

CFSP WATCH 2005 – Portugal – by Pedro Courela¹

1. What are the priorities for your government in CFSP in 2005? What are the key issues for your country in 2005 (especially with regard to the negative referenda on the Constitutional Treaty in France and the Netherlands; after the recent EU enlargement and on behalf of the perspective of the upcoming accession round(s))?

Following the dissolution of Parliament in November 2004 and the holding of parliamentary elections in February 2005, the Portuguese government has changed from the Social Democratic Party (PSD)-led centre-right coalition to the Socialist Party (PS), which won the aforementioned elections with an absolute majority (by far its best showing since the first democratic elections in 1975). The outcome of the elections provided the country with the prospect of political stability, absent since José Manuel Durão Barroso gave up the Premiership to accept the post of President of the European Commission.

The two mainstream parties – PS and PSD – account for almost two-thirds of the electorate and have traditionally held very similar positions on broad foreign policy and European integration issues. The war on Iraq was the recent exception to the rule, when the Socialists then in the opposition openly criticised the government's decision to support the US-led coalition and the subsequent decision to deploy a military police unit as a contribution to stabilisation efforts in Iraq. On European integration, the two parties are clear supporters of both the progressive framing of a European foreign policy and of the European Constitution.

The political crisis triggered by the rejection of the European Constitution in the French and Dutch referenda has caught by surprise the government only a few weeks after it came into office. There had been a wide consensus reached in the previous legislature on the holding of a referendum, the first one on European affairs. In its programme, the government made public its decision to hold the referendum simultaneously with the local elections already scheduled for the Autumn of 2005. The referendum was described by government and opposition parties alike as an excellent opportunity for a wide and open discussion on European integration, thus contributing to the reinforcement of democratic legitimacy of the whole project.

The first governmental reactions to the French and then the Dutch referenda was to assure both Portuguese public opinion and EU partners that Portugal would go along with its plans to submit the Constitutional Treaty to a popular vote. The day after the French referendum, the Minister for Foreign Affairs Diogo Freitas do Amaral announced that Portugal would press ahead with its original plan, except if “extreme extraordinary circumstances” would force it to change its route. The main rationale was that the Portuguese people should not be left outside this European-wide debate and that the best way to express their views would be through the referendum. Cancelling or postponing the latter would mean denying the people their right to put forward their opinion on those issues which have dominated the debate in the countries that already had their referenda. The same view had been expressed by the President of the Republic Jorge Sampaio weeks before the French referendum, when he stated that Portugal “should follow its own

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path”, regardless of the choices made in other EU Member States. Not holding the referendum would in practice result in aligning with those that do not want the Constitution or simply those who are against deepening of the European integration process.

It was only in the eve of the European Council in Brussels on 16 June, after the Dutch referendum and the decision by other Member States, notably Britain, to postpone their own public consultations, that the government admitted that it could put the referendum on hold, depending on the reigning mood and the decisions to be taken in Brussels. A final decision on the ratification process should, in any case, be taken by all 25 Heads of State and Government and not in a unilateral manner. The “time for reflection” approach gradually gained ground in the government and even the President of the Republic, earlier the staunchest supporter of the continuation of the referendum process admitted, days before the European Council, that Europe had entered a serious crisis and the timing of the Portuguese referendum was not the best one.

The decision to postpone the Portuguese referendum was, therefore, announced in the multilateral context of the European Council together with similar decisions taken by the governments of Denmark, Ireland and the Czech Republic. Since then, the ‘Constitutional crisis debate’ has virtually eclipsed from the political agenda. The Secretary of State for European Affairs has recently declared that the government would not support a “cherry-picking” solution for solving the current crisis (i.e. applying provisionally only some sections of the Constitution), as it would probably break the Constitution into pieces and alienate the electorate even more.

The government will likely bring back the issue to the agenda only when the momentum is regained at the European level. Till then, a pro-active attitude is not to be expected.

Public discussion on the future of the European Constitution has also waned significantly after the negative referenda in France and the Netherlands. Opponents of the legal text have seized the opportunity to declare the death of the Constitution and the need for the EU to be more modest about its ambitions. For them, the referenda have shown that the European public rejects the federalist drive that the Constitution represented and hence European leaders should seek solutions of a more intergovernmental nature, making good use of the provisions included in the existing treaties.

Political commentators and academics who favoured the Constitution are quite pessimistic about the possible outcomes for the current crisis. Some believe that Dutch and especially French voters have rejected the Constitutional Treaty for what they consider to be essentially domestic reasons and a conjunction of fears. The scapegoat of those different motivations was the European Constitution. For others, the double rejection represents a deep dissatisfaction with the orientation of European policies, which do not seem to provide satisfactory answers to the challenges of globalisation. In this sense, a significant share of those who voted ‘no’ in France did not reject the deepening of European integration (which basically corresponds to parts I and II of the Constitution), but rather the content of existing policies. A minority has taken a more optimistic stance. For this line of reasoning, the positive aspect of the crisis is that it may have created the conditions for a real debate on the future of the EU, not just on institutional and legitimacy issues, but mainly on the content of existing policies.

Other European issues have dominated the political agenda, namely the negotiation of the 2007-2013 financial perspectives and the revision of the Lisbon Agenda.

The government's programme (March 2005) presented the final negotiation of the financial perspectives as the top priority for the coming months. As a net recipient of the cohesion funds, Portugal's negotiation strategy has from the beginning been one of avoiding that the recent round of enlargement (as well as future ones) would cause a dramatic fall of the financial benefits the country has been receiving in the past decades, as would be the case if the proposal by the EU's richest Member States for a ceiling of 1% of the Union's GDP would certainly imply. This approach, which basically follows the orientation defined by the previous government has widespread support with the opposition parties. The failure to reach a last-minute compromise during the Luxembourg Presidency was cause for some frustration. In the words of the Secretary of State for European Affairs, uncertainty on when a deal can be reached may lead to a loss of faith in the European Union, at a time when many are already questioning the very foundations of the whole project. The priority then is to reach an agreement still during the British Presidency, even if there is not much room for departing from the June proposal, which implied a decrease of about 15% in relation to the 2000-2006 period, something the government could accept.

As for the Lisbon Agenda, its revival at the European level is also presented as an important boost to the government's domestic programme of modernisation of the Portuguese economy. The whole philosophy of the Lisbon Agenda (launched in 2000 by the previous Socialist government of which Prime Minister Sócrates was also a member) meets the concerns of the current government of balancing measures for increasing the competitiveness of Europe's economy with other measures aimed at reducing unemployment, protecting the environment and the promotion of social cohesion among Member States. Therefore, the government was very keen in promoting the "Revision of the Lisbon Strategy" approved by the European Council in March 2005 and is a staunch supporter of the increase of EU funding for Lisbon agenda-related project, provided it does not result in a decrease in cohesion funds.

Finally, in what concerns the controversies surrounding the starting of accession negotiations with Turkey, Portugal's official position has for some time been one of support for Ankara's ambitions. Integration of Turkey is considered by the government as an important sign that the EU is not an "exclusive club", on the contrary, it has the capacity to absorb cultural and religious diversity. Furthermore, Turkey's geographic location should likely result in added clout to the Union's role in international affairs. There is no significant opposition to Turkey's EU membership either among political parties or with commentators/academics.

2. Does your country adopt a more pessimistic or optimistic stance regarding the ratification crisis of the Constitutional Treaty? How might the rejection of the Constitutional Treaty in France and the Netherlands influence the ratification debate in your country and also have an impact on the outcome of the referendum?

Priorities in relation to CFSP have not had any significant changes in 2005. As stated above, there is a general consensus among the two mainstream political parties – PSD and PS – in relation to foreign policy choices. As with the previous executive, the current Socialist government favours the gradual development of European capacity to intervene

in the international scene, provided that such a process does not weaken the transatlantic link, deemed to be the crucial factor of stability in the shaping of the international order. This view is by and large shared by military circles and the vast majority of foreign policy observers.

The traditional 'atlanticist stance' is probably nuanced in the aftermath of the war on Iraq. At the time, both the Prime Minister and especially the Minister for Foreign Affairs Freitas do Amaral opposed the invasion of Iraq and Portugal's (symbolic) support for the coalition and regretted the lack of European consensus on the issue. Since coming into office, however, the government has made various efforts to prove its commitment to maintain good relations with the United States, regardless of who is in charge of the administration.

Besides European defence and transatlantic relations, the other priority of Portuguese foreign policy, as stated in the programme of the current government, is the maintenance of close links with the former colonies in Africa. Portugal has defence cooperation agreements with those countries and has recently been involved in the resolution of their internal conflicts, most notably in Guinea-Bissau. Since it joined the EC in 1986, Portuguese diplomacy has attempted to raise the profile of Lusophone African countries in European foreign policy. More recently, Portugal has also supported the ESDP engagements in Africa, not the least because the intervention of peacekeeping or stabilisation forces (be it civilian or military) in one of the former colonies is a scenario that should not be ruled out. Experienced gained in Technical Military Cooperation with Portuguese-speaking African countries is presented by official sources as one of the most valuable contributions Portugal may give to ESDP missions, either in preventive or in post-conflict scenarios. Portugal has also been the strongest advocate of holding a new EU-Africa Summit, which has been planned but postponed several times.

Portugal has maintained its participation in major developments in the field of CFSP/ESDP in 2005. Apart from the anti-European extreme-left parties, participation in CFSP/ESDP initiatives has the clear support of the remaining political parties. According to Eurobarometer, public opinion is also very supportive of the Union's external action: 62% favour a common foreign policy, while 71% support a common security and defence policy among European Union Member states.

3. National Perceptions and Positions with regard to CFSP/ESDP Issues in 2005

Official positions tend to see ESDP more than CFSP as a success story. The successful launching and implementation of the first civilian and military missions over the past two years, as well as the decisions to set-up at the EU level an Armaments Agency and a Military Staff with strategic planning capacity are clear signs that European defence is certainly more than intentions laid out in the Treaties or the Conclusions of successive European Council meetings. In other words, to the extent that ESDP has been able to 'deliver' operational results it can be considered a success.

Other observers and commentators, while recognising the achievements of recent years, offer a more mitigated view, underlying the absence of the European Union in the major international crises (the most notable one being of course the war on Iraq) and the difficulties in forging a coherent foreign policy. For some, the various ESDP missions undertaken so far do not correspond to a clear strategic thinking (except the stabilisation of

the continent through the various missions in the Balkans). Most agree that CFSP does not seem to have the necessary tools to deal with very public disagreements between Member States on major issues. The recent enlargement may heighten this problem, namely when dealing with Turkey and Ukraine. However, the Union must match its ambitions with real capacities to act globally or it will gradually become irrelevant as an international actor.

The European Security Strategic (ESS) is regarded by officials as the main reference for the Union's external action, as well as a symbolic document in the sense that it clearly states the EU's intention to take responsibility for the shaping of international security. The ESS outlines strategic objectives and presents the basic principles of the EU's involvement in international affairs. The ESS has also been quoted by non-official sources as the most complete document so far that the Union has produced in terms of defining a common vision of threats and of the possible scenarios for EU civilian or military intervention. Critics have pointed out the fact that the ESS has little added value in relation to the content of previous documents (including the treaties and European Council Conclusions). Furthermore, it blurs internal and external security concerns along the same lines one can find in the United States Security Strategy. Even if this *mélange* is quite common in most security thinking today, it raises some doubts on the suitability of ESDP tools to deal with threats such as terrorism and organised crime.

The non-ratification of the Constitutional Treaty puts on hold some important reforms – above all the structured cooperations, the solidarity and common defence clauses and the extension of the Petersber tasks – but it does not represent a death sentence for CFSP/ESDP. Commentators mention the fact that developments in the field of ESDP in recent years did not require major legal reforms and most of the measures aimed at making the EU more operational have been approved and their implementation is underway. Politically, however, the rejection of the Constitution and the crisis that followed may lead to a more cautious approach to new initiatives in an area as sensitive as foreign and defence policy.

The recent wave of enlargement may prove to run against Portuguese priorities in European foreign policy, as it is widely seen as a push towards the East, with most newcomers “lobbying” for a more active EU “Eastern policy”. This drive may result in the sidestepping (or at least in the decrease in importance) of the geographic areas where Portugal would like CFSP/ESDP to be more involved, namely Sub-Saharan Africa and the Southern Mediterranean. There is, however, the understanding from the part of the government that a balance must be struck between East and South in the Union's foreign policy priorities. This justifies the fact that Portugal has been supportive of the various ESDP missions launched so far and described those as crucial steps for the EU's role in international affairs.

As for the creation of the Battle Groups (BG), there seems to be a widespread perception in both political and military elites that the former will be the basis for any *avant-garde* arrangement in the field of ESDP. In that sense, and to counter any trends towards “exclusive groups” or the re-nationalisation of European defence, Portugal is very keen to be strongly involved in this process from the beginning. BG seem also to be particularly useful for potential missions in Sub-Saharan Africa, which, as stated above, is one of the locations favoured by Portugal for future ESDP military missions. There is also in military circles the notion that for Portugal a symbolic contribution to the BG will not be enough to

ensure the country's commitment to ESDP. However, for the time being, Portugal has not yet proposed any national BG. It contributes to the Spanish-Italian amphibious battle group and has been contemplating the creation of a Luso-Spanish land-forces battle group, an idea strongly favoured by top military officials.

4. The Constitutional Treaty and its future – National perceptions concerning a 'plan B'

After the rejection of the Constitutional Treaty in France and the Netherlands (as well as the popular approval in Luxembourg), official reactions to the uncertainties in which the EU currently finds itself have been sparse and vague.

The number one priority for the Portuguese government in relation to the present stalemate is not CFSP/ESDP but rather the approval of the financial perspectives 2007-2013. As for the former, there is a conviction that most of the measures already underway – Battle Groups, the Armaments Agency – will continue their course, especially because EU leaders will want to show the public that the EU is still capable of functioning even if the Constitution is (at least temporarily) abandoned. Therefore, views on most CFSP/ESDP related subjects remain those presented during and after the negotiations of the European Constitution. As stated above, the government has signalled its opposition to a pick-and-choose approach to the Constitution and may therefore reject attempts to implement certain measures of the text in detriment of others. It will also certainly oppose any moves to develop enhanced cooperation schemes (especially in the defence field) **outside** the EU framework.

External Representation

Portugal supported the creation of a Foreign Minister for the EU, as long as the latter was also be a member of the European Commission (double-hatting). The support for double-hatting has mainly to do with the need to guarantee the involvement of the Commission in the conduct of the Union's foreign policy. Since the government always opposed any changes to the current system of rotating presidencies and the establishment of the President of the European Council, it is no surprise that its preference was to keep the Presidency's role in external relations. Given its positions during the negotiating phase, it is unlikely that the government will press for any interim solution to the external representation of the Union.

Finally, the transformation of the current EC delegations in third countries into "EU Embassies", as a factor strengthening the EU's presence in the world, was backed by the government and hence it should support practical measures to implement a revamped external service without the need for treaty reform.

Decision-making and structured co-operation

At the IGC, Portuguese negotiators did not support the proposed changes to the decision-making rules of CFSP and therefore are not particularly worried with the prospect of sticking to the Nice provisions.

As for structured cooperation, Portuguese political parties and diplomats were never strong enthusiasts of enhanced co-operation and in the past have seen it as an attempt by larger Member States to decide not only on the direction of policies but also on who is allowed to participate in more advanced stages of integration. Successive Treaty reforms

have ensured that enhanced co-operation (within the treaties framework) must obey to certain rules, but it is still a matter seen with a considerable degree of caution. Therefore, the Portuguese position has been to guarantee that it is in conditions to participate in relevant schemes of enhanced cooperation. The same rule applies to the defence field. However, as with other areas, it is not likely that the government would support the early entry into force of structured cooperation provisions.

Crisis management

The Portuguese government favoured the extension of the so-called Petersberg tasks to also include disarmament operations, military advice and post-conflict stabilisation. The use of military tasks is seen as necessary to guarantee the effectiveness of certain crisis management operations and should, to the extent possible, be complemented by civilian means. As stated above, the government, as well as military officials, see Sub-Saharan Africa as a privileged region for ESDP crisis management and one where Portugal could play an important role.

Defence issues

On defence issues, the general position of the Portuguese government remains that any unnecessary duplication of NATO should be avoided and synergies between the two organisations should be sought as a matter of principle. The explicit reference to NATO in the final text of the Constitutional Treaty corresponds to the minimum guarantee the government seek during negotiations. Since the compatibility between ESDP and NATO obligations was enshrined, the inclusion in the Constitution 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 (as NATO is perceived as the main guarantor of European security) but the government did not oppose it. The same applies to the civil-military planning cell and the headquarters.

5. Mapping of Activities in CFSP-related Research

Major experts, universities and research institutions working in the CFSP field

- Instituto de Estudos Estratégicos e Internacionais (IEEI), Lisbon (Álvaro de Vasconcelos, Maria do Rosário Moraes Vaz, Pedro Courela)
- Observatório de Relações Exteriores, Universidade Autónoma de Lisboa (Luís Moita, Luís Leitão Tomé)
- Faculdade de Ciências Sociais e Humanas, Universidade Nova de Lisboa (Nuno Severiano Teixeira, José Esteves Pereira, Teresa Botelho)
- Departamento de Ciência Política e Relações Internacionais, Universidade do Minho (Ana Paula Brandão)
- Faculdade de Economia, Universidade de Coimbra (Augusto Rogério Leitão)
- Instituto Superior de Ciências Sociais e Políticas (Maria João Militão Ferreira)

6. Main bibliographical sources

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- Speech by the Minister for Foreign Affairs at the Parliamentary Commission for European Affairs, 21 March 2005
- Speech by the Minister of Defence at the International Seminar on European Defence, Lisbon, 6 April 2005
- Speech by the Secretary of State at Europe's Day Conference, Lisbon, 9 May 2005
- Declaration of the Minister for Foreign Affairs on the result of the French referendum, Lisbon, 29 May 2005
- *Portugal e a PESD no quadro do Tratado Constitucional*, Round Table report, Eurodefence-Portugal, Lisbon, June 2005
- Speech by the Secretary of State for European Affairs at the Seminar for Spanish Diplomats posted in Europe, Madrid, 6 September 2005
- Eurobarometer 63, European Commission, Brussels, July 2005
- Vasconcelos, Álvaro, "Resposta à Crise Europeia" in *Jornal de Notícias*, 13 June 2005

Research for the drafting of the report also included several articles from leading newspapers *Público* and *Diário de Notícias*, as well as interviews with diplomats and military officials.