

Cooperation in the North – Multilateralism or Mess?

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Abstract

E-paper no. 7 explores whether the European Union (EU) has lived up to its commitment to “effective multilateralism” through its policies towards the Baltic Sea Region. The emphasis is on the EU institutions, but the paper also examines the roles of the countries involved in cooperation as well as their relations to the EU and its institutions. The paper explores how the EU got involved in cooperation, the driving forces behind its continued involvement in the north and the character of its policies. It does not, however, deal with the implementation or the impact of these policies.

Among the many cooperation initiatives undertaken after the end of the Cold War, three have been selected: the Baltic Sea Region Initiative (BSRI), the Northern Dimension initiative and the EU Strategy for the Baltic Sea Region. The study shows that multilateralism has been a consistent EU ambition. The institutional heterogeneity of the Baltic Sea region, as well as the EU’s own complicated structure for dealing with countries of different institutional affiliation, have, however, created impediments to effective multilateral and well-coordinated policy. Russia has been another challenge: whether included in a particular initiative or not, Russia’s positions and policies have been both crucial and problematic for regional cooperation. The EU treaty changes, including the extension of competences of supranational EU institutions, had no major impact on the EU’s involvement in multilateral cooperation in the North. The strongest actors – with the encouragement of the EU – have been the Nordic countries, eager to promote EU multilateralism but also their own interests. Overall, and in spite of hurdles, the contribution of the EU has been of a multilateral and beneficial character towards what has often been characterised as a messy and unstructured cooperation.

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ISSN2079-9225

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Acknowledgements

The author would like to thank Lars Grønberg and Alar Olljum, both of the European Commission, for generously sharing their knowledge about the EU’s Baltic Sea region cooperation. Lars Grønberg has in addition also contributed to this study by supplying many valuable documents regarding this cooperation, for which the author is deeply grateful.

Many thanks also go to the members of the MERCURY network, in particular Mark Aspinwall, Geoffrey Edwards, Nadia Klein, John Peterson and Wolfgang Wessels for valuable comments. Earlier versions of the paper were presented at the MERCURY Plenary in Brussels, 3-4 March 2010, and the Political Studies Association Annual Conference in Edinburgh, 29 March-1 April 2010.

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Introduction

The MERCURY project is about the European Union² (EU) and its commitment to an international order based on what the EU itself calls effective multilateralism. This paper analyses policies towards the Baltic Sea region with an emphasis on the roles of EU institutions. Such an analysis by necessity also includes finding out about the roles of the countries involved in cooperation as well as their relations to the EU and its institutions. It explores how the EU got involved in cooperation in this region, the driving forces behind its continued involvement in the north and the character and possible changes of its policies. It does not, however, deal with the implementation or the impact of these policies other than to the extent that it has an impact on continuing EU involvement. The paper in its conclusions seeks to determine the extent to which the EU has pursued a multilateral policy based on the given framework of the activities of other actors, such as the countries involved, and taking into consideration the institutional basis for its policies.

Among the large number of cooperation projects undertaken in the Baltic Sea region after the end of the Cold War, three projects have been selected: the Baltic Sea Region Initiative (BSRI), the Northern Dimension initiative and the EU Strategy for the Baltic Sea Region. The first two were initiated before 1 May 2004, the great dividing line after which eight of the nine littoral states of the Baltic Sea were EU members, whereas the third project is a recent one. These particular projects were chosen in order to show the EU's role and policies over a long period and under varying circumstances. One particular organisation, the Council of the Baltic Sea States (CBSS), has a special role in the EU's Baltic Sea area cooperation, not least because its establishment also constituted the EC's entry in this area's institutional cooperation.

The title of this paper goes back to the multitude of cooperation projects and initiatives pursued in the Baltic Sea region, which have led to a situation by some described as "messy". The question is whether the EU in its policies and activities

² Some of the initiatives on which this paper focuses pre-date the EU's transition (in 1992) from its previous designation as the European Community. It employs the term "EU" throughout for the sake of simplicity.

addresses this particular situation in a structured way that may be called multilateralism.

Multilateralism

The EU claim to a multilateralist approach was encapsulated in the European Security Strategy (ESS) of 2003 in which the EU declares that ...”Our security and prosperity increasingly depend on an effective multilateral system”. (ESS 2003: 9) The ESS furthermore refers to the need to uphold and develop international organisations, regimes and treaties in order to confront threats to international peace and security.

While there are many different definitions of multilateralism, this paper adopts the MERCURY project’s working definition which suggests that ...”Multilateralism is three or more actors engaging in voluntary and (essentially) institutionalised international cooperation governed by norms and principles, with rules that apply (by and large) equally to all states”. (Bouchard and Peterson 2010: 10)

Early Cooperation in the North

The fall of the Berlin Wall led to a vast range of initiatives directed towards the countries of the Warsaw Pact and regions of the Soviet Union bordering on the Baltic Sea. In the Nordic countries early efforts were made to stretch out to their neighbours in the Baltic Sea region, starting before these countries had declared their independence and in many cases with means aimed to promote it. This cooperation grew over the years and also embraced Russia’s neighbouring regions. The institutions/initiatives/links were of such a character that they concerned all levels of society and covered a vast number of areas.

Of crucial role for the future role of the EU in the region, was the Danish/German cooperation that led to the establishment of the Council of the Baltic Sea States (CBSS), within which the EU has pursued much of its Baltic Sea region policies. The initiative to invite the EC Commission was taken by the Danes, referring to the EC competence in several of the areas that would be dealt with (environment, energy, transport, economic aid). (Notits 1991)

The conference of 5 March 1992, brought together the foreign ministers of all the littoral states as well as Norway (Iceland joined in 1995) and, as representatives from

the Commission, Henning Christophersen, Vice President, and DG Director Horst Krenzler. Krenzler underlined the high priority that the EC had already given to the region, through its aid programmes. (Krenzler 1992) The speeches made by representatives of the countries in the region showed that they had both political and economic motives for seeking the involvement of the EC.

The emphasis of the CBSS was to be on six dimensions: (1) assistance to new democratic institutions; (2) economic and technologic assistance and cooperation; (3) humanitarian matters and health; (4) protection of the environment and energy; (5) cooperation in the field of culture, education, tourism and information; and (6) transport and communication. Each country would be represented on the Council by its Minister for Foreign Affairs, the Commission by a member of the European Commission. (CBSS 1992a; CBSS 1992b)

As foreseen by the Danes the participation of the European Commission at the conference also led to its membership of the CBSS. The final documents do not, however, refer to any particular role it might have in the organisation, whose aim was to serve as “an overall regional forum to focus on needs for intensified cooperation and coordination among the Baltic Sea States”. While the Commission’s particular tasks of giving support to the newly liberated regions was of particular interest, it is unclear why the European Commission rather than the EC itself was invited, especially since the Commission itself was not an entity under international law in line with the states. There was therefore no treaty basis for the Commission’s membership of the CBSS.³ As the two first cases, the Baltic Sea Region Initiative (BSRI) and the Northern Dimension, will show, this fact is likely to have had an impact on the way in which the Commission acted within the CBSS.

³ “In order to ensure the proper functioning and development of the common market, the Commission shall:
- ensure that the provisions of this Treaty and the measures taken by the institutions pursuant thereto are applied;
- formulate recommendations or deliver opinions on matters dealt with in this Treaty, if it expressly so provides or if the Commission considers it necessary;
- have its own power of decision and participate in the shaping of measures taken by the Council and by the Assembly [European Parliament] in the manner provided for in this Treaty;
- exercise the powers conferred on it by the Council for the implementation of the rules laid down by the latter.” (Treaty of Rome 1957: Article 155)

Case I. Baltic Sea Region Initiative

Even before becoming members of the EU, Sweden and Finland, together with Denmark, had started to push the EU Commission for a more comprehensive Baltic policy. (Knudsen 1998: 32) The Commission in a report in October 1994 outlined its assessment for such an engagement. The political situation was by no means considered to be stable, the report referring to “a widespread perception that there exists a security vacuum in this part of Europe” and it therefore saw the task of enhancing security and ensuring the steady political and economic development of the region as pressing. While the Commission itself had no direct security-related activities, it viewed the work done by others, such as NATO (Partnership for Peace), the Conference on Security and Cooperation in Europe (CSCE), the Stability Pact, the Western European Union (WEU) and the CBSS as mutually reinforcing into contributing to the stability of the region. (Commission 1994: 3)

The Commission perceived a need to encourage (together with the Council) close cooperation and coordination between the different actors. However, the primary responsibility rested with the countries in the area and the various other public and private actors, including regions and municipalities as well as other bodies working towards political and economic development. Still, since it was in the Union’s interest that cooperation took place, it should also play an active role in forwarding it. (Ibid.) As for economic cooperation according to the Commission: “The dense network of contractual relations with the countries bordering the Baltic Sea takes into account the heterogeneity of the situation in each of them. Nevertheless, they have been conceived in a coherent way within a single policy context by the Union”. (Ibid.: 5)

The importance of the CBSS, and again the need for coordination, was expressed in the same document. The Commission found that the CBSS provided

“...in its sphere of action a useful forum for efficient coordination. This cooperation is now entering a more concrete phase. The Commission, therefore, intends to continue ensuring a permanent and active presence in this forum with a view to enhancing an efficient coordination of Union activities and programmes with those of other Baltic Sea States.” (Ibid.: 9)

In the same vein the EU Council in May 1995 highlighted the importance of the CBSS and invited the Commission to formulate proposals with regard to the role that the Commission might play. It also asked for a new Commission report, which was

presented in November of 1995. The report gave an overview of the ongoing aid and cooperation activities towards the Baltic Sea region and promised a follow-on, “a long-term based Baltic Sea Region Initiative”. (Knudsen 1998: 32; Commission 1995: 17)

The meeting at Visby, of 3-4 May 1996, at which the Baltic Sea Region Initiative (BSRI) was presented, was formally a meeting of the CBSS Heads of State and Government (rather than as previously annual meetings of foreign ministers). Both the President of the European Council and the President of the European Commission attended. Commission President, Jacques Santer, presented the BSRI. It was, however, an event dominated by the Swedish initiative, the so-called Visby Charter of Prime Minister Göran Persson, then President-in-Office of the CBSS.

Giving more attention and a new impetus to the Baltic area cooperation by meeting on summit level was one of the ambitions of Göran Persson, who was now seeking to take the initiative in Baltic Sea region cooperation. He was successful, the Visby meeting giving him the responsibility to assure the coordination of the Baltic Sea cooperation. To this aim Persson established a special Support Group in the Swedish Prime Minister’s Office to deal with the Baltic Sea cooperation. This group was to be responsible for coordination and contacts between the Heads of Government of the region and for providing support to the country in the chair, as well as contacts and coordination with the European Commission regarding the implementation of the Baltic Sea Region Initiative and other relevant activities at EU level.

The support for a strengthening of cooperation in the Baltic Sea region but also for a strong Swedish role in this was reflected in the European Commission’s BSRI document which referred to cooperation with Sweden as follows: “The recommendations of the initiative are closely linked to the preparation by the Swedish Presidency of the CBSS of the ‘Visby Charter’ with a view to promoting action programmes for contacts, economic cooperation and environmental cooperation”. (Commission 1996:1) The Baltic Sea area cooperation, dominated as it was by the activities of the Nordic countries, had an element of competition among them and this was an opportunity for Sweden to get an upper hand. Whereas the CBSS had been a Danish (and German) invention, cooperation following the Visby meeting was led by Sweden. (CBSS 1996; Commission 1996:1) One of the factors behind this was the weakened Danish role in the EU after the negative outcome of the referendum on

Maastricht. However, any adverse effects of such competition should not be exaggerated. The Nordic countries were in all essential aspects of the same mind and, indeed, their competition in giving support to the Baltic countries and Poland actually led to increased aid to these countries. (Herolf 2000)

The Commission's Baltic Sea Region Initiative document and the conclusions from the Visby meeting were quite similar in terms of issues to be pursued. The BSRI goals were to strengthen political stability and economic development in the Baltic Sea Region and the instruments to accomplish this were (1) to strengthen democracy and political stability, (2) to promote economic development through trade investment and economic cooperation, by improving infrastructure and related services, by improving energy security and efficiency as well as nuclear safety and by cooperating in environmental matters and tourism; and (3) to improve regional development including Cross-Border Cooperation (CBC). In all these areas the BSRI's function was to assist the CBSS to pursue these aims. A final, fourth, aim was the reinforcement of the role of the CBSS. Complementarity between the work of the CBSS and the Union was to be an important objective of future cooperation. Part of this was the creation of a small permanent secretariat, as envisaged by the Visby Charter. (Commission 1996; CBSS 1996)

As described in previous sections, the Commission had been brought into the Baltic Sea region's institutional cooperation by the states of the region. Their statements indicated that one of the reasons for this was the Commission's potential for financial support. Security aspects were seen as important too: in order to create a stable and secure region the presence and the activities of the Commission were considered valuable. This view is substantiated by the European Union Council in Madrid (European Council 1995:19) and by the Commission itself (Commission 1994), underlining the importance of the EU's activities. It was also a view that was quite common in Europe as the Cold War had not been over for very long. A particular issue of concern for some was the institutional heterogeneity and in particular the fact that the three Baltic countries and Poland did not belong to any institution. The Nordic countries were less concerned about institutional aspects but shared the fears of instability in the region due to the large number of existing threats.

The fact that the Commission rather than the EC became member of the CBSS, and thereby the BSRI, created a weak institutional basis, which had an impact on the Commission's role in both of them. First of all it meant that the Commission, unlike other members of the CBSS, was unable to hold the rotating 12 months presidency. The CBSS was itself a weak organisation, dependent on the presidency to run it and use some of its own resources to implement initiatives. (The secretariat that was established in 1998 was expected only to support the presidency rather than have any independence.)⁴ Second, the Commission had no mandate from the EU Council. This has been particularly significant in leading the Commission to keep clearly within its own competence in order not to arouse criticism for misusing its membership. At the same time, membership has provided the Commission with the opportunity to ensure that the CBSS does not enter areas, such as international trade, which are within the competence of the EU. In addition, the Commission, while having the right of initiative within the EU, does not have this right within other fora and has therefore been cautious in areas not already initiated within the EU. (Grønbjerg 2010)

In spite of the clear signs of strong interest in reinvigorating the Baltic Sea cooperation institutionally, the Commission did not seek or gain an increased role after the Visby meeting. Indeed, quite the reverse took place with the EU allowing the CBSS to play an extraordinary role. As pointed out by Ojanen, it had never before allowed any external institutional actor to have a say in the elaboration of its policies or strategies towards neighbouring areas. (Ojanen 1999: 13-27)

Fagelund Knudsen sees a reason why the EU adjusted to a more bottom-up type of cooperation to be the heterogeneous character of the Baltic Sea area. The region included member states, candidate states, non-members aspiring for membership and non-members not aspiring for it. Given the means available to it, it was difficult for the EU to have a more comprehensive political approach. The same was true for the economic side. One particularly significant factor was that the means for financial support were dispersed, with a different form of financial aid for each type of affiliation. With PHARE for the candidate states, INTERREG including also EU's member states and TACIS for Russia, all handled by different bureaucratic units, smooth coordination was difficult. ⁵(Lannon and van Elsuwege 2004: 27).

⁴ According to the statutes ...“The role of the Council is to serve as a forum for guidance and overall coordination among the participating states” (CBSS 2010). Cooperation can thus influence the parties but not to the degree that participants can expect others to be bound by Council agreements.

⁵ TACIS (Technical Assistance for the Commonwealth of Independent States) and PHARE (Poland and

Yet another factor, which made a strong role for the Commission difficult, was that a large part of the overall support was provided by the Nordic countries and Germany. (Commission, 1995: 19-26) Southern EU members would have vetoed the CBSS and the BSRI if they had included a budget line. While this in itself was negative for the Nordic countries, it also meant that the impact of the EU was smaller and consequently that of the Nordic states bigger.

Generally the Commission seemed to be satisfied with its special role in the Baltic Sea region, seeing its own work as giving a valuable contribution to a form of cooperation in which the countries in the region had the major responsibility. The Commission had common or coinciding interests with the states that had initially asked for its presence: the Nordic states saw the political and economic strengths of the Commission as beneficial for stability in the region whereas the Commission saw a positive development in this region as needed for the European stability, not least considering that Finland and Sweden had now joined the Union and thereby extended it towards the north.

Case 2. Northern Dimension

The Northern Dimension initiative, the best known of all the northern initiatives, was timed with a view towards the Finnish EU presidency of 1999. Aimed at directing the EU's attention towards the northern part of the region and not least the north-western part of Russia, it later came to include the whole Baltic Sea region and the catchy name became a kind of umbrella for all kinds of cooperation in the north.

The Northern Dimension was initiated in 1997 when Finnish Prime Minister Paavo Lipponen suggested to the President of the European Commission, Jacques Santer, that the EU should develop a strategy for the North. (Lipponen 1997) It was formally accepted at the Cologne General Affairs meeting in May 1999 and became part of the EU's external policies in Helsinki in December 1999, where the Commission was also tasked with working out its first action plan. (Ojanen 2001: 26-33; European Council 1999a; European Council 1999b).⁶

Hungary: Assistance for Restructuring their Economies) are administered by the Commission's Directorates-General for External Dimension and Enlargement, whereas the INTERREG has been conceived in the framework for structural funds at the DG for Regional Policy.

⁶ See Ojanen for an overview of the Northern Dimension process towards acceptance.

The Northern Dimension had many similarities with the BSRI and was initially seen as a competitor to it, not least by Sweden. It was, however, different in embracing all the activities of the EU in the region, thus stretching across all the pillars of the Maastricht Treaty of 1993. It therefore included also the ongoing enlargement process, and, in the case of Russia, the assistance programme TACIS, the Partnership and Cooperation Agreement (PCA) and the EU's Common Strategy on Russia (CSR).

The Northern Dimension expressed the Finnish focus on north-western Russia and therefore contrasted with Sweden's and Denmark's focus on the whole Baltic Sea region. Once the geographical scope of the Northern Dimension had been extended towards the south, the initiative was more wholeheartedly endorsed in the region. However, a major remaining problem facing the Northern Dimension was the opposition of some southern EU members. Spain, in particular, successfully acted against additional funding supporting the northeast. (Catellani 2003: 18)

Within the European Union the Commission's report of 1998 reflected the Swedish views, seeing the need for closer attention being given to the area but not for a new initiative:

“The European Union strongly supports regional cooperation across the continent of Europe. In northern Europe, regional cooperation is promoted by existing regional fora, notably the Council of Baltic Sea States (CBSS) and the Barents Euro Arctic Council (BEAC), in which the European Commission participates, and the Arctic Council.

The Northern Dimension ensures that the Union's activities and available instruments continue to focus on this region. However, it should not be seen as a new regional initiative, which in the Commission's view is not necessary.

Within the framework of these existing contractual relationships, financial instruments and regional organisations, the Northern Dimension is a concept that can provide added value. It can contribute to the strengthening of the Union's external policies and reinforcement of the positive interdependence between Russia and the Baltic Sea region and the European Union, notably by achieving further synergies and coherence in these policies and terms.” (Commission 1998: 2)

The European Parliament, while accepting the views expressed in the Commission report, also focused on the need for coordination among the EU instruments, seeing the Northern Dimension as an important tool for using funds more efficiently. (European Parliament 1999)

The Council decision on the Northern Dimension was taken after the proactive involvement of other Nordic states, above all Sweden, which led the Feira European Council of June 2000 to focus on “the environment and nuclear safety, the fight against international crime and Kaliningrad”.⁷ These were also issues that were close to the Swedish priorities for its forthcoming presidency of the spring of 2001. The Council furthermore also welcomed the intention by the future Swedish Presidency to prepare, together with the Commission, a report on the Northern Dimension policies in preparation for the Göteborg European Council in June 2001. Furthermore, the Commission was asked to take a leading role on the implementation of the Action Plan. (European Council 2000)

As for the institutional dimension of the Northern Dimension, the Luxembourg Ministerial Conference in early 2001 made it clear that one of the distinctive features of the Northern Dimension, just like the BSRI, would be the close connection to the CBSS. This decision led to criticism from some countries, the concern being that the Northern Dimension would be governed by a forum in which they themselves were excluded. (European Council, 2000; European Council 2001)

The Northern Dimension, while prominent within the Finnish (1999), Swedish (2001) and Danish (2002) presidencies, was not even mentioned in the 2003 programmes of the Greek and Italian presidencies. (Lannon and van Elsuwege 2004: 28) This demonstrates the degree to which this initiative was driven by the countries in the region. Apart from the financial aspect, the fundamental change that took place in the area in 2004 as the Union was enlarged to include Estonia, Latvia, Lithuania and Poland also contributed to the diminished interest of countries outside the area. Only three countries remained outside the Union: Iceland, Norway and Russia. The consequence of this was that the focus on Russia inevitably became much stronger. The new situation demanded a change of the Northern Dimension. For Russia, already negative towards the Northern Dimension, due to the lack of funding, (Catellani 2003: 20; Stålvant 2001) the situation of being in effect the only object of the policy was not acceptable. Starting with the Northern Dimension Ministerial Meeting of 21 November 2005, the programme was transformed and the new

⁷ Discussions during the spring took place in COEST (the Council's working group for Eastern Europe and Central Asia). While basically dealing with CFSP issues, COEST also embraced the other pillars and therefore suited the comprehensive Northern Dimension. Its main activities were to deal with EU policies towards Russia, which indicates that this is where the emphasis of the Northern Dimension was perceived to be. On the issue of cooperation areas Denmark took a middle position between Sweden and Finland, basically agreeing with the Finnish idea of long-time cooperation, but, like Sweden, favouring early visibility and outcomes. (Catellani 2003:19; Moroff 2002: 172-174)

Northern Dimension had its first summit in Helsinki on 24 November 2006. (Henriksson 2006) The important change to the Northern Dimension was that the policy was transformed into a common policy of the EU, Russia, Norway and Iceland. It was no longer an external policy of the EU and Russia was now an equal partner rather than an object of policy.

The origin and the driving forces of the Northern Dimension were foremost to be found among the states in the region. Starting from the Finnish historic relations with Russia, and its subsequent determination to multilateralise the relationship, the Dimension's further development was as much related to Swedish and Danish interests, both in terms of the geographic scope of Baltic Sea regional cooperation and the issues that Sweden wanted to pursue during its presidency. It was ultimately determined by the Russian demands for a change when the preconditions for Northern Dimension had changed with the enlargement.

The EU's role within the Northern Dimension was in some ways unchanged and in some way different from that within the BSRI. The Northern Dimension in the same way as the BSRI delegated much authority to the CBSS, in which the Commission had a weak role compared to member countries. The role that the Commission wished to see for itself within the region was expressed by Commissioner Chris Patten in an interview in which he declared that the Commission sought to promote regional cooperation in all parts of Europe but not be part of it themselves, stating that "...I have to emphasise that the CBSS is a forum for cooperation between the Baltic Sea countries themselves and not for the EU". (Patten 2000) The task for the CBSS is to..."continue to consider how its members can contribute to the aims of the Northern Dimension. The Commission on its side will seek the input of the CBSS and its members over the coming months for the Northern Dimension Action Plan, as requested by the EU Heads of State and Government in Helsinki." (Ibid.)

However, the Northern Dimension was an EU policy. This meant that all EU activities, (with the exception of those within the CBSS) were subordinated the decisions taken by the Council. Secondly, with the Maastricht Treaty, which entered into force on 1 November 1993, the Common Foreign and Security Policy (CFSP) was a new and important element.⁸ The CFSP, however, turned out as less important than hoped for.

⁸ According to articles J.1 and J2 of Title V of the Maastricht Treaty of 7 February 1992:

The question is what it really meant for the EU to have all activities connected to Russia under the headline of the Northern Dimension when issues of major relevance were anyway dealt with on a higher level than that of the Baltic Sea region. As for the CFSP itself, constituting the intergovernmental pillar II of the Maastricht Treaty, meant that CFSP issues were not allowed to trespass on issues that came under the other two pillars, such as visa questions. Therefore, (and in spite of efforts of cooperation made by High Representative Javier Solana and Commissioner Chris Patten) work relating to the EU's external policy towards Lithuania, Poland and Russia was difficult. (Huisman 2002: 19) In addition, as mentioned in connection with the BSRI, another dimension of heterogeneity within the EU standing in the way of a united multilateral policy, has been its way of financing activities from different sources depending on the institutional affiliation of the country in question.

Furthermore, the failure of EU efforts to form a united Russia policy has not improved the situation. In a situation where different member states – including different littoral states of the Baltic Sea – have different attitudes to Russia, attempts to include Russia in multilateral policies aiming at increased integration and stabilisation have

ARTICLE J

A common foreign and security policy is hereby established which shall be governed by the following provisions.

ARTICLE J.1

1. The Union and its Member States shall define and implement a common foreign and security policy, governed by the provisions of this Title and covering all areas of foreign and security policy.

2. The objectives of the common foreign and security policy shall be:

- to safeguard the common values, fundamental interests and independence of the Union;
- to strengthen the security of the Union and its Member States in all ways;
- to preserve peace and strengthen international security, in accordance with the principles of the United Nations Charter as well as the principles of the Helsinki Final Act and the objectives of the Paris Charter;

- to promote international co-operation;
- to develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms.

3. The Union shall pursue these objectives:

- by establishing systematic co-operation between Member States in the conduct of policy, in accordance with Article J.2;
- by gradually implementing, in accordance with Article J.3, joint action in the areas in which the Member States have important interests in common.

4. The Member States shall support the Union's external and security policy actively and unreservedly in a spirit of loyalty and mutual solidarity. They shall refrain from any action which is contrary to the interests of the Union or likely to impair its effectiveness as a cohesive force in international relations. The Council shall ensure that these principles are complied with.

ARTICLE J.2

1. Member States shall inform and consult one another within the Council on any matter of foreign and security policy of general interest in order to ensure that their combined influence is exerted as effectively as possible by means of concerted and convergent action.

2. Whenever it deems it necessary, the Council shall define a common position. Member States shall ensure that their national policies conform to the common positions.

3. Member States shall co-ordinate their action in international organizations and at international conferences. They shall uphold the common positions in such forums.

In international organizations and at international conferences where not all the Member States participate, those which do take part shall uphold the common positions.

little chance to succeed.⁹

In spite of its limited role in the CBSS, it was evident that the Commission had a great interest in assuring that cooperation in the north proceeded in a positive manner. It was also as usual engaging with countries active in these issues, this being the traditional responsibility of the Commission in order to acquire wide support. The European Parliament and the Council had a positive attitude as well, even though for the Council the ultimate positive outcome was not a shared EU view but an endorsement of the initiative, reached after tough negotiations. A general conclusion here is that the hopes that some might have cherished that a more wide-ranging initiative and a more powerful treaty would have resulted in a forceful and unitary approach were not realised.

The Northern Scene after 1 May 2004

As mentioned in the context of the Northern Dimension initiative, the EU and NATO accessions of Estonia, Latvia, Lithuania and Poland changed the character of Baltic Sea cooperation.¹⁰ This change did, however, not lead to a diminished interest in regional cooperation, which has continued to be intense. Typically, the initiatives have not been designed to replace either the EU or NATO but rather have sought only to complement cooperation within these organisations.

Among the Nordic countries security and stability have remained important motives for cooperation of an inclusive and institutionalised form. Security became a wider concept, with the growth of common threats such as terrorism, climate change, environmental problems and cross-border crimes but also because of the realisation of the detrimental effects of wide economic disparities among countries. This forms the background of the EU Strategy for the Baltic Sea Region, which is the last example of cooperation brought up here.

⁹ Olav Fagelund Knudsen gives the example of the “second trilateral summit” between France, Germany and Russia in Moscow in March 1998, which had unfortunate implications for Poland and the Baltic states, which were not present: “In this case a Russian policy of intimidating Latvia was reinforced by EU, a policy even repeated by EU within a very short time span”. EU subsequently took a clearer stand, sharply criticising the Russian policy of informal sanctions towards Latvia. (Knudsen 1998: 33, including reference 68)

¹⁰ Estonia, Latvia and Lithuania joined both organisations in 2004, whereas Poland joined NATO in 1999 and the EU in 2004.

Case 3. The EU Strategy for the Baltic Sea Region

The EU Strategy for the Baltic Sea Region differs from the other initiatives discussed in this study in not formally including Russia. It is an internal EU strategy and although Russia is mentioned as potential collaborator – and actually already participates in one of the projects – it does not do so as a member. Still, like in all the other cases, Russia plays an important part in it.

The strategy has its origin in the European Parliament. In the light of the 2004 enlargement a group of MEP's, including representatives from all eight littoral EU member states and some others, formed an "Intergroup". Their aim was to examine and discuss the EU's policy towards the region. In 2005 some members led by then Estonian MEP, Toomas Hendrik Ilves, was tasked with drawing up a strategy with the purpose of changing the economic dislocation in the area. "An EU Strategy for the Baltic Sea Region" was presented to President Barroso in November 2005 and was followed up in 2006 with a report, authored by then Finnish MEP Alexander Stubb. (Beazley 2007) On 16 November 2006 the European Parliament agreed on a resolution for a "Baltic Sea Strategy for the Northern Dimension". The stated reason behind it was the lack of results of the work undertaken this far within regional cooperation in the north:

...“A. whereas the Northern Dimension forms a wide framework covering all the Northern Regions – the Baltic Sea and Barents Regions and the Arctic – and all areas, both external and internal,
B. whereas the Northern Dimension policy has the potential to help to promote regional and cross-border cooperation for further economic growth and to identify joint responses to common challenges, but has not to date been able to fully fulfil its potential to address the variety of issues pertinent to the region...” (European Parliament 2006)

The aim of the resolution was for the EU to “support the Northern Dimension policy by defining the Baltic Sea as one of the main priority areas, thereby promoting deeper regional integration in the region.” The resolution urged the Commission to come up with a proposal for an EU Strategy for Baltic Sea Region to “reinforce the internal pillar of the Northern Dimension, cover horizontally different aspects of regional cooperation, promote synergies and avoid overlapping between different regional bodies and organisations.” The Parliament also proposed a number of activities, a large number of them including the participation of Russia. (Ibid.) ¹¹

¹¹ The resolution was authored by Alexander Stubb, MEP, Christopher Beazley, MEP and Michael Gahler, MEP.

The process did not gain speed until, in December 2007, the European Council asked the Commission to develop an EU strategy for the Baltic Sea region with an emphasis on the environmental challenges related to the Baltic Sea. (European Council 2007: point 59) As part of the renewed activities, Sweden and Germany in cooperation actively pursued the work of developing the strategy. Together with the Commission (Commissioner Danuta Hübner) a number of conferences were arranged, starting in Stockholm in September 2008 and ending in Rostock in February 2009. (Malmström 2007; Malmström 2009)

The Commission in its report of 2009 repeated the European Parliament's criticism about the lack of previous progress:

...”even with good levels of international and inter-regional communication and cooperation, full advantage of the new opportunities that EU membership provides has not yet been taken and the challenges facing the region have not yet been adequately addressed”. (Commission, 2009a: 2)

While the Strategy for the Baltic Sea Region did not envisage additional funding, it meant a pooling of European and regional resources, including not only that of governments but also a range of other stakeholders. As expressed by the Commission, the background and the motive for the Baltic Sea Region Strategy was the combination of environmental degradation and the uneven economic development. These problems were regarded as of a type that could only be addressed jointly through cooperation and further integration within the region. In order to address them four key challenges were identified:

1. *To enable a sustainable environment.* The environment is at the core of the strategy. The Baltic Sea is polluted and also particularly vulnerable due to being shallow and having very narrow outlets. The aim is to become a model region for clean shipping.
2. *To enhance the region's prosperity.* Efforts concern removal of barriers to trade and increasing innovation. Full implementation of EU legislation, especially single market rules, is needed as is transfer of knowledge to help some countries catch up with others.
3. *To increase accessibility and attractiveness.* As a large region with difficult geography and climate, coupled to weak infrastructure, it requires transport improvements. Energy markets also lack appropriate infrastructure and need to be better interconnected in the region.
4. *To ensure safety and security in the region.* Two particular challenges are relevant in this context. One is the maritime traffic, and

in particular oil and liquefied gas shipping, and the other is the need to combat cross-border crime by cross-border cooperation. (Commission 2009a and Commission 2009b)

The Baltic Sea Region Strategy was supported by all EU members and, as the first example of “macro-regional cooperation within the EU”, was generally welcomed as a necessary comprehensive strategy of a region. It was accepted at the European Council meeting on 29-30 October 2009 in Brussels, at which, after adopting it, the European Council called upon “all relevant actors to act speedily and ensure full implementation of the Strategy”. (European Council 2009: points 35-36)¹²

A comparison between the BSRI, the Northern Dimension and the EU Strategy for the Baltic Sea Region shows that in one respect the three were very similar: they were all intended to bridge the differences between those who were living well and those who were not. The fact that the three Baltic countries and Poland are now members of the EU has not changed the economic dividing line through the Baltic Sea.

The EU Strategy for a Baltic Sea Region has a strong EU character, being initiated by the Parliament and supported by the Commission and the Council. With its innovative character it has also become a model for other geographical areas. The way in which the strategy was to be implemented also reflects the weaknesses of previous approaches: coordinated efforts were seen as necessary if the strategy was to have any chance of success. In this case it was also to be coordination across different subject areas in order to acquire the macroeconomic character that was believed to be vital. Furthermore, the strategy follows the pattern of having no budget line, thereby facilitating the chances of acceptance by others.

In spite of the EU-based origin, it is easy to identify the various interests and levels of involvement of EU member states. The Parliament’s resolution emanated from a group in which most of the members were from the Baltic Sea region. The initiator, Toomas Hendrik Ilves, today the President of Estonia, had and has strong feelings about this initiative based on the situation in Estonia and not least its relations with Russia. His statement in 2007 explains the background and also one of the

¹² A Danube Strategy will now follow. The Alpine and the Mediterranean areas have also been mentioned in this context

difficulties within the strategy:

“On the Council side, Sweden, which will chair the Presidency in 14 months, is gung ho. Yet this is not enough. We don't want a weakly and meekly funded programme, we want a full-borne EU strategy like the Northern Dimension, addressing *internal*, I stress *internal* EU issues, with the kind of funding we have ourselves paid for other areas, as we paid for Russia under the Northern Dimension as well as the Northern Coast of Africa....For that we Baltic littoral EU heads of government need to coordinate so we can at last have a serious programme for *our* sea, or as the Romans said, *Mare Nostrum*.” (Ilves 2007)

For Russia, the internal character of the Strategy has clearly been a concern and a reason for trying to connect it to a forum (i.e. the CBSS) where Russia participates on the same terms as others. Foreign Minister Lavrov at the CBSS meeting in Elsinore, Denmark, in June 2009 referred to the need for a new model for combining the efforts of the regional organisations in Northern Europe: He thereafter stated that

...”it is obvious that a serious dialogue is also ahead on how the future Baltic Strategy of the European Union, if adopted, can be adapted to the vital needs of the CBSS.” (Lavrov 2009)

For others the crucial issue is different – how to bring Russia within the framework of a Strategy that is formally an internal policy in a substantive way. Formally this can only be done through the Northern Dimension. The two political leaders of Germany and Sweden, Angela Merkel and Fredrik Reinfeldt, in a joint article brought up the examples of the ongoing water purification projects in the Kaliningrad and St Petersburg areas, which need to continue. (Merkel and Reinfeldt 2009). It has also been claimed that the number of projects dealing with Russia need to be extended. Rikard Bengtsson has argued that most of the projects that are part of the strategy are of a transboundary nature and that therefore Russian participation must be high in order to ensure success. (Bengtsson 2009) Asked by the Swedish Parliamentary Committee on EU Affairs about the Russian participation in the Strategy, Cecilia Malmström, then Minister for EU Affairs, explained that Russia would be participating in some projects in the health sector, Russian participation within the Strategy was seen as crucial - not least in environmental matters – and it was, Malmström reported, being kept informed of discussions. (EU-nämndens protokoll 2009: 1)

The Commission and the Council also wish to see this development. The European Commission has declared that it foresees close cooperation with Russia as well as with Norway and Belarus. The Council conclusions of October 2009 in the same way

spoke about ...”ACKNOWLEDGING the internal EU scope of the Strategy and NOTING that constructive cooperation with interested non-EU countries is most welcome and that such cooperation could contribute to the attainment of the Strategy. REITERATING that this cooperation could be pursued, notably but not exclusively, in the context of the Northern Dimension which provides a functioning format for an enhanced cooperation in the region.” (Council, GAERC, 2009)

In addition to the complexities created by relations with Russia, the Strategy is dependent on continuously strong support from the member states in order not to fade away. The European Commission and the Council may plead with the member states to put the emphasis on comprehensive solutions as well as to initiate projects that extend to non-EU states but they are unable to do more. The future success for the Strategy will depend on the implementation stage. As commentators inside and outside the Commission have pointed out, the Strategy needs to be continuously supported on the highest political level. The lack of success in previous work done is because the signals have not been given from the Prime Minister level. (Lindholm 2009) In this way the third case points again to the strong influence of the member states on the way an EU initiative may develop and whether it will succeed.

Conclusions

The main question of the MERCURY project is whether the EU has pursued the effective multilateral policy to which it has committed itself. In the context of cooperation in the Baltic region, the EU has been engaged in several ways, among which three examples only have been given here. Essential issues in this respect have been the institutional basis for the EU to pursue policies, the roles of the member countries and the interactions between the two.

The Weak Institutional Impact

As described in the *first case* of this paper, the *Baltic Sea Region Initiative (BSRI)*, when the European Commission in 1992 accepted membership of the Council of the Baltic Sea States (CBSS), there was no treaty basis for it. Rather, such a role might have been expected of the EC itself. This had an impact on the Commission's behaviour, leading it to act carefully and only within the areas in which it had legal competence to act. In addition, the Commission invariably had a weaker role than member states by not being able to hold the CBSS Presidency. While there are no sources indicating why this admission was accepted, nothing in the Commission's

later policies indicated that it sought a more powerful role for itself or the EU. Actually, representatives of the Commission have declared the opposite, emphasising the role of the states in the region. While the EU on several occasions showed its strong interest for a positive development in the Baltic Sea area within the Baltic Sea Region Initiative (BSRI), the efforts have not been to increase its own power as actor in the region but to strengthen cooperation.

The *Northern Dimension* initiative, described in the *second case*, was an EU policy and thereby gave the EU a stronger role than previously (however still with the Commission as member of the CBSS). The basis for action was considerably wider than previously in that the Northern Dimension included all the activities of the region related to the EU and thus all the three pillars introduced by the Maastricht Treaty, among which pillar II, the Common Foreign and Security Policy (CFSP), was the great novelty. It is, however, not possible to see the wider treaty basis as giving better possibilities for cooperation. In spite of the EU's good intentions the heterogeneity of the region (especially concerning Russia), as well as that of the EU itself, made the basis for an effective multilateralism weak.

The restructuring of the Northern Dimension, starting in 2003, after demands by Russia, gave it an entirely different character, no longer being an EU external policy but instead as cooperation among the EU and Russia, Iceland and Norway, all having equal status. The EU was no longer in control of the Northern Dimension, the price it had to pay for continued Russian participation, i.e. for the continued existence of the Northern Dimension.

The *third case*, the *EU Strategy for the Baltic Sea Region*, being an internal EU policy, stands in marked contrast to the Northern Dimension. Due to this character, the EU does not need to involve Russia in decision-making. However, since Russia is a littoral state of the Baltic Sea, it is affected by this strategy and can itself affect the results of work within it. Cooperation with Russia is desirable or, in some cases, even necessary in order to reach the objectives of the Strategy. Therefore, the differences in interpretation among EU states as to how and to which degree to involve Russia remains crucial for its success. Furthermore, in spite of the fact that this is an EU strategy, its character is such that it is highly dependent on the support and active coordination of the states to implement the agenda.

The Baltic Sea Region States – The Main Actors

The positions taken by the states of the region are vital in any assessment of the role of the EU. Given especially the enlargement of 2004, the context of cooperation in the Baltic has changed radically. The initiatives and activities of older and newer member states, as well as those still outside the EU, inevitably affect the work pursued by the EU. The participating states are also affected by achievements and lack of achievements as well as the processes by which developments have taken place and by the institutional structures.

National input was critical for the development of institutional participation. The European Commission became involved in the Baltic Sea region because of an initiative taken by Denmark. The national input was considerable also in continued development of cooperation. Denmark, Finland and Sweden were the most active countries, as littoral states having a stake in the development of the region. Germany, while supporting the Danes in bringing in the European Commission into the region, thereafter took a less prominent role. This can be explained by other more acute issues that Germany faced at this time and also because Germans did not wish to be seen as having strong interests in the area, especially as regards Kaliningrad, whose future was highly sensitive for Russia. Among the non-EU states the role of Russia was crucial. The country was seen as interested in the financial issues but lacking a real interest for increased integration and coordination in the region. The three Baltic countries, had more limited resources and were therefore less active but generally positive.¹³ For Norway and Iceland it was mostly a matter of being represented, having their primary interests elsewhere, whereas for Poland, the case was most probably that it had other more urgent concerns related to its eastern neighbourhood.

While the Danish, Finnish and Swedish governments tended to compete for a leadership role, there was above all a common view on the need for inclusive cooperation around the Baltic Sea, including the presence of the EU in order to keep the region stable. Their active policies also had high support among the populations, including the Baltic diaspora, among which many were well educated and resourceful and took up positions of authority in their home countries.

Cooperation in the Baltic forms a pattern made up of the *purposes* of cooperation,

¹³ Initially, however, many in Estonia, Latvia and Lithuania were suspicious towards regional cooperation proposals, believing that they might be intended as alternatives to membership. Lennart Meri, President of Estonia, 1992 - 2001, successfully argued for endorsement of them. (Olljum 2010)

the *issues* of cooperation and the *forms* of cooperation. These three elements together explain why cooperation took the form that it did from the part of the Nordic countries.

The purposes: For the Nordic countries the involvement of the EU was important in order to ensure that the rest of Europe shared in the responsibility for the security of northeastern Europe and participated in the region's positive development. An important goal was to make others perceive the Baltic Sea region as an area whose problems were important for them all and could not be handled by the north alone. While Nordic countries did not see the complicated web of security affiliations in the north as in itself a cause for concern, they feared that others in Europe would share the view expressed by Ronald Asmus and Robert Nurick in their widely spread and discussed *Survival* article, suggesting that the Nordic countries on their own should take care of problems of the north, including Russia. (Asmus and Nurick 1996). The bilateral and multilateral policies that the Nordics themselves pursued *vis-à-vis* their Baltic Sea neighbours thus needed the additional strength of the EU. This was particularly the case in relations with Russia, which have been the most complex ones within all the initiatives. While Russia in some areas is economically weak and in need of help, within others, such as energy resources and the military sphere, it is a major power, which makes cooperation between the Nordic-Baltic states and Russia uneven in strength.

Issues: To a very high degree the favoured issues of cooperation have been the same throughout the period: the environment, energy, the economy, countering international crime, etc. They have been the main elements in all the three cases of cooperation dealt with here. Beneath such concerns, important as they are in themselves, has been the general concern about stability in the region. These were furthermore the type of issues which suited the multilateral type of cooperation well.

The *form*, multilateral cooperation, was the natural consequence of the reason for the engagement of the EU in the area: multilateralism was perceived as the most useful form for pursuing a policy of stability as well as for meeting common threats among countries. This kind of policy in which all are included served the individual and joint needs of the Nordic-Baltic countries as initiators of this policy well. The difference between the periods before and after the enlargement of 2004 is that the borders in the first period were both political and economic, whereas later, with the exception of Russia, only the economic border remained.

The EU and Multilateralism Revisited

The EU has lent strong support to Nordic proposals to extend multilateralism. There are several explanations for this. First, as regards the *purposes and issues* of cooperation, the idea of stabilisation of the region via selected areas for cooperation was perceived by the EU and its member states as much needed at this time. Secondly, the northern countries had something to offer the EU, such as their knowledge of the area. One example of this was the way in which the Finnish proposal for the Northern Dimension brought Russia into a cooperative framework at a time when Russian membership was seen as very beneficial by the EU. Thirdly, the Commission could see itself as contributing to this cooperation through a coordinating role. Coordination was difficult within such a multifaceted cooperation and could be improved by including a member without any national agenda. In addition, the *form of cooperation* – that is, multilateralism - was natural for the EU. The organisation could see that much work in the region was on bilateral country-to-country basis since this was the typical form of cooperation between a Nordic country and each of the Baltic ones. The need for coordination was therefore obvious.

Looking again at the chosen definition of multilateralism, it is obvious that the Baltic Sea cooperation is not a flawless example of it.¹⁴ First, all the chosen cases deviate from the clearest examples of an EU external policy. Furthermore, all do not involve the EU as such even if the Commission is present.

There also have emerged weaknesses in this cooperation. The institutions remain weak in terms of binding decisions, even though it must be recognized that no other possibility existed for cooperation in this heterogeneous area. There have, in addition, also been certain bilateral elements in cooperation. Bilateralism has in particular concerned Russia and this country has constituted a special case in almost all forms and cases of cooperation. Being the most important country, it has also been the most problematic to include in multilateral cooperation.

This enumeration of deficiencies should, however, not obscure the degree to which the EU has promoted and participated in multilateralism in the Nordic region. In a broad sense the three cases are all examples of multilateralism according to the

¹⁴ "Multilateralism is three or more actors engaging in voluntary and (essentially) institutionalized international cooperation governed by norms and principles, with rules that apply (by and large) equally to all states." (Bouchard and Peterson 2010: 10)

definition of this project. The EU activities within the Baltic Sea region cooperation were of an institution-building character, in which the norms and principles were essentially the same for all and with the EU serving as an essential facilitator. In all the cases described the EU has consistently argued and worked for cooperation in a multilateral form. In spite of impediments related to both the external institutional heterogeneity of the Baltic Sea region and the internal heterogeneity of the EU, it must be concluded that – at least to the best of its ability - the EU has pursued a multilateral form of policy towards the Baltic Sea region. It has made a positive contribution to the vast number of cooperation institutions and projects in the region, which previously had often been dismissed as unstructured and “messy”.

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