord Tomlinson and Lord Maclellan: "The Future of Europe - Convention Working Group reports on Defence and External Action", *CONV 710/03*, 2/05/2003, Intervention (Defence) by Mr Peter Hain, British Minister for Europe, member of the Convention, at the thirteenth plenary session of the European Convention, held on the 20 December 2002, 20/12/2002 and Intervention by Mr Peter Hain, British Minister for Europe, member of the Convention, at the seventh plenary session of the European Convention, held on the 11-12 July 2002, 11/07/2002.

<sup>57</sup> Contribution from Mr Lamberto Dini, member of the Convention "European Defence", *CONV 301/02*, 26/09/2002.

<sup>58</sup> Contribution by Antonio Nazaré Pereira, alternate member of the Convention:- "Guidelines for parliamentary scrutiny of the European Security and Defence Policy (ESDP)", *CONV 606/03*, 11 March 2003.

<sup>59</sup> Contribution by Mr Panayotis Ioakimidis, alternate member of the Convention: "The development of the EU's Common Foreign and Security Policy and Defence Policy (CFSP/ESDP)", *CONV 389/02*, 7/11/2002.

<sup>60</sup> Contribution by Mr Kimmo Kiljunen, member of the Convention "European Security and Defence policy as an integral part of the Common Foreign and Security Policy", *CONV 382/02*, 7/11/2002 and Contribution by Mr Kimmo Kiljunen, member of the Convention: "Comments to the Draft Outline for Constitutional Treaty", *CONV 403/02*, 14/11/2002.

<sup>61</sup> F. Laursen, *Denmark, the European Convention and IGC 2003-04: The Handling of a Difficult Two-Level Game*, Paper prepared for delivery at the Annual Conference of the Danish Society for European Studies at the University of Southern Denmark, Odense, Denmark, 24-25 September 2004.

<sup>62</sup> Contribution by Messrs Hannes Farnleitner and Reinhard E. Bösch, members of the Convention: "A new Impetus to the European Security and Defence Policy", *CONV 437/02*, 28/11/2002.

<sup>63</sup> See: "Summary Report of the Plenary session - Brussels, 11 and 12 July 2002", *CONV 200/02*, Brussels, 16 July 2002 as well as "Summary Report of the Plenary Session, Brussels, 5 and 6 December 2002", *CONV 449/02*, Brussels, 13 December 2002.

<sup>64</sup> The draft Constitutional Treaty provided for the creation of the post of Foreign Affairs Minister (Article I-27) to be appointed (and dismissed) by the European Council acting by qualified majority, with the agreement of the President of the Commission and after approval by the European Parliament. He would have a right of initiative in foreign policy matters and in the area of common security and defence policy, he would chair the Foreign Affairs Council, he would ensure implementation of European decisions and would represent the EU and express the Union's position in international organisations and at international conferences (Article III-206). Together with the Council of Ministers, the Foreign Affairs Minister would be responsible for seeing that CFSP principles are complied with (Article III-195). "The role of the Minister for Foreign Affairs of the Union", [http://europa.eu.int/scadplus/cig2004/debates1\\_en.htm#MINISTER](http://europa.eu.int/scadplus/cig2004/debates1_en.htm#MINISTER); "The Institutions of the Union. The Minister for Foreign Affairs", [http://europa.eu.int/scadplus/european\\_convention/minister\\_en.htm](http://europa.eu.int/scadplus/european_convention/minister_en.htm)

<sup>65</sup> *CIG 9/03*, Brussels, 15 October 2003, <http://ue.eu.int/igcpdf/en/03/cg00/cg00009.en03.pdf>.

<sup>66</sup> *CIG 18/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756)

<sup>67</sup> *CIG 14/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756)

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- <sup>68</sup> *CIG 26/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756)
- <sup>69</sup> *CIG 34/03*, pg. 3 and 4, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756)
- <sup>70</sup> *CIG 17/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756)
- <sup>71</sup> *CIG 18/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756)
- <sup>72</sup> *CIG 34/03* (pg. 3 and 4), [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?Content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?Content=DELEG&lang=EN&cmsid=756) *CIG 26/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?ontent=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?ontent=DELEG&lang=EN&cmsid=756)
- <sup>73</sup> *CIG 25/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?ontent=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?ontent=DELEG&lang=EN&cmsid=756),
- <sup>74</sup> *CIG 23/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?ontent=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?ontent=DELEG&lang=EN&cmsid=756)
- <sup>75</sup> *CIG 16/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?ontent=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?ontent=DELEG&lang=EN&cmsid=756)
- <sup>76</sup> *CIG 27/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?ontent=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?ontent=DELEG&lang=EN&cmsid=756)
- <sup>77</sup> *CIG 32/03* (pg. 2), 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756)
- <sup>78</sup> *CIG 31/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?ontent=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?ontent=DELEG&lang=EN&cmsid=756)
- <sup>79</sup> *CIG 32/03* (pg. 2), 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756)
- <sup>80</sup> *CIG 31/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756)
- <sup>81</sup> *CIG 27/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756)
- <sup>82</sup> *CIG 13/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?Content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?Content=DELEG&lang=EN&cmsid=756)
- <sup>83</sup> *CIG 23/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756)
- <sup>84</sup> *CIG 12/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756)
- <sup>85</sup> *CIG 10/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756)
- <sup>86</sup> The Benelux countries stressed that the assignment of the European Foreign Minister should be examined in combination with the election of the President of the European Council and of the President of the European Commission. It was pointed out that during the elections for the posts mentioned above geographical and demographic diversity of the Union and of its member states should be respected (*CIG 53/03*).
- <sup>87</sup> *CIG 25/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756)
- <sup>88</sup> *CIG 19/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756)
- <sup>89</sup> In addition, the Presidency of all Council formations should be based on the system of equal rotation between the Member states. *CIG 9/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756)
- <sup>90</sup> *CIG 30/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?ontent=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?ontent=DELEG&lang=EN&cmsid=756); *CIG 29/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?ontent=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?ontent=DELEG&lang=EN&cmsid=756); *CIG 24/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756); *CIG 20/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756)
- <sup>91</sup> *CIG 20/03*, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756)

- <sup>92</sup> CIG 19/03, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756)
- <sup>93</sup> CIG 30/03, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756)
- <sup>94</sup> CIG 21/03, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756)
- <sup>95</sup> CIG 9/03, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756)
- <sup>96</sup> CIG 24/03, 15/10/2003, [http://ue.eu.int/cms3\\_applications/Applications/igc/doc\\_register.asp?content=DELEG&lang=EN&cmsid=756](http://ue.eu.int/cms3_applications/Applications/igc/doc_register.asp?content=DELEG&lang=EN&cmsid=756)
- <sup>97</sup> “Francia, Alemania y Reino Unido acuerdan una defensa europea coordinada con la OTAN”, *El País*, 29 November 2003.
- <sup>98</sup> *EU reassures US over defence*, 17 October 2003 at <http://news.bbc.co.uk/2/hi/europe/3199486.stm>.
- <sup>99</sup> I. Black and P. Wintour, “UK backs down on European Defence”, *The Guardian*, 23 September 2003; S. Taylor, “Deadlock over operational planning but some movement on IGC”, *European Security Review*, No. 19, October 2003.
- <sup>100</sup> COREPER document CIG 52/03, Brussels, 25 November 2003 “IGC 2003 – Naples Ministerial Conclave: Presidency Proposal” <http://www.euitaly2003.it/NR/rdonlyres/D3AF1BA8-3F8C-40AA-A8DDDBEC7C8C0251/0/ConclaveDoc52Add1.pdf>; COREPER document CIG 57/03, Brussels, 2 December 2003 “IGC 2003 – Defence” <http://ue.eu.int/igcpdf/en/03/cg00/cg00057.en03.pdf>, Bulletin Quotidien Europe – 9/12/2003.
- <sup>101</sup> Finland, Ireland, Austria and Sweden demanded to add to the new clause on ‘closer cooperation on mutual defence’ that the means to give aid and assistance would be military or other such as civilian ones. See: “IGC 2003: European Security and Defence Policy”, Letter from the Ministers of Foreign Affairs of Finland, Ireland, Austria and Sweden, Brussels, CIG 62/03, DELEG 30, 5 December 2003.
- <sup>102</sup> S. Duke, “The Convention, the draft Constitution and External Relations: Effects and Implications for the EU and its international role”, *European Institute of Public Administration*, Working Paper No. 2003/W/2, 2003, pp. 1-38 (pg. 4).
- <sup>103</sup> It was argued that the agreement of the big three countries in a series of economic proposals was more important than the draft of the European Constitution, taking into account the euro skepticism of UK on the European Constitution. The cooperation of the Franco-German axis was not unknown in the history of the European Union. However, the participation of UK in these kinds of meetings showed that France and Germany were aware that their special weight is not a sufficient guarantee for the formation of the desired result. P. Sain ley Berry, 19/2/2004, [www.euobserver.com](http://www.euobserver.com)
- <sup>104</sup> During the meeting of the European Popular Party in Athens on the 19<sup>th</sup> of February 2004,
- <sup>105</sup> *Newsletter for the European Union and the Future of Europe*, No. 31, February 2004, pp. 6-7, EKEM and European Commission- Representation in Greece, [http://www.ekem.gr/frames\\_gr.html](http://www.ekem.gr/frames_gr.html)
- <sup>106</sup> CIG 70/04, a report of the Irish Presidency in view of the Spring European Council on the 24<sup>th</sup> March 2004.
- <sup>107</sup> Presidency press release on 6 February 2004; “'Big three' to discuss plans to boost EU economy”, 16/2/2004, *Euractiv*, [www.euractiv.com](http://www.euractiv.com)
- <sup>108</sup> *Newsletter for the European Union and the Future of Europe*, No. 33, April 2003, pg 12, EKEM, [http://www.ekem.gr/frames\\_gr.html](http://www.ekem.gr/frames_gr.html).
- <sup>109</sup> Paragraph 2 reported that “...the common security and defence policy shall include the progressive training of a common Union defence policy”. Sweden would wished “shall” to become “could”. Even though it was a matter of verbalism, the amendment was of great importance. See also: J. Almer and F. Langdal, *Swedish position in the IGC*, Swedish Institute for European Policy Studies, <http://www.epin.org/pdf/IGCSweden.pdf>.
- <sup>110</sup> As it is stated in paragraph 95: “We will not, however, support all the proposals as currently set out in the Convention text. We believe that a flexible, inclusive approach and effective links to NATO are essential to the success of ESDP. We will not agree to anything which is contradictory to, or would replace, the security guarantee established through NATO.” See: “A Constitution Treaty for the EU. The British Approach to the European Union Intergovernmental Conference 2003”, September 2003, pg. 38.
- <sup>111</sup> D. Kral, I. Brinar and J. Almer, “The Position of Small Countries towards Institutional Reform: From tyranny of the small to directoire of the big?”, *EPIN*, Working Paper No. 6, November 2003, <http://shop.ceps.be/free/1036.pdf?>

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<sup>112</sup> G. Durand and M. Kohnstamm, “Common nonsense – Defusing the escalating ‘Big versus Small’ row”, *EPC*, <http://www.theepc.net/en/default.asp?TYP=SEARCH&LV=279&see=y&PG=TEWN/EN/directa&AI=229&l=12/05/2003> and G. Grevi and K. Hughes, “What Prospects for Compromise on Institutional Questions in the Convention Endgame?”, *EPIN Commentary*, May 2003.

<sup>113</sup><sup>113</sup> With regard to the defence working group, only two government representatives (Estonia and Malta) participated in its deliberations, a clear indication of the candidates’ low degree of interest in an ESDP. Almost in their whole they appeared to stay focused on NATO, denying to support initiatives for the deepening of the European defence integration. According to Pavol Hamzik (Slovakia) “any possibility of weakening or questioning the transatlantic bond should be rejected” and Juraj Migas (Slovakia) argued that in the eyes of the applicants, “the ESDP should have a definite Euro-Atlantic dimension”. Roberts Zile (Latvia) stated that it was “too early to speak about creating a common defence system”. Edmund Wittbrodt (Poland) considered that “all the reforms should be undertaken whilst respecting and maintaining the role of NATO”. See: F. Cameron and A. Primatarova, *Enlargement, CFSP and the Convention. The Role of the Accession States*, EPIN Working Paper No.5, June 2003, pg. 5; “Summary Report of the Plenary session - Brussels, 11 and 12 July 2002”, *CONV 200/02*, Brussels, 16 July 2002 as well as “Summary Report of the Plenary Session, Brussels, 5 and 6 December 2002”, *CONV 449/02*, Brussels, 13 December 2002; Verbatim report of the plenary session on 11-12 July 2002.

<sup>114</sup>“France, Germany and UK to co-ordinate positions on Constitution ahead of Spring summit”, *Euractiv*, 6/1/2004, [www.euractiv.com](http://www.euractiv.com)

<sup>115</sup> “UK, Poland ready to compromise on Constitution”, 24/3/2004, *Euractiv*, [www.euractiv.com](http://www.euractiv.com)