



**GROUPEMENT D'ÉTUDES ET DE RECHERCHES
NOTRE EUROPE**

President: Jacques DELORS

**SAINT-MALO PLUS FIVE:
AN INTERIM ASSESSMENT OF ESDP**

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*Policy papers N°7
November 2003*

STUDY AVAILABLE IN ENGLISH
<http://www.notre-europe.asso.fr/Policy7-en.pdf>

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ABSTRACT

The European Security and Defence Policy (ESDP) process, launched five years ago at Saint-Malo, made significant steps forward in 2003 - despite the seriousness of EU divisions over Iraq. This progress will be accelerated as a result of the November 2003 agreement between France, the UK and Germany to harmonise their approaches to defence and security.

The present report offers an interim assessment of the challenges faced and the challenges met by ESDP since 1998. It focuses on four main questions:

- Conceptual/Doctrinal: what is the rationale behind the emergence of this unprecedented new EU policy area? What are its aims, purposes and missions?

- Existential: what is the collective entity involved in the ESDP and how does that entity relate to other proximate actors - neighbours, allies, international organizations?

- Institutional/Political: what is the optimum institutional framework which will allow the (enlarging) European Union and its member states to formulate, reach agreement on and implement a security and defence policy?

- Military/Strategic: what should be the optimum military capacity to be available to the EU in support of its ESDP, within what budgetary envelope?

INTRODUCTION

It is five years since the Franco-British summit in Saint-Malo which launched the European Security and Defence Policy (ESDP)¹. The agreement reached in Berlin on 28 November between Britain France and Germany to develop common proposals on defence is a fitting anniversary celebration for the Saint-Malo process. The present report offers an interim assessment of challenges posed and challenges met since December 1998, as well as a balance sheet of present ESDP achievements, and some prescriptions for the medium term. It will occasionally refer back to an earlier report, published in March 2002².

The period since Saint-Malo has been marked by a constant succession of major international developments, constituting a highly turbulent context within which the infant ESDP project has been obliged to emerge. Most of these developments tended to enhance divisions either between the EU and the US or among the EU member states – or both. The events were: the 1999 Kosovo crisis and NATO military operations in former Yugoslavia; growing tensions between the EU and the US over missile defence schemes; the election of President George W. Bush and the advent of a new, less “Euro-friendly” administration in Washington; the 11 September 2001 terrorist attacks on New York and Washington; the war in Afghanistan and the ensuing global “war on terrorism”; the massive increase in US military capacity outlined in the October 2001 *Quadrennial Defense Review* (QDR); the launch of the Euro; the US *National Security Strategy* with its emphasis on the new doctrine of *preemptive warfare*; the escalating crisis between Israel and the Palestinian Authority; a radical renewal of NATO’s membership, structures and remit; the international crisis over Iraq, leading to the 2003 war and US occupation, and the concomitant crises of United Nations legitimacy and European unity; the Convention on the Future of Europe and the Intergovernmental Conference on a European Constitution; nuclear alerts in North Korea and Iran; the launch of the first ever European Union military missions; and the drafting of the EU’s first security strategy document. Rarely can a single five year period have been marked by so many portentous events.

¹ For the text of the Saint-Malo Declaration, see Maartje Rutten (ed.), *From Saint-Malo to Nice. European defence: core documents*. Paris, WEU-ISS, 2001 (Chaillot Paper No.47), pp.8-9.

² *Notre Europe*, Paris, “The European Security Conundrum: Prospects for ESDP after 11 September 2001”, Policy Paper on-line at www.notre-europe.asso.fr.

The challenges which this backdrop has presented for the embryonic ESDP have been of four orders.

- Conceptual/Doctrinal: what is the rationale behind the emergence of this unprecedented new EU policy area? What are its aims, purposes and mission?
- Existential: what is the collective entity involved in the ESDP and how does that entity relate to other proximate actors – neighbours, allies, international organizations?
- Institutional/Political: what is the optimum institutional framework which will allow the (enlarging) European Union and its member states to formulate, reach agreement on and implement a security and defence policy?
- Military/Strategic: what should be the optimum military capacity to be available to the EU in support of its ESDP, within what budgetary envelope?

A lively debate has informed discussion on all four of these challenges. The following sections aim to provide a critical assessment of the arguments.

I - THE CONCEPTUAL AND DOCTRINAL UNDERPINNINGS: WHY ESDP?

Prior to Saint-Malo, the European Union³ was essentially a “civilian power”⁴. The European integration process actually started life in the 1940s and 1950s with security aspirations and projects⁵, but these were rapidly overtaken by two developments: the onset of the Cold War; and the organization of the US-dominated North Atlantic Treaty Organisation (NATO) – the only viable body through which to meet those challenges.

Although all EU member states, both individually and collectively in association with organizations such as NATO and the *Western European Union* (WEU), have always attended to military planning and procurement, discussion of such matters within the confines of the EU itself was long regarded as taboo. As long as the Cold War lasted, NATO “did” European defence. There was no point in duplicating NATO’s efforts. The winding down of the Cold War between 1985 (advent of Gorbachev) and 1991 (disintegration of the USSR) – was accompanied by two developments, both of which gave greater salience to the principle of coordinated *EU* approaches to security and defence. The first was the growing divergence between European and American strategic visions, an inevitable concomitant of the new global challenges. The second was the acceleration of the European integration project consequent on the Single European Act and the project for European Monetary Union (EMU). These early aspirations towards *political* union posited the need to think collectively about *security* issues⁶. Despite these developments, the EU itself continued to set its face against discussion of security and defence. In part, this was because a number of key member states, notably the UK, continued to disallow it. But it was also because of the parallel existence of the WEU, a body whose sole *raison d’être* was to coordinate the European thinking of its member states in the field of security and defence policy and to render this compatible with NATO.

³ For the sake of simplicity, I shall use the current appellation, European Union, to designate the members of the various collective bodies which, since the Treaty of Rome, have pooled their sovereignty as the European Economic Communities, the EEC, the European Community etc.

⁴ Stelio Stavridis, “*Militarising the EU: The Concept of Civilian Power Revisited*”, *The International Spectator*, vol. XXXVI, no. 4, pp. 43- 49, October- December 2001

⁵ See, on post war plans for European defence, John. W. Young, *Britain, France and the Unity of Europe*, Leicester University Press, 1984; and Edward Fursdon, *The European Defence Community: a History*, London, Macmillan, 1980

⁶ The acronym CFSP (*Common Foreign and Security Policy*) was coined in February 1990 in a joint Franco-German letter to the Irish presidency of the EU. Foreign policy could clearly not be dissociated from *security* policy. But nobody dared yet to speak of a common *defence* policy

However, in the *post*-post-Cold War period after the collapse of the USSR, the reality of military conflict and strategic destabilization arising from the wars of Yugoslav succession dramatically heightened the stakes for European security. The US manifestly did not wish to be involved in Balkan security. The EU manifestly lacked the competence. Yet regional security urgently required attention. The existing situation, both institutionally and militarily was untenable. Two potential solutions presented themselves in the early 1990s. The first was to give greater institutional and political influence to the WEU, which might thus gradually emerge either as a crucible for the definition of a European security policy or as an intermediary between the EU and NATO – or both⁷. The second was to allow European forces to borrow much needed military assets from NATO under special procedures referred to in the jargon as “Berlin Plus”⁸. The first solution proved unsatisfactory because of the overall inadequacies of the WEU. The second proved problematic both practically and institutionally. Gradually, it became clear that, if the EU was ever to emerge as a serious security actor, it would need to develop *autonomous* capacity, both institutional and military. This was the strategic gamble which UK prime minister Tony Blair took at Saint-Malo⁹.

Most of the key documents of ESDP since Saint-Malo make two distinct assertions. The first is that ESDP aims to give the EU the means of playing its full role on the international stage by adding to the range of instruments already at its disposal an autonomous capacity to take decisions and action in the security and defence field. The second is that NATO nevertheless remains the basis of the collective defence of its member states and will continue to play an important role in crisis management – the development of ESDP contributing in parallel to the “vitality of a renewed transatlantic link”. Different member states attach different weightings to these two basic assertions, some prioritising the former, some the latter, some striving for balance. No member state, however, disregards or dismisses either one of these objectives. Two debates over their implications are worthy of consideration.

Some commentators fear that the two objectives, far from being complementary, may prove to be contradictory. They worry that US Deputy Secretary of State Strobe Talbott’s October 1999

⁷ See Jacques Delors, “European Integration and Security”, *Survival*, XXXIII/2, March-April 1991

⁸ Deriving from a NATO summit in Berlin in June 1996, the “Berlin Plus” process referred to the mechanisms whereby the EU would be able to borrow assets from the US in order to carry out regional crisis management missions. It involves assured access to NATO operational planning; “presumption of availability” to the EU of NATO capabilities and common assets; and NATO European command options for EU-led operations.

⁹ For a fuller explanation of the shortcomings of the WEU “solution”, see the previous *Notre Europe* report referred to in f/n 2, pp.1-2.

predictions might come true: “We would not want to see an ESD[P] that comes into being first within NATO but then grows out of NATO and finally grows away from NATO, since that would lead to an ESD[P] that initially duplicates NATO but that could eventually compete with NATO”¹⁰. There has been considerable debate about alleged hidden agendas, secret intentions, misinterpretations, disingenuousness and other departures from transparency. It is certainly neither the stated purpose nor the inherent function of ESDP to weaken transatlantic security links. As we shall see below, much is being done explicitly to shore them up. If, however, ESDP and NATO eventually find themselves at odds with one another, this outcome will be more the result of policy preferences adopted on both sides of the Atlantic than a direct consequence of the advent of ESDP as such. The truth is: it is simply too soon to know what will be the eventual nature of the relationship between ESDP and NATO. We shall revisit this issue below (pp.8-12).

The other debate has been over the extent to which the adoption of a security and defence remit will alter the time-honoured essential features of the EU as a “civilian power”¹¹. Many long-time Euro-habités initially looked askance at uniformed officers in the EU Council building in Brussels. Some commentators deplore the very principle of the EU’s assumption of military responsibilities, which they insist is both unnecessary and misguided. The EU would be well advised, in this view, to stick to what it does best: the application of “soft power”¹². Some wonder whether the militarization of the EU will reduce its transparency and its consensuality or create new tensions between its more “muscular” and its more “pacifistic” member states¹³. Can the EU absorb its new military ambitions without fundamentally altering its own civilian essence? A debate has engaged around the difficult emergence of a coherent “security culture” uniting all fifteen or twenty-five member states¹⁴. Once again, it is too early to say.

The EU has embarked on a bold new path. It is unlikely, having already travelled a considerable distance down that path, to reverse direction. In the words of Javier Solana’s June 2003 strategy document *A Secure Europe in a Better World*¹⁵, “as a union of 25 states with over 450 million

¹⁰ Chaillot 47 (see f/n 1), p.56.

¹¹ Ian Manners & Richard J. Whitman, “The ‘difference engine’: constructing and representing the international identity of the European Union”, *Journal of European Public Policy*, 10/3, June 2003; Ian Manners, “Normative Power Europe: a Contradiction in Terms?”, *Journal of Common Market Studies*, 40/2, 2002

¹² Andrew Moravcsik, “The World is Bipolar after all”, *Newsweek*, 5 May 2003

¹³ Paul Cornish and Geoffrey Edwards, “Beyond the EU/NATO Dichotomy: The Beginnings of a European Strategic Culture?”, *International Affairs*, 77/3, 2001

¹⁴ Jolyon Howorth, “The CESDP and the Forging of a European Security Culture”, *Politique Européenne*, No.8, automne, 2002.

¹⁵ Javier Solana, “A Secure Europe in a Better World”, Paper presented to the European Council at Thessaloniki, 20 June 2003 - <http://ue.eu.int/pressdata/EN/reports/76255.pdf>

people producing a quarter of the world's GNP, the European Union is, like it or not, a global actor; it should be ready to share in the responsibility for global security". Beyond that, the EU Council, in summer 2003, endorsed Solana's proposals that ESDP should tackle three major challenges. First, the EU should make "a contribution to stability and good governance" in its immediate neighbourhood. Second, it should help build "an international order based on effective multilateralism". Third, it should tackle three major threats: international terrorism; the proliferation of weapons of mass destruction (WMD); and the dangers posed by failed states and organised crime.

The Solana strategy paper succeeded in speaking simultaneously to both sides of the Atlantic – through two devices. First, by stating clearly that the EU shares the US concern about terrorism, weapons of mass destruction and organized crime and is prepared to intervene, if necessary militarily, to combat them. Second, by formulating two new concepts ("preemptive engagement" and "effective multilateralism") which, while remaining ambiguous, nevertheless offer a distinctive EU approach which can be welcomed on both sides of the ocean. *Preemptive engagement* suggests that, through the application of "soft power" – conditional and targeted trade and development policies, the elimination of corruption and human rights abuse, assistance programmes for better governance, and the promotion of justice and opportunity – the EU can deploy powerful instruments for the promotion of democratic reform. *Effective multilateralism* implies "the development of a stronger international society, well functioning international institutions and a rule-based international order". The United Nations is situated at the heart of this concept. Strengthening it, equipping it properly and supporting it, if necessary with military instruments, are the EU's stated new priorities. The Solana package offered something for everybody and was warmly welcomed not only by the European Council meeting in Thessaloniki (19-20 June) but also at the EU-US summit one week later. While recognizing the limitations of the document, many commentators also noted the historic significance of this first EU statement of a strategic concept¹⁶. The EU had, almost by the very fact of issuing the declaration, become something more of a global actor. The Solana strategy statement, which was refined for the December 2003 meeting of the European Council, will join the Saint-Malo declaration as one of the key texts of the ESDP story. The trilateral Berlin agreement of November 2003 will be a significant motor in taking the EU strategy forward.

¹⁶ Jean-Yves Haine, "EU's world role must combine idealism with political pragmatism", *European Voice*, 18 July 2003

ESDP was born of powerful historical factors. It has made considerable progress in a few short years and, despite a range of problems still to be resolved, has built up steady momentum. Moreover it exists in a geo-strategic context which constantly reaffirms its necessity – one in which destabilisation on Europe's periphery is a fact of life, in which US disinclination to be directly involved in European peace-keeping is growing and in which the European Union seeks actively to complement its soft power with a modicum of hard power. This is not to posit a teleological determinism behind the ESDP project. Nothing is pre-ordained. Those who stand over the five year old infant and quarrel furiously over different career trajectories for its adult life are guilty of reverse anachronism. Time alone – and history – will tell. For the present, all one can do is analyse what ESDP strives to achieve in the short and medium term.

II - WHAT IS THE COLLECTIVE ENTITY INVOLVED IN THE ESDP AND HOW DOES THAT ENTITY RELATE TO OTHER PROXIMATE ACTORS?

At the time of Saint-Malo, membership of existing “European” security and defence organizations was clear-cut. NATO embraced sixteen allies¹⁷ and was preparing, at its “Fiftieth Anniversary” summit in Washington DC in April 1999, to admit three new ones – Poland, Hungary, Czech Republic. WEU involved 28 nations: ten full members¹⁸; three (and, after April 1999, six) non-EU NATO members, known as “associate members”¹⁹; four non-NATO EU members (Austria, Sweden, Finland and Ireland) plus NATO member but “ESDP-opt-out” Denmark, all with “observer” status; and seven EU/NATO accession candidates from Central and Eastern Europe known as “associate partners”²⁰. The assumption by the EU of a defence and security remit involved significant changes as against WEU membership: out went core NATO members Turkey, Norway and Iceland; in came neutral Austria, Finland, Ireland and Sweden. Waiting in the wings were the EU accession candidates. Denmark, which had severe reservations about the EU assuming a security remit, secured an opt-out from the defence dimensions of the CFSP policy area under the terms of the Treaty of Amsterdam.

Inclusion and Exclusion

Beyond the issue of who was “in” and who was “out”, however, lay more significant strategic problems. “Security” by 1998 was increasingly being differentiated from “defence” in international relations theory. Security was considered an indivisible, positive sum game (“I can only be secure if my neighbour is secure”), whereas defence remained a divisible, potentially zero sum game (“my strength depends on my neighbour’s relative weakness”). By this token, the “excluded”, particularly those with strategic significance in the European theatre – Norway with its vast Atlantic seaboard and direct border with Russia, and Turkey with its epicenter between the turbulent Balkans, Middle East and Caucasus – felt a serious sense of grievance. How could “European security” be constructed without these key states? And how could the EU justify giving a more direct role to four *neutral* countries which had refused to be part of the Western security project

¹⁷ Belgium, Canada, Denmark, France, Germany, Greece, Iceland, Italy, Luxembourg, Netherlands, Norway, Portugal, Spain, Turkey, UK, USA,.

¹⁸ Belgium, France, Germany, Greece, Italy, Luxembourg, Netherlands, Portugal, Spain, UK,

¹⁹ Turkey, Norway and Iceland, then also Poland, Hungary and the Czech Republic

²⁰ Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, Slovenia.

during the Cold War? Moreover, what was to be the relationship between this embryonic ESDP and its main strategic partners – the USA, Canada and indeed NATO itself? And how would the EU involve its problematic neighbours to the South (the Maghreb) and to the East (Ukraine, Belarus and Russia)? The stage was set for a series of complex negotiations between the EU and its main strategic partners.

Turkey was the neighbour with the strongest sense of grievance. As a major security actor within NATO, Turkey (along with Norway) had also played an important role in WEU. That role abruptly ended with the inauguration of ESDP in 2000. Turkey (and Norway) attempted to negotiate a seat at the EU's defence and security table – in effect membership of the new Political and Security Committee, (COPS)²¹. This was juridically non-negotiable. Although the EU, in spring 2000, instituted regular security and defence discussions between the COPS and the six non-EU NATO members, as well as with all fifteen non-EU European states²², Turkey found this inadequate in three ways. First, it was widely recognized that most of the scenarios for regional destabilization had their locus in South Eastern Europe – in Turkey's "near abroad". Second, this was particularly significant, viewed from Ankara, in the context of the unresolved disputes between Turkey and Greece over Aegean airspace and territorial waters, and over the divided island of Cyprus. Third, the matter was exacerbated by the EU's long-standing reluctance to engage in discussions over Turkish membership. Turkey therefore used its membership of the North Atlantic Council (NAC) to block the "Berlin Plus" process whereby the EU might have access to NATO assets. This was a double-edged sword since, at the same time as it scuppered EU plans to mount military missions before it was autonomously equipped to do so, it also gave an incentive to the EU to precipitate its move towards total autonomy from NATO.

A series of high-level discussions between UK, US and Turkish diplomats led to a solution in December 2001 (involving EU guarantees to Turkey on both non-aggression and consultation) ...which Greece then proceeded to veto. It was not until December 2002 that a solution to this long-standing dispute was finally negotiated. Ankara settled for "the fullest possible involvement" in the EU's security and defence decision-shaping process and automatic involvement in the event of an EU mission using NATO assets. Turkey was also given a formal guarantee that ESDP missions would not be deployed in the Aegean and that an EU force would not attack a NATO member. Greece successfully negotiated reciprocity of this clause (that a NATO force would not attack an

²¹ PSC, as an acronym, being unpronounceable, the committee is normally referred to by its French acronym COPS

²² The six associate members, the seven associate partners and candidate countries Malta and Cyprus

EU member). Another key “concession” made to Turkey was that Cyprus would not be allowed to participate in ESDP operations. Technically, this also excluded Malta since the agreed policy was that states lacking partnership agreements with NATO would be excluded from ESDP operations. The resolution of this dispute put an end to the two year stand-off over the Berlin Plus arrangements. However, the politics of Greco-Turkish tensions in the Aegean have by no means been resolved and the EU would be ill-advised to assume that access to NATO assets would be a foregone conclusion in the context of an EU military operation in South-Eastern Europe.

The EU and NATO

The resolution of the Berlin Plus dispute nevertheless allowed the EU and NATO to make a landmark *Declaration on ESDP* (16 December 2002)²³ providing a formal basis for a strategic partnership between the two organisations in the areas of crisis management and conflict prevention. The EU and NATO could henceforth technically develop their relationship in ways which are mutually reinforcing, while recognising that they are organisations of a different nature. In particular, the EU could theoretically rely on access to NATO’s formidable planning capabilities, which had always been the essential prerequisite for any credible EU military operation. In principle, the Europeans could also look forward to more extensive access to other (essentially US) assets. However, in the context of America’s ongoing military involvement with Al-Qaeda, Iraq and North Korea, the availability of such assets cannot be taken for granted. Increasingly, the EU will be likely to move further and further down the road to autonomy.

More generally, the future of EU-NATO relations remains unpredictable. At its summit meeting in Prague (21-22 November 2002), the Alliance confounded the many pundits who had already pronounced its funeral oration²⁴ and seemingly sprang back, Phoenix-like, to full-blooded existence. NATO agreed to admit seven new member states²⁵ in May 2004, bringing the total membership to 26. It also introduced a new initiative – the Prague Capabilities Commitment – aimed at filling the shortfall in military capacity which threatened to undermine interoperability between EU and US

²³ Jean-Yves Haine (ed.), *From Laeken to Copenhagen. European defence: core documents*, Paris, EU-ISS, 2003, (Chaillot Paper No. 57), pp.178-180

²⁴ See, among many others, Christopher Layne, ‘Death Knell for NATO’, *Policy Analysis*, 394, 4 April 2001; Anatol Lieven, ‘The End of NATO’, *Prospect*, December 2001; Jeffrey Gedmin, ‘The Alliance is Doomed’, *Washington Post*, 20 May 2002; Charles Kupchan, ‘The Last Days of the Atlantic Alliance’, *Financial Times*, 18 November 2002.

²⁵ Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, Slovenia.

forces. And, most significantly, it agreed to launch the *NATO Response Force* (NRF), a technologically advanced, flexible, interoperable and sustainable force of some 20,000 troops capable of rapid deployment for high-intensity operations anywhere in the world²⁶. Not only did this initiative aim to reconnect EU and US intervention forces, it also aimed to demonstrate to an increasingly sceptical world that the US remained firmly committed to the Alliance. NATO, it seemed, had finally crossed the Rubicon which many US officials had been advocating throughout the 1990s: the Alliance had “gone global”. Moreover, it had given itself a new challenge: the war on terrorism. Since February 2001, regular bi-monthly meetings have been taking place between the North Atlantic Council and COPS and, from June 2001, between the EU and NATO Military Committees. At a purely formal, institutional level, relations between ESDP and NATO are proceeding well.

Notwithstanding these developments, many questions remain – both about the politics of EU-US global strategy coordination, and about the prospects for harmonious military cooperation between the NRF and the embryonic European Rapid Reaction Force (ERRF). Although notionally NATO has become an Alliance with a global remit and is no longer bound by the arcane distinction between “in area” and “out of area”, and although NATO troops have now been deployed both in Afghanistan and, courtesy of Poland, in Iraq, this does not imply that EU member states will automatically step in line whenever the US administration wishes to deploy the NRF to some distant trouble spot. The EU is unlikely to endorse any use of the NRF which is not UN-mandated and/or which attempts a *preemptive* strike – at least against a state actor. At the military level, problems of force reservoir, of US troop commitments, of command and control, of right of first refusal, of “cream-skimming”²⁷, of training and interoperability remain to be answered before any judgment can be made about the long-term compatibility of the NRF and the ERRF²⁸.

Moreover, the impact of the 2003 Iraq crisis on intra-Alliance relations was extremely severe. The United Kingdom, from as early as summer 2001, had begun to review its strategic priorities, de-emphasising the European context and focusing on the global picture. This shift in perspective was accelerated by the terrorist attacks of 11 September 2001 (9/11) and hardened by the crisis over

²⁶ The NRF was formally inaugurated in October 2003. It will not be fully operational until mid-2004.

²⁷ Critics of this process have suggested that the NRF will cream off the best European troops for its own purposes, leaving the ERRF with second-rate capacity.

²⁸ See, on these issues, Daniele Riggio, “EU-NATO Cooperation and Complementarity between the Rapid Reaction Forces”, *The International Spectator*, XXXVIII/3, 2003; Jolyon Howorth, “ESDP and NATO: wedlock or deadlock?”, *Cooperation and Conflict*, 38/3, 2003, pp.235-254.

Iraq. For the UK, loyalty to the United States, in the global “war on terror”, became an absolute priority. While France and other EU member states also broadened their horizons after 9/11 and began to pay closer attention to global challenges, this did not manifest itself in unconditional support for George W. Bush. Indeed, France promoted a discourse on multipolarity which posited that the world was best structured by a small number of regional poles cooperating transparently to construct global order. This view was seen as heretical in London, which counterposed the notion of unipolarity as an expression of the international community’s solidarity in the war on terrorism. The UK roundly denounced multipolarity as divisive of that effort. Franco-British relations (and with them intra-EU and intra-Alliance relations) plumbed new depths in the spring of 2003 as most EU countries (including the accession candidates) lined up in opposing battalions either behind the UK, Spain and Italy or behind France, Germany and Belgium²⁹. ESDP, many commentators believed, was severely compromised.

A potentially major crisis arose on 29 April 2003 when, against the backdrop of meltdown over policy in Iraq, a mini-summit was held between France, Germany, Belgium and Luxembourg, ostensibly aimed at giving fresh impetus to the European security and defence process. The UK refused to attend. The meeting itself was innocuous enough and the summit’s concluding statement insisted that “the transatlantic partnership remains a fundamental strategic priority for Europe” and that the strengthening of NATO was a major objective³⁰. But the one proposal which was highlighted by the world’s press was for an EU-only operational planning cell, to be established by summer 2004 at Tervuren, a suburb of Brussels. This proposal was widely denounced as an anti-NATO provocation³¹. The British government considered the proposal to be in breach of the spirit of Saint-Malo and even made noises about reconsidering some of the agreements of the February 2003 Franco-British summit at Le Touquet, particularly joint procurement of aircraft carriers. The Tervuren proposal was nevertheless proclaimed, in summer 2003 by Belgian prime minister Guy Verhofstadt, as an “absolute necessity”, provoking the US state department spokesman Richard Boucher sneeringly to dismiss the four countries involved as the “chocolate makers”. At the same time, the UK circulated a counter-proposal – that the EU should develop a dedicated and permanent

²⁹ On this crisis, see Jolyon Howarth, “France, Britain and the Euro-Atlantic Crisis”, *Survival*, 45/4, 2003, pp.173-192.

³⁰ “Déclaration commune des chefs d’Etat et de gouvernement d’Allemagne, de France, du Luxembourg et de Belgique sur la défense européenne”, Bruxelles, le 29 avril 2003 (http://www.defense.gouv.fr/actualites/discours_divers/2003/d060503/060503.htm)

³¹ David R. Sands, “EU Plan draws rapid reaction”, *Washington Times*, 30 April 2003; Ian Black, “France, Germany deepen UK rift”, *The Guardian*, 30 April 2003; Judy Dempsey, “Defence Plan could rival NATO”, *Financial Times*, 29 April 2003; “Les ‘Quatre’ lancent un groupe pionnier dans le domaine de la défense”, *Le Monde*, 30 avril 2003.

operational planning cell inside SHAPE³². Commentators predicted a dramatic struggle between the two sides over operational planning.

However, at a trilateral meeting in Berlin on 20 September 2003, the UK, France and Germany narrowed their differences when Tony Blair accepted the principle that “the EU should be endowed with a joint capacity to plan and conduct operations without recourse to NATO resources and capabilities”. Discussions ensued as to the best location, structure and remit of an eventual autonomous EU planning facility. Several options were discussed: the internationalisation of an existing national facility; the Italian proposal for a "virtual", rapidly mobilisable facility; and a genuine EU facility located alongside the EU's military staff in the rue Cortenberg in Brussels. On 17 October, at an EU Council meeting on the draft Constitution, the UK moved even further towards its European partners' position by accepting the need for tighter EU “structured cooperation”³³ on security and defence. These developments were widely presented in the media as a major shift in the UK position – leading to denials from Whitehall and consternation in Washington³⁴. The US ambassador to NATO, Nicholas Burns, insisted that Blair's apparent alignment amounted to “the most serious threat to the future of NATO”³⁵. It required a special meeting of the NAC (20 October) and a further joint meeting between the NAC and the COPS (21 October) to calm US fears.

The problem seemed to be resolved at the 28 November 2003 Berlin meeting between Britain, France and Germany. Three quite different positions were reconciled. France's desire to give this cell real military prominence, Germany's main concern for its symbolic and political significance and the UK's insistence that it not clash with or supersede NATO planning operations found a compromise in the joint recognition that a permanent EU planning cell should exist at SHAPE, that an EU-only cell is also necessary, and that the latter be best located at the heart of the EU's existing military coordination in the rue Cortenberg. It was informally recognised that recourse to the

³² *Supreme Headquarters Allied Powers in Europe*: NATO's central planning facility. The UK MOD paper is entitled “ESDP: 29 August meeting: UK Food for Thought Paper”

³³ A procedure allowing a small but determined group of EU members to launch an EU military mission without the participation of the majority of the member states.

³⁴ Claire Tréan, “La Crise irakienne a rapproché Londres de Paris et Berlin sur le projet de défense européenne”, *Le Monde*, 23 septembre 2003 ; Ian Black, “UK backs down on European defence”, *The Guardian*, 23 September 2003 ; Bertrand Benoit & Ben Hall, “Blair backs EU plans for joint defence project”, *Financial Times*, 23 September 2003. Peter Spiegel & James Blitz, “US dismay over Blair's stance in EU defence”, *Financial Times*, 16 October 2003

³⁵ Thomas Fuller, “Summit talk of close European military ties upsets US”, *International Herald Tribune*, 17 October 2003

specifically *EU-cell* would only take place if an existing *national* headquarters proved either inadequate or inappropriate. The big question remains: what sort of an operation would require recourse to a specifically *EU* operational planning cell? The suggestion that such operations would be defined as “civilo-military” (i.e primarily civilian but with some military implications) is an interesting basis for compromise. It allows the distinctiveness of the EU’s overall “package” of security instruments – ranging from civilian administrators to police forces and from disaster relief services to high intensity military assets – to be highlighted. This package also distinguishes ESDP capacity from that of NATO. The bottom line is that a serious military operation of whatever type requires a serious planning facility. At present, the only ones available to EU missions are national HQs (which can be opened up to multinational inputs). As and when the Cortenberg facility is developed, it will be judged less by its political symbolism than by its operational added value. The UK would prefer national HQs to be the facilities of choice whereas France hopes progressively to transform the EU HQ into that facility of choice. Again, at one level, this is an attempt to double-guess the long-term on the basis of attitudes towards the medium term. Experience in the field will soon determine where exactly the emphasis will eventually come to lie.

This controversy over the planning cell is testimony to the extreme delicacy of reaching an acceptable synthesis between Alliance and EU military capacity. From the very outset of the ESDP project, it was clear that, in the event of an “EU-only” military mission, an autonomous EU planning capacity would be indispensable. Such a planning capacity had been anticipated as early as the Nice European Council in December 2000³⁶. Yet, whenever moves to implement such a capacity became real, the US interpreted them as undermining NATO. Despite this, in late 2003, Tony Blair recognized that ESDP cannot proceed without such a capacity. This was not a case of trying to “play the European card” after a year in which Blair had appeared to back US policy preferences unconditionally. It was a pragmatic acceptance of a strategic reality. The bottom line was spelled out by Dominique de Villepin in his BBC Dimpleby Lecture on 19 October 2003: “There will be no Europe without a European defence. There will be no European defence without the United Kingdom”³⁷. From that basic premise, much of the rest follows.

³⁶ “operational planning [...] for an autonomous EU operation will be carried out within one of the European strategic level headquarters” – Chaillot 47, p.202

³⁷ <http://www.diplomatie.gouv.fr/actu/article.asp?ART=37783>

Relations between ESDP and NATO are of fundamental importance to the future direction of both bodies. ESDP needs NATO to provide access both to military instruments and to planning facilities. NATO needs ESDP because a coordinated and muscular European capacity is of greater use to the Alliance than a disparate and uncoordinated one. But they are very different organisations with different objectives and different memberships. As long as suspicions abound as to one another's ultimate strategic purpose, tensions will persist. The US is likely to remain wary of a "new kid on the block" which aims at "security autonomy". US fears about ESDP developments stem from three main sources. The Bush administration continues to believe that Paris poses a major challenge to US leadership. Despite repeated assurances of strong alliance loyalty from all French officials including Jacques Chirac³⁸, US leaders -- across the political spectrum -- continue to believe that French initiatives spell problems for transatlantic relations. Washington is also concerned that autonomous EU planning facilities, along with an increasingly muscular EU military capacity, will tempt the Europeans into military adventures which they are ill-prepared to undertake, and which may then go badly, thereby involving the United States -- under Alliance procedures -- against its wishes and better judgment. Washington is accustomed to an EU that talks above its weight while punching considerably below it. It will have difficulty coming to terms with a different balance between rhetoric and reality. The third US -- long-term -- fear is that ESDP will one day come to compete with and even rival both NATO and US security policy. This will depend at least as much on US policy as on that of the EU.

The EU, for its part, will remain cautious about an organisation which is transforming itself from one whose original purpose was to deliver US engagement in the cause of European security into one whose new purpose is to deliver European engagement in the cause of US global strategy. The EU will continue to insist on multilateral procedures, on appropriate dialogue and on respect for the primacy and overarching legitimacy of the United Nations. Cooperation with the UN, as well as with the OSCE and the Council of Europe has been ongoing through high-level and working-level contacts. In particular, the EU has prioritised cooperation with these international bodies on crisis management, conflict prevention, the protection of civilians and the international struggle against terrorism. However, to date, too little concrete progress has been made in implementing the Seville European Council Declaration of June 2002 on the contribution of ESDP towards the fight against terrorism. Recommendations on this matter are due to be made shortly by the High Representative for CFSP.

³⁸ See Chirac's reassuring interview with *The New York Times*, 22 September 2003

As for discussions with other regional partners, the picture is mixed. To the south, ever since the 1995 Barcelona Conference, the EU has sought – not always energetically or particularly convincingly – to forge new security relations with the countries of the southern Mediterranean shore. By 2003, the *Euro-Mediterranean Partnership* programme had begun to move beyond statements of intent towards a structured process of stabilization. But the inadequacy of EU funding for the region and the failure of the Union to open its borders to competition from Mediterranean agriculture continue to undermine the process. To the east, the security dialogue with Russia remains charged with ambiguity and problems, including mutual misperceptions and misunderstandings, and there has been an absence of coordination between Brussels and Moscow in managing the evolution of Ukraine, Belarus and Moldova³⁹. Despite the high expectations aroused by the *Partnership and Cooperation Agreements* reached with all these states, outcomes have been limited. The March 2003 “Communication” by the European Commission entitled *Wider Europe-Neighbourhood: A New Framework for Relations with our Eastern and Southern Neighbours*⁴⁰ aims “to develop a zone of prosperity and a friendly neighbourhood – a ‘ring of friends’ – with whom the EU enjoys close, peaceful and cooperative relations”. However, to date, no major breakthroughs have occurred and the “Neighbourhood Policy” has already been judged overly technocratic and excessively geared to trade⁴¹. The EU appears to have had little direct or even indirect impact on the slow and disappointing transition of its most immediate eastern neighbours.

One huge question continues to be fudged: what are to be the EU’s definitive external borders? Some of the 2000-2002 dispute with Turkey was coloured by that country’s long-standing objective of EU accession and by the ambivalent attitude towards that ambition of various different EU member states. Officially, the criteria being applied to Turkey’s candidacy are the same as those which have been applied to all enlargement candidates since the Copenhagen Council in 1994⁴². But it is time for the EU to be rather clearer about its external borders. Either the Union is infinitely extensible and can eventually aspire to a quasi-Kantian universalism (a prospect theoretically ruled out by the Treaty of Rome’s prescription that member states be “European”) or it is finite – in which case it cannot evade the issue of its definitive borders. The fact is that an EU which stops short of the Bosphorous will inevitably be a very different type of international actor than one

³⁹ Dov Lynch (dir.), *EU-Russian Security Dimensions*, Paris, EU-ISS Occasional Paper 46, July 2003, p.3.

⁴⁰ http://europa.eu.int/comm/external_relations/we/intro/index.htm

⁴¹ “The Enlarged EU and its New Neighbours: new security challenges”. EU-ISS, Institute Note, June 2003 <http://www.iss-eu.org/activ/content/rep03-4.pdf>. See also Judy Batt et alii., *Partners and Neighbours: a CFSP for a wider Europe*, Paris, EU-ISS, September 2003 (“Chaillot Paper” No. 64)

⁴² The “Copenhagen criteria” include developments towards a functioning market economy, political democracy and respect for human rights.

whose borders penetrate half-way towards Central Asia and also abut large regions of the Middle East. The EU should not simply drift semi-consciously into one or other of these modes. It needs to decide, on the basis of a lucid and far-reaching policy debate, which sort of actor it wishes to become.

On balance, the ESDP project has been largely successful in tackling the huge challenge of forging, in a few short years, sensitive and complex relations with a vast range of neighbours and strategic partners. While mutual misunderstandings and suspicions remain a feature of relations with almost all these partners, a basic framework for understanding and cooperation has nevertheless been drawn up. This will be built upon over the next five year period.

III - INSTITUTIONS: RECENT ADJUSTMENTS AND THE IMPLICATIONS OF THE CONVENTION'S DRAFT CONSTITUTIONAL TREATY

The superimposition, after 1999, on an already complex institutional nexus, of a range of new foreign and security policy agencies was likely to be a sensitive process. In addition to the existing competent bodies – the rotating Presidency, the General Affairs Council (GAC), the Political Committee (PoCo), COREPER, the Council Secretariat, and the Commission's Directorate General for External Relations (Relex) – the new century witnessed the arrival of the High Representative for the CFSP (HR), the Political and Security Committee (COPS⁴³), the European Union Military Committee (EUMC) and the European Union Military Staff (EUMS)⁴⁴. In reality, the transition proved relatively smooth – despite a number of predictable initial inter-agency tensions between established players and new players, between national capitals and “Brussels”, between political and military functions.

The High Representative position succeeded remarkably well in establishing itself as a vital proactive force in CFSP/ESDP. This was partly because the function itself – as a focal point for internal coordination and external representation – had long been seriously needed, and partly because the personality of the first incumbent, Javier Solana (consensual, circumspect, sensitive, diplomatic, dynamic, optimistic), seemed tailor-made for the job. The COPS, whose centrality to the CFSP/ESDP was enshrined in the Treaty of Nice⁴⁵, rapidly established itself as the linchpin of the entire policy area. The fifteen permanent representatives, meeting twice to three times a week in Brussels energetically embarked on the work of monitoring the international situation, contributing to the formulation of policies by giving the Council opinions, either at the latter's request or on their own initiative, and also overseeing the implementation of the agreed policies. However, it should be emphasized that the COPS can easily be short-circuited by national capitals in the event of a real crisis defying 15-nation consensus. During the Iraq crisis of 2002-2003, for instance, the COPS was kept entirely at arm's length from what was probably the most significant foreign and security policy issue of the entire five year period since Saint-Malo.

⁴³ PSC, as an acronym, being unpronounceable, the committee is normally referred to by its French acronym COPS

⁴⁴ For a brief description of the functions of these different agencies, see the earlier report referred to in f/n2.

⁴⁵ Reference to article 25?

The EU Military Committee (EUMC) also rapidly imposed itself as a vital mechanism in the policy-making process. Its ultimate function is to deliver to the European Council, via the COPS, the unanimous opinion of the fifteen Chiefs of the Defence Staff (CHODs) on all matters with a military dimension. Such unanimity is currently essential to the commitment of EU forces to any military operation. The EU Military Staff (EUMS), under its first Director General, Rainer Schuwirt, involves a “combined joint staff”⁴⁶ of some 130 officers dealing with early warning, situation assessment and strategic planning in the context of EU crisis-management operations (CMO). It has also overseen the process of delivering the military capacity called for in the Helsinki Headline Goal (HHG) (see below, pp.20-21). By late 2002, it had drafted all the military policy and concept papers needed to mount EU-led CMO, tackling topics as diverse as command and control, rules of engagement, logistics and communications. It had also contributed to the development of “the broader politico-military policies, concepts and procedures, such as an EU exercise policy, ITC policy, information policy, and a handbook of crisis-management procedures”⁴⁷. This work was to prove invaluable in allowing the EU to embark on its first ever military missions in 2003 (see below, pp.21-22).

Some of the initial turf battles between the competent CFSP/ESDP agencies were resolved in pragmatic fashion. The necessary division of labour between COREPER and COPS was partially resolved at the Seville European Council in June 2002 by the introduction of a distinction between the “internal” and “external” agendas of the General Affairs Council (GAC), which was the re-titled the General Affairs and External Relations Council (GAERC). The Council now meets monthly in two separate modes, one for “general affairs” business (prepared by COREPER 1 & 2) and the other for “external relations” business (prepared by COREPER 2 and COPS). Although an improvement on the previous overloaded agenda of the GAC, the situation is still unsatisfactory given the growing volume of business in the strictly security and defence field.

More significant institutional shifts, however, loom as a consequence of the recommendations of the European Convention.

⁴⁶ “Combined” meaning multi-national, “joint” meaning all three services

⁴⁷ Graham Messervy-Whiting: “The Politico-Military Structure in Brussels: capabilities and limits”, Discussion paper for the Geneva Centre for Security Policy Workshop on the *EU and Peace Operations*- 22-23 September 2003. General Messervy-Whiting was appointed by Solana to establish the Military Staff.

Implications of the Convention's Draft Constitutional Treaty

The Convention proposed a new distinction between a “Legislative and General Affairs Council” and a “Foreign Affairs Council” (FAC) whose implications remain unclear. This situation is further clouded by the proposal of the Convention to have COPS working both for the European Council/Foreign Affairs Council and for the newly created Union Minister for Foreign Affairs (UMFA) who may chair its sessions. There is potential here for COPS to be overly hobbled by dependency on several masters. The committee, it is widely recognised, has succeeded in avoiding the conflicts between national capitals and “Brussels” which many had foreseen at the outset. This it achieved by an iterative process of constantly reconciling national positions until a European position emerged. COPS should be given full authority to continue doing that job – in close coordination with the UMFA, but not under his direct control. It should also be given the recognition merited by its sterling service through an enhancement of the level of ambassadorial representatives assigned to it⁴⁸.

The Union Minister for Foreign Affairs (UMFA) has emerged from the Convention as – at least potentially – an immensely powerful figure. The post-holder will combine the current responsibilities of both the HR-CFSP and the Commissioner for External Relations, thus having one foot in the Council and one (as Vice-President) in the Commission. This will allow him or her to coordinate the two main thrusts of the EU's external policy: security and overseas aid. The UMFA will also contribute both to the preparation of and to the implementation of CFSP/ESDP and will chair the Foreign Affairs Council. He or she will represent the Union in international organisations and at international conferences, will “conduct political dialogue” on the Union's behalf, and can convene an emergency meeting of the FAC within 48 hours (or, in a real crisis, even sooner). The postholder, elected for a five year term, will replace the previous semestrial rotating Presidency, thus accumulating even more authority. Moreover, the UMFA will preside over a “European External Action Service”, which is intended to be introduced within one year after entry into force of the Treaty. There are many significant obstacles to the creation of such an EU Diplomatic Service which are too complex to enter into here⁴⁹. They involve extremely delicate negotiations between the Commission (Relex) and the Council, not to mention the Parliament and the national

⁴⁸ Some of the larger member states expressed their caution about COPS by appointing mid-level diplomats as their permanent representatives, the better to keep them under close national control.

⁴⁹ On this issue, see Simon Duke, “Preparing for European Diplomacy?”, *Journal of Common Market Studies*, Vol.40/5, December 2002

capitals. The Service is referred to in oblique language in a terse “Declaration” posted as an Annexe to the Treaty⁵⁰. Establishing it will be a major task of the UMFA’s first year in office.

Some have questioned whether the vast range of responsibilities accruing to the Foreign Minister’s post will be within the physical and mental powers of a single individual. There is a danger that the post-holder will be so torn between the different agencies to which s/he is attached that the result will be dysfunctional blockage. Delegation will be indispensable. If delegation can be properly organised, however, the advantages of having this central pillar of cohesion will outweigh the disadvantages of inter-agency complexity.

Two further questions arise. First, how will this new office-holder cooperate with the Convention’s other innovation: the President of the European Council who, in addition to “chairing and driving forward” the work of the Council, will also “ensure the external representation of the Union on issues concerned with foreign and security policy, without prejudice to the responsibilities of the Union Minister for Foreign Affairs” (Part I, article 21)? An analogy often deployed is that of the US President and the Secretary of State. This is doubly misleading. Both those office-holders exercise clear lines of authority, whereas their new EU “counterparts” will still have to coexist with powerful heads of state and government and with influential foreign ministers. Moreover, between the US President and the Secretary of State there is a hierarchical relationship entirely missing from the new EU positions. The best way round any potential clash of responsibilities would be a de facto division of labour whereby the President of the European Council concentrates on the preparation and implementation of essentially non-CFSP/ESDP aspects of Council business, leaving most foreign and security policy coordination to the UMFA. In that way, the two executives can come together to coordinate CFSP/ESDP issues whenever such coordination becomes essential. External representation will follow the norms of protocol. The US President would not expect to interact with the UMFA; whereas the latter would expect to be received by the Chinese foreign minister.

⁵⁰ “To assist the future Union Minister for Foreign Affairs [...] to perform his or her duties, the Convention agrees on the need for the Council of Ministers and the Commission to agree, without prejudice to the rights of the European Parliament, to establish, under the Minister’s authority, one joint service (European External Action Service) composed of officials from relevant departments of the General Secretariat of the Council of Ministers and of the Commission and staff seconded from national diplomatic services.” *Declaration on the Creation of a European External Action Service*, EU Draft Constitution, p.239.

Second, how will the UMFA interact with the President of the Commission who has also traditionally sought to represent the EU in foreign places and who equally has the right to attend sessions of the European Council? There are fears that the dual-hatting of the UMFA could compromise the collegiality of the Commission. Moreover, the explicit fusing of the civil and military aspects of the EU's external action at the heart of the UMFA's portfolio could have one of two results. Either it will help consolidate the coherence of the EU's foreign and security policy; or it will spark a struggle for preponderance between the Council and the Commission, particularly with respect to the more civilian tasks hitherto exclusively managed by the latter. One way round this potential minefield is for the Commission President to concentrate on *implementation* of EU policy while the UMFA focuses on *elaboration and policy-initiative*. Much, in both of these instances of potential clash, will depend on the personalities of the individuals involved.

Several other major institutional innovations in the area of CFSP/ESDP have emerged from the Convention's deliberations.

First, the acronym ESDP seems to have been replaced by CSDP (Common Security and Defence Policy)⁵¹, implying a reversion to the emphasis on "commonality" which informed the early manifestations of this policy area. This could be interpreted as a partial counterweight to the various parallel proposals to foster smaller coalitions of the willing (see below). Second, the Petersberg tasks which served as the basic objectives of ESDP from the outset have been extended and now cover "joint disarmament operations, *humanitarian and rescue tasks*, military advice and assistance tasks, conflict prevention and *peace-keeping tasks, tasks of combat forces in crisis management, including peacemaking* and post-conflict stabilisation" (italicised items were the original Petersberg tasks). This better reflects the synthesis of military and civilian activities which the UMFA is called upon to promote – as well as providing a more comprehensive list of the activities the EU is now actively engaged in. These two changes suggest and reflect both a tightening up and an extension of the objectives of this policy area.

⁵¹ See Title V, Chapter I, Section I.

Enhanced Flexibility?

Two other proposals, however, proved more controversial. The first, emanating originally from Franco-German thinking, involves the establishment of a core group of countries issuing some type of “mutual defence” statement. That the EU *will* eventually decide on a common defence⁵² is written into the Constitutional Draft. Meanwhile, however, the draft suggests that a core group of countries wishing to anticipate such a move should be authorised to do so⁵³. The political symbolism of such a statement is more obvious than its practical value. It is highly unlikely that any member state not already a member of NATO or of the WEU would be interested in being associated with this move. Since mutual defence guarantees exist under both those bodies, a third guarantee seems redundant, especially since the eventuality which they provide against (a major physical attack on one or more member states) is now virtually unimaginable. The 28 November meeting between France, Britain and Germany agreed to settle for the Italian presidency’s proposal of a more limited “solidarity clause” whereby all member states come to the assistance of a single member state suffering from a terrorist attack or a man-made or natural disaster⁵⁴. The corollary to this compromise was an explicit assertion that NATO remains the body ensuring collective defence for its members. These tentative moves towards commonality are reflective of a widespread desire to strengthen both CFSP and ESDP. However, the establishment of “core groups” to this effect is more likely to prove divisive than exhortatory⁵⁵.

Potentially just as divisive was the procedure that the UK finally embraced in October 2003: “structured cooperation”. This was an attempt to go beyond “enhanced cooperation” as provided for in the TEU and to allow a small number of militarily well-endowed states to drive forward CSDP in the name of the entire Union. The Draft Constitution specifies that “those member states whose military capabilities fulfil higher criteria and which have made more binding commitments to one another in this area with a view to the most demanding missions shall establish structured cooperation within the Union framework”⁵⁶. While this would allow the more “muscular” member states to forge ahead with coordinated EU military capacity and even to form coalitions with a view

⁵² Part I, Article 40, paragraph 2 goes beyond the timid conditionality of the TEU in this respect to declare: “The common security and defence policy *shall* include the progressive framing of a common Union defence policy. This *will* lead to a common defence, when the European Council, acting unanimously, so decides” (my stress).

⁵³ The procedures are spelled out in Articles I-40 & III-214

⁵⁴ The procedures are spelled out in Articles I-42 & III-231

⁵⁵ See the article by Finland’s foreign minister, “Europe needs to work as a whole on defence”, *Financial Times*, 28 October 2003.

⁵⁶ Part I, Article 6. Note that in the elaboration of this procedure outline in Part III, Article 213, the wording shifts slightly to “*and wish to make* more binding commitments” – indicating that this is an ongoing process.

to mounting EU missions, the procedure was seen by many member states to carry several dangers. To begin with, the analogy of Economic and Monetary Union, with its clearly articulated convergence criteria was doubly misleading. First, “convergence” in the case of EMU was towards the final stage: membership of the euro-group. In the case of defence, it would be far harder to reach agreement on what the ultimate objective might be. Neither a “European army” nor a fixed percentage of GDP as a defence budget are likely to generate consensus. Second, the capabilities which different states might be able to contribute will differ considerably: there can therefore be no generalised targets or benchmarks for all member states. Whereas all member states were technically capable of reaching the economic and monetary criteria, that is unlikely to be the case with defence. Specific targets will have to be adopted, therefore, geared to each specific member state’s niche potential. Third, whereas it is clear that the key members of structured cooperation in CSDP will be Britain and France, with the assumed participation of several other (not always “large”) member states, the problem will be providing an incentive for the remaining member states to aspire to join. A fine line will have to be drawn between allowing some of the larger member states to create unbridgeable capabilities gaps within the EU and allowing some of the smaller members states, in the name of “commonality”, to slow down the CSDP process so much that it becomes compromised. CSDP should not be born out of structured divisiveness. The key lies in establishing variegated performance criteria for each member state. This can only be done by a top-down methodology, which at present seems unlikely to achieve consensus.

The 28 November 2003 trilateral agreement in Berlin involved a compromise between the draft constitutional approach of the Convention and the proposals of the Italian presidency. While the European Council will have to approve the creation of structured cooperation, no minimum number of member states will be required (as is the case with enhanced cooperation). On the other hand, a strict requirement for membership will be the ability to mobilise, by 2007, within 5 to 30 days, a serious military intervention force for overseas deployment for up to 120 days. This arrangement, in addition to firming up the EU’s serious defence capacity, also allows all member states the prospect of eventual participation. Time and experience will tell how this arrangement works out.

The final proposal from the Convention in the field of CSDP institutions is for the creation of a *European Agency for Armaments, Research and Military Capabilities*. This we shall examine under section four of this report.

The institutional nexus of CFSP/CSDP, as it emerges from the practice of the past five years and from the proposals of the Convention, constitutes a massive leap forward in relation to the pre-Saint-Malo years⁵⁷. Its effectiveness will depend crucially on proper resolution of the questions raised in parts one and two of this report and above all in resolution of the major issue of military capacity.

⁵⁷ See, on these institutional issues, Alyson J.K. Bailes, “The Institutional Reform of ESDP and Post-Prague NATO”; and Udo Diedrichs & Mathias Jopp, “Flexible Modes of Governance: Making CFSP and ESDP Work”, both in *The International Spectator*, Vol.XXXVIII, No.3, September 2003; also Simon Duke, “The Convention, the draft Constitution and External Relations: Effects and Implications for the EU and its international role”, Maastricht, *European Institute for Public Administration*, September 2003.

IV - MILITARY CAPACITY

Since the Capabilities Improvements Conference (CIC) of 19 November 2001, EU defence officials and military planners in the Headline Goal Task Force (HGTF) have been busy trying to ensure at least minimal compliance with the stated objective of operationality by December 2003. The third EU Capabilities Conference which took place in Brussels on 19-20 May 2003 registered both progress and caution with respect to EU military capabilities. On the one hand, it noted that the first phase of the European Capability Action Plan (ECAP) had been successfully concluded, with the nineteen panels⁵⁸ activated covering the majority of the shortfalls and all member states participating. On the other hand, it recognized that, “at the upper end of the spectrum of scale and intensity”, significant deficiencies still existed. The conference adopted ten priority areas in which improvements must be ensured, either through additional contributions, or through member states’ current procurement programmes⁵⁹. The ECAP process began to shift, in summer 2003, away from sheer quantities towards more qualitative approaches and criteria. Project groups were established to focus on solutions such as leasing, multinationalisation and role specialisation.

In terms of range, the ball-park figure of 4,000kms (from Luxembourg), although devoid of any official status, has already entered the debate as “fact”. In part, this hypothetical range derives from the technical capabilities of the future A400M transport aircraft which can fly between 2,500 nautical miles at maximum payload (50.6 tonnes) and 4,900 nm with a 20 tonne payload. However, the A400M is also capable of in-flight refuelling or stopovers and one of its promotional mission scenarios is a humanitarian aid operation following an Asian typhoon, with 20 A400Ms operating out of Australia and Timor (almost 9,000 nms). The “debate” about range is in fact a good illustration of the imponderables of ESDP military intervention. In the foreseeable future, for political as well as technical reasons, it is unlikely that the EU *per se* would undertake any mission

⁵⁸ Attack Helicopters/Support Helicopters; *NBC (nuclear, biological, chemical) defences; *Unmanned Aerial Vehicle/Surveillance & Target Acquisition (UAV/STA) units; Medical Role/Medical Collective Protection Role 3; *Special Operations Forces (SOF); Carrier-based air power; Suppression of Enemy Air Defences (SEAD)I; *Air-to-Air Refuelling (AAR); *Combat Search & Rescue (CSR); Cruise missile/precision guided munitions; *Theatre Ballistic Missile Defence; Deployable Communication Modules; *Headquarters (OHQ, FHQ, CCHQs); Theatre Surveillance and Reconnaissance Air Picture; Strategic ISR IMINT (intelligence, surveillance and reconnaissance imagery intelligence) Collection; Early Warning and Distance Detection Strategic level; *Strategic Air Mobility/Outsize Transport aircraft, General Cargo aircraft; UAV (HALE/MALE [high/medium altitude long endurance] and tactical UAVs); RO-RO [roll-on roll-off]/General Cargo Shipping - (Source: EU General Affairs and External Relations Council. Meeting of Defence Ministers Brussels, November 19, 2002)

⁵⁹ The ten areas are the eight *asterisked* in footnote 56, plus two new categories: space-based assets and interoperability issues..

outside its “near abroad” (South East Europe, the Mediterranean and sub-Saharan Africa). Imminent scenarios in which some EU input is envisaged are in Afghanistan, the Middle East and even Iraq. But these would all be *NATO* missions using EU forces. Depending on the future evolution of relations with NATO and with the NATO response force it is entirely conceivable that EU missions anywhere in the world will eventually be feasible.

Controversy surrounds the precise status of European capabilities. Some argue that the EU is woefully deficient in the implementation of the Helsinki Headline Goal (HHG), while others insist that EU military planning is broadly on target, particularly given the parallel (and largely overlapping) Prague Capabilities Commitments stemming from the NATO summit in November 2002. In this latter view, any residual weaknesses in European deployability are connected with lack of political will rather than absence of muscle. Some of the difference has to do with perspective and expectation. Few serious military think-tanks expect the EU to be in a position to conduct major *high-intensity* operations before the end of the decade. This is the target date which was formally set by EU defence ministers in October 2003. However, there is little doubt that greater progress has been achieved than many thought likely.

Many have argued that the EU needs to spend more money. But the EU-15’s collective 2002 spend of almost \$170 billion, while only half the US defence budget, is almost four times the budget of China, which, in 2002, moved into the number two slot in terms of *national* defence spending⁶⁰. The EU collectively is by far and away the second highest defence spender in the world. \$170 billion should be ample to provide for the sort of limited military capacity the EU envisages for the foreseeable future. What is needed is rationalization and role specialization, in order to eliminate the wasteful replications of infrastructure and overhead costs which are involved in the current provision of fifteen armies, fourteen air-forces and thirteen navies. Despite much lip-service to trans-national rationalisation, too few concrete projects had emerged for multinational solutions, resource pooling or role specialisation⁶¹. Pooling in particular would involve lower overhead costs, more affordable enabling capabilities and increased interoperability. It would, for instance, have dramatically improved both the cost (and therefore the affordability) and the production run of the *Eurofighter*, currently struggling to rise above the obstacles posed by multiplication of production

⁶⁰ The respective figures for 2002 are: USA:\$329,616bn; EU 15: \$168,137bn; China:\$48,380; NATO Europe:\$185,619. Source: *The Military Balance 2003-2004*, pp.335-340

⁶¹ Certain “niche coordination responsibilities” have informally been agreed: Germany: strategic air lift; Spain: air-to-air refuelling; Netherlands: PGMs for delivery by EU F-16s. But this needs systematic organisation.

sites and duplication of effort⁶². Under these circumstances, it is little wonder that most informed experts consider the full completion of the HHG to be a long way behind its December 2003 schedule.

One key problem has less to do with specific commitments and more to do with the methodology. To date, the process has been exclusively “bottom-up”, depending on member states to make voluntary contributions, which the EU military staffs have subsequently endeavoured to render operationally coherent. What is clearly required sooner rather than later is the institutionalization of a formal Council of Defence Ministers which will tackle the procurement problem in top-down fashion, ensuring that, through some process of convergence criteria and through “naming and shaming” there will be no free-riders. Such a process has not been facilitated by general reticence among EU foreign ministries to agree to formal meetings of an EU Council of Defence Ministers. In February 2002, it was agreed that Defence Ministers would be authorised to meet under the aegis of the General Affairs Council to discuss “certain agenda items, limited to [...] military capabilities”. Seven such informal meetings of the EU Defence Ministers have since taken place⁶³. Until the Defence Ministers are empowered to meet regularly and officially, CFSP/CSDP will always be dominated by political or ideological considerations rather than by more pragmatic considerations of capabilities. However, the bottom line is that the EU *is* finally generating its own capacity and that that capacity has finally begun to be deployed in real missions.

1 January 2003 witnessed the first deployment of an EU-led civilian crisis management mission the *EU Police Mission in Bosnia-Herzegovina* (EUPM). Over five hundred police officers – drawn from all fifteen EU member states and eighteen other countries – were deployed and their duties have included monitoring, mentoring and inspection activities. The EUPM is overseeing about 16,000 police officers in Bosnia's two autonomous regions - the Muslim-Croat federation and the Serb Republic – and is also responsible for border police and the new central security ministry and information agency. It has a three year mandate (until 31 December 2005) and is slowly establishing sustainable policing arrangements, under Bosnian-Herzegovinian ownership, in accordance with best European and international practice⁶⁴. A second police mission – PROXIMA

⁶² See, on this, Tim Garden, “The Future of ESDP: Defence Capabilities for Europe”, *The International Spectator*, Vol. XXXVIII, No.3, September 2003.

⁶³ Saragosa, Spain (March 2002), Brussels (13 May 2002), Rethymn on, Greece (4-5 October 2002), Brussels (19 November 2002), Athens (14-15 March 2003), Brussels (19 May 2003) and Rome (3-4 October 2003).

⁶⁴ See the EUPM's dedicated web site: www.eupm.org

– is planned for Macedonia in December 2003, emphasizing that the EU is developing experience in the deployment of the entire range of civilian and military instruments.

Operation Concordia in the Former Yugoslav Republic of Macedonia (FYROM) was launched on 31 March 2003 with troops from all EU member states except Ireland and Denmark, as well as troops from fourteen additional countries (357 troops in total). This was the EU's first ever military operation. The core aim of the operation was, at the explicit request of President Trajkovski's government and mandated by the UN Security Council (Resolution 1371), to contribute further to a stable secure environment to allow the implementation of the August 2001 Ohrid Framework Agreement. The mission could draw on NATO assets under the "Berlin Plus" arrangements. Initially expected to last for a period of six months, it was agreed by the Council on 21 July to extend the mission until 15 December 2003, on request of the FYROM government. The mission was challenged in early September by growing unrest in northern villages as well as by bombings in Skopje and the kidnapping of local policemen. Although only lightly armed for self-defence purposes, the EU forces moved close to the disturbances and successfully re-established order⁶⁵. *Concordia* is a small mission which is nevertheless significant in two respects. First, it has high political symbolism in that it is testimony to the political determination of the EU member states to deliver on the Helsinki Headline Goal. Second, and more importantly, it has allowed the EU to implement and to test its own home-grown *crisis-management procedures*, requiring the mission to address every aspect of those procedures from command and control to force policy, to logistics and the juridical dimension of cooperation with the host nation.

Finally, on 12 June 2003, the EU, in response to a specific request from the UN Security Council, launched its first "EU-only" military mission – codenamed *Artemis* – in the Democratic Republic of Congo. Using French operational planning facilities and led by France as the "framework nation", this mission was successfully terminated on 1 September 2003, creating the conditions for the deployment of a reinforced UN mission – MONUC – in Bunia, the capital of the Ituri region.

⁶⁵ Arie Farnam, "First Test for the new European Army", *Christian Science Monitor*, 9 September 2003

Operationally, these missions were all well within the current capabilities of the EU. Together, they demonstrate both the will and the capacity of the EU to engage in military missions. They constitute a real breakthrough in terms of the EU's emergence as an international actor, if only because their very existence would have been unimaginable only five years ago. The EU has no doubt still a long way to go before it can engage in high-intensity military operations, either using NATO assets, or – still more distant in time – using its own autonomous assets. More controversial have been proposals to use EU military capacity to replace the 13,000 troop NATO stabilisation force (S-For) in Bosnia-Herzegovina. Although the EU clearly stated its readiness and willingness to take over this operation in 2004, General James Jones, the SACEUR, announced in August 2003 that he did not feel the EU was militarily ready for that more demanding mission. Similarly, Dutch proposals in July 2003 for the EU to send an interposition force into Transnistria (Moldova), were stalled during discussions in NATO. There is no doubt that politics and the sensitivities of the transatlantic relationship were at least as important in postponing these two missions as the genuine state of EU military readiness. Whatever the outcome of the current negotiations between the EU and NATO, the three operations launched in 2003 will be the first of a growing number of increasingly demanding tests of the EU's emerging status as a post-civilian power.

Towards a European Armaments Agency?

The European Armaments Agency has been re-invented more times than the wheel⁶⁶. The European Convention was therefore not breaking new ground by proposing the creation of a *European Armaments, Research and Military Capabilities Agency* (EARMCA)⁶⁷. In March 2003, the European Commission had already proposed a European Armaments, Research and Capabilities Agency. The implications of these developments have already been subjected to detailed scrutiny⁶⁸ and it is redundant to repeat the findings of that study here. However, the proposed EARMCA raises a number of crucial questions about European capabilities which deserve attention. First, and most significant is the extent to which any new Agency can substitute for political will and can short-circuit the powerful forces binding national governments and domestic clients. Some progress has been registered in this sphere – notably with the creation of the European Aeronautic, Defence and Space company (EADS) – but the current restructuring problems of the European armaments giant, which is seeking to break out of the “dual sovereignty” underpinning its

⁶⁶ See the (W)EU-Institute for Security Studies Chaillot Papers Nos. 9, 21, 27, 40, 44.

⁶⁷ Part III, Article 212.

⁶⁸ Burkard Schmitt, *The European Union and Armaments: Getting a bigger bang for the Euro*, Paris EU-ISS, 2003 (Chaillot Paper No.63). The author examines the implications for procurement, research and the defence market.

foundation⁶⁹, merely emphasise the nature of the problem. Hundreds of thousands of jobs are at stake and no government is likely to ignore that stricture. If the Agency were to restrict its activities to lowest common denominator programmes, there would be little point in launching it. Second (back to inclusion/exclusion), alternative agencies such as the Western European Armaments Group (WEAG) embrace member states (Norway, Turkey) which might from bitter experience, fear marginalisation rather than closer involvement. Third, most of the major organisms promoting armaments cooperation, such as OCCAR or the Letter of Intent (LoI) group⁷⁰ currently operate outside of any EU framework. Their current members would see EUisation as a form of “dilution” of the muscular armaments regime they are currently seeking to produce. Fourth, any such Agency should not have its remit restricted to the procurement programmes of the Helsinki Headline Goal, but should be enabled to cover the full spectrum of the EU’s present and future potential armaments requirements. Fifth, the “consumer” countries (including all the accession candidates) will need to review their purchasing policies and recognise the advantages of introducing competition into the transatlantic armaments market. Although it is unlikely that agreement will be reached to “buy European”, it should nevertheless be understood by all EU member states that the proposed EARMCA is broadly in everybody’s interests. The EU is poised to take a major step forward towards more rational procurement planning. The logic of ESDP/CSDP suggests that they progressively situate their national plans within a European framework. This would be the first step on a long road. But even the longest journey has to start with the first step.

Policy Recommendations:

1. Ultimate responsibility for procurement decisions within the context of the ECAP and HHG processes should be taken by a formally constituted Council of Defence Ministers, working in close cooperation with the European Military Staff and appropriate officials from the Commission.
2. Priority should be given, within that process, to differentiating between the conventional requirements of the HHG forces, with particular emphasis on rapid reaction forces, and the more diverse (and less overtly militaristic) requirements of the “war on terrorism”.
3. A core group should be authorised, under “structured cooperation”, to press forward with the most advanced military capacity currently available to the EU. This should be done on

⁶⁹ The management structure of EADS scrupulously respects the need for balance between the company’s French and German partners.

⁷⁰ The former coordinates procurement and the latter a regulatory framework for the main European armaments producing nations.

the strict understanding that the eventual aim is for all EU member states to become members of the core group through the adoption of specific realisable targets tailored to the genuine potential of each member state. This should be modelled on the procedures adopted by NATO under the Prague Capabilities Commitment (PCC).

4. The ECAP/HHG process should be conducted in tight cooperation with NATO via the PCC. The NATO-EU working group on capacity should focus harmonisation of the two capabilities processes.
5. Progressively, EU defence budgets should be rationalised and synthesised to allow for role or niche specialisation, pooling and multinationalisation. This is particularly the case with major programmes such as aircraft carriers, heavy lift, fighter aircraft and space-based assets. There is little need to spend more than the current \$170 billion. There is a great need to spend it far more wisely and efficiently.
6. Procurement should progressively be rationalised through a newly created Armaments Agency.
7. The EU should establish *both* a dedicated planning facility at the heart of SHAPE *and* a specific EU planning cell for EU-only operations, as recommended by the Berlin agreement. The latter should be located alongside the EU's military staff in the rue Cortenberg in Brussels.

CONCLUSIONS

The EU has come a very long way in a very short time. After fifty years of total impasse, the process of *Europeanisation* of security and defence thinking has begun to make its impact. The EU, after fierce debate, has generated considerable consensus about its strategic goals and Javier Solana's December 2003 *European Security Strategy* will become the benchmark against which the EU's collective objectives will be judged. Everything should be done to ensure that ESDP/CSDP is developed in close cooperation with NATO, without any teleological or ideological assumptions about the nature of the long-term relationship between the two bodies. It should also be recognised on both sides of the Atlantic that there will be occasions when the EU will wish to operate autonomously and that, on those occasions, it will require autonomous planning capabilities. The EU is developing an unprecedented mix of civilian and military instruments which will make it a unique and distinctive actor on the world stage. It will not aspire to military superpowerdom in the manner of the United States. But it will increasingly combine appropriate dosages of hard and soft power in the implementation of policies geared to promoting good governance in the European region, to building an international order based on effective multilateralism and to tackling the new threats of the 21st century.

To that end, the EU has established a framework for cooperation in the field of security and defence with all of its neighbours and allies. Although still embryonic and problem-ridden, the procedures for consultation, partnership and dialogue with these parties constitute a lucid recognition of the juridical, geo-strategic, political and military constraints under which ESDP/CSDP will continue to develop. Much more needs to be done properly to involve the countries of the southern Mediterranean, south Eastern Europe and the former USSR in building security partnerships across vast geographical areas. This must be an ongoing political priority since the first serious commitments of EU forces will be in its near abroad. Before long, a decision will be needed on the EU's ultimate borders. Without some sense of where the EU stops, it will be difficult to know what sort of international actor it is likely to become.

The institutional nexus for the formulation and delivery of a coordinated ESDP/CSDP is now in place. That in itself is a massive achievement, virtually unthinkable only five years ago. It should not be forgotten by those who deplore either the EU's ambitions in this field or its alleged slowness to adapt, that the US Constitution also was drawn up for a fundamentally civilian power. It took the

US the best part of a century to absorb the institutional and political implications of its shift towards military superpower status. The final discussions in the current IGC will make far-reaching decisions as to institutional refinement. Most urgent is the challenge of devising optimum structures for coordinating the respective aspirations of the member states and the Union as a whole. The key role played by the COPS should be recognised and reinforced. The COPS should work hand in hand with the new Union Minister for Foreign Affairs (UMFA) without being placed in a situation of dependency. The division of labour between the UMFA and the new Council President on the one hand and the new Commission President on the other hand will be the critical test of the new institutions' potential. The development of an EU diplomatic service is an urgent priority.

Despite widespread scepticism and even dismissal, the EU has taken the first steps towards the identification and the delivery of genuine military capacity. In 2003, it mounted several operations of a type which would have been unthinkable only five years previously. These operations were small in scale, but vitally important in testing procedures and in acquiring experience on the ground. The EU does not aim to emulate the US as a military superpower and will not, therefore, need to develop precisely the same type of military hardware. It will, however, need to ensure that its forces can remain interoperable with those of the US and this can be achieved through the development of military capacity in tight cooperation with NATO. It will need to improve – quite considerably – its methodological approach to the task of refining its requirements. A shift from bottom-up to top-down is inevitable sooner or later. Why not sooner? The fact of becoming a military actor will alter the EU's fundamental ethos as a hitherto exclusively civilian power.

The greatest challenge of the next fifty years will be to develop a strategic and security *culture* which will bring together the disparate norms of its large and small member states, its interventionist and its more pacifist members, its neutral and Allied, its Atlanticist and Europeanist states, its military producers and its military consumers, its new and old members. It has already embarked on that process.

ACRONYMS

AEW	Airborne Early Warning
CIC	Capabilities Improvements Conference
CEEC	Central and Eastern European Country
CFSP	Common Foreign and Security Policy
CHODs	Chiefs of the Defence Staff
CIC	Capabilities Improvements Conference
CMO	Crisis Management Operations
COPS	Comité Politique et de Sécurité
COREPER	Comité des Représentants Permanents
CSDP	Common Security and Defence Policy
CJTF	Combined Joint Task Forces
EADS	European Aeronautic, Defence and Space (company)
EARMCA	European Armaments, Research and Military Capabilities Agency
ECAP	European Capabilities Action Plan
EMU	Economic and Monetary Union
ERRF	European Rapid Reaction Force
ESDP	European Security and Defence Policy
EU	European Union
EUMC	European Union Military Committee
EUMS	European Union Military Staff
EUPM	European Union Police Mission
FAC	Foreign Affairs Council
FYROM	Former Yugoslav Republic of Macedonia
GAC	General Affairs Council
GAERC	General Affairs and External Relations Council
HGTF	Headline Goal Task Force
HHG	Helsinki Headline Goal
HR-CFSP	High Representative for the CFSP
LoI	Letter of Intent
NAC	North Atlantic Council
NATO	North Atlantic Treaty Organisation
NRF	NATO Response Force
OCCAR	Organisation Conjointe de Coopération en Matière des Armements
OSCE	Organisation for Security and Cooperation in Europe
PCC	Prague Capabilities Commitments
PoCo	Political Committee
QDR	Quadrennial Defense Review
SACEUR	Supreme Allied Commander in Europe
SEAD	Suppression of Enemy Air Defences
SHAPE	Supreme Headquarters Allied Powers Europe
TEU	Treaty on European Union
UAV	Unmanned Aerial Vehicles
UMFA	Union Minister for Foreign Affairs
UNSC	United Nations Security Council
WEAG	Western European Armaments Group
WEU	Western European Union
WMD	Weapons of Mass Destruction

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- Jolyon Howorth, *European Integration and Defence: the Ultimate Challenge?* Paris, WEU, Institute for Security Studies, 2000 (*Chaillot Paper* No.43).

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