THE EU, JAPAN AND SOUTH KOREA: Mutual Recognition between Different Partners

By Pierre Minard

18 September 2014

Abstract

Over the past ten years, the European Union has started to negotiate and sign Framework Participation Agreement (FPA) with third states, in order to have them participate in the various CSDP missions. The EU has recently signed an FPA with South Korea and has approached Japan to negotiate one, going beyond its usual area of cooperation and engaging partners with which it has very little experience. Yet, the rationale underlying this trend has to be figured out. It appears that what prevails is rather the symbolic value of recognising and being recognised as a relevant international security actor, both for the EU and its Asian partners. It does matter that the EU set a foot on the security map in East Asia, while it is equally important for Japan and South Korea to appear as key security players through partnerships.

Résumé

L’UE, le Japon et la Corée du Sud : une reconnaissance mutuelle entre partenaires différents

Depuis dix ans, l’Union européenne a entrepris de négocier et de signer des Accords-Cadres de Participation (ACP) avec des États tiers, dans le but de permettre à ces derniers de participer aux missions de PSDK. L’UE a récemment signé un tel ACP avec la Corée du Sud et a approché le Japon pour en négocier un autre, allant au-delà de sa zone habituelle de coopération et se rapprochant de partenaires avec qui elle n’a que peu d’expérience. Pourtant, la logique qui sous-tend cette tendance reste à mettre en lumière. Il semble qu’il s’agisse davantage de mettre en exergue la valeur symbolique de la reconnaissance mutuelle en tant qu’acteur sécuritaire international pertinent, à la fois pour l’UE et pour ses partenaires asiatiques. Il est en effet important pour l’UE de parvenir à prendre part aux questions de sécurité en Asie de l’Est, tout comme il est déterminant pour le Japon et la Corée du Sud d’avoir un profil d’acteurs-clés à travers un tel partenariat.
Introduction

Over the past years, the High Representative Catherine Ashton has been leading negotiations with several third states in order to sign Framework Participation Agreements (FPAs). The FPAs are meant to provide the legal basis that sets the conditions of engagement of third states in CSDP missions alongside EU members’ personnel. In other words, signing an FPA lays down the rules governing any third state’s participation to EU-led crisis management missions, so that the procedures regarding the financing, the deployment or the chain of command can be determined and integrated in the decision-making process.

Despite the numerous negotiations that took or are still taking place, very little publicity has been made for the Framework Participation Agreements so far, especially by the academic community. The procedure itself does not differ from the signing of any other international agreement between the EU and a third state, except that in this matter the European External Action Service is the one who leads the negotiations after receiving its mandate from the Council, who keeps the final word. As usual when it comes to defence matters, the European Parliament is left out of the final decision and the EU Court has nothing to say. The length of the negotiations also depends on the signing process inside the third state itself.

Since Norway signed the very first agreement of the kind ten years ago, it is now time for another grand premiere: the entry into force of a Framework Participation Agreement signed with an East-Asian country, namely the Republic of Korea. Similarly, it has been announced earlier this year that Japan would also be interested in improving its collaboration with the European Union regarding international security, but without explicitly mentioning an FPA.

Until now, the EU has been conspicuously absent from the Asian security sphere, except for one small-scale CSDP mission in Aceh in 2005-2006. It is therefore interesting to investigate what rationale is guiding not just the Europeans, but their Northeast Asian counterparts as well, in negotiating such agreements. In that perspective, the present analysis note aims at understanding why the EU, South Korea and Japan would go out of their respective geographic comfort zone.

2. Interview with a diplomat from the Mission of Japan to the EU, Brussels, August 26th 2014.
1. The EU and FPAs: putting international recognition first

1.1. Questioning the strategic relevance of FPAs

The intense negotiations that are ongoing with third states on this issue do show that the EU is eager to sign Framework Participation Agreements and expand its list of (potential) “CSDP partners”. Importantly enough, in almost all of its CSDP missions, the EU has benefited from the deployment of military or civilian personnel from one or several associated third states. For example, in the case of EULEX Kosovo, about 80 US judges and police officers were deployed upon invitation of the Europeans. More recently, the participation of Georgian forces proved decisive in the setup of the European operation in the Central African Republic. Without them, the launch of EUFOR RCA would have been even more complicated.

In concrete terms, there are several benefits in having an extra participant on board, whether it is an actual member state or not. First of all, in times of budgetary constraints, cost-sharing is quite often a delicate and difficult task for political planners in Brussels. Countless examples can be used to illustrate this characteristic of CSDP missions, such as EUSEC and EUPOL DRC. Therefore, FPAs allow willing third states to take their share in the costs of the mission.

The second aspect is related to the availability of troops and hardware on the ground. Force generation has always been very challenging for the EU, quite often resulting in the launching of understaffed missions. Besides, this can also be a solution to the capabilities gap that the EU faces in specific areas. In that respect, the example of EUFOR Chad/RCA is quite enlightening, as Russia provided the airlift capacities — although outside of an FPA. Thus, it is clear that having a potential FPA with such a country would allow the EU to make up for its weaknesses by creating the legal framework of participation.

However, as Thierry Tardy rightly underlined, this supposedly tangible increase in the pool of available resources does not mean that the third countries will actually fill the gaps. Indeed, when one takes a look at their contributions, it is clear that they remain very limited in scope and quantity, if not negligible. Furthermore, contributions do not necessarily respond to a specific need in areas where the EU has limited capacities.

---

3. Countries which have already signed an FPA: Albania, Canada, Colombia, FYROM, Georgia, Iceland, Moldova, Montenegro, Norway, Serbia, Turkey, the US, Ukraine, Chile, New Zealand, and South Korea.


6. Ibid.

And finally, the most problematic point is related to the intricacies of the EU decision-making process, as well as the organisation of the chain of command, that can be a deterrent to any advanced cooperation in the same legal framework.\(^8\)

Concretely, military or civilian personnel supplied by a third state remain under the full command of their national hierarchy, but are simultaneously required to follow orders from the EU mission commander. Furthermore, the third state is also included in the Mission HQ through a special representative, but the final extent of its integration remains to be negotiated with the EU.\(^9\)

Those limits have to be taken into account when looking at the rationale lying behind the signing of FPAs, even more so when it comes to very different partners such as South Korea and Japan. Needless to say, they are countries with which the EU has very little experience in security – and reciprocally – and whose hypothetical involvement in an EU mission or operation would depend on their own strategic priorities. In that perspective, actual participation would be limited to areas of common interests, such as disaster relief or maritime security.\(^10\) Therefore the question is to know whether the EU would be ready to launch a CSDP mission in an area of interest for South Korea and Japan.

### 1.2. Towards international acceptance of the EU as a global actor

In fact, it now appears that the fundamental reasons which tend to explain why the EU is so prone to having third states signing FPAs are rather related to its own nature as an aspiring international security provider. Indeed, going back to basics, the multilateral tropism of the EU when it comes to crisis management is expressively mentioned in the Lisbon Treaty, under article 21 of the TEU. Therefore, the dynamics of FPAs follows this logic which has been at the core of the CSDP development since its early days and which is central to the whole problematic of the EU as a security provider.

Nevertheless, it would be too simplistic and somewhat teleological to put forward this explanation as such, without understanding what it actually implies. Indeed, the EU is still fighting for recognition as a valid and relevant global actor. Such ambitions are crystal-clear since the publication of the European Security Strategy by Javier Solana.\(^11\) Since then, the path has not been an easy one, with notably the rivalry with NATO, and the strong internal divisions between member states regarding the shape that ESDP/CSDP should take. As a consequence, the priority of the EU in playing the card of multilateralism is to put forward and seek this recognition. By signing a Framework Participation Agreement a third state quite explicitly recognises the EU as a viable partner in crisis management, and vice versa.

---

8. Ibid., p. 3-4.
9. See for example the [FPA with Norway](https://europa.eu) (public).
In the case of South Korea and Japan, another dimension is to be added. As it has already been stressed, these partners would be the first East-Asian countries to sign an FPA, meaning that by doing so they would recognise the EU as a relevant global power – though a particular one. In other words, the EU would increase its international security legitimacy in a region whose strategic importance is rising, and where challenges can be overlapping – in maritime security or non-proliferation of weapons of mass destruction for instance.

2. Potential partners: South Korea and Japan

2.1. South Korea

When Catherine Ashton travelled to Seoul in May 2014, she signed on behalf of the EU the first Framework Participation Agreement with an East-Asian country. With the ratification process between the two partners currently ongoing, this would also be the first time that a third state simultaneously signs a Free-Trade Agreement, a political framework agreement, and a security-focused FPA. In the words of Lady Ashton: “The success of our Strategic Partnership in recent years gives me particular pleasure because I have been [...] actively engaged in setting up the three main EU-Korea treaties that tie us together. [...] To be more effective in addressing the many challenges we face, we need to work with partners, we need to join forces”.

In fact, South Korea’s multilateral activism in security matters recently reached new heights, driven by the country’s particular security situation and its evolving strategic posture. Inter-Korea’s relations continue to stir concern not just in Seoul, but in the region as a whole. As a Korean diplomat underlines, “the Republic of Korea hopes to align with as many partners and allied nations as possible by joining international efforts, such as the FPA, to have more friends with us in times of crisis”. The Korean peninsula gained more importance with the American pivot towards Asia, as the nuclear threat and the destabilisation potential of the North-Korean regime are of crucial significance today.

The European Union therefore implements news means of cooperation in the field of security with a relatively similar partner, whose economic strength is its main asset. But South Korea is also more and more active when it comes to international security, participating in a NATO ISAF Provincial Reconstruction Team, countering piracy off the

coast of Somalia in the Combined Task Force 151, or sending blue helmets in South Sudan.\textsuperscript{16} However, it is not quite clear yet what a Korean participation in a CSDP mission would entail. Indeed, as has already been said, the main difficulty is to find a common interest in EU-led crisis management or capacity building operations.

In the case of South Korea, although nothing has been formally decided yet given the current status of the FPA, it seems that maritime security could be one key component of their partnership – in the Horn of Africa for instance.\textsuperscript{17}

Even though both partners do share some common interests, it seems that all in all South Korea is also driven by the same logic as the European Union: recognition. This is crucial for Seoul as the country aspires to take a more active role in international security and not only be considered as an economic power, stunningly similar to the EU.\textsuperscript{18} Both partners are indeed raising their security profile in order to be fully recognised as such by all players. One way to achieve this is to put the stress on multilateralism and to develop an inclusive and comprehensive network of partners and allies, so as to look both stronger and more legitimate to act.

2.2. Japan

Japan stands as our second example for a potential security-oriented partnership with the EU through the Framework Participation Agreement, and its case is quite different from South Korea. At first glance, both countries could be considered as having similar motives for negotiating and signing an FPA with the EU. However it appears that contrary to its neighbour, Japan seems to be much more reluctant to signing anything. The whole negotiation process looks stalled at the time of writing, although it does not prevent Japanese authorities from expressing their interest in such cooperation with the European Union.\textsuperscript{19} This trend took a new turn with the return to power of Prime Minister Shinzo Abe, putting forward a more voluntary approach to international security. Over the past two years, Japan and the EU have started to negotiate on Strategic Partnership and Free-Trade Agreements, thus following the same path as South Korea in tightening the bonds between already fruitful economic partners.

But whereas South Korea has chosen intense security collaboration with the EU by signing the FPA, Japan has not done so hitherto.

---

16. North Atlantic Treaty Organisation, “\textit{NATO cooperation with the Republic of Korea}”, April 22\textsuperscript{nd} 2013, consulted on August 20\textsuperscript{th} 2014.
17. Exchange of emails with a diplomat from the Mission of the Republic of Korea to the European Union, August 29\textsuperscript{th} 2014.
19. Simon, Luis, “\textit{Japan reaches out to the world: an opportunity for Europe?}”, European Geostrategy, December 18\textsuperscript{th} 2013.
Yet, one can easily draw some similarities with South Korea regarding several security interests. Japan is obviously concerned by the threatening situation of the Korean peninsula, and more generally by the question of proliferation of Weapons of Mass Destruction (WMD). The second security aspect which is of high importance for the Japanese as well as the Europeans is once again maritime security. In that perspective, it is no coincidence that Japan is also participating in international anti-piracy operations in the Gulf of Aden and off the coast of Somalia.\textsuperscript{20}

But Japanese are also to be distinguished from their Korean counterparts as they have already been extensively involved on the African continent for quite some time, and have gained experience in civilian crisis management. Regarding the EU’s own strong presence through missions and operations in Africa, this could be a good case of concrete CSDP partnership if an FPA finally were to be signed.

Another crucial aspect of this relationship is that Japan is historically limited in its use of force abroad. The Self-Defence Forces (SDF) cannot use force except if themselves directly threatened, which can be very problematic in any kind of crisis management operation.\textsuperscript{21} This post-Second World War characteristic of the Japanese military and international engagement made Norio Maruyama, Deputy-Chief of the Mission of Japan to the EU, say that “Japan goes by shoes rather than by boots”.\textsuperscript{22} In other words, in the case of a participation in a CSDP mission, it would be easier for Japan to participate in a civilian crisis management or capacity building mission rather than a combatting one, as they have an extensive experience in such matters.\textsuperscript{23}

However interested political staff in Japan may be in an FPA with the EU, the signing of any agreement of the kind remains conditioned by the results of Japan’s domestic debate over the role of the country as a security or military actor. Under PM Shinzo Abe, the current debate surrounding the interpretation and possible revision of Article 9 of the Constitution has gained momentum, while remaining highly sensitive. No discernible majority seems to have emerged in the Japanese population in favour of a drastic modification of Tokyo’s international identity and role. Still, the “reenergizing” effort of the Abe government, which resulted in, among other initiatives, the adoption of the country’s first National Security Strategy in December 2013\textsuperscript{24} will certainly open new opportunities to EU-Japan relations in the field of security.\textsuperscript{25}

Beyond that, it appears that Japan and the EU share an increasingly similar vision of security although their areas of cooperation are as limited as the ones with Korea. This has led some commentators to argue that both partners tend to lack a sense of purpose in their cooperation, thus showing that signing an FPA would only be for the

\textsuperscript{20} Ibid.
\textsuperscript{21} Ibid.
\textsuperscript{22} Quoted in Sandfuchs, Elisabeth, “EU-Japan cooperation at the nexus of security and development”, Konrad Adenauer Stiftung, Event Contribution, June 2013, p. 2.
\textsuperscript{23} Interview with a diplomat from the Mission of Japan to the EU, Brussels, August 26th 2014.
\textsuperscript{24} The Guardian, “Japan PM to overturn pacifist defence policy”, June 30th 2014.
sake of signing it and being recognised as a viable security actor. Similarly to the EU and South Korea, it is the case of Japan demonstrating its will to have a bigger share on the international security map in a very dense context: Asia is one of the most prevalent areas in the focus of global geopolitics, and the EU can be another useful partner in a multilateral perspective.

**Conclusion**

All in all, the comparative examples of South Korea and Japan in the negotiations and signing of an FPA with the European Union are quite enlightening when it comes to analysing the security ambitions of those actors on the global stage. Indeed they do have similar profiles, in the sense that they are first of all economic powers trying to develop their own security and defence assets through effective multilateralism. Putting the emphasis on a shared approach of the international system should not prevent one from acknowledging the lack of clear common interests to act together for those actors. Thus, while South Korea has been diligent on signing the FPA, Japan’s reluctance to do so is the echo of its own internal difficulties related to the constitutional debate. Besides, apart from maritime security and non-proliferation of WMD, there are very few areas in which South Korea and Japan could collaborate in the framework of CSDP.

In other words, the EU’s ambition to push for such FPAs can be perceived as a way to be present in a region that is increasingly tied to the Americans. Even though the EU is some kind of a stranger when it comes to security issues in this part of the globe, the same can be said for South Korea and Japan in Europe. Partnerships are not very well developed and Europe is doing its best to get closer to them. The challenge in fact remains the same for all three: being recognised as a global security actor of primary importance.

Because this is the real priority behind the Framework Participation Agreement: to be recognised and to recognise its partners as relevant security providers. This means that when it comes to supposedly technical and legal agreements such as FPAs, political and symbolical aspects should not be dismissed. On the contrary, they tend to be the main – even though overlooked – driver. In that perspective, it seems that the tendency to push for the signing of FPAs with other key strategic actors is likely to continue to be on the agenda of the next High Representative and its team.

\* \* \*

**The author**

Pierre Minard is associate researcher at GRIP. He graduated from Sciences Po Lille in 2013 and from the College of Europe (Bruges) in 2014. With PSDC as a main focus, his research works also encompass civilian crisis management, the reform of the security strategy, or EU lesson-learning processes.

---