



REFLEXIONS ON EUROPEAN DEFENCE

(Proposed by EuroDéfense-France)

September 2002

(Reflexion document for the future)

. What do we want Europe to achieve?

1. If, notwithstanding the undoubted progress it has made to date, Europe is eventually to shake off its present paralysis, ambition and daring need to be its watchwords.
2. Europe is a great economic and cultural power and the repository for values that are widely endorsed by its citizenry. It therefore has political responsibilities in a multi-polar world where it needs to have a presence – including in the Asia-Pacific region, an area now becoming vital to world stability. No one European country alone can make a significant impact on the balance of international forces.
3. To aspire to be recognised as a player with an influential role in maintaining world stability and security, it is not enough to be a world economic power, with a single currency. Europe must also, and most importantly, carry political weight, and be seen to do so. Until it is perceived as a power with a shared vision in terms of foreign policy and defence, Europe will not make its voice heard as a major player. This, however, means the sacrifice of diplomatic action that is strictly national and not coordinated within a European framework. Power and foreign and defence policy are closely and indissociably linked. And the last two cannot exist apart.
4. The exercise of power, through credible political and military instruments, can only effectively defend our common interests if undertaken in a genuinely autonomous decision-making framework.
5. Autonomy in defence does not mean Europeans withdrawing into their shells and reneging on their alliances. The Atlantic Alliance continues to be the essential framework for special cooperation in defence matters with the United States and Canada. While the EU is expanding eastward, close, trustful relations with Russia and Ukraine are essential to regional stability.
6. However, there is a need for pragmatism in view, for example, of the crisis in Afghanistan, and of likely future movements in the world balance of power. The Afghan crisis pointed up America's intentions of working through an *ad hoc* coalition, rather than NATO structures, and, in its unfolding, the United States determination to handle matters on its own has become apparent.
7. Moreover, it is clear that the centre of gravity of American interests in the world is shifting inexorably from Europe towards Asia where a challenge to American supremacy is discernable on the far horizon.
8. It is vital, therefore, rapidly to build up a powerful Europe on which America, our primary economic and political partner, can rely for support and to develop the capabilities that allow us to act independently in the defence of our own interests in the world – including, ultimately, the defence of our own territory – both because these may not coincide completely with US interests and because the United States may be busy elsewhere. It is especially unthinkable that Europe needs to refer to someone else to resolve crises as it were in its own sphere of interest. It therefore has to have the

necessary military credibility to guarantee stability on Europe's margins. Lastly, Europe's ambitions in regard to mutual assistance commitments, and hence to setting up a common defence, are clearly enunciated in Article J4 of the Maastricht Treaty (1991):

“ ... including the eventual framing of a common defence policy, which might in time lead to a common defence.”

9. Autonomy of decision-making as first articulated at the Cologne European Council¹ and since reaffirmed regularly in respect of both decision-making and action, must necessarily, therefore, be the cornerstone of the European edifice and it is incumbent upon us to explain and convince our allies and partners that it should not be understood as some kind of challenge to the current American leadership but as a natural and visionary development within the EU, taking place alongside the search for a more balanced Euro-Atlantic partnership within the Alliance.

10. A more united and powerful Europe can but strengthen our traditional alliances. It is Europe's failure, not its success, that could threaten the Alliance's future. It can reasonably be assumed in the light of the foregoing, that as Europe gradually enlarges to take in countries to the east, all of which have made clear their firm intention of first joining NATO, the Alliance will become increasingly less military and more and more the ideal political forum for the Euro-Atlantic dialogue.

11. Of course the quest for essential strategic autonomy by its very nature requires that the key area of the armaments industry in its widest sense should also have a degree of autonomy. This is a real issue and an urgent and difficult one, since complex industrial interests are at stake. It does not imply the creation of “Fortress Europe” and cannot be allowed get in the way of transatlantic cooperation and the opening up of markets. But some duplication is bound to ensue, if only in the fields of space and intelligence, the key areas in which autonomy of decision-making – the cornerstone of all real autonomy – applies.

Strategic concept and public opinion

12. There is a need to reassure the public at large in Europe that the European Union's priority task is to guarantee peace and stability on the continent. The Union is, moreover, based on democratic principles and humanitarian values which it must take upon itself to promote and defend. Thus an EU strategic concept needs to be developed whose wide publication should help produce a collective awareness, a genuine feeling of belonging to a European whole, causing public opinion to swing behind the Union's defence-related responsibilities. This concept also requires support from and consultation with national parliaments. The arrangements for their appropriate collective involvement in formulating such a concept are as yet to be determined. The preamble to any such document must reaffirm the fundamental principles and objectives of the Union and its political purpose of building a harmonised, coherent whole to provide for the development, security and safeguard of European nations' vital interests. It should be clearly stated what the conditions governing the use of armed force by the European Union are, particularly in regard to the need for any prior reference to the UN Security Council.

13. The question of a collective common defence, in other words a mutual obligation to provide military assistance in the event of attack, such as that contained in Article 5 of the Washington Treaty (NATO) and Article V of the modified Brussels Treaty (WEU), arises at the level of the European Union. Under present circumstances, since this type of arrangement is not acceptable to many European Union countries, Article V of the modified Brussels Treaty, binding on the 10 WEU full members, must be allowed to stand. It would be desirable, ultimately, to incorporate this type of clause into the Treaty on European Union or at the very least open the modified Brussels Treaty for accession by new members, as agreed in Maastricht in 1991.

¹ Cologne (June 1999). Annex to the Presidency Conclusions, then Helsinki (December 1999) Feira (June 2000), Gothenburg (June 2000) and Laeken (December 2001).

14. To meet today's threats, the European Security and Defence Policy (ESDP) should encompass all measures of coordination between member countries that are necessary to protect European citizens. In particular, as far as the use of military assets goes, the wording used to describe the Petersberg tasks: "tasks of combat forces in crisis management" is sufficiently general to admit of coordination of the use of military assets within the framework of the European Union institutions, particularly for the war on international terrorism. However, it would be helpful have it added explicitly to the list of Petersberg tasks at the next Intergovernmental Conference.

15. Furthermore, this "strategic concept" should affirm the duty of solidarity that all members of the Union have towards those agreeing to take part in crisis-management operations under NATO auspices, for instance, with the United Kingdom in Sierra Leone.

Adapting EU institutions

16. In view of the new importance defence policy (ESDP) has taken on in the Union there is a need to create a formal Council of defence ministers to organise intergovernmental cooperation in that sphere, particularly in defence planning for the attainment of the headline goal, and in relation to armaments.

17. The conduct of the Union's Common Foreign and Security Policy (CFSP) makes it necessary for there to be a Council of foreign ministers, particularly in times of crisis, as distinct from a Council of European affairs ministers concerned with internal EU matters.

18. The two Councils (foreign affairs and defence) could hold joint meetings when the importance and nature of the decision to be taken required it, particularly in times of crisis.

19. The structures set up since the Nice Summit are appropriate but the effectiveness and continuity of work done in the Political and Security Committee (PSC) could be improved upon if the committee were chaired by the Secretary-General/High Representative.

20. Lastly, bearing in mind that the continent's security requires cooperation from all countries, there is a need to set up effective machinery for consultation and participation to establish the necessary ties between the EU and non-EU European member countries.

Improving decision-making capabilities

21. The day-to-day running of WEU and NATO has shown clearly that the consensus rule governing decision-making as to whether or not to engage in action in the event of an international crisis has been the prime cause of a deep-rooted institutional conservatism, and has at the same time encouraged clandestine alliances to further paralysing effect.

22. Consequently, inasmuch as the consensus rule is required in order to adopt the concept and associated global strategies, a degree of pliability must be present when it comes to action agreed upon as a result, e.g. ready use of qualified majority voting, "constructive" abstention or other solutions to make the process more flexible. This will inevitably imply a review of the conclusions of the Nice Treaty which rules out such majority decision-making as far as the ESDP is concerned.

23. Rapid decision-making would be a major step forward, although decisions must still be taken in full knowledge of the circumstances. The making of any decision, whether leading to action or inaction, is invariably preceded by receipt of information. In other words, decisions cannot be supported, nor effective action taken, in the absence of good-quality information being made available upstream. In fact, a good definition of intelligence is reliable information supplied at the right time to a political or military decision maker.

24. Improving the European Union's capability to take autonomous decisions (i.e. independently of external influence of any kind), *ipso facto* implies ensuring that it has a genuinely autonomous intelligence capability, that covers the seeking out, gathering, processing and dissemination of intelligence, made available to it as quickly as possible. This is an absolute requirement if chronic

dependence on other countries – allies or partners – in possession of the full array of modern intelligence assets and alone capable of truly independent decision-making, is to be avoided. We all know the extent to which an image purporting to provide conclusive proof carries weight with our political decision makers, always provided such a document's reliability is not open to challenge.

25. Clearly, satellites transporting charges capable of receiving and transmitting images (optical, infrared or radar) or electromagnetic information, form the backbone of a system of strategic intelligence. To rely on third parties to gather such information would be tantamount to abandoning the idea of any genuine autonomy. This is an area in which we must stand firm and once again demonstrate our political will, and healthy ambition, to have assets that synchronise with our strategic concept.

26. Some European countries already have a wealth of know-how in this area and the Torrejón Satellite Centre² is a high-quality tool which should be developed further to enable it to deal with real time intelligence (transmission, analysis and dissemination).

27. Although it may seem premature, there is a need from now on to buckle down to bringing about the setting up of a proper European intelligence agency³, and this also means having the confidence at last to create a genuinely “shared culture” permitting flexible intelligence exchange over fast secure links via a centralised database and between partners.

Force building and leadership

28. There is, for the present, no permanent, multinational body capable of assuming military command of an operation organised under the political control of the European Union, as the European Union Military Staff (EUMS) only carries out planning functions.

29. As the Cologne European Council Declaration (June 1999) states “To this end, the Union must have the capacity for autonomous *action*, backed up by credible military forces, the means to *decide* to use them, and a readiness to do so, in order to respond to international crises without prejudice to actions by NATO.”

30. It is essential, in looking to act autonomously, for there to be an independent operational chain of command, making it possible, if necessary, to dispense with any recourse to NATO assets and capabilities. This presupposes that the EU has a permanent European joint Operation HQ or a national joint HQ that could become multinational in the event of recourse to the framework nation concept.

31. For the time being, the concept of the framework nation is in use in the European Union. However, one should envisage building an operational command function into the EU Military Staff in addition to the functions it already has and providing it with appropriate additional assets to achieve adequate response times.

32. At present the EU headline goal provides for force deployment within two months, which is too slow for true “rapid reaction”. A European “rapid reaction force” available at very short notice and hence a trained standing force, must therefore be set up. This multinational force would be available to the Council upon the authority of the EU Military Committee and would be subject to special joint funding rules. It is essential to set up a reserve to fund joint military aspects of crisis management to be confident of being able to intervene with sufficient rapidity.

33. As far as forces work-up is concerned member countries should concentrate on making sure their forces are adapted to current risks associated with international crisis management and the war on terrorism. Forces pledged for the headline goal should be organised and trained primarily with this type of mission in mind. Countries contributing to multinational European forces should give

² “Developing a European space observation capability to meet Europe's security requirements”. Assembly document 1789, June 2002; <http://www.assemblee-ueo.org>.

³ For a detailed analysis of this issue see “The new challenges facing European intelligence”. Assembly document 1775, April 2002; <http://www.assemblee-ueo.org>.

preference to the use of this type of unit, ready for international action and trained in peacetime to be interoperable with other country's forces.

34. Europe should have available to it the full range of military assets that have proved indispensable in the recent conflicts in Kosovo and Afghanistan⁴. Apart from land forces with sophisticated equipment for high speed data transmission, a European air and sea task force on permanent stand-by and air forces – with the full-range of high-precision remote firing systems – that can be rapidly projected is also essential.

Forces' equipment

35. Numerous deficiencies were noted in European forces' equipment when research was carried out in the EU in order to ensure it had the assets necessary to achieve the Helsinki headline goal. Coordinated effort in this field between European nations is absolutely necessary, beginning with harmonisation of operational needs, based on analysis of the so-called Petersberg tasks, and to be set out in detail in the strategic concept now being developed.

36. The European Capabilities Action Plan (ECAP) agreed at the Laeken Summit in December 2001, constitutes an excellent approach that should be actively supported by all the member countries. It involves clarifying common operational needs, reviewing existing capabilities, analysing plans and identifying possibilities for European cooperation in eighteen defence-related areas.

37. In particular, the equipment necessary to ensure the EU has the desired strategic autonomy and assets intended for joint facilities or those destined to become so should be made a high priority: this includes communication and observation satellites, operations command and control systems, strategic lift, in-flight refuelling and the like.

38. However all this will make sense only if member states are prepared to make the necessary financial commitments and implies an increase in investment and rationalisation of expenditure on military equipment on the part of EU nations.

Armaments Europe

39. While the efforts to restructure made by European defence industries in recent years are to be welcomed, they unfortunately extend only to the aeronautics and defence electronics and computing sectors.

40. It should be noted, however, that the persistent imbalance between US and European spending on military equipment could lead to Europe's defence industry becoming marginalised.

41. Only more intensive cooperation over armaments, the product of a consciously European policy, will make it possible for Europe to retain its strategic autonomy in the area of forces' equipment.

42. In order to make progress in this direction, a clear distinction has to be drawn within the composite discipline of Research and Development between:

- research and technology (R&T) programmes, in other words basic upstream research; and
- development programmes for new weapons systems.

When it comes to R&T, there needs to be a European "Defence R&T" budget, funded by all countries involved in the ESDP, and a form of organisation (agency), which is part of the second EU pillar, to keep R&T policy on track. This agency would be based on the present Western European Armaments

⁴ For a detailed analysis of this issue see the following reports: "European military capabilities in the context of the fight against international terrorism" and "Equipping our forces for Europe's security and defence – priorities and shortcomings"; Assembly documents 1783 and 1785, June 2002; <http://www.assemblee-ueo.org>.

Organisation (WEAO). All countries making a pro rata contribution according to a funding formula would benefit from the results of the joint research.

43. When it comes to developing new weapons systems, a structure will need to be set up within the EU that brings together states wanting to acquire an advanced weapons system and to cooperate in developing one on a “variable geometry” funding basis, where contributions are negotiated between participants case by case. This structure should be based on the present Organisation for Joint Armament Cooperation (OCCAR) of which the four main European arms supplier countries are members and which is to open its doors gradually to any EU country wanting to be involved in a joint armaments project, (as is currently being envisaged, for example, for the A400M transport aircraft).

44. Lastly, in the interests of harmonising cooperation and competition in Europe, the common rules of the Letter of Intent (LoI) framework agreement, signed by six European nations and covering such essential fields in relation to the defence industry as export regulations, industrial property, security of information etc. will need to be implemented. The reform of Article 296 of the Treaty establishing the European Community is also an essential prerequisite for any significant progress in the field of armaments production and trading within the European Union. The code of conduct for exports adopted in 1997 must be adapted to the enlarged Union and needs to be flexible enough in the way it operates not to penalise European firms faced with other competitors less scrupulous than they are. The European Union consequently needs to have a presence alongside states in specialist international fora (for example the Missile Technology Control Regime – MTCR, the Wassenaar Agreement – on dual-use technologies or the Australia Group – concerned with chemical and biological weapons).