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The Will and the Way:

The Challenges of Integrating the European Security and Defence Policy

by

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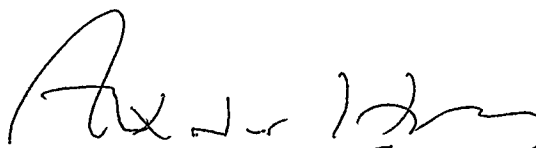
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ABSTRACT

This thesis examines the challenges of integrating the European Security and Defence Policy (ESDP). It addresses the political, structural and military challenges of integrating security and defence in the European Union. It argues that the lack of political will on the part of the leaders of the member states is the primary roadblock for security and defence integration. It suggests that full integration may not be possible, but that there is great potential for increased cooperation among the member states. It recommends that capabilities acquisition should be the prime area of focus in the near future. This will allow the European Union to carry out the Petersberg Tasks and may serve as a practical step towards integration.

ACKNOWLEDGEMENTS

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LIST OF ACRONYMS

BENESAM: Belgian-Netherlands Military Agreement
BiH: Bosnia and Herzegovina
C4ISR: Command, Control, Communications Computers, Intelligence, Surveillance
        Reconnaissance
CFSP: Common Foreign and Security Policy
COPS: Political and Security Committee
COREPER: Committee of Permanent Representatives
ECAP: European Capabilities Action Plan
EDA: European Defence Agency
EDC: European Defence Community
EMU: European Monetary Union
ERRF (EURRF/RRF): European Rapid Reaction Force
ESDP: European Security and Defence Policy
ESS: European Security Strategy
EUFOR: European Force
GAC: General Affairs Council
GAERC: General Affairs and External Relations Council
EU: European Union
HG: Headline Goal 2010
ISAF: International Security Assistance Force
NATO: North Atlantic Treaty Organization
NRF: NATO Reaction Force
PfP: Partnership for Peace
PSC: Political and Security Committee
R&D: Research and Development
UN: United Nations
WMD: Weapon of Mass Destruction

Chapter 1: Introduction

"...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."[1]

"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."[2]

In less than ten years, the European Union (EU) has developed not only a European (Common) Security and Defence Policy (ESDP) decision-making structure but also the capacity to support military missions under the banner of the ESDP. The European Union continues to move towards integration in this field. Yet there are many challenges that must be addressed if the EU wishes to continue security and defence integration.

In the academic realm, "most friends of European integration have long believed that Europe must aim at the creation of a federation or even a 'United States of Europe,' as former French president Valéry Giscard d'Estaing suggested in his capacity as chairman of the convention charged with drafting a European constitution."[3] This view, as well as current and past documentation indicates that the EU's aim is to integrate security and defence. Yet the implementation of this goal shows it to be anything but an easy objective. What exactly would an integrated security and defence structure look like? What areas of security and defence could be integrated? What level of integration

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[1] British-French Summit, "Joint Declaration on European Defence" Joint Declaration Issued at the British-French Summit, Saint-Malo, France (04 December 1998).
[2] Secretariat-General of the European Union, *Treaty Establishing a Constitution for Europe,* Brussels, 29 October 2004, Article 41.2.
[3] Jan Zielonka, "Challenges of EU Enlargement" *Journal of Democracy,* Vol 15(1) (January 2004), 27.

could or might occur in the European Union and what steps would need to be taken in order to increase integration? What are the challenges facing European security and defence integration?

There is a large area of possibility for integration within the ESDP. By focusing on streamlining the decision-making process, rationalizing the ESDP structure and increasing capabilities the European Union can continue to integrate the ESDP structure. Yet the EU will also face serious difficulties in its process for security and defence integration. Foremost among these challenges is a lack of political will on the part of the member states to make the necessary moves towards security and defence integration. Without support from both domestic populations and political leaders to pool sovereignty over security and defence, integration will not advance. Further, the question of nuclear weapons and the connection between security and defence and sovereignty may define when and where security and defence integration can occur. This thesis will address these issues and offer some policy prescriptions that may help to ease the problems of integration.

Theory and the ESDP

In general, what follows is not a highly theoretical discussion of the European Union's policy on military integration. That being said, it is still necessary for the reader to understand the context in which this thesis has been written. The discussion is approached from a multi-level governance understanding of the European Union. Multi-level governance is a theory that not only takes note of the different levels at which governance might occur (i.e. national, international, intergovernmental, supranational), but also that different types of integration might happen at these different levels and

across the different pillars of the European Union simultaneously.[4] For example, interaction might occur under monetary policy under pillar I in a way that is best explained by neo-functionalism. At the same time, pillar II interactions may be best explained as intergovernmental and realist in nature. Thus, multi-level governance is the theory best able to take into account the complex and varied integration, policy formulation and interaction process occurring in the context of the European Union. Pillar II interactions, and specifically those that fall under the auspices of the ESDP are generally of an intergovernmental and realist nature. According to Bache and Flinders "'Multi-level' referred to the increased interdependence of governments operating at different territorial levels, while 'governance' signalled the growing interdependence between governments and non-governmental actors at various territorial levels."[5]

The Five-Step Policy Process

This thesis examines the issue from a multilevel governance perspective. It also applies a policy analysis framework to the issue of European security and defence integration. Specifically, it employs a five-step policy cycle and proposes policy prescriptions. The policy cycle must be outlined briefly within the context of the ESDP. Step 1 is problem definition: What is the problem? Who defines the problem? Step 2 is agenda setting: Who determines the problem's priority? Who will deal with the problem? When will it be dealt with? Step 3 is policy creation: How will the problem be dealt with? What are the goals of the policy? What specific actions will be

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[4] John Peterson and Elizabeth Bomberg, *Decision-Making in the European Union* (New York: St. Martin's Press, 1999), 5, 9.

[5] I. Bache and M. Flinders as cited in Mark A. Pollack, "Chapter 2: Theorizing EU Policy-Making" in Helen Wallace, William Wallace and Mark A. Pollack, eds., *Policy Making in the European Union* (5th ed.), (Oxford: Oxford University Press, 2005), 39.

taken/legislation created? Step 4 is policy implementation: How is the policy implemented? Who needs to be informed of the policy? Step 5 is the restatement of the policy or policy termination: When and how will the policy be reviewed/terminated?[6]

In terms of the ESDP, the problem is defined as 'how will the European Union continue to integrate security and defence?' The issue is defined primarily by the leaders of the governments of the member states as well as the supranational structures of the European Union. In the context of the ESDP, the failure of the European Community (EC)/European Union to deal with the crisis in Bosnia-Herzegovina under the CFSP helped create an understanding that the problem was its crisis management capabilities.

The agenda in this case is set by the Council of Ministers of the European Union and more specifically by the General Affairs and External Relations Council (GAERC).[7] The member state that is currently acting as president of the Council, the priorities of the governments of the member states and to some extent the Secretary General/High Representative for the Common Security and Defence Policy (SG/HR) also have an impact on the agenda.

The priority of European security and defence in relation to other issues is somewhat more problematic as different member states give the ESDP different priority within their national policies. At the same time, its priority is also ranked within the European Union's policy structure. It can be said generally that aspects of the ESDP,

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[6] For a development of the policy analysis process and its relationship with political science, see Randall B. Ripley, *Policy Analysis in Political Science*, (Chicago: Nelson-Hall Inc, 1985).

[7] James A. Caparoso, "The European Union and the Democratic Deficit" in *Federalism Doomed: European Federalism between Integration and Separation*, (New York: Berghahn Books, 2002), 89.

such as improving European capabilities, are a policy priority but other aspects of the ESDP, such as sharing defence budgets or limiting national ability to set security and defence objectives, are not.[8] The issue of security and defence also ranks lower in the opinion of most European populations than domestic concerns such as healthcare and unemployment.[9] The lower priority given to security and defence issues means that it is often pushed aside to deal with more pressing domestic issues.

The challenge of security and defence integration and the increase of crisis management capabilities have primarily been dealt with by the creation of institutions within the European Union structure designed to support the ESDP. A detailed discussion of the various apparatus involved in the decision-making structure is the focus of chapter 5. Aside from this decision-making structure, several committees and agencies have been created to support the ESDP such as the European Defence Agency (EDA), the Political and Security Committee (PSC), the Military Committee (MC) and the European Military Staff (MS). These groups have been created primarily through European Union legislation and treaties.

The goals of the ESDP are somewhat ill-defined as member states hold different or conflicting views of the ESDP. According to Zielonka, "[t]he Union has never

[8] William Wallace "Chapter 17: Foreign and Security Policy: The Painful Path from Shadow to Substance" in Helen Wallace, William Wallace and Mark A. Pollack, eds., *Policy Making in the European Union* (5th ed.), (Oxford: Oxford University Press, 2005) 449.
[9] European Commission, Directorate General Press and Communication, *Public Opinion in the European Union: First Results (Eurobarometer 64)* Brussels, (December 2005), Point 1.3, 7-8.

officially spelled out what is the intended end-product of European integration."[10] This

issue is a major point of contention throughout this thesis as it makes it difficult not only

to assess the overall aim of the ESDP but also when, and if, any policy objectives have

been achieved. It is also one of the fundamental conundrums of the ESDP. The best way

to understand the ultimate purpose of the ESDP within the process of integration as well

as to monitor the process of integration is to understand the aim of the ESDP. The ESDP

does not seem to have been shaped by any sort of 'vision' for its overall design. It, like

many other areas of public policy, is shaped more by the policy of 'muddling through'.

Various aspects of the ESDP have been pulled together as 'needed', rather than by any

established goals or overall strategy. In the author's view, in many cases, it is only in

hindsight that the direction of the ESDP and the policies created to support it can be

determined. In short, the policy making process is more reactive than pro-active.

In the short term, the goal of the ESDP appears to be the development of a

mechanism capable of rapid reaction in crisis management operations. This goal is

summarized in the Petersberg Tasks as well as in the current focus of capabilities

acquisitions and the creation of ESDP structures for crisis management. As the focus is

on crisis management and the implementation of the Petersberg Tasks, this means the

ESDP is not, at least at this time, aimed at developing mechanisms for the defence of the

European homeland in a traditional manner. This does not, however, clarify the long-

term goal of the ESDP. The achievement of the Petersberg Tasks may be an end in and

of itself or it may be a first step on the road towards more complete integration. Still, in

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[10] Jan Zielonka, "Challenges of EU Enlargement" *Journal of Democracy,* Vol 15(1)
(January 2004), 27.

the author's analysis, fulfilment of the Petersberg Tasks does offer some direction for the ESDP.

ESDP policies are implemented through the structures of the European Union, especially the Council of Ministers, as well as by the militaries/foreign ministries/departments of defence of the member states. The Political and Security Committee is responsible for the day-to-day administration of the ESDP while the Military Committee/Military Staff implements the military aspects of PSC/Council decision-making process. Figure 1 outlines these decision-making structures and Chapter 3 discusses them in detail. The foreign affairs/defence departments of the member states also play a role in both setting and implementing ESDP policy. The governments of the member states are responsible for keeping their publics informed of developments in the ESDP and security and defence integration within the European Union.

The final step in the policy process cycle is termination or review of the policy. Within the ESDP, much as in the integration process throughout the rest of the EU, the point of termination is difficult to determine as integration is an ongoing process. Thus it is a case of policy review – which is occurring constantly within the ESDP – and not a case of policy termination as both the end point and the ultimate shape of the ESDP are somewhat indeterminate. This lack of a finite termination point for integration adds confusion to the ESDP integration process.

This confusion within the policy mechanisms of the ESDP cannot be reiterated strongly enough. What is the ultimate policy end of the ESDP? Is it to provide for the defence of Europe? At this point, it is not the policy's ultimate aim. Is it to provide for an increase in capabilities and a reorientation of force structure among the member states?

The answer to this question is, largely, yes. Then what of all this need for talk of integration? These relatively straightforward goals can be achieved without the integration process. At this point, what matters is how the Petersberg Tasks are implemented. Yet part of the final aim of the ESDP is to act as part of the process towards closer European integration. It is this last element of the ESDP that causes so much confusion and thus provides the key to understanding the ESDP and the forces that both drive it forward and pull it apart.

Terms and Definitions

In many cases when discussing the European Union, the distinctions between elements are subtle, but make a world of difference. The separation between the European Union and the member states that compose it is one such example. The member states are the European Union. At the same time, the European Union is also an entity that, to some extent, has its own goals and aims. The European Union has a vast structure that supports and sustains it. This, somewhat inevitably, creates interests and bureaucratic loyalties. In the view of the author, the institutions of the European Union have an interest in self-preservation. Within the European Union, the best way to ensure that the various institutions continue to expand their roles and responsibilities, and thus ensure their survival is through moving forward with integration. Thus, institutions such as the Commission or the High Representative for the Common Foreign and Security Policy may push forward integration at a faster rate than the member states would like. They may seek to enhance the bureaucratic structure of the EU and make the integration process difficult to unravel. In a similar manner, though the EU's bureaucrats are drawn from the member states, they may feel more loyalty to, or gain more benefit from, the EU

than from the member states individually. The fact that a large number of the EU's bureaucrats work out of Brussels and thus interact more frequently with their counterparts from other national governments than they do with their own, further fosters a European connection, sometimes at the expense of national goals. This concept, termed 'going native', has caused political/structural problems and will be raised again in Chapter 5. The interests of certain member states may prevail in discussions or decisions, allowing them to a disproportionate influence over policy. All these influences may push the EU to set goals and objectives that are different from those of the individual states that are its members. What is best for the European Union may not be best for the member states. This makes it possible to view the European Union intergovernmentally as the interactions of the member states for their own benefit or supranationally as an institution above the state level seeking to advance its own interests.

This phenomenon of separate but not separate entities may help to explain where the momentum for integration comes from. This is all the more important in the ESDP where it is not always clear that the member states are fully committed to the process of security and defence integration either individually or collectively and the impetus for integration is thus more difficult to find. Though this may be a more apparent concern in security and defence integration, the issue has, to some extent, arisen in other areas of integration as well.[11] This concept should be kept in mind throughout the paper, as it will help to explain some of the otherwise paradoxical aspects of the ESDP.

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[11] Kathleen R. McNamara, "Chapter 6: Economic and Monetary Union: Innovation and Challenges for the Euro" in Helen Wallace, William Wallace and Mark A. Pollack, eds., *Policy Making in the European Union* (5th ed.), (Oxford: Oxford University Press, 2005), 144.

There is also a subtle but important distinction between the terms integration and coordination (or cooperation). Integration can be defined as "to form, coordinate, or blend into a functioning or unified whole" or "to incorporate into a larger unit".[12] Here the emphasis is on the incorporation of a smaller unit into a larger one. Haas describes integration as "the formation of a new political community. In the process of integration, national political actors [are] persuaded to shift their loyalties, expectations and political activities for a new centre whose institutions possess or demand jurisdiction over the national states.[13] According to Ojanen, integration must be thought of as "mechanisms of spill-over whereby the states would no longer be in control of processes that, guided by other groups' interests, would ultimately supersede them and lead to the formation of wholly new political communities."[14] In contrast, cooperation is defined as "to act or work with another or other; to associate with another or others for mutual benefit".[15] In this case, the emphasis is on individuals working together without losing their distinctiveness in a larger whole. The ultimate goals of each action are different. In the case of integration, the goal is to come together to form a larger whole that subsumes the individuals. In the case of cooperation, the goal is for individuals to work together for mutual benefit without forming a larger entity that will replace the smaller unit.

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[12] Merriam-Webster Inc., "Integrate" in *Merriam-Webster Online Dictionary*, available at http://www.m-w.com/dictionary/integrate. Accessed 22 February 2006.

[13] Ernest B. Haas, cited in Hanna Ojanen, "The EU and NATO: Two Competing Models for a Common Defence Policy", *Journal of Common Market Studies*, Vol 44(1), (March 2006), 58-59.

[14] Hanna Ojanen, "The EU and NATO: Two Competing Models for a Common Defence Policy", *Journal of Common Market Studies*, Vol 44(1), (March 2006), 58.

[15] Merriam-Webster Inc., "Cooperate" in *Merriam-Webster Online Dictionary*, available at http://www.m-w.com/dictionary/cooperate. Accessed 24 February, 2006.

In terms of the European Union, these are important distinctions as the member states may cooperate without integration, though they cannot integrate without cooperation. Thus, it can be said that though the EU may have made great progress in cooperation and have even developed the capacity to work together to complete complex missions, they may not be any closer to integrating their militaries or policies into a larger whole. Ultimately, member states may still be able to act autonomously on defence issues. If they move to further integration they may find themselves bound inextricably to new ties. "Once integrated, a policy field cannot be easily disintegrated."[16] If cooperation dissolves, the member states still exist. If integration increases, a new institutional framework will emerge but if not completed a more permanent separation may lead to a worse situation than before.

The terms supranational, international and federal/federalism must also be understood in this context. The application of any one of these theories to the understanding of the ESDP might well result in different structures. As the debate on which description/theory best explains the EU continues, these definitions are all the more pressing.[17] Supranational can be defined as being above and beyond the national level. It indicates that there is a level of government or governance above the national level but it is more than international in scope. Supranationalism refers "to a particular

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[16] Jolyon Howorth, "European Defence and the Changing Politics of the European Union: Hanging Together or Hanging Separately?" *Journal of Common Market Studies*, Vol. 39(4) (November 2001), 766.

[17] See, for examples of these debates, Ben Rosamund, *Theories of European Integration* (New York: Palgrave, 2000).

characteristic of international institutions and international legal authority."[18] In the context of discussions about the EU, it implies there is system of governance that has a political identity and is able to shape and control policy in the areas it presides over. Authority for certain areas of decision-making is formally delegated from the state to the supranational body. Moravcsik indicates that there are two different types of supranationalism. 'Pooled sovereignty' occurs when "governments agree to make future decisions by voting procedures other than unanimity.[19] 'Delegated sovereignty' gives a supranational actor "the authority to take certain sorts of decisions without either a vote amongst affected governments or the capacity of states to veto the decision."[20] In her article "The EU and NATO: Two Competing Models for a Common Defence Policy", Ojanen sets out certain criteria that need to be met for supranational governance to occur. These criteria include issue-linkages that lead to integration, spill-over of issue areas that expand the field of integration, the pooling of sovereignty, shared institutions with supranational legislative authority and socialization of member states and the public.[21]

International, in contrast to supranational, is a term that deals with the interactions between states. Specifically, 'international' is the context in which states operate in their negotiations with one another.[22] Within the European Union, 'international relations' are interactions between the European Union and states outside the European Union.

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[18] Iain McLean and Alistair McMillan, ed. "Supranationalism," in *Oxford Concise Dictionary of Politics* (Oxford: Oxford University Press, 2003) 527.
[19] Ibid.
[20] Ibid.
[21] Hanna Ojanen, "The EU and NATO: Two Competing Models for a Common Defence Policy", *Journal of Common Market Studies*, Vol 44(1), (March 2006), 65-68.
[22] Iain McLean and Alistair McMillan, ed. "International Relations" in *Oxford Concise Dictionary of Politics* (Oxford: Oxford University Press, 2003).

Relations within the European Union are considered intergovernmental. As the discussion that follows will deal with intergovernmental relations and not international relations, the concept of 'intergovernmentalism' must be further explored.

Intergovernmentalism is both "a theory of integration and a method of decision-making in international organizations, that allows states to cooperate in specific fields while retaining their sovereignty. In contrast to supranational bodies in which authority is formally delegated, in intergovernmental organizations states do not share the power with other actors, and take decisions by unanimity."[23] Pillar II decisions, and the ESDP, are intergovernmental as opposed to international or supranational.

'Federalism' is a somewhat ambiguous term when applied to the EU as there are several different approaches to federalism as well as some debate on the policy application of federalism and its ultimate aim.[24] It "is difficult to find a single, coherent body of European federalist theory."[25] At the same time, federalism has some general features. Rooted in the works of Kant, Héraud, Brugmans and Friedrich, federalism

> most commonly describes political systems in which there is a division of authority between central and regional or state government...Federal systems are usually understood as resting on historic compromises involving the permanent compact between territorial units. These territorial units yield a measure of authority to common, centralized institutions, but remain largely intact as units, retaining at least a measure of autonomy. The 'magic formula' for federal systems involves the optimum mixture of unity and diversity.[26]

In relation to the European Union, no matter where it starts – sociologically or constitutionally – it is argued that federalism will lead to "a clearly defined supranational

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[23] Iain McLean and Alistair McMillan, ed. "Intergovernmentalism," in *Oxford Concise Dictionary of Politics* (Oxford: Oxford University Press, 2003) 268.
[24] Ben Rosamond, *Theories of European Integration* (New York: Palgrave, 2000), 23-26.
[25] Ibid, 29.
[26] Ibid, 24.

state".[27] Federalism is based on political solutions to political problems and tends to focus on constitutional agreement as the way to build a new state. Federalists tend to advocate the recreation of the state at a European level instead of the creation of a new political entity.[28] Within a federal context, the European Union could take many forms. It might transform the existing member states into

> entities analogous to US states, Canadian provinces or German Länder. It might mean accepting the apparent logic of 'differentiated integration' where the future EU is characterized by variegated patterns of integration and where the depth to which member states are integrated may vary considerably from case to case. A federal Europe might resemble 'Europe of the regions' where the rigidity of national territorial barriers begins to wither away and the two primary levels of governance are regional (i.e. subnational) and European. Alternatively, a federal Europe might amount to a serious delimitation of to powers of central European-level institutions, with carefully designed constitutional principles in place to protect the rights of member-states.[29]

Neofederalism has also emerged as a theory to be applied to the European Union. Based on the central ideals of federalism, "neofederalism is built around the idea that a federal settlement continues to be a *rational* solution in light of both the problems faced by European states and the quasi-federal solutions already in existence."[30] Overall, federalists assume that through constitutional agreement a new supranational European state will be created. In the context of this paper, neofederalism will be the accepted theoretical base for federal discussions of military integration.

A distinction must also be made between 'traditional' security and defence operations and other 'non-traditional' operations. Traditional security and defence refers to the protection of the state through establishing the security and defence of the

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[27] Ibid, 26.
[28] Ibid, 30.
[29] Ibid. .
[30] Ibid, 103.

homeland, borders and by direct, offensive or defensive military action to preserve the homeland. Non-traditional security operations include peacekeeping, policing and rule of law missions and are not necessarily fundamental to the security and protection of the homeland. They usually take place abroad. Norrin Ripsman and T.V. Paul make the distinction between traditional and non-traditional security by noting the traditional security is aimed at conflict between states while non-traditional security deals with other non-state threats (such as terrorism, failing states and civil wars).[31] Thus far, the European Union has been able to carry out missions in the second sphere, but not in the first. It is common security and defence of the European homeland that will be the ultimate culmination and test of security and defence integration.

Throughout the thesis, the three pillars of the European Union will be referred to. Pillar I, is the European Community, which deals primarily with internal and external *acquis communautaire* legislation. Areas such as the internal economy, external trade and the European Court of Justice (ECJ) fall under Pillar I. Pillar III is Justice and Home Affairs. Included under this pillar are justice issues, such as policing, and home issues, such as internal terrorism and drug and human trafficking. Some of these issues have shifted from Pillar I as Pillar III has developed and expanded. Pillar II is the European Union's Common Foreign and Security Policy (CFSP). The European Security and Defence Policy falls under the jurisdiction of Pillar II.

Within the CFSP/ESDP (Pillar II), decisions are intergovernmental, but are made by Community (Pillar I) institutions, such as the Council if Ministers, COREPER, the

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[31] Norrin M. Ripsman and T. V. Paul, "Globalization and the National Security State: A Framework for Analysis" in *International Studies Review* Vol. 7 (2) (June 2005), 201.

Secretariat-General and the Commission. Thus, these institutions are 'double-hatted' and operated differently depending on the Pillar they are meeting to deal with. Thus, in Pillar I, the Commission is the only institution that can introduce discussion and make binding decisions on certain aspects of policy. In Pillar II, it is the member states in the Council of Ministers that introduce issues while the Commission can make recommendations but does not have a vote in this formation.[32]

In order to understand the current ESDP, it is first necessary to understand its history and decision-making structure. Chapters 2 and 3 will focus on these aspects of the ESDP. Chapter 1 will examine the background to the ESDP's development through the second half of the 20th century from the European Defence Community (EDC) in the 1950s to the draft of the Constitution of Europe. Chapter 3 provides an overview of the complex decision-making structure of the ESDP. It will attempt to explain and to analyze the roles of each of the institutions involved.

This historical and structural context provides the foundation for chapter 4, which will examine the political challenges the EU will face in the development of a common security and defence policy. Foremost among these challenges is the lack of political consensus among the member states as to how to move forward. This includes the continued unwillingness of national governments to pool or give up control and sovereignty over the areas of security and defence. A brief discussion of some policy prescriptions that might relieve some of these problems will be included in the chapter.

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[32] For a discussion of the different roles and the 'double-hatting' of Community institutions in different pillars, see Gretchen MacMillan, "The European Union: Is it a Supranational State in the Making?" in Andreas Heinemann-Gruder, ed., *Federalism Doomed: European Federalism between Integration and Separation* (New York: Berghahn Books, 2002), 71.

Chapter 5 builds on this discussion of the political challenges Europe faces in integrating security and defence (chapter 4) and the decision-making structure (chapter 3) by examining the structure of the ESDP. In particular it highlights the foundations of the structure of the ESDP decision-making in the political reality of the European Union and discusses what effect this will have on the future integration of the ESDP. The key challenge to increasing the level of integration of security and defence issues will be the structure of the ESDP itself, which requires unanimity and thus fosters lowest common denominator decisions and prevents the development of an overall vision for the development of the ESDP. Conflict within and between the different institutions of the ESDP is an important structural concern which could negatively impact the ESDP. Chapter 5 will conclude with a brief examination of some policy prescriptions that may help to alleviate some of the issues of integration.

Any analysis of the challenges faced by the EU in integrating the ESDP would not be complete without a discussion of the military issues involved. This will be discussed in Chapter 6. The most important factor in making the ESDP a reality is not the creation of institutions to carry it out, but the acquisition of the military capabilities required to carry out their goals, especially the Petersberg Tasks. In this chapter the limitations in current European capabilities will be discussed. This will include both the reasons as well as the implications for these limitations. This will be followed by a discussion of other issues that might challenge future integration efforts, such as interoperability issues and language barriers. Finally, some policy prescriptions for overcoming these challenges will be proposed. The thesis conclusion will examine some implications for the future shape of European security and defence integration, with an emphasis on the

main political and military challenges for the future. This will include a discussion of what level of integration might be achieved given the constraints placed on security and defence integration in Europe.

The Constraining Effects of Sovereignty and Nuclear Weapons

Two significant limitations on any integration of military capacity impacting on the EU are sovereignty and the management of nuclear weapons.

The question of national sovereignty, that is, the ability of a country to set its own goals and priorities within its territory, is a fundamental principle of the Westphalian state system and arguably the central tenet of the modern international system. Yet the European Union seems to have eschewed the traditional concept of sovereignty. However, can the concept of pooled sovereignty be applied to the field of security and defence policy? How does the changing approach to sovereignty affect the future of the ESDP and the EU as a whole?

Classically, sovereignty has been defined as "supreme power especially over a body politic; freedom from external control; controlling influence."[33] If a state gives up the right to set its own policies, it has by definition sacrificed its sovereignty as it no longer either has "supreme power especially over a body politic" or "freedom from external control".[34] Yet some authors, such as Robert O. Kehone, have given sovereignty a broader meaning and application by proposing that there is not one single concept of sovereignty, but rather several different aspects to it. He stresses three different types of

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[33] Merriam-Webster Inc., "Sovereignty" in *Merriam-Webster Online Dictionary*, available at http://www.m-w.com/dictionary/sovereignty/. Accessed 25 February, 2006.
[34] Ibid.

sovereignty: external sovereignty, unitary sovereignty and pooled sovereignty.[35] 'External sovereignty', he argues "is the doctrine that the state 'is subject to no other state and has full and exclusive powers within its jurisdiction without prejudice to the limits set by applicable law'. That is, sovereignty means both internal supremacy over all other authorities within a given territory, and external independence of outside authorities."[36] 'Unitary sovereignty', according to Keohane, is the concept that "the ultimate authority in the state must reside in one place: that by definition, sovereignty cannot be divided."[37] Clearly the member states of the European Union no longer practice either external sovereignty or unitary sovereignty. The concept that best describes the EU's approach to sovereignty is 'pooled sovereignty'. 'Pooled sovereignty' is defined by Keohane as a situation in which "states' legal authority over internal and external affairs is transferred to the Community as a whole, authorizing action through procedures not involving state vetoes."[38] In terms of its specific application to the EU, "law that is binding on the states of the Union can be made without...unanimous agreement," meaning that states may agree to certain terms of a Union agreement, but may find that these terms also bind them to other decisions that may move policies in a direction that they do not support.[39]

Jan Zielonka makes another distinction about sovereignty, arguing that "it is hard to imagine an enlarged EU gaining absolute 'Westphalian-style' sovereignty. Divided sovereignty along different functional and territorial lines is likely to be the norm. And

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[35] Robert O. Keohane, "Ironies of Sovereignty: The European Union and the United States" *Journal of Common Market Studies*, Vol 40(4) (2002), 746.
[36] Ibid.
[37] Ibid.
[38] Ibid, 748.
[39] Ibid.

distinctions between EU members and their non-EU neighbors are likely to be more blurry than sharp."[40] Zielonka proposes that the European Union will not become a European super-state, but more of a 'neomedieval empire', a trend termed 'neomedievalism'.[41] In this case, neo-medievalism as applied to the European Union is "a pattern of governance resembling concentric circles, without a clear power center or hierarchy".[42] This argument has interesting repercussions for security and defence integration. Zielonka argues that seeking to build a Westphalian-style military for Europe may not be a good thing. "Acquiring serious military capability may help the Union to cope with local violence, but it might also raise suspicions and induce other countries to military build-ups aimed at balancing the rising power of the EU. It would also imply a much greater responsibility for maintaining peace and order in Europe and beyond."[43] If the ultimate manifestation of the European Union is in the form of neo-medieval empire, what sort of security and defence policy is best for the EU? What areas should be focused on? What capabilities should be developed? Should there even be a focus on security and defence integration?

In his article, "Ironies of Sovereignty: The European Union and the United States" Keohane argues that a "major historic accomplishment of the EU is that it has ended [the] association between sovereignty and success."[44] In some cases, as with the creation of a common monetary union within the EU, states may be willing to sacrifice

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[40] Jan Zielonka, "Challenges of EU Enlargement" *Journal of Democracy,* Vol 15(1) (January 2004), 28.
[41] Ibid.
[42] Ibid.
[43] Ibid, 29.
[44] Robert O. Keohane, "Ironies of Sovereignty: The European Union and the United States" *Journal of Common Market Studies,* Vol 40(4) (2002), 744.

their sovereignty over certain areas of policy if the gains are considered more beneficial than the maintenance of absolute sovereignty. According to Keohane, within the EU, sovereignty, like any other aspect of the state, is considered to be a resource available for trade in international regimes, instead of as a "basis for autonomy and a barrier to unwanted movements across borders."[45] Thus absolute sovereignty can be traded for other benefits, such as increased economic output or improved security. Yet monetary policy and security and defence are two very different aspects of the state and only one is concerned with immediate, life or death decisions. "The pooling of sovereignty works well for the internal common market, which thrives on what Charles E. Lindblom once called 'the science of muddling through'. But it does not facilitate innovative and decisive strategic action outside the EU's borders. Instead, the inevitable divergence of interests among Europe's states leads to a policy of quarrel and compromise, in which external policies emerge as a result more of internal politics than a coherent strategic design."[46]

A state can continue to protect its 'vital national interests' while having much of its monetary policy set at the supranational level. In the author's view, most states could argue that they are best taking care of their vital national economic interests by allowing monetary policy to be set by others. This is not the view in terms of security and defence. In the ESDP's ultimate manifestation, the state could be prevented from defending itself from attack or protecting its citizens or interests abroad. As well, the threat and use of force not only bolsters national pride and prestige but also impacts the standing that a

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[45] Ibid, 745.
[46] Ibid, 759.

state has internationally and its ability to negotiate from a position of strength with other countries. In these situations, security and defence integration would be opposed to a state's vital national interests.

Even in monetary policy, which has on the whole been successfully integrated, there are still holdouts who have sought to protect their national sovereignty through refusing to join the Euro currency or by using EU policy to protect their national economic interests. The British example is only the most obvious case. Others have convincingly argued that the Common Agricultural Policy (CAP) acts as a crutch designed to support French economic and social policy.[47] Clearly the question of sovereignty is not only contentious in the realms of security and defence, but it may prove to be a more difficult issue to address here than in most others.

Another issue is raised by the question of sovereignty, and more specifically pooled sovereignty, in the realm of security and defence. "The European conception of sovereignty between the seventeenth and twentieth centuries...enabled states to maintain the classic prerogatives of coining money and maintaining a military force."[48] Yet most of the European Union has already ceded power to coin money to an external authority and many states are currently unable to maintain a traditional military force that could be used to defend against attack. Though this has occurred for very different reasons – in the case of European Monetary Union (EMU) this was done voluntarily while as in the case of defence this occurred somewhat as a side effect of choosing other domestic

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[47] John Peterson and Elizabeth Bomberg, *Decision-Making in the European Union* (New York: St. Martin's Press, 1999), 120, 128, 141.

[48] Robert O. Keohane, "Ironies of Sovereignty: The European Union and the United States" *Journal of Common Market Studies*, Vol 40(4) (2002), 747

concerns instead of security and defence – the issues in regards to sovereignty remain the same.

This issue also raises an interesting point on the nature of sovereignty and the question of legitimacy, especially in relation to the issue of pooled sovereignty. It explains why security and defence issues go to the heart of understanding sovereignty. If a nation cedes its power to set security and defence policy to another entity, does that give the entity legitimate standing as a state in its own right and lessen the nation's right to claim legitimate monopoly on the use of force, and therefore sovereignty to protect its interests? Can the cession of sovereignty in one area threaten the ability of a state to act independently in others? For example, by giving up the right to set their security and defence policy, states may find that they have also sacrificed the right to determine the force posture of their militaries, enforce their immigration and migration regulations and negotiate individually on the international stage. Thus, the question becomes, if a state gives up its power to set security and defence policy to another, is it, in essence, negating its own statehood?

Further issues also come about. What is the ultimate goal of the European Union? Is the aim to create a United States of Europe? That is, is the goal to bring about a loosely aligned group of states similar to the early American constitutional structure? Would this create a structure that allows its members to continue to make sovereign decisions in some areas while allowing an external authority to make decisions in others? Is it to create some sort of new European state with the member countries as its constituent parts? Would this mean that the European state would supersede the member states in all areas, and gain legitimacy, authority for determining the laws of the land and

a monopoly on the use of force – all criteria for statehood and the development of 'political community'?[49] Or is the goal to create an entirely new entity that has yet to be explained in the international system?

How will these sovereignty issues be incorporated into the development of the ESDP? The answers to these questions are of utmost importance for the future of the European Security and Defence Policy. They will help determine the future shape of the ESDP as well as the type of force that is created and the missions it is designed to fulfil. If the ESDP is to one day become the military arm of a new European state, it will have a very different composition than if the aim is to allow for common action by the member states on issues that everyone can agree on while maintaining the member states' ability for autonomous action. It is a conundrum that is being faced in all areas of the European Union, not just in the areas of security and defence. This dilemma is reflected not only in the inconsistency of national positions and policies on the direction of the ESDP but also in the somewhat limited advancement of the European force catalogue. Without a clear understanding of the ultimate goal of the ESDP, it is difficult to give direction to those pushing acquisition as well as those shaping policy.

Ultimately, these problems, and the repercussions of sacrificing national sovereignty to promote a common European defence may overshadow the benefits that would be achieved by the integration of security and defence at the European level. As such, the threshold level of sovereignty that member states are willing to give up (or

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[49] Amatai Etzioni as cited in Ben Rosamond, *Theories of European Integration* (New York: Palgrave, 2000), 28.

pool) may also determine the threshold point for security and defence integration in Europe.

Another issue that may inextricably bind the level of integration that is achieved in the European Union in the fields of security and defence is the question of the role of nuclear weapons.[50] A truly common defence of Europe will never be a reality unless Britain and France, the European Union's two nuclear powers, are willing to allow Poland, Luxembourg or Germany to determine their nuclear policies, as well as some control over when, how and if nuclear weapons are deployed. Yet this level of integration seems to be an irrational pipe dream. History, national self-preservation and pride, and the structure of the international system all work against the idea. What level of integration, then, can be reached if states are unwilling to share all their resources with the other member states? As well, would nuclear weapons give Britain and France an irrefutable advantage over the rest of the EU, even if the power distribution could be otherwise uniform? This issue is also related to the question of sovereignty. It may help determine that the ability to set security and defence policy will remain at the national level. Until the control of nuclear weapons is one that can be shared amongst all the member states, security and defence will not be fully integrated or truly 'common'.

In light of these issues, the question becomes not *if* integration can occur but *how far* it can go. With these constraints in mind, it is almost impossible for security and defence integration to ever be fully realized. Yet this does not negate all levels of integration altogether. There remains a large spectrum of possibility between full

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[50] Preben Bonnen, *Towards a Common European Security and Defence Policy: The Ways and Means of Making It a Reality*, (London: Lit Verlag, 2003), 106. 107.

integration and no cooperation whatsoever. Integration is a possibility but only for those

with the determination, the will and the capacity to see it through.

Chapter 2: History of the ESDP

In order to understand the nature of security and defence integration in Europe, and more specifically the nature of the challenge the ESDP faces, it is first necessary to understand the history of European security and defence integration and its implications for the ESDP.

Development of the ESDP

The idea of a common defence of Europe is not a new one. Following the Second World War, the concept took form in the European Defence Community (EDC). Many thought that European defence integration was a more natural thought than monetary integration and would, in fact, be a simpler task as European states transformed their militaries following the end of the war.[1] This was not the case. European integration of security and defence has had a bumpy history. From the development and subsequent breakdown of the EDC to the EU's inability to deal with the situation in Bosnia-Herzegovina in the early 1990s, it is failure and not success that has been the hallmark of European forays into the development of a common security and defence policy.

The European Defence Community was designed to act partly as a counterpart to the European Economic Community (EEC) that emerged in the 1950s. A defensive alliance that was based on the French Pleven Plan, the treaty establishing the EDC was signed on 27 May 1952. Less than two years after its auspicious beginning, the EDC collapsed. The collapse occurred for several reasons. There was a lack of support from Britain for the EDC. There were also questions of using the treaty to prevent West

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[1] For example, see the development of the EDC and European Political Community in the 1950s as noted in Derek W Urwin, *The Community of Europe: A History of European Integration Since 1945* (2nd ed.), (London: Longman Group Ltd., 1995), 61-68.

German rearmament, equality or parity with other European states. The EDC's over-ambitious goals of not only the establishment of a common European army but also a common budget and the development of common institutions were other factors in the treaty's collapse. The failure of the leader in the push towards defence integration, France, to ratify the EDC treaty was the final nail in the proverbial coffin. As Derek Urwin argues, "[t]he EDC concept was perhaps too idealistic to have had great hopes of concrete achievement, and in its implications for European integration perhaps something of a paradox. The sensitive area of defence should more realistically have been one of the last spheres for the renunciation of national sovereignty, with a solid background of integrative experience and mutual trust behind it."[2] The collapse of the EDC left Europe without the integrated defence mechanism it had sought, and pushed the states into using the Western European Union (WEU) as a fallback for defence integration. It also shook European confidence in security and defence integration to the core. It would be years before Europe tried again.

In the wake of the failure of the EDC, the Western European Union[3] was developed with the goal of bringing the Treaty of Brussels signatories together in a defence alliance structure.[4] Inaugurated on 23 October 1954, its founding members were Belgium, France, Italy, Luxembourg, the Netherlands, the United Kingdom and West

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[2] Derek W Urwin, *The Community of Europe: A History of European Integration Since 1945* (2nd ed.), (London: Longman Group Ltd., 1995), 67.

[3] For more information on the WEU, see their website: http://www.weu.int/

[4] Signed 17 March 1948 by Britain, France, Belgium, the Netherlands and Luxembourg (Benelux countries) the Treaty of Brussels created the Western European Union. It was primarily a European mutual defence pact. Its main focus was the threat of German rearmament. Italy and West Germany were made members in 1954.

Germany. In the following years, Portugal (1990), Spain (1990) and Greece (1995) joined the WEU.

The WEU's main feature was the mutual defence commitment to come to the aid of any member state that was attacked. In the shadow of the more powerful NATO alliance, and in the context of the Cold War, the WEU never truly materialized as a defence alliance with any weight. At the same time, it acted as a forum for discussion on security and defence issues in Europe throughout the Cold War.

Following the agreement at the Treaty of Maastricht creating the European Union, it was decided that most of the functional authority the WEU held should be transferred to the European Union. The WEU Military Headquarters was closed and the Military Staff reassigned. Authority for crisis management operations transferred to the ESDP apparatus within the EU. Responsibility for the European Union Institute for Security Studies and the European Union Satellite Centre were also transferred from the WEU to the ESDP.

While planes were made for dissolution in 2000, the WEU is still in existence. In some ways, this has confused and slowed integration under the banner of the European Union as both organizations serve basically the same function. Further, as the author sees it, the continual support of the WEU by the member states of the European Union means that there is less funding to support force transformation, capabilities acquisition and the development of a more coherent ESDP.

After the major blow to European integration wrought by the failure of the EDC and the relative inability of the WEU to establish any sort of coordinated defence of Europe, European attempts at defence integration stagnated in the decades that followed.

Throughout the 1960s, 1970s and 1980s little to no progress was made in European defence integration. This was primarily because of the Cold War. As it increased in intensity through the 1960s, European defence integration aspirations became secondary to security concerns. Europeans looked to the alliances established alliances they were members of for more concrete protection. Western Europe looked to the United States to provide safety against immediate threats. The constraining effects of the Cold War and the fading interest of Europeans in integration left little to no room for Europeans to develop their own defence alliance or seek closer integration outside the auspices of NATO or the Warsaw Pact.

In this context, integration was difficult but cooperation was encouraged. The Conference for Security and Cooperation in Europe (CSCE) was the only European defence institution established during the Cold War. The OCSE is focused on cooperation among member states, not integration.[5] It is a forum for countries to discuss European security and defence issues. Founded in 1973, the CSCE began with 36 founding members and today has 55. Member states come from not just the European region but also from North America and Central Asia.

Following the end of the Cold War, the CSCE became the Organization for Security and Cooperation in Europe (OSCE). Its current mandate is to offer a "forum for political negotiations and decision-making in the fields of early warning, conflict prevention, crisis management and post-conflict rehabilitation, and puts the political will

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[5] M. Raquel Freire, "The OSCE's Post-September 11 Agenda, and Central Asia" in *Global Society* Vol 19 (2), (April 2005), 190-191. Organization for Security and Co-operation in Europe (OSCE), Available at: http://www.osce.org/about/19298.html. Accessed May 10, 2006.

of the participating States into practice through its unique network of field missions."[6]

Some variations, such as its disinterest in integration and the inclusion of non-EU countries in its membership help to differentiate it from the European Union. Yet as with the WEU, the OSCE serves somewhat of a redundant role in relation to the ESDP. Though the OSCE has more power behind it than the WEU and has carried out surveillance, peacekeeping and humanitarian crisis support missions, it also serves the purpose of drawing funding and focus away from the ESDP.

In the 1990s, the fall of the Soviet Union and progress in other areas of European integration, such as monetary union, led to a renewed interest in defence integration. This time, there was no immediate threat to interfere with a nascent security and defence group. When the concept of defence integration re-emerged, it would be in the form of relatively inconspicuous Articles, most importantly Title V, ingrained in the new Treaty of European Union. These Articles would provide the EU with the foundations on which they could build the apparatus and capabilities necessary for the future integration of European security and defence.

Title V of the Treaty of European Union outlines the Common Foreign and Security Policy (CFSP) (known as Pillar II). It is the cornerstone for the development of both the CFSP and the European Security and Defence Policy. In terms of the ESDP, Article 17.1 of Title V states that "the common foreign and security policy shall include

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[6] Organization for Security and Co-operation in Europe (OSCE)
http://www.osce.org/about/. Accessed May 10, 2006.

all questions relating to the security of the Union, including the progressive framing of a

common defence policy, which might lead to a common defence..."[7]

Since 1992, the CFSP has been strengthened and is now an accepted aspect of the

European Union. Its primary goals are to:

- Safeguard the common values, fundamental interests, independence and integrity of the Union in conformity with the principles of the United Nations Charter,
- Strengthen the security of the Union in all ways,
- Preserve peace and strengthen international security...including those on external borders,
- Promote international cooperation,
- Develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms.[8]

As one aspect of the CFSP, the ESDP plays an important role in fulfilling these goals.

The first major challenge to the CFSP and to test of Europe's ability to manage

crises came during the breakdown of Yugoslavia in the early 1990s. The conflict in

Bosnia-Herzegovina and to a lesser extent the war in Kosovo demonstrated the clear

inability of the European Union to do anything other than seek a diplomatic solution to

crisis. Yet it was the failure of the fledgling Europe Union to deal with the situation that

provided the major impetus for strengthening the military aspects of the EU in the form

the ESDP.

When the crisis erupted in Bosnia-Herzegovina following a declaration of

independence in October 1991 and a referendum in 1992, Europeans were quick to

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[7] European Union, "Title V: Provisions on a Common Foreign and Security Policy" From the *Treaty of Amsterdam,* 2 October 1997, Article 17.1. For the difference between the Treaty of Amsterdam and the Maastricht Treaty in terms of the CFSP, see William Wallace "Chapter 17: Foreign and Security Policy: The Painful Path from Shadow to Substance" in Helen Wallace, William Wallace and Mark A. Pollack, eds., *Policy Making in the European Union* (5th ed.), (Oxford: Oxford University Press, 2005) 442-443.

[8] Ibid., Article 11.1.

become involved. They insisted that "This is the hour of Europe" and argued that Europe could and needed to provide a 'European solution to a European problem' without the assistance of NATO or the Americans.[9] "The crisis in Yugoslavia was seen as an occasion in which the European desire to forge a more cohesive defence and security identity – and to deal on its own with regional security challenges – could be advanced."[10] Yet "Europe failed to demonstrate its independence as badly as it failed at everything in the first few years of its Balkan engagement."[11]

The European experience in Bosnia-Herzegovina made it clear that the European Union was sorely lacking in military capability and unable to intervene in crisis situations. "The conflict in the former Yugoslavia...made visible the ineffectual nature of European security institutions as well as the shortcomings of the peace-support operations of the United Nations."[12] The lack of coordination among the member states and the failure to agree on action slowed the intervention process and demonstrated the Union's inability to deal with the Balkan crisis. "European efforts...were plagued by divisions that undermined any potential for success."[13] Different policies and goals among the member states meant not only that Europeans did not agree on the right course of action, but also that different countries were supporting different factions in the conflict. For example, when conflict broke out in Yugoslavia, Germany supported

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[9] Jacques Poos, as cited in Dan Smith, "Europe's Peacebuilding Hour: Past Failures, Future Challenges" in *Journal of International Affairs*, Spring 2002, vol. 55(2), pg. 441.
[10] Moodie, Michael. "The Balkan Tragedy," in *Annals of the American Academy of Political and Social Science.* 541 (Sept 1995), 111.
[11] Dan Smith, "Europe's Peacebuilding Hour: Past Failures, Future Challenges" in *Journal of International Affairs*, Spring 2002, vol. 55(2), pg. 441.
[12] Moodie, Michael. "The Balkan Tragedy," in *Annals of the American Academy of Political and Social Science.* 541 (Sept 1995), 102.
[13] Ibid, 111.

Slovenia and Croatia while France supported the Yugoslav federation (Serbia). They "spent half a year talking each other into a joint position, which was not very impressive and not much help to the Yugoslav peoples..."[14] Recognition of Bosnia-Herzegovina's independence by the European Community (EC) (which became the EU on 1 November 1993) and the United States in 1992 helped to further the conflict.[15] At every level, European actions in Bosnia-Herzegovina demonstrated how woefully unprepared the European Union was the deal with the situation.

During the conflict, the EC proposed several cease-fires, all of which broke down.[16] In 1993 a peace agreement was proposed by the United Nations (UN) and the EC in the form of the Vance-Owen plan. Yet many argue that the peace agreement actually made the situation worse. The agreement "was severely criticized as 'a piece of laboured artificiality, a construct imposed from the outside,' with its maps serving 'primarily as blueprints for further aggression by those who wanted to create their own mini-states on the ground'."[17] Further, it is argued that the agreement had little chance of success from the outset due to its structure and because most of the parties involved were not negotiating in good faith.[18] Though all three warring parties initially signed the

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[14] John Gerrard Ruggie, "Consolidating the European Pillar: The key to NATO's Future," in *The Washington Quarterly,* 1996, vol. 20(1), footnote 10, pg. 123.

[15] Moodie, Michael. "The Balkan Tragedy," in *Annals of the American Academy of Political and Social Science.* 541 (Sept 1995), 107.

[16] For a discussion of these cease-fires, see Moodie, Michael. "The Balkan Tragedy," in *Annals of the American Academy of Political and Social Science.* 541 (Sept 1995), 106 and 108.

[17] Ibid, 108-109

[18] Noel Malcolm, *Bosnia: A Short History* (London: Paapermac, 1994), 248, 250.

principle agreement, "the Bosnian Muslims refused to sign the cease-fire accompanying them, and both the Serbs and Muslims rejected the specific map boundaries."[19]

The Bosnian conflict also served to demonstrate that the European Union required something more than the ability to negotiate. It needed to build crisis management mechanisms that would allow it to deal with situations that arose like those in the Balkans after the breakdown of Yugoslavia. It was largely due to the experiences of the European Union in Bosnia-Herzegovina that the Petersberg Tasks were established and became the guiding principles of the ESDP. "Arising from the critiques of Western peace operations in Bosnia-Herzegovina, emphasis falls on the argument that intervention must come early, before crisis escalation is out of control; that it must have clear and consistent objectives, which should be pursued coherently; and that it must recognize more than purely diplomatic and military modes of intervention."[20]

The Petersberg Tasks are fundamentally military in nature. Set out in 1992 at the Western European Union (WEU) meeting in Bonn, Germany, they were incorporated into the European Union Treaties in 1997 at Amsterdam. They also marked a further transfer of authority for European security from the WEU to the European Union. These tasks were incorporated into Title V of the treaty via Article 17.2. As the fundamental framework for EU action, European Union policies and goals have been framed to fulfil the requirements for Petersberg Task operations. The Petersberg Tasks include "humanitarian and rescue tasks, peacekeeping tasks and tasks of combat forces in crisis

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[19] Moodie, Michael. "The Balkan Tragedy," in *Annals of the American Academy of Political and Social Science.* 541 (Sept 1995), 109.

[20] Dan Smith, "Europe's Peacebuilding Hour: Past Failures, Future Challenges" in *Journal of International Affairs*, Spring 2002, vol. 55(2), pg. 444.

management, including peacekeeping."[21]

The Petersberg Tasks are prominent in key ESDP documents. The 2003 European Security Strategy offers a broad policy prescription for dealing with emerging threats and developing European capabilities in order to deploy forces across the spectrum of Petersberg Tasks. The Headline Goal 2010 is a more specific military capabilities catalogue, designed to encourage the European Union to reach the capabilities required to carry out the Petersberg Tasks by 2010. As well as acting as a framework for ESDP operations, it also gives the ESDP direction and the impetus to develop much-needed capabilities. In the view of the author, the Petersberg Tasks could serve as a stepping-stone for the European Union to develop capabilities as well as transition into more traditional European security and defence operations and ultimately even the defence of the European home territory.

The draft of the proposed Treaty Establishing a Constitution for Europe sheds light on the future integration process for security and defence in the European Union. It proposes several changes that could have a major impact on the future of the ESDP and security and defence integration in Europe. With several member states failing to ratify the constitution and the conflict among the member states over the EU budget, these changes are at this point null and void in terms of the ESDP. It will be difficult for the constitution to be approved in its current form. Nonetheless a brief review of the proposals is important as it sheds some light on the direction the EU expects to take security and defence integration in Europe.

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[21] European Union, "Title V: Provisions on a Common Foreign and Security Policy" From the *Treaty of Amsterdam,* 2 October 1997, Article 17.2.

The draft constitution would make several key changes to the ESDP structure. These changes are designed to strengthen the ESDP and the defence integration process and allow the member states that want to move forward more rapidly to do so. The constitution includes provisions that would update the Petersberg tasks to include "joint disarmament operations, military advice and assistance tasks, conflict prevention and post-conflict stabilization," and the creation of a mutual aid clause that requires all member states to come to the aid of others if attacked.[22] The constitution also lays out a plan for the creation of the European Defence Agency (EDA), which is designed to act in ways that will "improve and rationalize Member States' military capabilities."[23] Article III-310 allows the Council to delegate the implementation of a task to a group of member states that have the willingness and the capacity to carry it out. In these cases, ultimate authority for the mission remains with the Council.[24] A strong indicator of the direction in which the EU would move defence integration is found in Article III-312. This article allows for the creation of a permanent structure for cooperation in the fields of security and defence.[25]

These provisions demonstrate that the European Union is serious about defence integration and that they are willing to move forward with closer links. The establishment of the EDA indicates this even though they have failed to ratify the

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[22] The European Union, *The Policies of the Union Constitutional Fact Sheet on Defence*, available at http://europa.eu.int/scadplus/constitution/defense_en.htm; Secretariat-General of the European Union, *Draft Treaty Establishing a Constitution for Europe*,
[23] The European Union, *The Policies of the Union Constitutional Fact Sheet on Defence*, available at http://europa.eu.int/scadplus/constitution/defense_en.htm
[24] Secretariat-General of the European Union, *Draft Treaty Establishing a Constitution for Europe*, Article III-310.
[25] Ibid., Article III-312.

constitution. It reflects their willingness to streamline and improve capabilities and capabilities acquisitions throughout Europe. But even so, these developments lead less to defence integration and more to strengthened cooperation mechanisms and improved capabilities. Authority for deciding whether to participate in missions and supply troops and funding remains with the national governments of the member states of the European Union. Cooperation is focused on expeditionary missions outside of Europe, not protection of European territory through traditional defence operations.[26] Further, the failure to ratify the constitution may cause some serious problems for any future integration of European defence, as momentum is lost in the stagnation the failure of the constitution has brought to the European Union.

The ESDP and European Integration

The development of the ESDP is only one aspect of the larger integration project of the European Union. The ESDP can be perceived as a microcosm for European integration. It is a strong case study for European integration since many of the issues in security and defence integration are similar to those we see in all policy areas. One of the key issues that European Union policy makers struggle with is the end aim or result of European integration. This issue is significant to the development of the ESDP as different end goals would lead to the development of different ESDP structures. For example, if the end goal of European integration is the development of a United States of Europe, post-Westphalian superstate then the European Union must focus its security and defence policy on creating a national army and police force for this state. If the goal is

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[26] Secretariat General of the European Union, *European Security* Strategy (12 December 2003), 6-7, 12.

something else, then an army and police force may not be necessary. One example of the alternative that has been presented by scholars is described as a 'neomedieval empire' with loosely connected and fairly autonomous member states. In this case, the goal could be the development of an ESDP for use by the member states in crisis management.

In his article 'Enlargement and the Finality of European Integration', Jan Zielonka makes the distinction between a post-Westphalian state and a neomedieval empire clear. He argues that the primary characteristics of a post-Westphalian state would be hard and fixed external borders, a clear hierarchical structure with one centre of authority, relatively high socio-economic homogeneity, the prevalence of a pan-European cultural identity, overlapping legal, administrative, economic and military regimes, a sharp distinction between EU and non-EU members, a single type of citizenship, and a single European Army and police force. In contrast, he argues, a neomedieval empire would have soft borders that are continually in flux, interpenetration of various types of political units and loyalties, the persistence of socio-economic discrepancies, the coexistence of multiple cultural identities, a dissociation between authoritative allocations, functional competencies and territorial constituencies, a strong but blurred distinction between the centre and the periphery, diversified types of citizenship with different sets of rights and duties and a multiplicity of overlapping military and police institutions.[27]

Federalists tend to argue that the outcome of European integration would have to be the development of a post-Westphalian style superstate.[28] However, Zielonka's

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[27] Jan Zielonka, "Enlargement and the Finality of European Integration" from *Harvard Jean Monnet Working Paper (Symposium)* No. 7/00, Responses to Joschka Fischer, (Cambridge, MA, Harvard Law School: 2000), pg 7.
[28] Ben Rosamond, *Theories of European Integration* (New York: Palgrave, 2000), 23-26.

argument provides a different possible solution. He argues that "At present, the Union is anything but a state: it has no proper government, no fixed territory, no army or police, no constitution, nor even a normal legal status."[29] What then are the Europeans trying to create? How does the ESDP fit into this plan?

One of the fundamental problems with pursuing security and defence integration in Europe is the lack of a clearly outlined end product. Unlike in other areas of integration, the life and death nature of security and defence issues and their central relationship with sovereignty mean that security and defence integration is best suited to a clearly outlined goal and end result. Aside from the high cost of security and defence integration and acquisitions and the fact that European countries cannot afford to make unnecessary purchases, developing an ESDP apparatus that is designed to act as the military of a European superstate when what is being created looks more like a neomedieval state and thus requires quite a different military. Developing the wrong ESDP will make it ill-equipped and basically irrelevant for the European Union. Thus, one of the prime issues facing security and defence integration in Europe is this lack of a clearly defined end result of European integration.

ESDP Missions

The discussions here may indicate that the European Union has made little progress in security and defence integration. However, we must keep in mind how far the European Union has actually come in a very short span of time. Since 1992, and more importantly since 1999 when the EU began to take security and defence integration

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[29] Jan Zielonka, "Enlargement and the Finality of European Integration" from *Harvard Jean Monnet Working Paper (Symposium)* No. 7/00, Responses to Joschka Fischer, (Cambridge, MA, Harvard Law School: 2000), 6-7.

more seriously, enormous strides have been made not only in the closer integration of security and defence but also in the creation of the mechanisms needed to support security and defence operations and integration. While there is still an enormous amount of work to be done, the integration of European security and defence has progressed further than most would have believed possible.

Since 1999, there have been 14 EU missions under the auspices of the ESDP. All of these missions have fallen under the criteria of crisis management or peacekeeping/peacemaking. Of these missions, three have been military missions (ALTHEA, CONCORDIA and ARTEMIS), five have been police missions or police training missions (PROXIMA, EUPM, EUPAT, EUPOL COPPS and EUPOL 'Kinshaha'), two have been rule of law missions, (EUJUST THEMIS and EUJUST LEX) and the rest have been peace support operations or monitoring missions (EU BAM Rafah, Darfur, EUSEC DR Congo, and AMM in Aceh).[30]

These operations have demonstrated that the EU has the capacity to carry out challenging civil and military operations in conflict zones under the auspices of the European Union. They also demonstrate that the European Union has reached a certain level of cooperation and inter-operability among its member states that allows them to work together in these multi-national operations. At the same time, it must be remembered that the types of missions they have engaged in are 1) not of the first-responder, high-level combat form and, 2) focused on the peacekeeping, peacemaking and civilian policing/rule of law areas of operation. Though examples of the enormous

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[30] For more information on these missions, see: The Council of the European Union, *European Security and Defence Policy, ESDP Operations*, available at http://ue.eu.int/cms3_fo/showPage.asp?id=268&lang=en&mode=g

development of the EU in a very short amount of time – less than ten years – there is still a long way to go before it can be claimed that the EU is either capable of high-level expeditionary operations (a key component in fulfilling the Petersberg tasks) or capable of carrying out a common defence of the European Union itself.

What can be learned from the history of security and defence integration in Europe since the Second World War? First, the process has been bumpy, slow and in some cases a complete failure. Yet it has continued. It has slowly moved forward. Second, the Europeans have learned from their mistakes in security and defence. When the EDC failed in the 1950s, another apparatus was created to help deal with the issue of European defence and encourage cooperation in Western Europe: the WEU. After the failures in Yugoslavia, the EU began to focus more concretely on increasing crisis management capabilities within the European Union, including coordinating and improving its military aspects. Third, there is evidence of some support for security and defence integration, or at least cooperation, within the European Union. The member states are willingly seeking closer coordination in some areas of security and defence. This raises the final point to be made. Integration and cooperation have occurred primarily in the field of crisis management, not in the area of traditional security and defence. This may be overcome in the future as integration in crisis management leads to 'spill-over' in other areas of security and defence policy, or it may be that crisis management is as far as security and defence integration can go. This will in large part depend on the political will of the member states and their level of commitment and willingness to move forward into increased integration of security and defence. These four overall ideas should be

kept in mind as the difficult political challenges of closer integration are dealt with in

chapter 3.

Figure 1: *ESDP Decision-Making Structure*

European Parliament	European Council	←→	European Commission

General Affairs and External Relations Council (GAERC)

Defence Ministers (Informal Meetings)

Secretariat General/ High Representative CFSP

Council of Permanent Representatives (COREPER)

Political and Security Committee (PSC)

Political Committee (POCO)

Military Staff

Working Groups (RELEX)

Civilian Crisis Management Unit

Military Committee

Legend

←→   Direction of Information Flow

Bold   Most important ESDP decision-making structures

Chapter 3: ESDP Structure and Decision-Making Process

The character of the ESDP is determined in large part by its decision-making structure. This decision-making structure is intergovernmental, not supranational in nature. It is both a strength and a weakness of the ESDP. In many ways, it is quite an accomplishment for the European Union to have developed this complex structure for security and defence in less than ten years. Now the challenge is making them work as well as improving coherency and filling in the gaps. In this chapter the complex mechanisms of ESDP decision-making will be examined. This will provide the basis for a discussion of the political and structural issues that are the focus of chapters 4 and 5.

The European Union's Security and Defence Policy is a Pillar II responsibility and therefore falls under the supervision of the Council of Ministers of the European Union (referred to in the following pages as "the Council"). That is, the representatives of the governments of the member-states of the European Union exercise authority over decisions in the ESDP. The institutions involved in the ESDP range from the European Council (at the Head of State/Government level) down through the Council of Ministers of the European Union, in its formation as the General Affairs and External Relations Council of the European Union to COREPER to the Political and Security Committee and the working groups and committees that fall under the auspices of the ESDP and the CFSP. As noted previously, these are all Pillar I institutions, 'double-hatted' to perform duties under Pillar II.[1]

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[1] See footnote 21 for reference to Gretchen MacMillan, "The European Union: Is it a Supranational State in the Making?" in Andreas Heinemann-Gruder, ed., *Federalism Doomed: European Federalism between Integration and Separation* (New York: Berghahn Books, 2002), 71.

The decision-making process for the ESDP normally begins in one of two ways: from the bottom up at the working group level or from the top down at the European Council level. The European Council is the ultimate authority in the European Security and Defence Policy. It is composed of the Heads of State/Government of the 25 member-states of the European Union. The European Council meets at least once a year. Recently the number of regular meetings has increased to up to four times a year.[2]

The European Council is responsible for setting the agenda and the direction of the European Union as a whole, including the ESDP, but this role is more political than legal or practical. It is also the ultimate decision-making body when disagreements on security and defence policy occur. It "shall define the principles of and general guidelines for the common foreign and security policy, including for matters with defence implications" and "decide on common strategies to be implemented by the Union in areas where the Member States have important interests in common."[3] Yet this mandate is so general that only the most broad-based decisions are made at this level. Significantly, in areas where the greatest disagreement occurs, the European Council is only able to make 'lowest-common-denominator' statements. It does not take action on divisive questions in the foreign and security policy fields. Ironically (since they are at the lowest level of decision making), it is the Working Groups in the area of ESDP and the CFSP more generally that do the day-to-day work on security and defence policy

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[2] Philippe de Schoutheete, "Chapter 2: The European Council" in *The Institutions of the European Union,* John Peterson and Michael Shackleton, eds. (Oxford: Oxford University Press, 2002), 43.
[3] European Union, "Title V: Provisions on a Common Foreign and Security Policy" From the *Treaty of Amsterdam,* 2 October, 1997, Articles 13.1 and 13.2.

issues. Although these groups do not have the authority to make binding decisions, much of the work is done, and the actual decisions hammered out, at this level.

The Working Groups assigned to the ESDP, and foreign policy more generally include such areas as the Working Party of Foreign Relations Counsellors (known as RELEX), Working Party on the Western Balkans Region, the Security Working Party and the OSCE Working Party. They are responsible for highlighting emerging issues and monitoring current ones in their relevant fields.[4] There are two types of working groups, as defined in the Presidential Handbook. The first type of working groups are merged working groups (merged in that they combine the earlier "European Political Cooperation (EPC) Group and the equivalent Community working party"), which deal with issues in areas that cover more than the CFSP. The second type of working group deals with issues solely in the CFSP area.[5] Though working groups have no decision-making authority in and of themselves, "in practice...decisions may be predetermined at the working group level," and the Political Committee that is the next step in the decision-making process simply rubber-stamps them and passes them along to the next level in the decision-making process.[6]

The Working Party of Foreign Relations Counsellors (RELEX) has special significance for the CFSP. It is responsible for dealing with many of the details and

[4] General Secretariat of the Council of the European Union, "Annex III: List of Council Working Groups," In *Council Guide Vol I. Presidency Handbook* (Luxembourg: European Communities, February 2001), p. 97
[5] General Secretariat of the Council of the European Union, "Chapter V: The Union's external relations," in *Council Guide Vol I. Presidency Handbook* (Luxembourg: European Communities, February 2001), Point 5(b), p. 55.
[6] John Peterson and Elizabeth Bomberg, *Decision-Making in the European Union* (New York: St. Martin's Press, 1999), p 246.

technical problems associated with the ESDP. These include the "legal, financial and institutional aspects of horizontal CFSP and Community matters and ensures their coordination" across all three pillars of the EU.[7] This working group reviews legal issues and is responsible for the initial reading of proposals. The Working Party of Foreign Relations Counsellors also "coordinates, if necessary, the content of the agendas for COREPER and the Political Committee/Political and Security Committee in these areas."[8] It submits recommendations and proposals to the Political and Security Committee as well as, in some instances, to COREPER directly. All of this gives this committee a significant influence in the content of discussions and decisions.

Much of the day-to-day work on ESDP issues and policies is done at this level. The working groups specifically have responsibility for reaching agreements in the following areas.

> 1) Common analyses of the situation in non-member States or on a multilateral question and the common position which might be adopted by the European Union;
> 2) Proposals which might be approved by the Political Committee/Political and Security Committee under the heading of practical measures for implementing the CFSP: demarches, requests to be addressed to representations in non-member States and other preparatory measures, and declarations by the Presidency on behalf of the European Union;
> 3) Substantive recommendations for future Council initiatives in the CFSP sphere on which the Political Committee/Political and Security Committee may, if it so decides, submit an opinion to the Council, and the political follow-up to such initiatives.[9]

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[7] General Secretariat of the Council of the European Union, "Chapter V: The Union's external relations," in *Council Guide Vol I. Presidency Handbook* (Luxembourg: European Communities, February 2001), Point 5(b), p. 55.

[8] Ibid.

[9] General Secretariat of the Council of the European Union, "Chapter V: The Union's external relations," in *Council Guide Vol I. Presidency Handbook* (Luxembourg: European Communities, February 2001), Point 5(b), p. 57.

Though in principle they have no decision-making role, in practice, much of the detail work is done at this level. This gives the Working Groups substantive power in the decision-making process.

In matters of CFSP, the Working Groups report to the Political Committee (POCO) and/or its alternate form, the Political and Security Committee, which in turn make recommendations and submit opinions to the Council by way of COREPER. The Annex of the 22 January 2001 Council Decision to create a Political and Security Committee outlines its responsibilities in the area of CFSP and the ESDP.[10] Specifically, it is responsible for keeping track of "the international situation in the areas falling within the common foreign and security policy" and will "help define policies by drawing up 'opinions' for the Council, either at the request of the Council or on its own initiative, and monitor implementation of agreed policies".[11] Further, it has a responsibility to review the draft conclusions of the General Affairs Council in areas that fall under the CFSP, to give guidelines to Committees on issues in its area, set the guidelines for the Military Committee and "coordinate, supervise and monitor discussions on CFSP issues in various Working Parties, to which it may send guidelines and whose reports it must examine."[12] It has the authority to make certain decisions on behalf of the Council.[13] The Political

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[10] General Secretariat of the Council of the European Union, "Annex" to *Council Decision of 22 January 2001 setting up the Political and Security Committee* Doc. 2001/78/CFSP, p. 2.

[11] Ibid., Point 1(a), p. 2.

[12] Ibid., Point 1(b,c, e, g), p. 2.

[13] General Secretariat of the Council of the European Union, "Council Joint Action 2004/570/CFSP of 12 July 2004 on the European Union military operation in Bosnia and

Committee is composed of political directors of the Ministries of Foreign or European Affairs of the Member States. "The Political and Security Committee (PSC) is the permanent structure of the Political Committee bringing together Member States' ad hoc representatives based in Brussels."[14] These political directors normally work closely with their capitals and are more likely to pursue and reflect the opinions of their governments, than those ideas of the group as a whole.[15]

According to the report on the PSC's activities from the Dutch Presidency's website, the Political Committee "exercises the political control and strategic direction of the crisis management operations carried out in the context of the European Security and Defense Policy crisis operations".[16] This power was given to it upon its creation in the Council Decision of 22 January 2001.[17] Under this Council Joint Action, the Political and Security Committee is "responsible for dealing with crisis situations and examining all the possible options for the Union's response, without prejudice to the specific decision-making and implementation procedures of each pillar. The PSC exercises the

Herzegovina" in *Official Journal of the European Union* Doc. 2004/570/CFSP Doc 2004/570/CFSP, p L252/11.

[14] General Secretariat of the Council of the European Union, "Chapter V: The Union's external relations," in *Council Guide Vol I. Presidency Handbook* (Luxembourg: European Communities, February 2001), Point 5(c), p. 58.

[15] John Peterson and Elizabeth Bomberg, *Decision-Making in the European Union* (New York: St. Martin's Press, 1999), p. 241.

[16] The Dutch Presidency of the Council of the European Union (2004), *The Political and Security Committee*, http://www.eu2004.nl/default.asp?CMS_ITEM=7861BEFA22B44D37A8C7C81DA8091 59BX1X48468X84

[17] General Secretariat of the Council of the European Union, "Annex" to *Council Decision of 22 January 2001 setting up the Political and Security Committee* Doc. 2001/78/CFSP Point 2, p. 2.

'political control and strategic direction' of the Union's military response to the crisis."[18]

This includes control over the EU's Rapid Reaction Force as well as over its military operations.

The control it can exercise in times of crisis and over military and financial operations of the CFSP, however, overlaps in authority with the PSC and some Commission mechanisms, such as the Civilian Crisis Management Unit. There are many questions have yet to be resolved. What is considered a time of crisis? When are operations considered 'normal'? Does authority revert to another institution in times of 'normal' operations? Are working groups responsible for reporting to both institutions or to one or the other? Does this depend on whether or not something is considered a crisis? As the Political and Security Committee is relatively new, its actual jurisdiction in these affairs is still being developed. As more understanding of the extent of its powers develops, this problem may be resolved. On the other hand, it may take a crisis to truly demonstrate where problems lie.

The Political and Security Committee "contributes to the definition of policies by delivering opinions to the Council, at the request of the Council or on its own initiative."[19] This authority, combined with its responsibility for control during crisis and its oversight of the CFSP as a whole gives the Political and Security Committee, and the

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[18] General Secretariat of the Council of the European Union, "Chapter V: The Union's external relations," in *Council Guide Vol I. Presidency Handbook* (Luxembourg: European Communities, February 2001), Point 5(c), p. 58. And: General Secretariat of the Council of the European Union, "Annex," to *Council Decision of 22 January 2001 setting up the Political and Security Committee* Doc. 2001/78/CFSP Point 2, p. 2.

[19] General Secretariat of the Council of the European Union, "Chapter V: The Union's external relations," in *Council Guide Vol I. Presidency Handbook* (Luxembourg: European Communities, February 2001), Point 5(c), p. 58

Political Committee more generally, broad and far-reaching abilities to shape decisions on ECSDP issues. It is able to determine the day-to-day policies as they relate to CFSP as well as shape the issues that are focused on and, by making recommendations, the future path the ESDP will take. Yet it cannot make decisions creating new policies or actions and all decisions which are made under the auspices of the Council, must be approved by the Council. In order to have the decisions it recommends approved, the PSC must first submit their recommendations and opinions to COREPER II, which sets the agenda for Council meetings.

The Military Committee is under the control of the member states. Structurally, it operates under the auspices of the Political and Security Committee and must report to it about "conduct of...EU military operation[s]."[20] Yet this Committee also has a fair amount of discretion to operate independently. It is responsible for monitoring the "proper execution of...EU military operation[s] conducted under the responsibility of the EU Operation Commander." [21] It acts as a liaison between the PSC and the military in ESDP matters.

The Council of Permanent Representatives (known by its French acronym as COREPER) also has responsibility for decision-making in the European Common Security and Defence Policy. COREPER is divided into two parts. Part one is made up of representatives at the deputy head of mission level and is primarily concerned with Community (pillar I) issues of an economic and social nature. Part two is composed of representatives at the head of mission (Ambassador) level. It is primarily concerned with

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[20] Ibid., Article 6.3, p. L252/12
[21] Ibid., Article 8.1, p. L252/12.

questions of finance, foreign policy and politics. It deals with issues under all three pillars of the European Union. COREPER II is responsible for CFSP decisions and the preparation of the agenda for Council meetings, including its configuration as the General Affairs and External Relations Council. It has been argued that the dual nature of the Political Committee/COREPER structure means that authority over areas of decision-making is unclear and working groups may, depending on the issues, have to report to both committees.[22] Yet COREPER generally acts on the specific recommendations and opinions of the Political and Security Committee whose mandate is much less broad and can deal solely with CFSP and ESDP issues. COREPER can take a much less detailed interest in the proceedings of the CFSP because of the oversight responsibilities assigned to the PSC. It needs to take a more general stance because it must also deal with issues in the financial and political arenas. COREPER generally deals with more intractable issues because, at this level, similar structures exist for all policy issues in the EU/EC.

COREPER is the gatekeeper to the Council. It sets the agenda for Council meetings and as such is able to determine the agenda, priorities and the framework of the discussion. This important responsibility should not be underrated. There are two types of items set out in COREPER discussions. A/I items are issues where agreement has been reached at lower levels and are to be approved without debate. B/II items are those that have required extensive debate at the COREPER level before they are sent on to the Council for future approval. In general, once documents have reached a final draft stage in the PSC or a working group, they are usually approved by COREPER as 'A' items to

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[22] John Peterson and Elizabeth Bomberg, *Decision-Making in the European Union* (New York: St. Martin's Press, 1999), p 241.

be passed on to the Council without debate. The reason that specific drafts appear as 'A' points and more general ones as 'B' points is because, normally, 'A' points have already been hammered out and agreed on in the Political and Security Committee. Once items reach the Council level, they normally remain 'B' items, even if they have, in actuality been agreed to at lower levels. COREPER has also been given the authority to make procedural decisions through Article 207(1) of the Treaty of European Community and Article 19 of the Council Rules of Procedure, relieving some of the burden on the General Affairs Council and giving it more authority in the decision-making process.[23]

COREPER has authority in the decision-making process primarily because of its drafting abilities. Along with preparing Council Agendas, it writes and reviews the initial drafts of Council Conclusions, and reviews and approves specific documents that will go to the Council. The Council will ultimately approve these documents but the discussion on final wording occurs at the COREPER level.[24] Though it may not be as obvious as the authority of the Council and the Political and Security Committee, this ability must not be overlooked. There is a great deal of significance to be found in the wording of documents, as any lawyer, politician, or diplomat will agree. Once preparation of agendas, draft documents and draft Conclusions have been written and agreed on, or if

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[23] General Secretariat of the Council of the European Union, *Treaty of European Union* (Maastricht, 7 February 1992), Article 207(1). And General Secretariat of the Council of the European Union, "Chapter IV: Structure of the Council," in *Council Guide Vol II: Comments on the Council's Rules of Procedure,* (Luxembourg: European Communities, 2001), Point 2(A) pg. 40.

[24] The significance of making decisions at the COREPER level and the impact it has on the structure of European Union bargaining, etc. will be discussed in more detail in chapters 3 and 4.

issues that are divisive and require decision cannot be settled, they are passed on to the Council, the next step in the decision-making process.

The Council of Ministers of the European Union is composed of " a representative of each Member State who holds ministerial rank and is authorised to commit his government."[25] It has different configurations (General Affairs and External Relations, Internal Market, Agriculture, etc.) and is composed of the appropriate minister (foreign minister, agriculture, finance, labour, etc.) from each of the member states. As well as a ministerial-level representative of each member state the Council includes a representative of the Commission who has the same rights as a member-state and the Secretary of the Council, who does not have a vote but records what occurs at meetings. Decisions on security and defence policy must be made unanimously. This is usually the final stage in the decision-making process. However, in exceptional circumstances when they cannot agree on important issues or decisions the final decisions are made by the European Council (Heads of State/Government). The Council is led by a biannually rotating Presidency of member states.

The Council of Ministers is responsible for making "the decisions necessary for defining and implementing the common foreign and security policy on the basis of the general guidelines defined by the European Council." It "shall recommend common strategies to the European Council and shall implement them, in particular by adopting

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[25] General Secretariat of the Council of the European Union, "Chapter III: How the decision-making process works," in *Council Guide Vol I. Presidency Handbook* (Luxembourg: European Communities, February 2001), Point 4, p. 25.

joint actions and common positions. The Council shall ensure the unity, consistency and effectiveness of action by the Union."[26]

The Council formation that deals with ESDP and CFSP is the General Affairs and External Relations Council (GAERC) and it is thus the Council that will be focused on. The General Affairs Council normally meets about 15 times a year, the most frequent of any of the Council formations.[27] Aside from the General Affairs Council, there are also frequent informal meetings of the European Union defence ministers. These ministers meet to discuss the implementation of the ESDP and other issues specifically related to defence. In reality, the defence ministers are another formation of the Council of Ministers but continue to meet informally as the neutrality of some of the member states continues to ensure that formal structures and not developed.[28]

The GAERC was designed as a general catchall Council configuration responsible for dealing with issues that fell into more than one category or were difficult to fit into other formations. Initially it was perceived as the only Council configuration but it became clear that the issues were too numerous to be dealt with by a single Council. Since that point, it has come to be more formally conncerned with foreign and security policy. It continues to have wide-ranging responsibilities in such varying areas as Anti-dumping issues, Euratom issues, train regulations, border security issues and satellite

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[26] European Union, "Title V: Provisions on a Common Foreign and Security Policy" From the *Treaty of Amsterdam,* 2 October, 1997, Article 13.3.
[27] John Peterson and Elizabeth Bomberg, *Decision-Making in the European Union* (New York: St. Martin's Press, 1999), p 35.

[28] Willam Wallace, "Chapter 17: Foreign and Security Policy: The Painful Path from Shadow to Substance" in Helen Wallace, William Wallace and Mark A. Pollack, eds., *Policy Making in the European Union* (5th ed.), (Oxford: Oxford University Press, 2005), 435, 440.

systems. As well, the General Affairs Council spends much of its time dealing with political, foreign policy and European Security and Defence Policy questions. In the normal decision-making process, the Council is the ultimate ESDP decision-making body. In exceptional circumstances, the European Council, composed of the Heads of State/Government will make decisions on ESDP issues, but these issues are always hashed out primarily at lower levels.[29]

Because of GAERC's widespread mandate and the fact that it usually only meets once, or at most twice a month, it must deal with issues in very broad terms. It is not designed to act in a day-to-day supervisory role. A "very large proportion of decisions agreed are crucially framed and shaped well before the ministerial sessions."[30] Where GAERC makes most of its decisions is in creating new policies and initiatives and/or in making significant alterations to existing policies. The Council, for example, was responsible for making the decision to launch Operation ALTHEA in Bosnia-Herzegovina, though the planning for the operation was done at lower levels.[31] Further, the Council makes requests of different institutions to make preparations, collect information or make and propose recommendations. For example, on the issue of a creation of a military force to take over for NATO's SFOR in Bosnia and Herzegovina, "the Council requested the Presidency and the SG/HR [Secretary-General/High

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[29] For an example of a European Council agenda, see Council of the European Union, Agenda for 2738th meeting of the European Council (Brussels: 13 June 2006) (PRE 037).
[30] Fiona Hayes-Renshaw, Wim van Aken and Helen Wallace, "When and Why the EU Council of Ministers Votes Explicitly" *Journal of Common Market Studies* Volume 44(1) (March 2006), 183.
[31] General Secretariat of the Council of the European Union, *Council Decision on the launching of the European Union military operation in Bosnia and Herzegovina* (Brussels, 23 November 2004) Doc 14602/04.

Representative for Common Foreign and Security Policy] to take forward and complete the remaining strategic planning steps prior to the [NATO] Istanbul Summit, which would allow operational planning to take place immediately thereafter, on the basis of EU decisions."[32] On issues of security policy, the Council also frequently assigns tasks to the Political and Security Committee and the Working Party of Foreign Relations Counsellors.

The Council makes decisions unanimously on all issues that have a military or defence component.[33] Though qualified majority voting (QMV) can, in principle, be used in some areas of the Common Foreign and Security Policy such as budgetary decisions, in practice, agreements are almost always made unanimously. The Council's primary means of acting are through Joint Actions and Common Positions. Joint Actions "address specific situations where operational action by the Union is deemed to be required." [34] Actions are binding to those member-states that participate in the Action. Member-states can abstain from the decision. They can be excluded from the requirements of the Joint Action by making a formal declaration of intent. Common Positions "define the approach of the Union to a particular matter of a geographical or thematic nature."[35] They do not stipulate any action to be taken and usually carry less weight than Joint Actions.

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[32] General Secretariat of the Council of the European Union, "Possible ESDP Mission in Bosnia and Herzegovina, Including a Military Component," *2577th Council Meeting – External Relations* - (Luxembourg, 26-27 April 2004) Doc 8567/04, p. 8.
[33] European Union, "Title V: Provisions on a Common Foreign and Security Policy" From the *Treaty of Amsterdam,* 2 October, 1997, Article 23.2.
[34] Ibid, Article 14.1.
[35] Ibid, Article 15.

The Presidency of the Council of Ministers rotates through the member-states every six months. The Presidency works in conjunction with the Council as a whole, represents it, and acts on its behalf. The Presidency's prime role is in this capacity, but it is also able to set the framework for the six-month term it is President and propose items to be discussed by Council. The Presidency represents the European Union in many external relations and, as members of both the *troika* (three representatives from the government of the member state holding the Presidency, the government of the member state previously holding the Presidency and the government of the member state holding the following Presidency) and the alternative *troika* (the External Relations Commissioner the SG/HR and the Foreign Minister of the member-state holding the Presidency), the Presidency has significant power to pursue the interests of the European Union that best serve their state.[36] The Presidency is also granted the authority to represent the European Union internationally as part of the *troika*.[37]

The Secretary-General of the Council/High Representative for the Common Foreign and Security Policy acts at the request of the Council in matters of CFSP and ESDP. The Secretary-General and his Secretariat are the civil service of the European Union.[38] The Secretariat-General is responsible for the day-to-day running of the

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[36] Willam Wallace, "Chapter 17: Foreign and Security Policy: The Painful Path from Shadow to Substance" in Helen Wallace, William Wallace and Mark A. Pollack, eds., *Policy Making in the European Union* (5th ed.), (Oxford: Oxford University Press, 2005), 451.

[37] Knud Eric Jørgensen, "Chapter 10: Making the CFSP Work" in *The Institutions of the European Union*, John Peterson and Michael Shackleton, eds. (Oxford: Oxford University Press, 2002), 218.

[38] In Pillar I, the Secretary General/Secretariat General is the Civil Service of the Council of Ministers. It takes notes, records actions and carries out the orders of the Council. In Pillar II, the Secretary General is also the High Representative of the Common Foreign

European Union, which is the duty of the Deputy Secretary-General. The Secretary-General, Javier Solana, is also the High Representative of the Common Foreign and Security Policy. As High Representative, the Secretary General is increasingly the 'face' of the European Union in matters relating to European foreign, security and defence policy. The SG/HR has acted in diplomatic mediations. He was active, for example, in trying to bring the two sides in the Ukraine crisis together for discussions. As part of his duties, the High Representative serves as an agent and spokesman of the EU outside its boundaries. The High Representative is a member of the alternative *troika*, which represents the European Union internationally.[39] In the author's view, it is clear that in both his capacity as Secretary-General and in his role as High Representative, Javier Solana wields considerable influence to determine the direction of the ESDP.

Thus far all the institutions discussed have fallen under the auspices of the Council of Ministers. Let us now look at the role other institutions play in the ESDP.

The European Commission is the executive of the European Community. In Pillars II and III, the Council of Ministers also has some executive authority. The European Commission has primary responsibility for all areas of EU legislation under Pillar I and increasingly under pillar III. In many areas, especially Community issues such as internal economic policies, they are able to make their decisions binding for all

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and Security Policy. As such, he is tasked with overseeing the coordination and continuity of the CFSP/ESDP.

[39] Willam Wallace, "Chapter 17: Foreign and Security Policy: The Painful Path from Shadow to Substance" in Helen Wallace, William Wallace and Mark A. Pollack, eds., *Policy Making in the European Union* (5th ed.), (Oxford: Oxford University Press, 2005), 451. Knud Eric Jørgensen, "Chapter 10: Making the CFSP Work" in *The Institutions of the European Union*, John Peterson and Michael Shackleton, eds. (Oxford: Oxford University Press, 2002), 218.

members (except in areas of vital national interest). It also has responsibility for the

implementation of the budget of the CFSP.[40] It sits on the Council of Ministers and has

the same authority as a member-state in this formation to make proposals, but has no vote

in the proceedings. While its role under Pillar I is paramount, it is much more limited

under Pillars II and III. It is not at the centre of the decision-making process for the

Common Foreign and Security Policy of the European Union. Under Article 27 the

Commission can give an opinion on various issues of CFSP.[41] Thus unlike Pillar I, the

Commission's role is more limited. It can make proposals, a right it shares with the

member-states. It can present proposals and points for examination by the Council as any

member-state can. Under Title V, the Commission is supposed to be 'fully associated'

with the Presidency in representing the Union and implementing Council decisions.[42] In

practice, though the Commission's role is somewhat limited by its formal powers,

informally it is argued that its impact could increase as it gains expertise in the fields of

foreign and security policy, and thus has more impact in the decision-making process.[43]

The Commission does have some important responsibilities in the CFSP. It is

responsible for implementing the CFSP budget as which is part of the European

Community budget. Further, it has responsibility for several Pillar I areas related to the

CFSP, including external trade. The position of the Commission on the Council was

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[40] See John Peterson and Elizabeth Bomberg, "Chapter 2: Institutions, Rules, Norms" in *Decision-Making in the European Union* (New York: St. Martin's Press, 1999), p 31-59, for more information on roles of EU institutions.
[41] European Union, "Title V: Provisions on a Common Foreign and Security Policy" From the *Treaty of Amsterdam*, 2 October, 1997, Article 27 (c, d, e).
[42] Ibid, Article 18.4.
[43] Knud Eric Jørgensen, "Chapter 10: Making the CFSP Work" in *The Institutions of the European Union*, John Peterson and Michael Shackleton, eds. (Oxford: Oxford University Press, 2002), 225.

designed to help ensure the coordination of the CFSP across the EU. Under the area of civilian crisis management the Commission is responsible for "Community actions in the areas of humanitarian, development assistance, rehabilitation and reconstruction and sanctions regulations."[44] This may cause some overlap in authority with the Council's Political and Security Committee in times of crisis, though they are designed to coordinate with each other.

The European Parliament is made up of elected representatives of each member-state. The citizens of the European Union vote members of the European Parliament into their positions. There are currently 732 members of the European Parliament who sit not by national delegation but by political party.[45] The number of votes in each state is based on population.[46] The co-decision process created under the Treaty of European Union (TEU) of 1992 has given the European Parliament more influence in the decision-making process, and it has been progressively gaining more power in a move to make the institutions of the EU more accountable and democratic. The codecision process that has increased the authority of the Parliament in Community issues does not apply to Pillar II. Thus, the Parliament's role in ESDP is almost negligible.

The European Parliament has less of a role in CFSP and ESDP issues than the Commission. It does not carry the advisory role that the Commission has, and any recommendations made by the Parliament need only be taken 'under consideration'. It is

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[44] The European Commission, *Common Foreign and Security Policy (CFSP) Overview,* available at: http://europa.eu.int/comm/external_relations/cfsp/intro/index.htm#3 Point 3.
[45] The European Parliament, "Members of the European Parliament" from: *EUROPARL: The Offical Site of the European Parliament,* at
http://wwwdb.europarl.eu.int/ep6/owa/p_meps2.repartition?ilg=EN&iorig=home
(Statistics 'as at' the situation for December 14, 2004)
[46] Ibid.

allowed to ask questions of the Council. Specifically, under Title V, "the Presidency shall consult the European Parliament on the main aspects and the basic choices of the common foreign and security policy and shall ensure that the views of the European Parliament are duly taken into consideration." [47] As a result, the Parliament has set up several subcommittees to monitor developments in the field of CFSP including the Subcommittee on Security and Defence. These subcommittees are usually most important when Parliament has its annual debate on the progress made in implementing the CFSP, as is required under Title V.[48]

In summary, the primary decision-making responsibility of the ESDP lies with the Council of the European Union. It makes decisions on policy initiatives and implements actions for subordinate committees to follow. These subordinate committees, especially the Political and Security Committee, are responsible for the day-to-day operations of the ECSDP. COREPER plays a role in regulating what is sent to the Council. Further, it rehashes work done by the Political and Security Committee and the working groups. The Commission has a role in the CFSP, though it is nowhere near as extensive as its responsibilities under Pillar I. It is responsible for civilian aspects of crisis management, which must be closely coordinated with the actions of the Political and Security Committee. Further, by full participation in discussions with the member-states on the Council, the Commission is able to influence the development of the ESDP. The European Parliament has almost no role in the decision-making of the ESDP. It can make suggestions, but they do not have to be followed by the Council.

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[47] European Union, "Title V: Provisions on a Common Foreign and Security Policy" From the *Treaty of Amsterdam,* 2 October, 1997, 27 (c, d, e).
[48] Ibid, Article 21.

This decision-making structure gives the ESDP its fundamental shape. There is much that can be gleaned from its structure. First and foremost, it is clear that control of the ESDP remains at the national/member state level. Through the supervisory role of the Council, national governments have been able to protect their interests and priorities in the areas of security and defence. The limited role of the Commission and the Parliament in pillar II issues is further evidence of this. In negotiations, the ESDP is fundamentally intergovernmental in nature. The supranational structure and institutions of the EU may provide impetus but as decisions are not binding and the creation of institutions does not necessarily mean increased political will for integration in many cases it may be that the EU is unable to move forward with integration.

The intergovernmental nature of the ESDP is both a strength and a weakness. On one hand, the decision-making structure may be the only way that any movement is made in security and defence integration, as member states would never agree to decisions that bound their national policies in these areas if they were not the ones making them. On the other hand, the decision-making process means that lowest common denominator policies are often the order of the day and one member state can effectively stymie any progress in security and defence integration due to the unanimous nature of decisions. These are all issues that will be discussed in more detail in chapter 4, which addresses the political issues that may hamper the drive for closer security and defence integration.

Chapter 4: Political Issues

In seeking to more closely integrate military and security policy, the European Union faces many political challenges, not least of which is the lack of political will and consensus among the member states. The reluctance of national governments to sacrifice control of their security and defence policies, the divergent views of national governments on the role of the military as well as the lack of oversight and coordination of the integration process are all factors working against European security and defence integration.

Politically, the major problems with the European Union's Security and Defence Policy are both the lack of consensus on what the EDSP is and how it should develop and the corresponding lack of political will among the member states to fully commit to the ESDP. Domestic constraints and priorities will further limit integration. These problems will grow larger if the EU moves more closely to security and defence integration under the banner of the ESDP.

This chapter will examine the political issues that complicate security and defence integration. This will include a review of some possible approaches to the resolution of the problems associated with security and defence integration. The chapter will conclude with a summary emphasizing some of the most important discussion points and a reflection on the conclusions that might be drawn based on the political issues presented in this chapter.

The Constraining Effect of National Priorities

National priorities have a major impact on integration. This is principally because other domestic issues draw the focus away from security and defence. This often

constrains future security and defence budgets. Further, these national domestic priorities often mean that there is very limited political capital or political will for security and defence integration.

European governments face powerful constraining domestic factors including high unemployment and low growth rates. These problems will be compounded by large expected increases in healthcare and social welfare costs as European populations age. These concerns are also linked with domestic constraints on defence spending. Already strapped defence budgets are limited not only in their overall budgets and the missions that they can undertake because of these limits, but also in how they can spend these budgets. For example, unemployment may push governments into using defence acquisitions as make-work programs. The use of the military as a socialization tool and mandatory conscription means that defence budgets must support bloated personnel expenditures, such as housing and training of non-deployable conscription forces. Unions, domestic lobbies, populations that favour healthcare, education and social welfare programs over defence spending add another disincentive for leaders to push for security and defence integration.

These constraints may have a direct impact on the integration of the ESDP for several reasons. First, limited budgets and the unpopularity of cutting jobs and closing bases will probably make force transformation difficult. Force transformation will be necessary if the ESDP is to be integrated across the Union. It may also be necessary to advance the fulfilment of the Petersberg Tasks. Second, demographic constraints will no doubt increasingly limit defence budgets and determine when and how these budgets are spent. This will also affect the ESDP and the improvement of capabilities in order to

support the Petersberg Tasks more difficult as time goes on. These constraints will no doubt add up to a lack of will on the part of national leaders to spend limited political capital to push for security and defence integration.

Demographic Constraints

Demographic trends will no doubt have a negative impact on integration under the ESDP as well. Most European countries are confronted with an aging population. The decline in birth rates, even combined with increasing immigration levels will be unable to counter-balance this trend. This means that more money will be required for health services and pensions even as there will be a decline in the working age population to support this retiring population. By 2040, it is expected that unless there are changes to current policies, spending on benefits for the elderly will increase from 15 to 26 per cent of Gross Domestic Product (GDP) in Germany, 16 to 29 per cent in France, from 16 to 32 per cent in Italy and from 12 to 33 per cent in Spain.[1] In this environment it is expected that defence spending will decrease as a percentage of Gross Domestic Product as social welfare programs take up a larger percentage of GDP. This will limit already strapped defence programs and will make the maintenance of security and defence forces difficult. Changes in demographics will also decrease the amount that can be spent on defence integration and force restructuring.

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[1] Michele A. Flournoy, et al, *European Defence Integration: Bridging the Gap Between Strategy and Capabilities*, (Centre for Strategic and International Studies: Washington, October 2005), 23.

Unemployment and relatively low growth rates will also constrain future national budgets. Unemployment in the EU is estimated at 9.4 per cent for 2005.[2] Poland had the highest unemployment rates in 2005 at 17.8 per cent. The United Kingdom, and Ireland boasted the lowest unemployment rates in the EU with 4.8, and 4.3 per cent respectively.[3] Growth rates in the European Union also showed some fluctuation, though the average growth rate was approximately 1.7 per cent.[4] Within that average, the highest growth rates were achieved in The Slovak Republic (5.5-6.5 per cent), Ireland (5.1 per cent) and the Czech Republic (4.8 per cent).[5] The lowest growth rates were seen in Italy (0.2 per cent), the Netherlands (0.7 per cent) and Germany (1.1 per cent).[6]

The EU's growth rate is sluggish in relation to both the United States and Canada, which were 3.6 and 3.0 per cent respectively.[7] The European unemployment rate is also markedly higher than in either the United States or Canada where unemployment was 5.1 and 6.8 per cent.[8] These constraints can lead not only to a focus away from defence integration but also to social instability and unrest, as has been demonstrated by the recent riots, strikes and demonstrations in France.

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[2] CIA World Factbook, *European Union Factsheet*, available at: http://www.cia.gov/cia/publications/factbook/geos/ee.html. Accessed 10 April 2006.
[3] For a detailed rundown of these figures for the various members of the European Union, see Country Snapshots available at: http://www.oecdobserver.org/news/categoryfront.php/id/1189/Country_snapshots.html. Accessed 10 April 2006.
[4] CIA World Factbook, *European Union Factsheet*, available at: http://www.cia.gov/cia/publications/factbook/geos/ee.html. Accessed 10 April 2006
[5] Country Snapshots available at: http://www.oecdobserver.org/news/categoryfront.php/id/1189/Country_snapshots.html. Accessed 10 April 2006.
[6] Ibid.
[7] Ibid.
[8] Ibid.

The problem of unemployment has another direct impact on security and defence. Flournoy argues that "Many European defence procurement programs today are indirect jobs programs; parliaments across Europe embed the retention of jobs into their defence procurement budgets as a central goal even when these policies result in higher costs than buying equipment from alternative sources."[9] Within already limited defence budgets, this further constraints when and how money can be spent. Like the issue of mandatory military service, unemployment is inherently political "as they affect voting constituencies and tax bases."[10] This makes the prospect of realigning defence industries or upgrading force posture – key requirements of the Petersberg tasks and therefore the ESDP – difficult for European democracies and unpopular for governments.

Domestic Constraints

Preben Bonnen, in *Towards a Common European Security and Defence Policy: The Ways and Means of Making it a Reality,* argues that "Today, the quantity of soldiers is not as crucial as their mobility, flexibility and abilities of the individual soldier."[11] Yet many European countries maintain large, and in many cases unusable, forces for social or political reasons. Mandatory military service or conscription serves as a socializing tool in some countries. Military service can build social cohesion, loyalty and a spirit of self-sacrifice and remind citizens that "they are a part of a community to which they

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[9] Michele A. Flournoy, et al, *European Defence Integration: Bridging the Gap Between Strategy and Capabilities,* (Centre for Strategic and International Studies: Washington, October 2005), 72.

[10] Ibid.

[11] Preben Bonnen, *Towards a Common European Security and Defence Policy: The Ways and Means of Making It a Reality,* (London: Lit Verlag, 2003), 112.

contribute and to which they owe their freedom and welfare".[12] Further, more than fifty

percent of Europeans believe that two of the prime functions of the military are to "pass

on to young people values such as discipline and respect of their superiors" and to help

them integrate with society.[13] Italy, Germany, Greece, Denmark, Finland and Sweden

continue to use conscripts; conscripts that are in most cases are non-deployable for

combat situations due to domestic pressure.[14] These conscript forces generally serve in

homeland and border defence and account for most of the approximately 1.8 million

troops currently in service in European militaries. There are approximately "420 000

conscripts of very limited usability in 17 Member States, plus a very important number of

forces that are still geared to 'traditional' territorial defence and therefore less usable for

deployment abroad."[15]

The reorientation from a large conscript army to one that is smaller and more

mobile is politically sensitive. The closing of bases and the loss of employment for an

entire segment of the population could be an unpopular move for democratically elected

governments. The fear of unemployment concerns many European leaders and is a strong

limiting factor in defence decisions. Personnel expenditures are thus higher than they

would otherwise need to be due to concerns over a possible domestic backlash. Though

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[12] Ibid, 114.

[13] Philippe Manigart, *Public Opinion and European Defence, (Eurobarometer 146)*, July 2001, see Figure 7, pg. 7.

[14] Michele A. Flournoy, et al, *European Defence Integration: Bridging the Gap Between Strategy and Capabilities*, (Centre for Strategic and International Studies: Washington, October 2005), 32 and Preben Bonnen, *Towards a Common European Security and Defence Policy: The Ways and Means of Making It a Reality*, (London: Lit Verlag, 2003), 113.

[15] Sven Biscop, "Able and Willing? Assessing the EU's Capacity for Military Action," *European Foreign Affairs Review* vol 9, 2004, 509-527 (Aspen Publishers Inc), 513-514.

not directly related to defence, recent protests in France by labour unions and students is only one example of the power of domestic opinion and fears of unemployment in Europe.

Aside from the continued use of conscript armies for social and political reasons, there are other domestic constraints that could cause problems for future military integration within the EU. Foremost among these constraints is the low priority that defence is given by European citizens. The *Eurobarometer* polls are comprehensive polls collected on behalf of the European Commission and reflect the views of citizens on a wide range of issues, including security and defence. From a security perspective, they show some worrisome results. In terms of importance, security and defence rates near the bottom, behind healthcare, education, domestic policing, agricultural policy and other social and domestic policies.[16] Even more troubling, the *Eurobarometer* polls also suggest that Europeans believe security and defence are the responsibility of national governments and should not fall under supranational authority.[17] Finally, according to Manigart, the author of the most recent security and defence study, "[t]he so-called Petersberg missions (humanitarian and evacuation missions, peacekeeping and restoring peace) are far from winning European citizens' enthusiastic support. In fact, they are all cited by less than one European in two. In other words, the EU governments still have a long way to go in order to convince their citizens of those new missions' importance for the Union, and thus to increase their legitimacy."[18]

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[16] Philippe Manigart, *Public Opinion and European Defence, (Eurobarometer 54.1)*, July 2001, pg. 8.
[17] Ibid., figure 6, pg. 13.
[18] Ibid., pg. 19.

These results demonstrate not only the serious lack of support for defence integration and the ESDP but also provide a strong disincentive for national leaders to pursue military or political integration through the ESDP. They led *Eurobarometer* editors to conclude that "[f]rom this first survey on the topic of a common European security and defense policy ever conducted among representative samples of the EU's 15 countries as a whole it emerges that while the support which could be described as affective for the idea of a European defense is quite considerable in most of the countries, that support is also rather vague and shallow."[19] Further, that "while the majority of Europeans are in favor of instituting a European defense, in one form or another - namely, a policy and an organization which would no longer be strictly national - they are, on the other hand, far from being favorable to a really integrated defense policy."[20]

This raises another problem. How do you sell the ESDP to a domestic constituency with a low priority for, and a shallow understanding of security and defence integration? More disconcertingly, "How does one sell the same basic security product to a Finn, a Dane, a Greek, a French citizen, a Briton, a Luxembourger and an Irish elector?"[21] Bringing together the divergent cultures, expectations and goals of each of the national governments and domestic populations will be a challenge for those seeking closer integration, not only of military and security policy but of the European Union generally. In integrating the ESDP, national politicians will "need to balance many different

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[19] Ibid., pg. 20.
[20] Ibid.
[21] Jolyon Howorth, "European Defence and the Changing Politics of the European Union: Hanging Together or Hanging Separately?" *Journal of Common Market Studies*, Vol. 39(4) (November 2001), 784.

interests and mix broadly pan-European aims with narrowly national goals."[22]

It is clear that, due to domestic constraints, political capital in this area is limited. Flournoy argues that the move from an Cold War-based system to one focused on expeditionary and multinational forces will be expensive and cause economic and political dislocation.[23] This economic and political dislocation makes force reorientation unpopular. As all European governments, in order to remain in power, must pay attention to the views of their constituents, most are unwilling to risk pushing an issue that their domestic populations do not support and that also may not be in the best interests of the national government itself.

Powerful unions, domestic lobbies and demand for increased salaries coupled with failing industries can also constrain governments. As *The Economist* notes, "defence is the most political of industries, and trade unions will resist the inevitable job cuts that will come with...national consolidation."[24] The examples of union response within the security and defence sectors are numerous. One of the most relevant is union response to attempts to consolidate the European shipbuilding industry, which suffers from overcapacity and fragmentation. In 2004, *The Economist* reported on union response to the attempts to consolidate French shipbuilding. It noted that "[w]inning over organised labour will be tricky...The European Metalworkers' Federation (EMF), which also represents shipyard workers, is already on the case. Though the union is in theory in

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[22] Jan Zielonka, "Challenges of EU Enlargement" *Journal of Democracy,* Vol 15(1) (January 2004), 23-24.

[23] Michele A. Flournoy, et al, *European Defence Integration: Bridging the Gap Between Strategy and Capabilities,* (Centre for Strategic and International Studies: Washington, October 2005), 75.

[24] "Pipe Dreams Aboard", *The Economist,* 0/30/2004, Vol. 373 Issue 8399, 67.

favour of the creation of a naval EADS, it is determined to "control" labour relations."[25]

The move to consolidate the shipbuilding industry in Europe, considered a necessary step by most experts, would save money and allow defence planners to increase rationalization and cooperation in military acquisitions.[26] Yet little or no progress has been made in this area, in large part due to the opposition of both labour unions and broad segments of populations. The opposition of Welsh trade unions who fiercely protested the move of aircraft repair to Norfolk is another example of the problems created by the actions of unions.[27]

In conclusion, constraints on government action range from unemployment to slow growth to decline of overall working age populations. These issues have corollary domestic responses that would include greater focus and spending on social welfare programs, the use of defence procurement as a make-work program and the continuance of conscription forces. It is also clear that domestic populations demonstrate relatively shallow support for security and defence integration. All these constraints limit the political will of national leaders to push for closer security and defence integration.

Sovereignty, National Political Will and the ESDP

At the same time, national governments have been able to use this lack of political will or consensus on security and defence issues to protect their sovereignty in this area.

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[25] Ibid, 68.

[26] Michele A. Flournoy, et al, *European Defence Integration: Bridging the Gap Between Strategy and Capabilities*, (Centre for Strategic and International Studies: Washington, October 2005), 75. And, Katia Vlachos-Dengler, *From National Champions to European Heavyweights: The Development of European Defence Industrial Capabilities Across Market Segments*, (RAND Corporation, Santa Monica: 2002), 86, 91-92.

[27] "Union Slams Job Cuts at Aircraft Repair Base" *Professional Engineering* 7/13/2005, Vol. 18 Issue 13, p9.

The relatively limited and shallow support of domestic populations for security and defence integration allow national governments to commit to integration on paper without the consequence of carrying through in reality. For example, national governments continue to protect their right to set individual defence budgets and priorities and are hesitant to allow a shared EU budget for acquisitions or for the ESDP more generally. "For the foreseeable future, it is inconceivable that Member States will prove willing to yield sovereignty over defence spending, so any common budget will have to remain intergovernmentally managed."[28] National governments have also been quite protective of some of their military assets, especially those related to the collection and dissemination of intelligence. These will limit the extent to which security and defence integration will be successful. This is an issue that will be discussed in greater detail in Chapter 6.

Howorth argues that the policy formulation and adjustment mechanisms and dynamics are very different from those in other key EU policy sectors.[29] Ultimately, governments remain protective of their national sovereignty in the field of security and defence. Ojannen, in a similar vein to Howorth, argues that European states are unwilling to accept the authority of the European Union in life or death matters, such as sending troops into combat.[30]

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[28] Jolyon Howorth, "European Defence and the Changing Politics of the European Union: Hanging Together or Hanging Separately?" *Journal of Common Market Studies*, Vol. 39(4) (November 2001), 782.

[29] Jolyon Howorth, as paraphrased in Hanna Ojanen, "The EU and NATO: Two Competing Models for a Common Defence Policy", *Journal of Common Market Studies*, Vol 44(1), (March 2006), 64.

[30] Ojanen agrues that "As van Staden put it [in a statement that has not lost its validity since the development of the European Community], 'for the foreseeable future none of

Divergent Visions of the ESDP

Another political challenge that will have an impact on integration is the divergent views of the member-states on the ultimate purpose of the ESDP. Different countries have different views of the role the ESDP should have and in what context it should operate. Should it be the primary (or only) security and defence institution for the members of the European Union? Should it serve a cooperative or reciprocal role with other organizations such as NATO? Should NATO or the ESDP be the primary security institution in Europe? The member states of the EU have different answers, and sometimes different solutions, to these questions.

A brief overview of the positions of the three most powerful countries in the EU – Britain, France and Germany – will serve to illustrate these different understandings of the ESDP and their implications for the future of European security and defence integration through the European Union. These countries have been chosen for specific reasons. They make the greatest contributions militarily and financially and thus will have more of a stake, and more influence in the ESDP. As the most powerful and influential of the member-states, they have the views that are most likely to become the reality of the ESDP. As Philippe de Schoutheete argues in relation to the European Council, but which is just as relevant in this case, "the fact that some participants have in fact more power (because they represent a bigger country) is immediately apparent and

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the EC [or the EU] members can be expected to commit itself to majority decision-making or to accept the authority of a supranational body in questions of life and death." Hanna Ojanen, "The EU and NATO: Two Competing Models for a Common Defence Policy", *Journal of Common Market Studies*, Vol 44(1), (March 2006), 60.

implicitly understood by all."[31] The smaller countries of the EU have, in general, been willing to go along with decisions made by the 'big three' and thus act less as policy-setters than policy-followers. As the focus is on the setting of policy in the ESDP and not on the following of these policies, the smaller countries are not the focus of the discussion.

Each of the countries discussed below present somewhat vague and confused views of their policies *vis à vis* the ESDP, as well as the relationship between NATO and the ESDP. This is a reflection not only of the confused understanding of the nature of the ESDP by the individual member states but also the complex and blurry nature of politics in relation to the ESDP. This vagueness will create problems for the members states if they are seeking to more closely integrate within the ESDP.

The United Kingdom

Britain's preferred European security and defence institution is NATO. In fact, Britain has been the most reluctant to move forward with security and defence integration, as well as foreign policy integration under the banner of the ESDP. The 'special relationship' the United Kingdom shares with the United States has helped shape the British focus. In the United Kingdom's 2003 Defence White Paper, entitled *Delivering Security in a Changing World,* the UK's relationship with the United States is a common theme throughout the paper. It is the most clearly supportive of America of the three major EU powers.

In terms of the British view of the role NATO and the EU should play, the Defence

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[31] Philippe de Schoutheete, "Chapter 2: The European Council" in *The Institutions of the European Union*, John Peterson and Michael Shackleton, eds. (Oxford: Oxford University Press, 2002), 31.

White Paper states that "[t]he UK recognises the pre-eminence of NATO as the alliance upon which Europe and North America depends for collective defence and global crisis management."[32] Further, it makes the UK's views of the ESDP quite clear when it states, "the UK is a strong supporter of developing EU military capability to compliment NATO, rather than competing with it."[33] The British argue for a coordinated European development of capabilities and see an ESDP that develops similar capabilities to NATO as a negative. The Defence White Paper highlights the role that the ESDP can play, but stresses that significant capability improvements are necessary for the ESDP to reach its full potential.[34]

The UK is somewhat vague on its position on the ESDP. While it seems to support closer cooperation and the improvement of European capabilities, the goal of integrating European security and defence is conspicuous in its absence from the White Paper. The position that the United Kingdom appears to take on the issue is support for the development of EU capabilities to compliment NATO, with no mention and therefore no corresponding support for defence integration within the EU itself. While the UK stresses the improvement of capabilities and coordination among EU members, it does not appear to be proposing a supranational ESDP, only one that can work in conjunction with NATO and expand European capacity to respond through international cooperation.

France

France is the most supportive of the ESDP of the 'big three'. This is partly due to

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[32] Ministry of Defence of the United Kingdom, *Delivering Security in a Changing World: Defence White Paper* (London: Her Majesty's Press, December 2003), Article 2.18.
[33] Ibid., Article 2.19.
[34] Ibid.

its foreign policy focus on becoming/remaining the dominant European power. At the same time, it is also part of France's historically tempestuous relationship with NATO, especially NATO's military component. In fact, France withdrew from the military aspects of NATO and ordered NATO military forces off French soil in 1966.

France's 2003 – 2008 Military Programme Bill of Law lays down its defence policy for the current five-year period. The French equivalent of a defence white paper states in the third paragraph that "the development of European defence that France is actively encouraging to allow the European Union to manage crises autonomously is now committing us more to the construction of European military capacities than in the past."[35] The French government makes its clearest statement of its priorities on page five of the document when is states "Europe has become our main political and geographical focus. France's objective, which is to allow the EU to rapidly obtain military, technological and industrial capabilities, takes on an increased importance."[36]

Its choice of support is noticeable in the pre-eminence given to European solutions, to the exclusion of NATO. In other white papers, NATO is always listed first, above the ESDP and other alliance structures. In the French white paper, in contrast, pre-eminence is given to Europe, and NATO is only of cursory importance. For example, the Programme Bill of Law states that "[o]ur country intends both to preserve its freedom of assessment and choice, and to diversify its capacity to act within coalitions - European, allied or ad hoc - under less foreseeable circumstances."[37] Further, support for the ESDP as the preferred French defence organization is made clear when it is placed at the

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[35] French Ministry of Defence, *2003-2008 Military Programme Bill of Law*, pg 1.
[36] Ibid., pg 4-5.
[37] Ibid., pg 1.

top of the 'changing security environment' section, which discusses how the French are

dealing with the post-9/11 security environment. It also boasts the most detailed

explanation of the role the ESDP will play in achieving national goals of any of the

defence white papers.

For such a detailed discussion of the role of the ESDP, the French are surprisingly

vague on their views of the relationship between NATO and the ESDP.

> Our commitment to European Defence is conceived in harmony with our
> transatlantic solidarity. Actions taken to reinforce European capabilities
> contribute to the progression of those of the Alliance. Whilst remaining the
> foundation of collective defence of the continent, *the Atlantic Alliance* has
> started in-depth thinking about its structure, capabilities and mission
> development. The analyses currently taking place in NATO and the future
> development of the role of the EU in European Defence will have an influence
> on the future of our defence policy.[38]

This paragraph leaves much to interpretation. For example, what exactly does

'transatlantic solidarity' mean in terms of France's commitment to NATO? Does it mean

there is any commitment to NATO or is it simply a statement recognizing that there is a

transatlantic relationship that France supports to some extent? The phrasing of the

following sentences is also problematic as they are no clearer. How will the 'analyses

currently taking place in NATO' impact French defence policy? Will changes to NATO

or the EU have more of an impact on the 'future of our defence policy'? Placing both

institutions in the same sentence means that if one organization changes it will have an

impact on French defence policy, regardless of what is happening in the other institution.

This is particularly problematic as changes in one organization may in fact negatively

affect the other or their relationship with French defence policy.

Even more troubling in terms of the development of overlapping capabilities and

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[38] Ibid., pg. 3.

competition between organizations is France's view of the role the ESDP should play as a balancing force to the US's power and influence (including its influence in NATO). For example, the following statement could have a large impact in terms of the development of overlapping capabilities. "For Europeans as a whole, maintaining freedom of analysis and choice and upholding a capability for action when they choose to work side by side with their American partners requires a renewed defence effort. Without starting a technological competition which does not necessarily match their needs, they must improve the credibility of their military equipment if they wish to take part in crisis management operations, to take part in the restoring and keeping peace and to sustain the associated international multinational processes."[39] Yet, despite their stated objective of avoiding competition, developing the ESDP to play a similar role and have similar capabilities will almost inevitably lead to conflict with NATO.

The primary impetus for French force transformation is to "ensure the security of the French people and defend our interests better by *affirming our strategic autonomy* and *giving France a driving role again in Europe* and thereby in the world, by participating effectively in operations to establish and maintain the peace" (emphasis added).[40] Autonomy of action is a key strategic goal that could be fulfilled by the ESDP, but only as long as France can maintain control of the integration process. As soon as control slips, so will its ability for autonomous action. Further, this desire for autonomy seems contrary to the French goal of integrating the ESDP at the European level. Aside from its mention in the opening sentences of the document, other references to the

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[39] Ibid., pg 5.
[40] Ibid., pg 1.

importance of autonomy are scattered throughout the document.[41] The defence white paper also states that "to ensure the security of French interests, to pursue the reform of our armies in the best way possible, and to strengthen France's place in the construction of European Defence and in the world, an increase in our defence effort is necessary."[42]

Yet for all the references to the development of autonomous action through the ESDP, the document makes no mention of security and defence integration. The ESDP the French appear to be supporting is one that enables France to act autonomously without the support of the United States. Though the implication is that France supports integration of security and defence in order to support the ESDP, *this does not necessarily mean that this is the case.* If the French aim is to develop a security and defence apparatus for Europe that is able to act autonomously, this can be achieved by increasing cooperation, improving capabilities and streamlining forces. It does not necessarily have to occur within an integrated security and defence structure. If this is indeed France's aim, then their goals are better served by allowing the ESDP to remain intergovernmental instead of supranational. This will provide them with a more certain ability to control policy through unanimous voting procedures. It also means France has one more disincentive for supporting security and defence integration.

Ultimately it appears that France supports the ESDP as a way of balancing the power of the US and NATO and as long as it is able to shape the ESDP in its favour. Furthermore, it does support the acquisition and improvement of European capabilities, but for different reasons and purposes than does Britain.

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[41] Ibid. 1,3,4,6,7.
[42] Ibid., pg 4.

Germany

Germany has the most middle of the road approach to the relationship between NATO and the ESDP of the three major powers, though it is clear that NATO is its primary focus. Germany's defence policy documents make no mistake about their focus on NATO, stating, for example, that NATO is "the mainstay of Germany's security" and that "the objective of Germany's security and defence policy is to consolidate and extend the Euro-Atlantic zone of stability. The transatlantic partnership remains an indispensable backbone of a policy geared to attaining peace, security and democracy in the whole of the Euro-Atlantic area."[43]

This focus on NATO as the foundation of Germany's military policy by its very nature limits the extent to which Germany supports the integration of the ESDP. In terms of the way Germany views the relationship between NATO and the ESDP, it states that "[w]hile collective defence will remain a matter solely for NATO, the EU needs a common foreign, security and defence policy with appropriate civilian and military conflict prevention and crisis management capabilities."[44] However, in other documents there are statements that would support a more ambiguous perspective. On the subject of European integration, the document that states that "[e]nhancing the common foreign, security and defence policy is a key step towards deepening European integration."[45]

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[43] German Ministry of Defence, *Security Policy Institutions*, available at: http://www.bmvg.de/portal/a/bmvg/kcxml/04_Sj9SPykssy0xPLMnMz0vM0Y_QjzKLt4 w3DvUHSYGYRqbm-pEwsaDUPH1fj_zcVH1v_QD9gtyIckdHRUUAaswbIw!!/delta/base64xml/L2dJQSEvU Ut3QS80SVVFLzZfOV8zVVM!?yw_contentURL=%2FC1256F1200608B1B%2FN264 WRW2762MMISEN%2Fcontent.jsp. Accessed 20 April 2006
[44] Ibid.
[45] Ibid.

Unlike the British position, the German position appears to support integration for some areas of security and defence. In particular this would apply to the development of its conflict prevention capabilities and its civilian crisis management toolkit. It appears to view security and defence 'enhancement' as a way of deepening integration. At the same time, Germany does not support a move to integrate European defence collectively under the ESDP. This leaves the question of exactly where Germany ambiguous. If Germany supports integration in a format such as the ESDP that must be either international or supranational in nature, and more specifically integration in the fields of security and defence, can it also claim that European collective defence is solely a matter for NATO?

There seems to be a tentative understanding on the part of the Germans that security and defence integration can continue to develop but that collective defence integration is another matter altogether. The major difficulty with this approach is that the division between what constitutes 'security and defence' and what constitutes 'collective defence' is largely semantics. Where does a security and defence operation stop and a collective defence operation begin? If security and defence operations include crisis/conflict prevention and civilian crisis operations support, do collective defence operations exclude these roles? Is collective defence solely the protection of the European homeland or does it include other more offensive missions outside the European zone, as NATO's actions outside Europe seem to indicate? Is a mission like NATO's International Security Assistance Force (ISAF) in Afghanistan, for example, a security and defence operation or a collective defence operation? Arguments can easily be made either way depending on how the concepts of security and defence are interpreted.

Clearly there is a broad spectrum of missions that could fall into either category.

Further, the EU has made no attempt to separate the two concepts and has instead pushed

forward an integrated security and defence policy, which explicitly includes an ambition

to collective defence.[46] It would be difficult for Germany to put into practice a policy

that supports only one aspect of security and defence integration. The analogy can be

made to digging a hole. There is no such thing as a half hole. As soon as you put your

shovel in the ground, you have a hole. In much the same way, by linking security and

defence in a collective manner under one common policy, the EU has eliminated the 'half

hole' security and defence without collective defence option.

Political Consensus and the ESDP

The lack of consensus on the nature and future of the ESDP is clear simply from the

above examples. As each of the major powers views the ESDP differently, they also

view the potential for integration and the desired outcome of the process differently.

Britain sees the ESDP as a way to develop European capabilities to complement NATO;

to increase European responsibility for international security, and to expand the types of

operations the Europeans can engage in. Thus, it supports the development of the EDA

and the mutual assistance clause in the new constitution.[47] It does not view the ESDP as

a step towards security, defence or foreign policy integration, rather it focuses on the

international nature and cooperative potential of the ESDP. The UK's special

relationship with the United States and its strong commitment to NATO helps to explain

this position.

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[46] Secretariat-General of the European Union, *Draft Treaty Establishing a Constitution for Europe*, Article I-40.
[47] Ministry of Defence of the United Kingdom, *Delivering Security in a Changing World: Defence White Paper* (London: Her Majesty's Press, December 2003), Article 2.19.

France, in contrast, views the ESDP as the future of French security and defence policy. It sees support for the ESDP through the EU as a way of reaching its foreign policy goals, which include the ability to act autonomously of the United States or NATO. Thus it supports an increase in European capabilities in order to allow Europe to stand on its own without help from outside powers. It does not necessarily support security and defence integration within the ESDP. In fact, it appears that France wishes the ESDP to remain intergovernmental. This approach would lead to an overlap in capabilities and conflict with NATO as the two institutions strive to play similar roles. However, if the goal of the ESDP is to allow Europe to stand alone, this is an expected and necessary condition for reaching that goal. France sees an ESDP in which it is a major player and policy-setter as the way forward that best supports its national interests.

Germany takes a less extreme approach than either Britain or France. It is willing to consider integration in the realm of security operations, though it also states that common defence is and will remain the sole responsibility of NATO. Germany's commitment to NATO is understandable given the historical context in which it operates as well as the large NATO presence (and the corresponding revenue that goes with it) in the form of bases and other structures in Germany. This puts Germany in somewhat of a difficult position in terms of the future of the ESDP. If it supports security integration, it must also support the linked concept of defence integration (and collective defence integration) in the ESDP. As well, the somewhat blurry division between security and defence operations and collective defence operations within policy is problematic.

Germany has seemingly reached some sort of balance between the two institutions. It supports the improvement of civilian crisis management capabilities through the ESDP

as well as the improvement and rationalization of the capabilities acquisition process through the EDA. It supports these initiatives as a way to deepen integration not only for security and defence but also for monetary and foreign policy as well.[48] It also views them as a way of improving NATO's capabilities. Yet if the ESDP moves in the direction either France or the UK would like it to, Germany may be forced to take a stronger position and commit more clearly to either NATO or the ESDP.

This lack of consensus, along with an apparent lack of political will, may serve to hinder the integration process. Yet the best way to work out these issues would be to move forward with integration. The integration process would highlight these differences as well as provide a forum in which to sort them out. At the same time, if one of the states sees an aspect of the ESDP as non-negotiable, these issues may serve as a roadblock to prevent integration. It is also questionable if any of the larger member states are really serious about security and defence integration. If the ESDP hits one of these roadblocks, the momentum that has been built up for integration may fade along with the political will necessary to see the difficult process of integration through, leaving the future of the ESDP, and its development into a capable and coherent institution, in question.

Other roadblocks in the integration process may develop as well due to this lack of consensus. Politically, any one of the member states, but especially the 'big three' may

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[48] German Ministry of Defence, *Security Policy Institutions*, available at:
http://www.bmvg.de/portal/a/bmvg/kcxml/04_Sj9SPykssy0xPLMnMz0vM0Y_QjzKLt4
w3DvUHSYGYRqbm-
pEwsaDUPH1fj_zcVH1v_QD9gtyIckdHRUUAaswbIw!!/delta/base64xml/L2dJQSEvU
Ut3QS80SVVFLzZfOV8zVVM!?yw_contentURL=%2FC1256F1200608B1B%2FN264
WRW2762MMISEN%2Fcontent.jsp Accessed 20 April 2006

decide to drag their feet on an issue if they do not agree with the direction the ESDP is headed in. The unanimous nature of the decision-making process, which will be discussed in more detail in the following chapter, makes this situation all the more real as a 'no' vote by any one of the member states can effectively block the integration process. Certainly political pressure could play a role in alleviating this situation, but any of the three largest member states would not allow what they considered a vital national interest to be compromised. This willingness to protect national interests has been seen most recently in the EU in the stagnation of the European constitution. Based on the comparative ease of monetary integration in Europe, conflicts over security and defence would be expected to be even more severe. Further complicating this issue is the unwillingness of larger states to 'carry' smaller ones or make disproportionate contributions monetarily or militarily to the ESDP without compensation.

The lack of political consensus will also make the acquisition of future capabilities more difficult. Though all powers agree on the necessity of an increase in capabilities in Europe, they do not agree on the reasons for this increase in acquisitions. Since the member states of the EU have been unable to agree on the role and nature of the ESDP, as even a cursory glance at the views of the three major powers shows, conflict is likely to occur when the question of what type of capabilities are required arises, as different capabilities speak to different purposes. For example, if the goal is to develop capabilities that support NATO operations, perhaps the focus will be on developing expeditionary forces and strategic lift capability, or increasing the cooperative mechanisms for employing the EU's civilian crisis management capabilities in conjunction with NATO operations. If, in contrast, the role of the ESDP is to act

autonomously from NATO, then the focus will be on developing different capabilities as well as the ones NATO would require. So, in addition to enhancing expeditionary capabilities and strategic lift, command and control, logistical support and field deployment capabilities would also be necessary. These are aspects of an operation that NATO is already capable of carrying out but that would need to be created in order for the EU to take autonomous action.

A failure to reach consensus on the nature of the ESDP is also part of the reason that military oversight and coordination of capabilities acquisition has been difficult to achieve on a European level. This issue has been recognized by the member-states participating in the ESDP and the newly created EDA. This may help to alleviate the problem to some extent. At the same time, previous attempts to deal with the issue such as the European Capabilities Action Plan (ECAP) have been unsuccessful. Disappointingly, even if the EDA is successful in improving the acquisition of capabilities in Europe, it will not change the problem of the lack of consensus on the nature or role of the ESDP.

The problem of a lack of consensus in the ESDP and what this means for future integration in security and defence can be seen both negatively and positively. On the one hand, a lack of consensus may be difficult to overcome as member states view issues in security and defence as vital to their national interests and are therefore unwilling to compromise in order to reach consensus. At the same time, if this lack of consensus can be overcome and some sort of agreement on the future of the ESDP reached, the greatest hurdle in the integration process will have been passed, the member-states drawn closer together, and the ESDP strengthen by the struggle.

Bargaining and the ESDP

The lack of consensus as well as the nature of the European Union decision-making process has created a system where bargaining is central. As Howorth writes, "The muddle which has emerged is the result of a number of incremental or parallel initiatives and a succession of trade-offs between several competing national agendas."[49] The ESDP does not exist in a vacuum. Through bargaining and 'spill-over' it is connected to almost all other areas of decision-making. As well, due to the nature of the ESDP structure, Pillar I and III institutions are also used to support the ESDP. The most obvious cases of this is the High Representative for the CFSP who also acts as the Secretary-General of the European Union and the budget for the ESDP being set by the Commission and approved by the European Parliament.

Issues are also inter-connected. In most cases, the ESDP is simply one facet of the EU's implementation of a larger foreign policy. This policy could involve sanctions, which would draw in trade under pillar one or the enforcement of anti-trafficking laws (pillar three) and an ESDP mission to stabilize a region in conflict (pillar two). All these actions must be coordinated in order to support the overall policy. Even within the ESDP itself, other areas of the EU are employed. One such example of this is the policing/rule of law missions that have been established through the ESDP. They draw on police forces through pillar three and civilian crisis management mechanisms as part of pillar one but are supervised and coordinated by ESDP (pillar two) structures.

The EU's bargaining style can have both positive and negative effects. On the

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[49] Jolyon Howorth, "European Defence and the Changing Politics of the European Union: Hanging Together or Hanging Separately?" *Journal of Common Market Studies*, Vol. 39(4) (November 2001), 770.

positive side, linked bargaining can help to push forward integration and move governments towards consensus. The development of monetary union is the most striking and successful example of the linked bargaining process. Negatively, linked bargaining can have a disastrous effect on integration, as "once integrated, a policy field cannot easily be disintegrated. Different policy fields...tend to mix with each other, at times allowing for strange 'package deals'. As a result, failure in one field may have devastating consequences for others."[50] The most dramatic example of these 'devastating consequences' can be found in the failure of the European Defence Community in 1954. The fall of the EDC pulled down with it not only the desire for defence integration but also the concepts of a common budget and political union.[51] This was a major setback for integration in Europe. It would take decades for many of these ideas to re-emerge. "Failure [of the current attempt to integrate security and defence in Europe] would not only compromise the entire transatlantic relationship, but would also place a heavy question mark over the other political dimensions of EU integration."[52]

Bargaining does not only occur in order to reach consensus in different policy areas but also involves the institutions of the EU and the member states. Institutions must bargain with each other as well as with member states. Several examples of this have occurred in the security and defence field. One of the most prominent is the bargaining that occurred prior to the Helsinki commitments. The "British trade-off in the run-up to

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[50] Ibid., 766.

[51] Derek W Urwin, *The Community of Europe: A History of European Integration Since 1945* (2nd ed.), (London: Longman Group Ltd., 1995), 67.

[52] Jolyon Howorth, "European Defence and the Changing Politics of the European Union: Hanging Together or Hanging Separately?" *Journal of Common Market Studies*, Vol. 39(4) (November 2001), 773.

Helsinki was agreement to go along with a relatively high-profile COPS [PSC] in exchange for a genuine commitment, at Helsinki, to the elaboration of a serious military capacity: the 'headline goal' (HG)."[53] "Another of the trade-offs at Helsinki was the Commission's insistence on the importance of the civilian track to CESDP [ESDP] as a *quid pro quo* for the military 'headline goal'."[54] Thus, not only were the governments negotiating with each other but also with the various institutions of the EU itself. This creates a complex system of trade-offs and deals that can ultimately lead to confusion and disorganization. They are also a source of wasted time and money as (somewhat inevitable) red tape slows down the decision-making process.

During the most recent round of ascension talks, "some officials in the Directorate General for Enlargement (whose remit is the negotiations with the accession candidates) were not only unaware of the content of the parallel discussions on CESDP issues between those same accession countries and the COPS/Council, but, in some cases, were even unaware that such discussions were taking place."[55] Clearly bargaining and the resulting confusion that occurs because of it are daily issues in the EU. This bargaining style may be particularly problematic in the ESDP due to security and defence's unique nature. This is an indication that it will be difficult for an integrated security and defence structure to operate in the same way as that of a state. An understanding of this difference could be key to successfully integrating security and defence.

Vision, Bargaining, Consensus and the Unique Nature of Decisions in the ESDP

One of the major concerns for the future of the ESDP is the lack of a clear vision of

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[53] Ibid., 771-772.
[54] Ibid., 777.
[55] Ibid., see footnote 23.

what the ESDP is, as is demonstrated by the divergent views of Britain, France and Germany. When combined with the lack of consensus among the member states, the extensive use of bargaining as the primary tool for integration and the unique demands of decision-making in the field of security and defence, the results can be catastrophic. As Keohane argues,

> The pooling of sovereignty works well for the internal common market, which thrives on what Charles E. Lindblom once called 'the science of muddling through'. But it does not facilitate innovative and decisive strategic action outside the EU's borders. Instead, the inevitable divergence of interests among Europe's states leads to a policy of quarrel and compromise, in which external policies emerge as a result more of internal politics than a coherent strategic design...On military-political issues, Europe has been unable to act decisively. Dealing with devious enemies such as Slobodan Milosevic in 1995 clearly required more single-mindedness that the EU could muster."[56]

Security and defence decisions require a vision. They need direction and an understanding of the impact of taking action in this area. Further, in order to respond to crisis in a timely manner, the ESDP requires rapid decision-making and deployment as well as unity of purpose and action among the member states. In a crisis situation, there is no time for bargaining, linking policy issues, building consensus or 'muddling through', as the EU's failures in Bosnia-Herzegovina clearly demonstrated.

This lack of vision and the nature of decision-making in the EU may serve to prevent the ESDP from ever becoming a coherent or functioning policy area. Acting in a rapid, decisive manner goes against the very nature of the EU. The member states are thus at a crossroads and will be forced to make difficult decisions. If the ESDP remains intergovernmental in nature, it may be possible to make decisions more rapidly. At the

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[56] Robert O. Keohane, "Ironies of Sovereignty: The European Union and the United States" *Journal of Common Market Studies*, Vol 40(4) (2002), 759.

same time, giving decision-making authority to a supranational ESDP institution may solve the problem by taking final authority for the decision out of the hands of the member states. Yet either solution would challenge major aspects of the EU. In one case the push for integration would have to be halted and new goals established. In the other, integration would have to be taken further than national governments and the member states seem willing to go.

NATO

The role of NATO in Europe in relation to the ESDP will become even more of a problem if the ESDP moves closer to integration. Both organizations are developing similar capabilities and outlooks. NATO's Rapid Reaction Force, simply called the NATO Reaction Force or NRF, is designed to act in a similar capacity to the European Battlegroups and the European Rapid Reaction Force (ERRF). Politically, NATO has sought to expand into a more flexible force posture that deploys rapid-reacting, expeditionary-capable forces that can be used in crisis management/crisis intervention situations. The 2002 Prague Summit Declaration noted that "[i]n order to carry out the full range of its missions, NATO must be able to field forces that can move quickly to wherever they are needed, upon decision by the North Atlantic Council, to sustain operations over distance and time, including in an environment where they might be faced with nuclear, biological and chemical threats, and to achieve their objectives."[57] This is very similar to the ESDP's current focus.

NATO has changed its emphasis from countering the Cold War threat of the Soviet Union with a large standing army and nuclear weapons to dealing with terrorism, failed

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[57] NATO Press Office, *Prague Summit Declaration* (21 November 2002), Article 4.

and failing states, disarmament and arms control, threats due to the proliferation of biological, chemical and nuclear weapons and other weapons of mass destruction (WMDs), and crisis management/crisis intervention situations.[58] This has brought about a corresponding change in force posture to the more flexible, expeditionary capable force epitomized by the NRF.[59] Structurally it is remarkably similar to the ESDP, though NATO's mandate, decision-making structure and cooperation mechanisms are much clearer than those of the ESDP.[60]

In many ways, NATO is better positioned to take advantage of changes in the global situation. Militarily, it is much more powerful than the ESDP. The military power of the United States will be difficult if not impossible for the European Union to match, even if they devoted an overabundance of resources to the goal. Politically, NATO not only has sixty years of history and its survival through international crises to provide stability but also the support of powers on both sides of the Atlantic. There is general consensus on the types of missions NATO is engaged in and what its future direction will be. NATO members do not have to answer the additional question of what focus the alliance has. They understand that at its core it is a fundamentally military international alliance with a fundamentally military role to play in the international system.[61] This 'head start' may cause problems for the fledgling ESDP.

Aside from these issues, NATO also presents a challenge for the ESDP in other ways. By playing a similar role to the ESDP and by creating a situation in which

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[58] See Ibid for further discussion of this changing emphasis.
[59] Ibid.
[60] North Atlantic Treaty Organisation, *NATO Handbook* (Brussels: NATO Office of Information and Press, 2001) 149-150.
[61] NATO Press Office, *Prague Summit Declaration* (21 November 2002).

countries must contribute to both organizations if they contribute to one, NATO has helped to create a 'pay once, pay twice, so don't pay at all' mentality for most of the member states. Realizing that any contribution that is made to NATO will have to be reciprocated for the ESDP has made countries more reluctant to make contributions to either.[62] Some may split the single contribution that would be made if only one organization existed into two parts and give half (or some other percentage division) of the funds to each organization. Others have contributed the same capabilities and troops to both organizations. This will cause problems if the ESDP plans to draw on these forces and is an issue that will be focused on it greater detail in Chapter 5.

Policy Prescriptions

In terms of dealing with the political issues that will serve as problems for the future of security and defence integration in the ESDP, there are no easy answers and concrete policy prescriptions are difficult to come by. Ultimately, the member states will have to reach consensus concerning the nature of the ESDP and its fundamental goal and role in Europe. They will also have to understand exactly what they are willing to give up in order to achieve security and defence integration. Conversely they may have to accept that they are unwilling to give up certain areas of authority and thus not achieve integration.

One possible solution for increasing integration in the field of security and defence is to use an integration protocol similar to that of monetary union. As Hanna Ojanen argues, "In the field of defence, applicable criteria could include comparable

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[62] Comments made by NATO Spokesman at the 2006 CDA-CDAI Symposium *"NATO In Transition"* 23 February 2006. Proceedings available at: www.cda-cdai.ca

levels or a minimum of defence expenditure, professionalization (rapid reaction capacity, interoperability), specialization, a common market for defence (common defence procurement) and increased industrial co-operation."[63] In Ojanen's view, this proposal would not only provide direction to the EU on the steps required for integration but also provide member states with a clear aim and end result. This knowledge and understanding of future expectations would provide security, stability and predictability to the integration process. It would also prevent any hesitance on the part of the member states because they are unsure of where the policy is going, what is expected of them or what sort of responsibilities will be placed on them and on the European Union. Integration criteria would provide a roadmap for integration in this field.

The European Union has begun to focus on these criteria, though not necessarily in the concrete way that Ojanen proposes. The EU has emphasized specialization, professionalization (including the development of a rapid reaction capacity and increasing interoperability among the member states) as well as the streamlining of the EU defence procurement process and the European defence industry. These are clear examples of the recognition and application of these criteria.

The most difficult problem for the EU to overcome in the field of security and defence integration is increasing political will. As it stands now, the EU will not be able to greatly increase integration because of a lack of political will among the leaders of member states. These leaders have many strong disincentives for integration, such as domestic pressure, fear of unemployment and a desire to maintain national control of

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[63] Hanna Ojanen, "The EU and NATO: Two Competing Models for a Common Defence Policy", *Journal of Common Market Studies*, Vol 44(1), (March 2006), 65.

security and defence. These disincentives help to foster the lack of political will. Yet without the political will to move forward, the ESDP will stagnate and become next to meaningless. Thus the question is, how does the EU encourage an increase in the desire for security and defence integration among the member states? Further, is integration – and the political will to achieve it – really necessary in order to achieve their goals?

One way to increase political will is to emphasize the benefits of security and defence integration. For example, the fact that integration will allow member states to pool resources and have a greater global impact at less individual cost may have some sway. Efforts should also be focused on the areas of security and defence integration that have the greatest chance of success. Enhancing civilian crisis management and the focus on increasing European capabilities are two areas where this could occur.

The draft of the European Constitution presents another solution to the problem of the lack of political will. It proposes a 'two-track' integration method in which countries that want to move forward with integration more rapidly can do so.[64] Using this method of integration would allow the member states that are interested in integration to establish closer ties. This would not only ensure that some movement continues, but also to act as an example of what is possible for the rest of the member states. Building on the foundation of member states more willing to move forward with security and defence integration could also give the ESDP more sway and enhance the EU's collective will for

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[64] Secretariat-General of the European Union, Article III-310, *Draft Treaty Establishing a Constitution for Europe*; The European Union, *The Policies of the Union Constitutional Fact Sheet on Defence*, available at
http://europa.eu.int/scadplus/constitution/defense_en.htm

security and defence policy. Finally, the two-tier system ensures that the political will and momentum that has been built up is not lost through policy stagnation.

Vision is another challenging but important issue in security and defence integration. Is there such a vision in the EU? Is it possible to develop a rapidly responding, capable security structure based on the art of 'muddling through'? The lack of a clear vision or understanding of what the ESDP is and should be within the EU may serve to be a huge stumbling block towards integration. The unique policy nature of the life and death situations that arise in the fields of security and defence may require a unique approach. If this is the case, the EU will have to struggle to come to a difficult understanding of the ultimate goal of the policy, something that runs contrary to the very nature of the EU negotiating structure. If a vision is to be achieved, leadership will have to come from the EU itself. Specifically, the High Representative and the Commission may have to take a more active role in ESDP affairs. Functioning mechanisms will have to be put in place and tested to allow for rapid decision-making during crisis. This may require some form of executive decision-making body, opening up another set of concerns for the ESDP. Does the EU have the sort of legitimacy necessary to be responsible for providing a guiding vision on security and defence issues? If not, how can this legitimacy or guiding vision be achieved? Here, as in other areas of security and defence integration, the answers are not obvious. The development of an entirely new decision-making structure and style may be difficult or even impossible for the EU. As this development is unlikely, the EU will have to seek to strike a balance between developing a vision of an ESDP that is rapidly responding and flexible enough to deal

with crisis with the slow, confused and somewhat disjointed decision-making process that is characteristic of the EU.

In order to address the growing demographic and domestic concerns that could constrain future security and defence integration, the EU and the member-states will need to take a proactive approach to the problem. Realigning force posture and structure now, while it is still feasible, would be the best way to not only ensure that European security and defence integration continues, but also that national defence structures have the necessary funding required to carry out the policies their national governments set and ensure that money that could help ease the strain brought about by demographics is not squandered in supporting outdated and unnecessary military requirements.

Ultimately, security and defence integration will hinge on the willingness of EU leaders to move forward with it. There are no clear or easy solutions. If further integration is to take place, perhaps national governments will have to be willing to pool sovereignty in new ways. In order to develop coherent policy, this means that the member states must be willing to look at pooling resources, streamlining national defence industries and reorienting their force postures. All these moves could be unpopular domestically as they are likely to collide with concerns over unemployment, the dissatisfaction of local constituents and the current division of European budgets. It will take strong will, and a vision for the future of European security and defence integration to overcome these obstacles.

Conclusions

There are many political challenges faced by the EU in carrying out the integration of security and defence under the ESDP. These include future demographic constraints,

including an aging European population along with the increasing cost of healthcare and social services and a general lack of interest in defence matters by domestic populations. The lack of importance given to security and defence means there is a disincentive for national leaders to use important political capital fighting for a policy they themselves may not fully support.

At the intergovernmental level, the ESDP faces the greatest challenge to further integration through the lack of consensus on what the ESDP is, how it should develop and its ultimate manifestation. This problem would be exacerbated if the ESDP deepens integration.

A lack of consensus on the nature of the ESDP among the member states would not only make future integration difficult but would also limit the rationality of capabilities acquisition as different governments seek to fulfil different goals through the ESDP and limit coordination of oversight at the European level. The 'muddling through' nature of bargaining on EU decision-making means a lack of vision or direction for the ESDP.

These problems may ultimately force the EU to take a more realistic approach to the ESDP by focusing on the areas that can be integrated, such as civilian crisis management mechanisms and capabilities acquisitions. Political issues are also linked to the structure of the ESDP, as they are the foundation for negotiations and institutional creation within the EU. Politics and structure do not exist in a vacuum. In many cases political issues create structural problems and structural problems exasperate political issues. The following chapter will thus focus on the other side of the coin. The integration issues associated with the ESDP's decision-making structure will be the focus of Chapter 5.

Chapter 5: Structural Issues

As with the political issues the EU could face when integrating security and defence, there are many structural problems. One primary problem is the unanimous decision-making structure, which leads to a lowest-common denominator style of decision-making. As well, the lack of binding legislation or an enforcement mechanism in the ESDP means that commitments can be made by the member states without follow through. Concern over representatives 'going native' and institutional infighting also arise due to the ESDP's structure.[1] These issues could cause major problems in the future, especially in the area of security and defence where vision and rapid, decisive action are necessities.

The structural format of the ESDP, and the political forum it provides, gives member states some important advantages. These advantages are a powerful incentive for continuing integration through the ESDP. The European Security and Defence Policy and, more broadly, the Common Security and Defence Policy serves the important function of pooling the resources of the European Union. In the author's opinion, this allows nations like Luxembourg or Belgium to 'punch above their weight'. They can make contributions to security operations and share the financial and military burden. This can act as a force multiplier, allowing smaller states to have a greater influence in areas they would be unable to contemplate on their own due to financial or military

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[1] See Jolyon Howorth, "European Defence and the Changing Politics of the European Union: Hanging Together or Hanging Separately?" *Journal of Common Market Studies*, Vol. 39(4) (November 2001), for a discussion of institutional infighting and Fiona Hayes-Renshaw and Helen Wallace, *The Council of Ministers* (New York: St. Martin's Press, 1997), for an explanation of 'going native'. These issues will also be discussed in more detail later in the chapter.

limits. For example, the Czech Republic, while it is unable to contribute a large military force to EU operations, has worked to specialize and contribute a nuclear, chemical and biological battalion to the ESDP.[2] On its own, this force would be near enough to useless, especially if it meant focusing on this battalion to the detriment of a military that could protect the Czech territory. In conjunction with the ESDP, the Czech Republic is able to make an important contribution to European security, and have a say in the decision-making process without over-taxing its budget or military capabilities.

ALTHEA, the multinational EUFOR peacekeeping operation in Bosnia and Herzegovina, is another example of this phenomenon. It would be almost impossible for the smaller states to support an operation of this magnitude on their own. The financial responsibilities alone would be overwhelming, not to mention that many of the smaller European states would be unable to send and support the approximately 6,500 troops currently in operation there.[3] This economic incentive is also important for the larger states. Furthermore, by combining the military resources of the European Union, member-states are able to specialize in specific areas of defence. Thus countries unwilling to make a military contribution can make a financial one or vice versa.

The CFSP and the ESDP have provided an arena in which member states can pursue their own interests. It is unlikely that this will not continue in the future. Member-states can present their foreign and security and defence policy actions in terms of what is in the best interests of Europe, as it has been argued France and Germany have

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[2] Michele A. Flournoy et al. *European Defence Integration: Bridging the Gap Between Strategy and Capabilities*, (Centre for Strategic and International Studies: Washington, October 2005), 27.
[3] The European Union, *EUFOR Troop Strength,* available at: http://www.euforbih.org/organisation/050810_strength.htm. Accessed May 10, 2006.

done.[4] A state acting alone is usually seen as an aggressor, but multilateral action gives the actor international credibility. Some states in the European Union, such as Germany, are impeded in their military actions by their history. In the context of the ESDP, Germany can pursue a military policy without alarming its neighbours or taking a significant step outside the limits imposed by its history.

Finally, the CFSP and the ESDP allow states to pursue interests that almost all member-states can agree on. In the view of the author, by acting in order to support democracy, human rights and the rule of law the ESDP is supporting fundamental goals of the European Union and its member-states.[5] By acting multilaterally, it is pursuing these goals in a cost-effective manner. By taking part in peacekeeping and rule of law missions, such as ALTHEA, the European Union is building up military cohesion among its members and may be creating the foundations for more integrated military action in other areas of security and defence.

Because of the nature of security and defence issues and their powerful connection to the issue of sovereignty, the intergovernmental structure of the ESDP has allowed for decisions to be made which may not be possible in any other format.[6] There are practical reasons for control of the ESDP being vested in the Council. This is the

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[4] John Peterson and Elizabeth Bomberg, "Exhibit 9.4 Bosnia: the ultimate humiliation of the CFSP," in *Decision-making in the European Union* (New York: St. Martin's Press, 1999), 237.

[5] Robert O. Keohane, "Ironies of Sovereignty: The European Union and the United States" *Journal of Common Market Studies*, Vol 40(4) (2002), 746.

[6] As Knud Eric argues, "the idea that foreign policy remains a national prerogative, which touches directly upon national sovereignty, remains a very powerfully entrenched norm in Europe." Knud Eric Jørgensen, "Chapter 10: Making the CFSP Work" in *The Institutions of the European Union*, John Peterson and Michael Shackleton, eds. (Oxford: Oxford University Press, 2002), 212.

only forum in which it has a chance of survival. From defence budgets to force deployments to acquisitional priorities, member states have been unwilling to give up their authority over foreign and security policy to a supranational organization. Due to its deep connection with sovereignty, the EDSP could have almost no hope of functioning in the increasingly supranational environment of the Commission and even less so if it were controlled by the European Parliament. In the Council, some level of commonality can be reached by the member states, whereas if there were attempts to impose decisions on member states by a supranational authority, there would be mutiny.

Impressively, the ESDP has so far been able to strike a balance between national interests and sovereignty issues and the EU's goal of security and defence integration. This balance may be harder to maintain in the future now that the 'easy' aspects of ESDP development have occurred. It is at this point in the process that the question of sovereignty will become more important and will have a greater impact on the ESDP.

Structural Challenges

It is the benefits of the decision-making that have allowed the ESDP to develop to the present point. The ESDP structure has developed a functioning system of international military cooperation. Further, the ESDP has advanced significantly towards better cooperation in a relatively short period of time, particularly given the limited structures that had existed previously. Yet with this structural format come inevitable problems that will need to be dealt with if the ESDP is to progress further towards integration.

Unanimity and Lowest Common Denominator Politics

The structure of the decision-making process places almost all authority for the ESDP in the hands of the Council. The Council is composed of representatives of the member-states and is the most nationally oriented of all the EU institutions. Through the General Affairs and External Relations Council and the Political and Security Committee and its working groups, the Council has almost complete control over CFSP and the ESDP. This is especially true in the fields of security and defence where no nation has been willing to give up significant sovereign control.

The CFSP was set up in this fashion in order to ensure that control over foreign policy and security and defence issues were not surrendered to a supranational authority.[7] As the decision-making structure is set up now, member-states still maintain ultimate control of their foreign and security policy. They cannot be forced into taking action against their will, as is evident by Article 23.2, the 'national interest' clause included in Title V.[8] Similarly, as all decisions that have a military or defence component must be taken unanimously, one member-state can effectively block the action of all the others and protect their national interests. Much like the United Nations Security Council, this may force the Council of Ministers into stalemate and inaction, as has been the case in the

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[7] William Wallace "Chapter 17: Foreign and Security Policy: The Painful Path from Shadow to Substance" in Helen Wallace, William Wallace and Mark A. Pollack, eds., *Policy Making in the European Union* (5th ed.), (Oxford: Oxford University Press, 2005)437, 451, 452.

[8] European Union, "Title V: Provisions on a Common Foreign and Security Policy" From the *Treaty of Amsterdam,* 2 October 1997, Article 23.2.

past.[9] This unwillingness to give up national control is manifested at all levels of Council activity. Below the GAERC, COREPER II is made up of national representatives of the Ambassador level and the Political and Security Committee is also composed of representatives from the member-states. There is ample opportunity at every level to pursue national interests, not European ones.

One of the major limitations in the structure of the ESDP is the necessity of unanimity in decision-making. Article 23 explains the stipulation for unanimity stating, quite simply, that "[d]ecisions under this title shall be taken by the Council acting unanimously".[10] This has led to a major loophole in security and defence integration policy. States can use the unanimity clause either to stall or stop decisions or can simply act outside the auspices of the ESDP when they know national policies will conflict with other nations or the ESDP itself.

In many cases, where policies diverge, the ESDP and CFSP is either ignored or does not even attempt to deal with issues that will clearly be divisive. Recent examples of this phenomenon include France's action in the Côte d'Ivoire in the former instance, and the decision to go to war in Iraq in the latter.[11] The show of 'solidarity' the ESDP necessitates is sometimes only, in actuality, a desire to cover-up a deep division in policy among the member states.

The case of Iraq is a clear example of this phenomenon in action. There was a

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[9] John Peterson and Elizabeth Bomberg, "Exhibit 9.4 Bosnia: the ultimate humiliation of the CFSP," in *Decision-making in the European Union* (New York: St. Martin's Press, 1999), p 242-243.
[10] European Union, "Title V: Provisions on a Common Foreign and Security Policy" From the *Treaty of Amsterdam,* 2 October 1997, Article 23.1.
[11] John Peterson and Elizabeth Bomberg, *Decision-making in the European Union* (New York: St. Martin's Press, 1999), p 237.

strong division between the position of the United Kingdom and that of France and Germany. This division would have paralyzed the Council and the ESDP and prevented them from taking any action. Thus, instead of raising the point of contention, the Council pursued a 'lowest common denominator' policy, agreeing on the condemnation of assassinations and attacks in Iraq, condemning the mistreatment of prisoners and looking forward to elections.[12] This lowest common denominator approach comes out of necessity due to the intergovernmental and unanimous nature of the ESDP. It prevents the ESDP from taking decisive action and could, in the future, bar them not only from getting involved in crisis management/crisis prevention operations but also negate any negotiating power they gain through the threat of the use of force. It could ultimately lead to stagnation and standstill in the integration process itself by allowing the ESDP to become a forum for making token statements without taking any action to back up these statements.

On the issue of going to war with Iraq, William Wallace notes that the conflict "revealed the wide gap between a 'common' policy, created out of political negotiations among heads of government and foreign ministries, and a 'single' policy built on integrated institutions and expenditure and on a Europe-wide public debate."[13]

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[12] General Secretariat of the Council of the European Union, "Iraq: Council Conclusions," in *Council Conclusions of 2582nd Council Meeting: General Affairs and External Relations – External Relations –* (Brussels, 17 May 2004), Doc 9210/04, p.21.
[13] William Wallace "Chapter 17: Foreign and Security Policy: The Painful Path from Shadow to Substance" in Helen Wallace, William Wallace and Mark A. Pollack, eds., *Policy Making in the European Union* (5th ed.), (Oxford: Oxford University Press, 2005), 452.

Legitimacy

The question of legitimacy is another issue that has developed because of the structure of the ESDP. Does the EU have the legitimacy to order troops into combat situations? The question of legitimacy continues to confront the EU in all policy areas. The decision-making structure of the ESDP offers a partial way out of this dilemma. By vesting power in the hands of the Council and thus the member states, the EU continues to base control over the legitimate use of force at the national level. Decisions cannot be made without the unanimous agreement of the member states and they are also able to 'opt-out' of taking action if they so chose. The lack of an enforcement mechanism in this pillar prevents the EU from taking action against a member state's wishes.

Yet this problem will become more of an issue if the EU wishes to further integrate the ESDP. At the moment, the issue of the transfer of the use of the force from the national to the supranational level is a difficult one for national governments and domestic populations. An argument could be made that the transfer of legitimacy is possible in this area, as past experience shows that it has been possible in other policy areas such as the transfer of authority over currency and large areas of trade policy. Yet monetary policy and security and defence policy are different areas. The immediacy of security and defence decisions and their life or death nature may make the transfer of authority and the gaining of legitimacy in this area more difficult. As Jan Zielonka argues, "Until one can answer yes, [to this question]... one cannot talk seriously about the EU having a genuine Westphalian-style defence capability."[14]

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[14] Jan Zielonka, "Challenges of EU Enlargement" _Journal of Democracy,_ Vol 15(1) (January 2004), 29.

In the case of Iraq, when the EU, through the ESDP, was able to make some sort of agreement and take action, it was in an area that would support the political goals of all the members of the European Union that participated in the decision. Several authors have argued that it is in the EU's best interests to pursue these aspects of security and defence policy in order to strengthen the ESDP and the Union itself. Robert Keohane has written that "Europe can do well by doing good, promoting values that serve as the moral equivalent of nationalism, reinforcing internal cohesion and a sense of European self-esteem."[15] On the issue of Iraq, there was no mention of the differing actions of the member states, but there was agreement that the pursuit of a "secure, stable, unified, prosperous and democratic Iraq that will make a positive contribution to the stability of the region" would be positive for the EU.[16] This was an action that could be approved by all, but the decision to go to war or not was taken and remained outside the auspices of the Common Foreign and Security Policy. Instead, individual member states made the decision on going to war based on their national policies and without reference to the ESDP. Unilateral action is still clearly a normal tool in the pursuit of foreign policy goals in the context of the European Union. In this case, it would appear the European (Common) Security and Defence Policy is 'common' only insofar as it serves the interests of its individual members.

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[15] Robert O. Keohane, "Ironies of Sovereignty: The European Union and the United States" *Journal of Common Market Studies*, Vol 40(4) (2002), 746. See also, Hanna Ojanen, "The EU and NATO: Two Competing Models for a Common Defence Policy", *Journal of Common Market Studies*, Vol 44(1), (March 2006), 66.

[16] General Secretariat of the Council of the European Union, "Iraq: Council Conclusions," in *Council Conclusions of 2597th Council Meeting General Affairs and External Relations – External Relations* – (Brussels, 12-13 July 2004), Doc 11105/04, p. 7.

Lack of an Enforcement Mechanism

This highlights another major flaw in the structure of the ESDP: the lack of an enforcement mechanism for holding member states to their agreements. As has been demonstrated above, the member states participating in the ESDP process routinely circumvent it when the structure does not support their national goals or priorities. Unlike in Pillar One decisions, where the Commission has binding authority and there is a judicial review process, no such mechanism exists in the ESDP.[17] This is made plain in Article 23 of Title V. When a member state abstains from a decision, "it shall not be obliged to apply the decision, but shall accept that the decision commits the Union."[18] Further, "If the members of the Council qualifying their abstention in this way represent more than one third of the votes weighted in accordance with Article 205(2) of the Treaty establishing the European Community, the decision shall not be adopted."[19] This clause helps to limit the ESDP structure further.

From the perspective of interpretation based on a Westphalian model of defence, this lack of binding legislative power is a major limitation for two reasons. First, it means that though the member states may commit to further integration of security and defence policies on paper, as they have done in the most recent draft of the European Constitution, in practice they do not have to abide by these agreements. As has been

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[17] For a detailed explanation of the Commission and its decision making structure, see John Peterson and Elizabeth Bomberg, *Decision-making in the European Union* (New York: St. Martin's Press, 1999), 38-43 and John Peterson, "Chapter 4: The College of Commissioners" and Neil Nugent, "Chapter 7: The Commission's Services" in *The Institutions of the European Union*, John Peterson and Michael Shackleton, eds. (Oxford: Oxford University Press, 2002) 71-94, 141-163.

[18] European Union, "Title V: Provisions on a Common Foreign and Security Policy" From the *Treaty of Amsterdam,* 2 October, 1997, Article 23.1.

[19] Ibid.

demonstrated in previous sections, where the ESDP conflicts with national policies, national policies trump the ESDP. Secondly, the lack of binding legislation provides a way for a single country to block the integration process.

The unanimous nature of decision-making and the lack of binding legislation may be the only way that integration in the realms of security and defence will remain a viable future option. Yet this decision-making style serves to degrade credibility and decrease the impact of the threat of force by the EU. The European Union already faces a lack of military credibility and has been viewed in the past as unable to carry through on its threats. The classic example of this phenomenon is the EU's failure to deploy military power after the threat of force or to deal effectively with the crisis in Bosnia in the early 1990s.[20] As any decisions or declarations made under the banner of the ESDP need not be adhered to, credibility and the ability to threaten the use of force remain problems today. This is especially true if there are abstentions during the decision-making process, which, though they do not necessarily prevent actions from going through, weaken the position from which the EU can take a stance on any topic.

The second reason that the lack of binding legislation is a major limitation is that it means that one state can effectively block the integration process altogether.[21] Under the ESDP states may claim a decision/position interferes with a 'vital national interest' and prevent the Council from reaching unanimity and therefore taking action on a

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[20] John Peterson and Elizabeth Bomberg, *Decision-making in the European Union* (New York: St. Martin's Press, 1999), 242-243.

[21] James A. Caporaso, "The European Union and the Democratic Deficit: The Emergence of an International *Rechtsstaat?*" in Andreas Heinemann-Gruder, ed., *Federalism Doomed: European Federalism between Integration and Separation* (New York: Berghahn Books, 2002), 91.

decision.[22]   In the few areas where voting by qualified majority is possible, this is also a

factor as "[i]f a member of the Council declares that, for important and stated reasons of

national policy, it intends to oppose the adoption of a decision to be taken by qualified

majority, a vote shall not be taken."[23]   These stipulations can serve to slow down or

prevent action in the ESDP. As James Caparoso argues, the "integration of supranational

legislative power with national executive personnel and institutions was to provide the

ultimate check against supranational tendencies in other European institutions and in

transnational civil society."[24] The example of Iraq and the lowest common denominator

politics that were the only solution to the division among the member states applies here

as well. Prevented from action due to a failure to reach consensus, the ESDP becomes a

larger, more cumbersome and less powerful United Nations Security Council, paralyzed

by the veto power of its members.

Institutional Infighting

Another major issue in the ESDP and throughout the EU is institutional

infighting. Within the context of the CFSP, all three pillars of the EU are involved in the

decision-making process, meaning that almost every institution within the EU has some

responsibility for the CFSP. ESDP issues are only one aspect of the interlinked policies

that deal with issue areas that straddle the three pillars. Within the ESDP itself, three of

the primary bodies of the European Community, the Council of Ministers, the European

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[22] European Union, "Title V: Provisions on a Common Foreign and Security Policy"
From the *Treaty of Amsterdam,* 2 October 1997, Article 23.1-2.
[23] Ibid., Article 23.2.
[24] James A. Caparoso, "The European Union and the Democratic Deficit" in *Federalism Doomed: European Federalism between Integration and Separation,* (New York: Berghahn Books, 2002), 91.

Commission and the Secretariat-General (and the High Representative) have daily involvement in the decision-making structure. The balance of power between these institutions is constantly shifting and conflict between them is the rule rather than the exception.

Even facets of the same institution come into conflict with each other. This is especially prevalent in areas of the EU where the decision-making structure and responsibilities are still being worked out, such as the ESDP. COREPER and the Political and Security Committee (PSC/COPS), for example, have overlapping roles and responsibilities that can lead to conflict.

> The co-existence, in Brussels, of COPS and COREPER, both having responsibility for the preparation of the GAC [General Affairs Council] meetings, is a politico-institutional timebomb. The tense and increasingly counterproductive division of foreign policy responsibilities between pillars one and two, and the awkard hierarchical relationship between COPS and COREPER suggest that, sooner or later, a new division of labour will have to emerge.[25]

Another example of this infighting is the connection between civilian crisis management and military crisis management units, which is very confused and leads to conflict instead of integration between the two groups. This somewhat artificial division between civilian aspects of crisis management, which fall under the responsibility of the Commission, and the military aspects of crisis management, which fall under the supervision of the Council, has caused problems as the EU attempts to coordinate response to crisis across the spectrum of its capabilities.

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[25] Jolyon Howorth, "European Defence and the Changing Politics of the European Union: Hanging Together or Hanging Separately?" *Journal of Common Market Studies*, Vol. 39(4) (November 2001), 775.

Institutional infighting is a fact of life for any bureaucracy. Yet the ESDP decision-making structure magnifies these problems due to the nature of decisions, which tend to involve more than one aspect of the EU, and because of the structure of the ESDP itself, which employs capabilities from several different EU institutions, such as the Council, the Commission and the Secretariat-General. These problems could further complicate cooperation, and ultimately the integration process as well as not only does the right institution for the job have to be chosen, but it will also have to be selected or used in such a way that power is not monopolized by one institution.

'Going Native'

The decision-making structure of the ESDP is also responsible for the concern the member states have over their representatives 'going native'. As this issue is tied to the decision-making structure to institutions that are based out of Brussels, this concern has penetrated the field of security and defence. 'Going native' is a term used to describe the representatives of member states employed by EU institutions in Brussels. They 'go native' because they spend more time with their counterparts from other countries than they do in consultation with their own governments.[26] It is argued that this leads to a mentality that tends to support European interests to the detriment of those of the national governments they serve. In terms of the EU institutions, COREPER is the committee that is most often charged with having gone native. Howorth notes, in relation to COREPER, that some authors "believe that it can and will emerge as a powerful actor in its own right, eventually generating a collective ethos and approach to policy formulation which could

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[26] Fiona Hayes-Renshaw and Helen Wallace, *The Council of Ministers* (New York: St. Martin's Press, 1997), 81-82.

well clash with certain strictly national preferences."[27] Fiona Hayes-Renshaw and Helen

Wallace explain the concept and impact of 'going native' in relation to COREPER.

> In addition to formal meetings, the members of both levels of COREPER also meet on a more informal basis, in the corridors, for lunch and dinner, at cocktail parties, and in the many social situations which arise among people living in the same, relatively small, city. Spending so much time together, they get to know each other and one another's positions very well, to the extent that some feel they could stand in for some of their colleagues without too much difficulty. The members of COREPER, therefore, have dual tugs of loyalty. Each is rooted in a national system, conscious of and sympathetic to both the official and the unofficial reasons underlying the national position on all issues, and committed to doing everything possible to make these views understood and respected. Yet the very fact of spending so much time with opposite numbers has the effect of educating each permanent representative in the ways and interests of other member states. Thus they are conscious of the need to reach agreement at EU level, and predisposed to look for compromise solutions which will take as many interests into account as possible...there is a degree of mutual trust and understanding which encourages the exchange of information in order to facilitate the construction of coalitions and compromise solutions to common problems. Such bilateral diplomacy in advance of ministerial meetings where difficult dossiers are to be discussed can mean the difference between public success and failure, and its importance should not be underrated.[28]

'Going native' may be a somewhat inevitable facet of certain EU institutions,

such as COREPER and the Council. In the ESDP, it could act as either a help or a

hindrance to integration. On the positive side, a consensus-building and compromise-

forming mentality as well as a more 'European' view of the situation may serve to move

integration along faster than if the individual member states were negotiating solely out

of national capitals. On the negative side, this European mentality may lead

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[27] Jolyon Howorth, "European Defence and the Changing Politics of the European Union: Hanging Together or Hanging Separately?" *Journal of Common Market Studies*, Vol. 39(4) (November 2001), 774-775.

[28] Fiona Hayes-Renshaw and Helen Wallace, *The Council of Ministers* (New York: St. Martin's Press, 1997), 81-82.

representatives to strike compromises that national governments are unwilling to carry out. In the ESDP, which is already without an enforcement mechanism to deal with such commitments, this could be a further hindrance to integration and lead to the creation of two separate ESDPs, one on paper and another in reality.

Policy Prescriptions

As structural issues in the ESDP are generally a manifestation of the political situation, it seems logical that the policy choices available to the EU to deal with the ESDP's structural issues go hand in hand with those available to deal with political issues. Thus policy prescriptions are similar to those proposed to deal with political challenges to further integration. In this instance, suggested solutions such as Ojanen's integration criteria or the two-track integration process may provide a direction and framework for the ESDP, as well as show where gaps and overlaps in the decision-making structure occur. These approaches have the advantage of giving the EU a clear outline of what structures will be needed and how they must operate in order to respond to crisis situations. This solution has practical applications and could be applied to the EU, but only if member states can agree on the order of precedent of criteria and what those criteria should be. If these challenging issues can be overcome, this solution becomes not only academic, but also relatively straightforward and practical.

These frameworks could serve as the guiding principles for security and defence integration. There will be challenges, however, especially in dealing with the more specific details of the decision-making process. In some cases, member states may not be willing to give up control of their national security and defence policies. It has thus far proved difficult to convince national governments to make a true effort to move beyond

cooperation and into integration. This seems unlikely to change in the near future. Changes to oversight, such as making decisions in any way other than by unanimous agreement, and developing some form or enforcement mechanism will be difficult steps to take. Yet they will be necessary if security integration is to occur.

If these problems cannot be overcome, they will, by their very nature, prevent the ESDP from becoming a truly integrated policy. At the same time, a failure to reach full integration of security and defence does not mean that no integration can occur. There is a broad spectrum between the two options. Perhaps the best solution will be to integrate where the member states are willing to work together or set common policies. The fields of civilian crisis management and the enhancement of European capabilities are areas that are best suited for the integration process at the present time since there is consensus among the member states of their importance and they are not areas directly connected with traditional security and defence of the state, facets of the policy that the member states have been particularly protective of. This approach seems to be the one adopted by the EU in promoting the ESDP. As success builds in these areas, it may become easier to work on integrating more challenging areas of security and defence. Continuing to develop civilian crisis management through the structures already created, as well as finding a way to better integrate civilians into primarily military operations should be at the top of the list for the European Union. The EDA has the potential to provide some real guidance in the field of capabilities acquisitions and should be given both the oversight abilities and the support necessary to improve and rationalize capabilities acquisition in Europe.

Ultimately, supporters of the ESDP may have to take a more realistic view of security and defence integration and settle for some form of international alliance structure or cooperative agreement. This decision-making structure might better facilitate rapid reaction and help to overcome the unanimous nature of decision-making and the lack of an enforcement mechanism, largely by circumventing the question of sovereignty. Although this may not be the ideal manifestation of the ESDP, it will give this EU mechanism the best chance for survival, coherence and relevance when working within the confines of the political and structural realities the ESDP will face as it becomes more integrated.

Conclusions

The structure of the ESDP decision-making process is both a strength and a weakness. On the one hand, basing responsibility for the ESDP in the Council ensures that some movement and agreement is possible. The ESDP has come a long way in a very short amount of time. Yet the structure of the ESDP also has some serious flaws. It fosters lowest common denominator decisions and institutional infighting. The lack of an enforcement mechanism for this pillar makes the security integration process more difficult. The disjointed nature of the ESDP decision-making process is exasperated by the nature of security and defence policy decisions, which are normally only one small aspect of larger foreign policy goals. The overlapping responsibilities of different EU institutions in the decision-making process further complicates the situation and leads to confusion and a lack of coherent policy development. The unwillingness of the national governments of the member states to delegate authority over life and death situations to the leaders of the European Union will be difficult to overcome. Infighting among the

institutions of the European Union and the member states' fear of their representatives 'going native' are other obstacles in the way of security and defence integration.

Policy prescriptions such as using Ojanen's criteria method of integration or promoting the two-track integration process may allow the European Union to deal with some of these issues. At the same time, many of the problems are embedded in the very essence of the European Union. As such, security and defence policy will have to be adapted to the European Union's structure and decision-making process and not the other way around if integration in this field is to be successful. Emphasis must be placed on integrating those areas of security policy that have the most potential for success such as civilian crisis management and capabilities acquisitions. These topics will be the focus of chapter 6.

Chapter 6: Military Issues

Political and structural integration are only two parts of the puzzle of developing an integrated European Security and Defence Policy. Military integration is also a fundamental aspect of the ESDP. Without military integration, the ESDP will never truly become a common, integrated policy. Yet Europe faces immense challenges in this area.

While military integration, especially in the field of capabilities acquisition, is one of the areas of the ESDP with the most potential for increasing cooperation and could serve as a driving force for integration, not much movement has occurred in this area and Europe still faces critical capabilities shortfalls as well as a lack of oversight and coordination among the member states. Without being able to cooperate together on issues such as capabilities acquisition and crisis management operations, the EU stands no chance of integrating under a common security and defence policy. Clearly, the EU faces many challenges in the establishment of military integration through the ESDP, not least of which is the current state of capabilities in Europe.

The political integration of the ESDP must be built on a solid foundation of military capability. Without a necessary increase in European capabilities, the goal of a military or political capacity or integration through the ESDP is unreachable. Aside from this basic necessity, an improved ability to respond to crisis as well as increased capabilities will provide more incentive for integrating the ESDP in that it will provide a pay-off to national governments by helping them reach their security and defence goals.

Even at current capability levels, the EU cannot carry out the Petersberg Tasks that are expected to serve as the basis for any future military integration. Currently, Europe faces capability shortfalls in many areas. Problems of integration and

interoperability among European forces further complicate the issue. Finally, decreasing defence expenditures throughout Europe, the lack of political will on the part of government leaders and increasing demographic costs are expected to place increased pressure on future defence budgets and correspondingly on capabilities.

In this chapter, the challenge of military integration within the ESDP will be examined. An increase in capabilities is both a precursor to military integration and a way of moving this integration forward. Thus, it is a key focus in the following pages. Capability goals and requirements as well as the current capability shortfalls of the EU will be explained and discussed. The challenges of getting from where the EU is now in terms of capabilities to where they want and need to be in order to fulfil their stated goals will be assessed. Other issues that can cause problems both for military integration and for capabilities acquisition will be also put forward and examined. Finally, policy prescriptions for reaching the EU's goals in terms of military integration and for getting from point A to point B will be offered. The chapter will close with a reflection on the most important issues discussed as well as where they leave the possibility for military integration through the ESDP.

Capabilities and Integration

The improvement of capabilities within Europe is an important opportunity for military integration under the ESDP. In the view of the author, Not only will an improvement in capabilities enhance the ESDP itself by allowing the EU to carry out its security and defence goals, but it could also serve to draw the member states closer together. If the member states are willing to cooperate in acquiring capabilities via a coordination mechanism at the European level, this could serve as a boon for military

integration. Coordinating capability acquisitions of national purchases that will enhance the ESDP requires a high level of cooperation and coordination among national governments, ministries of defence and national planners. It also requires oversight at the European level. Realizing the opportunity for integration, the EU has taken a step in the right direct by forming the European Defence Agency (EDA). The EDA is designed to coordinate capabilities acquisitions at the European level. This coordination could act as the first step towards military integration.

The coordination of capabilities makes sense for the European Union, as many of the member states are unable to boast a full force compliment individually.[1] Further, it would allow for burden sharing in the increasingly expensive domain of defence. At the same time, capabilities coordination may not occur, even with the impetus of the EDA and the willingness of some of the member states to work more closely in acquiring capabilities. As national governments, as well as the EU, have recognized the opportunity for military integration that closer cooperation in the realm of capabilities acquisition will offer, they may also continue to be reluctant to coordinate on an international scale for fear of losing sovereign control over their security and defence policies.

Capabilities acquisition will serve as an important test for the future of military integration in Europe through the ESDP. As it is one of the areas of the ESDP that could provide a huge payoff to member states if they work together and thus provides a strong impetus for military integration, if this or at the very least increased coordination and

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[1] Preben Bonnen, *Towards a Common European Security and Defence Policy: The Ways and Means of Making It a Reality*, (London: Lit Verlag, 2003), 110.

cooperation does not occur in this area, there is little hope for the integration of security and defence overall. Capabilities acquisition and coordination provides a powerful lens through which we can view the potential for integration in the security and defence field.

EU Capability Goals and Requirements

In 2004, "the Supreme Allied Commander Europe, General James Jones, testified before the US Senate Foreign Relations Committee that only 3-4 percent of European forces are 'expeditionary deployable'."[2] This is a harsh reality for the military ambitions of the European Union and provides a huge obstacle for the future of military integration in the ESDP. Before integration can even be attempted, some improvement of capabilities must occur, otherwise the ESDP will become a case of putting the cart before the horse. Without an improvement of capabilities, the ESDP will have no foundation on which to succeed, instead forcing political integration to be built on a mountain of jelly.

In order to understand the current capability shortfalls of the European Union and how they have to go to achieve their goals, we must first understand what those goals are. The European Security Strategy (ESS) and other documents such as the 2010 Headline Goal (HG) list European Union goals in the field of security and defence.[3]

The European Security Strategy (ESS) provides the over-arching security and defence goals and lays out future areas of focus for the European Union. The goals of the ESS require increased capabilities on the part of the European Union. The European

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[2] Michele A. Flournoy, et al, *European Defence Integration: Bridging the Gap Between Strategy and Capabilities*, (Centre for Strategic and International Studies: Washington, October 2005), 19.

[3] Secretariat General of the European Union, *European Security Strategy* (12 December 2003). General Secretariat of the Council of the European Union, *Headline Goal 2010* (18 May 2004).

Union recognizes this fact in the ESS. As it states, "if we are to make a contribution that matches our potential, we need to be more active, more coherent and more capable."[4] They go on to say that this "applies to the full spectrum of instruments for crisis management and conflict prevention at our disposal, including political, diplomatic, military and civilian, trade and development activities...We need to develop a strategic culture that fosters early, rapid, and when necessary, robust intervention."[5] The document stresses the importance of transformation into a flexible, rapidly deployable and expeditionary-capable force designed to combat terrorism and the proliferation of weapons of mass destruction and manage crisis. This force is much more reactive than Cold War European forces. As the ESS states, "with the new threats, the first line of defence will often be abroad... This implies that we should be ready to act before a crisis occurs."[6] The ESS understands that in order "to transform our militaries into more flexible, mobile forces, and to enable them to address the new threats," and achieve their goals, "more resources for defence and more effective use of resources are necessary."[7]

While the ESS provides the over-arching framework for European security and defence, the 2010 Headline Goal provides more specific capability goals. The Headline Goal specifies that "[m]ember States have decided to commit themselves to be able by 2010 to respond with rapid and decisive action applying a fully coherent approach to the whole spectrum of crisis management operations covered by the Treaty on the European Union. This includes humanitarian and rescue tasks, peacekeeping tasks, tasks of combat

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[4] Secretariat General of the European Union, *European Security Strategy*, (12 December 2003) 11.
[5] Ibid.
[6] Ibid., 7.
[7] Ibid., 12.

forces in crisis management, including peacemaking."[8] It also stresses the concurrent

deployability of numerous operations in different levels of engagement.[9] Specific to

force capabilities, the 2010 Headline Goal has set out the following capability goals and

benchmarks:

> - all the forces contributed to the EU will be categorised on the basis of
> their combat effectiveness and operational readiness in relation to the
> range of possible tasks;
> - concerning Rapid Response, suitable force package requirements,
> taking also into account the agreed EU Battlegroups concept, should be
> identified at the beginning of the second semester of 2004 in view of
> allowing Member States to start contributing to the constitution of high
> readiness joint packages. In full respect with the voluntary nature of the
> process, the contributions should indicate when and for what period the
> force package would be available to the EU;
> - from 2005 onwards the EU will launch an evaluation process in order to
> scrutinise, evaluate and assess Member States' capability commitments,
> including Rapid Response;
> - qualitative requirements, such as interoperability, deployability and
> sustainability, as well as quantitative ones for the forces will need to be
> identified in greater detail;
> - forces available will be tested through HQ exercises as well as
> opportunities offered by national and multinational field exercises. In
> particular, Rapid Response elements will need to undertake regular
> realistic training, including multinational exercises;
> - the collection of existing operational doctrines will be complemented
> with common concepts and procedures on the basis of work conducted in
> the framework of the European Capability Action plan and in coherence
> with NATO.[10]

In terms of the specific military solutions to achieving the Petersberg Tasks laid out

in the ESS and the Headline Goal, the EU's primary foci are on the development of the

EU Battlegroups and the European Union Rapid Reaction Force (ERRF or EURRF). The

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[8] General Secretariat of the Council of the European Union, *Headline Goal 2010* (18 May 2004) Article 2,2.
[9] Ibid.
[10] Ibid, Point 14.7.

capabilities for these units will be demanding as the requirements for the European Battlegroups are that "forces should be on the ground no later than 10 days after the EU decision to launch the operation" and must be sustainable in out-of-area combat operations for up to 120 days.[11] The European Rapid Reaction Force is designed for deployment within 30 days and must be sustainable for up to one year.[12]

Clearly European ambitions for the Battlegroups are high. They are designed to allow the EU to "undertake autonomous rapid response operations either for stand-alone operations or for the initial phase of larger operations," and two battlegroups of 1, 500 soldiers each are to be sustainable at one time.[13] As the ESS states, "as a Union of 25 members, spending more than 160 billion Euros on defence, we should be able to sustain several operations simultaneously."[14] The Battlegroups constitute "a specific form of rapid response, and includes a combined arms battalion sized force package with Combat Support and Combat Service Support... Relevant air and naval capabilities would be included... They will have to be backed up by responsive crisis management procedures as well as adequate command and control structures available to the Union."[15] These requirements for effective deployment and support of the Battlegroups are all currently lacking in one form or another.

The development of EU Battlegroups requires a focus on strategic lift capabilities

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[11] General Secretariat of European Union, *European Union Factsheet: The EU Battlegroups and the EU Civilian and Military Cell*, February 2005, Available at: http://ue.eu.int/uedocs/cmsUpload/Battlegroups.pdf
[12] Ibid.
[13] Ibid.
[14] Secretariat General of the European Union, *European Security Strategy*, (12 December 2003), 11.
[15] General Secretariat of the Council of the European Union, *Headline Goal 2010* (18 May 2004), Point 4.3

in order for deployment to occur rapidly as well as need for the command, control, computers, communications, intelligence, surveillance and reconnaissance (C4ISR) and logistical infrastructures to support an expeditionary force in out-of-area combat operations for an extended period of time. It will also be necessary for these capabilities to be interoperable with other European forces as well as those of NATO and the UN. The next section will discuss the shortfall in these specific capabilities as well as other important areas where capabilities need improvement.

The European Union Rapid Reaction Force is another facet of Europe's future plans for the ESDP. The Rapid Reaction Force aims to have 60 000 soldiers available and deployable for up to a year. This would, according to Biscop, require the necessary capability enhancements in five areas: command and control, intelligence, logistics and air and navel assets that will allow for the deployment of these troops.[16] Further, other analysts have emphasized that given "the need to rotate forces the HG would require a pool of some 180 000, allowing for forces on stand-by and standing down equal to the force deployed."[17]

There would also be demands on the forces that will participate in the RRF. The goals of the RRF require high-level combat and training qualifications. Bonnen argues that "All participating forces must be prepared for future types of conflict. They must be able to conduct crisis response operations sometimes at short notice, distant from their home stations. They must be maintained at the required readiness and with a rapid deployment ability posture and be capable of military success in a wide range of complex

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[16] Sven Biscop, "Able and Willing? Assessing the EU's Capacity for Military Action," *European Foreign Affairs Review* vol 9, 2004, 509-527 (Aspen Publishers Inc), 512.
[17] Ibid.

joint and combined operations."[18] As an expeditionary force, the RRF must also be prepared to operate in varied terrains from mountains to jungles. This will require training in these environments on a large scale, as well as the equipment specific to these environments to support operations.[19]

Current Capability Shortfalls

> European allies struggled to deploy and sustain the capabilities needed for the International Security Assistance Force (ISAF) [a NATO security operation in Afghanistan]. In 2005, a number of European countries lacked the necessary strategic lift capabilities to respond rapidly to aid tsunami victims in Southeast Asia, despite a clear public interest in doing so. As NATO and EU summits establish more and more ambitious requirements for expeditionary forces – forces able to deploy to and sustain operations in distant theatres – *it becomes less and less clear that the European allies have the capabilities necessary to perform the missions envisioned.* [emphasis added][20]

Even the EU itself acknowledges the need for readiness. "The ability for the EU to deploy force packages at high readiness as a response to a crisis is an essential aspect of the European Security and Defence Policy and a key element of the EU's military capabilities development and of the 2010 Headline Goal."[21] Yet currently the European Union lacks the capabilities to deploy these 'force packages'. If the European Union is to have a military aspect to the European Security and Defence Policy, it must first overcome critical capability shortfalls.

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[18] Preben Bonnen, *Towards a Common European Security and Defence Policy: The Ways and Means of Making It a Reality*, (London: Lit Verlag, 2003), 112.

[19] Ibid., 110.

[20] Michele A. Flournoy, et al, *European Defence Integration: Bridging the Gap Between Strategy and Capabilities*, (Centre for Strategic and International Studies: Washington, October 2005), 16.

[21] General Secretariat of European Union, *European Union Factsheet: The EU Battlegroups and the EU Civilian and Military Cell*, February 2005, Available at: http://ue.eu.int/uedocs/cmsUpload/Battlegroups.pdf

Forces at the European Union's disposal continue to lack a sizeable percentage the equipment that has been labelled as critical to crisis management, such as strategic airlift capabilities, even though crisis management is one of the prime areas of focus under the European Security Strategy, the document that provides guidance for the ESDP.[22] Further, problems integrating command, control, communications, computers, intelligence, surveillance and reconnaissance (C4ISR) have hampered logistical integration for the European Union.

The European Union faces both qualitative and readiness shortfalls. According to the European Union's most recent Capability Improvement Chart, released in 2005, the EU faces qualitative shortfalls in numerous areas including strategic air, land and sea-lift capabilities, and support elements including logistical battalions and fuel and personnel distribution capabilities.[23] Since their inception in 2001, only 7 of a total of 64 recognized shortfalls are considered 'solved' and 4 more have shown improvement.[24] This is a shockingly dismal success rate. Further, it has been noted that though declared operational in 2001, the

> ERRF will not be capable of being assigned to larger operations such as tactical and strategic air strikes until sometime between 2006 and 2015. Other deficiencies such as airlift capacity, precision arms for the air forces and ballistic missile defence systems to protect one's own troops on the ground are expected to be mended sometime after 2005. Of 144 identified

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[22] Council of the European Union, *Capability Improvement Chart 1/2005,* (Brussels, 11 May 2005). Doc: 8673/05. Centre for Strategic and International Studies, *European Defense Integration: Bridging the Gap Between Strategy and Capabilities*, Lead Investigators: Flournoy, Michele and Julianne Smith (CSIS, Washington: Oct 2005), 20.; Secretariat General of the European Union, *European Security Strategy*, (12 December 2003), 11-14

[23] Council of the European Union, *Capability Improvement Chart 1/2005,* Brussels, 11 May 2005. Doc: 8673/05.

[24] Ibid.

demands to the ERRF, only a third have been declared currently fulfilled. As far as the remaining 50 shortcomings are concerned, it is assumed that 20 percent can be fulfilled in a few years; while in another 20 percent of the cases there must be considerable improvements. Deficiencies within the last 60 percent, that is the number of soldiers assigned to the ERRF, remain unchanged.[25]

These results are not promising and are far below those hoped for by the European Union.[26] This is partly due to the voluntary nature of force transformation in the European Union. Though there are some initiatives in the pipeline, the EU itself notes that these should be considered as projects, not as guarantees of future capability commitments and acquisitions.[27]

There are also problems on the training side of the capabilities discussion. One observer noted that as of 2004, "out of the combined Member States' armed forces, about 10 per cent or 170 000 have been estimated to be usable for deployment as combatants."[28] This is out of a total European force of approximately 1.8 million troops.[29] Domestic constraints help to explain this statistic as, in many cases, European governments maintain large standing armies for domestic or social reasons. These factors will be examined in more detail later on in the chapter.

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[25] Preben Bonnen, *Towards a Common European Security and Defence Policy: The Ways and Means of Making It a Reality*, (London: Lit Verlag, 2003), 109.

[26] Sven Biscop, "Able and Willing? Assessing the EU's Capacity for Military Action," *European Foreign Affairs Review* vol 9, 2004, 509-527 (Aspen Publishers Inc), 512.

[27] Council of the European Union, *Capability Improvement Chart 1/2005*, Brussels, 11 May 2005. Doc: 8673/05, 3.

[28] Sven Biscop, "Able and Willing? Assessing the EU's Capacity for Military Action," *European Foreign Affairs Review* vol 9, 2004, 509-527 (Aspen Publishers Inc), 513.

[29] Ibid., 512.

The Challenge of European Capabilities Acquisition

The current lack of capabilities and the relatively limited improvement in capabilities over the past ten years does not paint a rosy picture for the future of EU capabilities acquisition, the precursor to military integration in the ESDP. Based on the European defence budget in 2003, estimated at □180 billion, Biscop argues that there is more than enough money to pay for the necessary increase in European capabilities.[30] Yet if money is not the problem, what is?

European Union member states have been unwilling to provide the equipment and personnel required to support the proposed policies. Capabilities have barely changed in the past ten years, despite a strong push by policy makers within the bureaucracy of the European Union.[31] Though past experience is generally a predictor of future success, a more optimistic view of the future capabilities of the European Union may be possible. With guidance and some momentum-building from the newly created EDA the next few years may be more promising for defence acquisitions in Europe. Yet even a more optimistic prediction of the EU's ability to acquire capabilities in the future still does not promise a terribly bright outlook for European defence procurement.

An example of the struggles the EU has faced in the acquisition of capabilities is the development and acquisition of the Airbus A400M medium- to heavy-lift military transport aircraft. As noted in 2002,

> Even though there is a consensus among European governments to improve their collective airlift capability, getting the joint program under way has been arduous. One of the main challenges has been getting all

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[30] Ibid, 515 & 527.
[31] Council of the European Union, *Capability Improvement Chart 1/2005,* (Brussels, 11 May 2005). Doc: 8673/05.

participants to maintain their procurement commitments. For example, Italy recently announced withdrawl from the program, and Germany, the aircraft's largest buyer with 73 orders, has been hesitating to confirm its order due to internal political and funding problems. Uncertainties and disagreements cause delays, which not only increase program costs but also endanger participation. In addition, the A400M program is facing the dual challenges of market size and cost. It is a very expensive program, which includes an all-new airframe and engine, and companies involved in its development are unwilling to commit full funding without guarantees of member country procurement and additional launch aid.[32]

The nervous and jittery actions of the various partner nations in the project delayed the signing of the contract and the official launch of the project for over a year.[33] The commitment from countries came a year later than expected, in 2001 instead of 2000, and the final commitment and signed contracts did not occur until mid-2003. As Katia Vlachos-Dengler argues, "Airbus is often cited as exemplifying the potential for synergies between the civil and military markets, but the uncertain budget, timing, and specifications of the A400M military transport aircraft program leave such synergies unrealized at present."[34] The development of the A400M continues to this day.

The lack of political will at the national level means that the European Union must step up and take responsibility for pushing for force transformation and an increase in capabilities at the international level. In the 2010 Headline Goal the General Secretariat states that "[t]o achieve these objectives the EU will apply a systemic

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[32] Katia Vlachos-Dengler, *From National Champions to European Heavyweights: The Development of European Defence Industrial Capabilities Across Market Segments*, (RAND Corporation, Santa Monica: 2002), 38-39.

[33] For more information on the development of the Airbus A400M, see: Airbus International, *Airbus Military Press Releases: A400M*, from the Airbus Military Website, available at: http://www.airbusmilitary.com/press.html.

[34] Katia Vlachos-Dengler, *From National Champions to European Heavyweights: The Development of European Defence Industrial Capabilities Across Market Segments*, (RAND Corporation, Santa Monica: 2002), xv.

approach in the development of the necessary military capabilities, aiming at creating synergies between Member States' forces in order to enhance the ability of the EU to respond more rapidly and effectively to crises. This approach requires Member States' to *voluntarily transform* their forces by progressively developing a high degree of interoperability, both at technical, procedural and conceptual levels." [emphasis added][35] This document as well as the creation of the EDA would seem to indicate that the European Union is serious about providing some political impetus and a coordination apparatus for increasing EU capabilities. It is too soon to tell if this new focus will truly help to increase capabilities or if it is only one more in a long line of bureaucratic institutions of arguable value.

In either case, the bottom-up and voluntary transformation approach the EU is taking has some problems. First, past experience has shown that the voluntary approach to capabilities increases does not produce very strong results. Second, the voluntary approach has the distinct disadvantage of preventing or limiting force coordination across the EU as countries can pick and choose the best capabilities for their national goals instead of those best for the EU. This leads to gaps and overlaps in capabilities acquisitions and in some cases means acquired capabilities are not interoperable across the EU. For example, Katia Vlachos-Dengler of RAND argues that "[t]he land systems segment [of the European defence industry] is characterized by fragmentation and overcapacity... Shipbuilding is also very fragmented and organized around national markets, which are dominated by national champions heavily dependent on domestic

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[35] General Secretariat of the Council of the European Union, *Headline Goal 2010* (18 May 2004), Point 8.5

demand."[36] While it is dealing with capabilities shortfalls in many areas, the European

Union also faces gluts in areas such as bases, national training centres, and personnel.[37]

Vlachos-Dengler also points out that

> There is a significant gap between Europe and the United States in spending on equipment procurement and R&D. The US procurement budget is about 2.5 times larger than the European one, while the corresponding relationship is four-to-one in the case of R&D budgets. Unless European governments decide to increase their budgets and target their spending more efficiently, this gap could increase the risk both for Europe's current capabilities (funded by equipment budgets) and for its future capabilities (funded by R&D budgets).[38]

At the same time, in several countries including Belgium, France, Germany,

Greece, Poland and Spain, personnel expenditures account for more than 40 percent of

defence budgets.[39] This is a severe constraint on the amount of money that can be spent

on vital areas such as research and development and investment in new technologies and

is partly due to governmental policies on conscription and mandatory military service.

The EU member states will thus either have to face a painful re-orientation of their

budgets and military outlook or face the reality that their capabilities will not match their

goals.

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[36] Katia Vlachos-Dengler, *From National Champions to European Heavyweights: The Development of European Defence Industrial Capabilities Across Market Segments*, (RAND Corporation, Santa Monica: 2002), xii-xiii.

[37] Michele A. Flournoy, et al, *European Defence Integration: Bridging the Gap Between Strategy and Capabilities*, (Centre for Strategic and International Studies: Washington, October 2005), 20.

[38] Katia Vlachos-Dengler, *From National Champions to European Heavyweights: The Development of European Defence Industrial Capabilities Across Market Segments*, (RAND Corporation, Santa Monica: 2002), xiv.

[39] Michele A. Flournoy, et al, *European Defence Integration: Bridging the Gap Between Strategy and Capabilities*, (Centre for Strategic and International Studies: Washington, October 2005), 36.

These challenges to capabilities acquisitions, though daunting, are not insurmountable. To some extent, hope for coordinated procurement rests in the EDA. Capabilities acquisition must be a precursor to not only military integration, but also to a functional ESDP. Without a military capacity to carry out the relatively limited goals the EU has set for itself in terms of crisis management, the ESDP will be have no more strength than the paper it was signed on. At the same time, capability acquisition offers a chance for the General Secretariat to attempt to draw the member states towards military integration through cooperation. It remains to be seen if the EU will seize the opportunity, or if they will be successful if they do.

Problems Facing Future Military Integration

Aside from the crisis in capabilities, the EU will face other challenges in integrating militarily. The General Secretariat will have to overcome a seeming lack of political will among the various member states and convince their leaders of the importance of making defence spending and realignment a priority. Further, national leaders will continue to be faced with strong domestic pressure to use limited budgets for other programs with a more direct impact on their constituents such as healthcare and education. The small amount of political capital and the relative unimportance of defence in relation to other issues will also have a negative impact on military integration. Future demographic trends, such as the aging population in most European countries, will increasingly tie leaders' hands and determine their focus and priorities, a focus that will pull budgets further away from defence issues.

National priorities will also hamper future military integration. Leaders' priorities remain fixed on national defence instead of coordination at the European level. This has

led to both gaps and overlaps in capabilities as well as a force deployment that is not always in the best interests of a Europe wishing to project its power globally. Strong domestic lobbies as well as historical and political constraints further shape the nature of national forces and the choices that nations make in their pursuit of capabilities.

The problems of military integration are also practical. Integrating the militaries of the twenty-five member states is a logistical nightmare. Bringing together the diverse forces and capabilities of the various member states to work in close cooperation and act as an integrated force will take hard work and patience as well as a commitment at all levels to acquire interoperable assets and ensure that force transformations are carried out in a manner that will allow European forces to fill in the gaps for each other. The nature of the European defence industry is another roadblock towards integration as national interests and domestic lobbies act as counters to integration. These challenges will be difficult to overcome in the future, but with work, dedication and commitment by the member states, capability acquisition and integration is possible.

Political Will and Decreasing Defence Budgets

As with the political integration issues that face the ESDP, political will is also a major issue for the military integration of the ESDP. Within Europe, there is limited political capital available for defence spending, making the acquisition of necessary capabilities, let alone the integration of military forces difficult. Domestic constraints, including the priorities of domestic constituents as well as demographic trends such as the aging population in Europe serve to draw focus away from defence issues. These constraints have led to a decrease in defence budgets in Europe, a factor that will severely impact capabilities acquisition, the key to military integration under the ESDP.

Decreasing Defence Budgets and the Rising Cost of Defence

For the past five years, the national defence budgets of all but two of the member states have decreased.[40] In a period where governments are stressing force transformation, this trend would need to be reversed, at least in the relatively short term, in order to pay for the transformation itself. The shift from the large and relatively stagnant armies of Cold War Europe to mobile, rapidly deployable expeditionary forces able to intervene across the spectrum of Petersberg Tasks is one that requires up-front funds.

The EU will face problems expanding their capabilities by increasing defence budgets. Increases in defence spending are greatly hampered by domestic constraints. These issues, which have been outlined in previous chapters, are complicated and varied across the member states. The more common issues that prevent an increase in defence budgets include a domestic constituency that is more concerned with social welfare programs, of which they see a direct benefit, than with increases in defence budgets as well as demographic trends, such as the aging population that will require increased funds in the coming years.

The decreases in funding at the national level are only one example of the seeming lack of political will to carry out the transformations necessary to fulfil the goals the EU members have set for themselves. The lack of increase in capabilities is another. As noted in the previous section, the increase in capabilities has been somewhat slower than expected or desired. The Capability Improvement Charts are a clear example of this

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[40] Michele A. Flournoy, et al, *European Defence Integration: Bridging the Gap Between Strategy and Capabilities*, (Centre for Strategic and International Studies: Washington, October 2005), 21.

lack of progress. This is in part due to the failure or inability of national leaders to make

defence realignment a priority as well as their focus on national, not EU goals.

Aside from occurring in a climate where serious constraints are already placed on

defence budgets via the rising costs for social services, defence budgets face further

problems due to the growing cost of defence acquisitions. Due primarily to rising

demands and costs for technologies, defence systems have become more expensive than

ever before. This means that national governments must be more discriminating than

ever before in terms of what they purchase. Further, within defence budgets themselves,

other costs, such as the maintenance of existing equipment, current operations, and

"rising personnel costs associated with the increasing professionalization of most

European militaries" are expected to curtail what money can be spent on transformation

and procurement.[41] When the use of defence acquisitions as make-work programs and

continued conscription practices in many member states are added in, defence budgets

are constrained even further.

Integration, Coordination, and Interoperability

> As Preben Bonnen states regarding some of the problems,

> Another example is the European Participating Air Forces (Denmark, Netherlands, and Norweigian) F-16 deployment to Manas, Kyrgystan in support of Operation Enduring Freedom. Here, the F-16s must fly close air support and other combat operations over coalition forces operation on the ground. Because of different procedures, aircraft must be deployed nationally (e.g. a Dane will always have a Danish wingman), which limits scheduling options. Further, each country has its own interpretation of what is legal under national and international law. Hence each country must deploy lawyers (lawyers!) to interpret even agreed rules of engagement along with a national representative empowered to make decisions regarding possible targets on the ground. In urgent, life and

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[41] Ibid, 22.

death situations, the forces in the ground cannot afford and do not want
their air cover engaging in legal discussion with capitals over whether or
not the aircraft can protect them in the vicinity of non-combatants or other
questionable areas."[42]

The problem of capabilities acquisition is only aspect of military integration. The

European Union will also have to deal with practical problems such as logistical

integration, multinational coordination and interoperability. The above quote refers just

one problem among many. These problems will hamper attempts at closer cooperation,

let alone the ultimate coming together of European militaries for a common defence.

Whether the EU continues to focus on multilateral cooperation or if it moves into

a more closely integrated military structure or even a common defence, they will be faced

with some of the basic problems of multinational cooperation. These problems include

language barriers in command and control as well as in the field and the voluntary nature

of EU force operations.

Studies have shown that multinational forces are not as effective in combat

operations as national forces.[43] This will be a problem for the future operational capacity

of the European Union's forces. The language barrier is a problem for the current and

future effectiveness of any European force. Even if soldiers can interact in five or six

languages, there will still be more than a dozen they do not know. In combat situations,

anything less than a perfect understanding of the language can cause confusion. It is easy

enough to misinterpret orders or messages between people speaking the same language.

This is compounded when translating from one language to another. As well, in the heat

of battle, the natural reaction is not to translate messages into an understandable dialogue

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[42] Preben Bonnen, *Towards a Common European Security and Defence Policy: The Ways and Means of Making It a Reality*, (London: Lit Verlag, 2003), 121-122.

[43] Ibid, 109

but to communicate using the first language that comes to mind. One way of overcoming this hurdle is to group forces into parties based on language or national affiliation. Though this solution may help increase effectiveness on the ground, it will not move European forces any closer to integration nor solve the language problem. Command and control will, in all likelihood, still be run multinationally, thus requiring some translation from language to language, maintaining the confusion inherent in international operations.

The voluntary nature of current operations has set a precedent for cooperation in future ESDP operations.[44] It also causes problems for the effectiveness and operability of European Union forces. The voluntary nature of ESDP operations means that there is never a consistent group of soldiers working together. They thus cannot develop familiarity with each other or develop a routine working relationship. As the force deployed can vary widely in its national makeup from operation to operation and from rotation to rotation, there is little room for developing a strong understanding of operating styles. Further, though troops may work together for long enough that their operating styles start to coalesce there is little chance that any of the same group will be together for future operations, thus the process must begin again.

The problem of integrating national forces is not just technical or linguistic. Integration will have to deal with the fundamental differences in each country's military traditions, structures, legislations and purpose. These elements vary widely across Europe. Bonnen puts the problem of integrating national defence forces nicely: "No country can allow their troops in life and death situations to operate by different rule

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[44] Ibid, 109-110.

books. Each Country has different traditions, legislations, etc., rendering cooperation in multinational units difficult. For instance, in terms of conduct, the obligations of a Dutch soldier may in certain situations be unlawful for his German colleague. This is not exactly a favourable situation if they are on patrol together."[45] Germany is a somewhat unique case. As a country strongly constrained by its history it adds another dimension to the mix. Only certain avenues are open for German military development and the outlook, traditions and even the fundamental understanding of what the military is and what its role in society is are all very different from those of other EU countries such as Britain or France. To make the situation even more complex, the European Union is not only composed of countries with different outlooks on the military but also has countries that are neutral/non-participants in European Union defence schemes such as Ireland and Denmark. The EU will have to find a way to incorporate these countries into future European defence policies.

When the varying strength of national forces within Europe is added in to the equation, the situation becomes even more challenging.[46] How will national governments and the EU deal with the discrepancies in military strength and size between Britain and Luxembourg for example? Will larger militaries carry more weight/cost in a European defence scheme? What about the question of nuclear weapons? Will the EU ever be able to reach a level of coordination where Britain or France will allow Poland or, more problematically Germany, to have a say in their nuclear policies? These questions

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[45] Preben Bonnen, *Towards a Common European Security and Defence Policy: The Ways and Means of Making It a Reality*, (London: Lit Verlag, 2003), 121.
[46] Ibid, 110.

raise important, and possibly impassable, stumbling blocks for future integration of European forces.

Another concern is technology. In many cases the capabilities that are being developed are not interoperable. This is partly due to the voluntary nature of force transformation. As Vlachos-Dengler points out, "As defence customers (governments) increasingly expect defence contractors to provide them with complete systems, systems capability becomes a key resource necessary to integrate the many diverse materials and technologies that constitute modern platforms and defence systems in general."[47]

In terms of interoperability within coalitions such as NATO, issues have been noted at strategic, operational, tactical and technological levels.[48] Specifically, European allies have had difficulty in terms of "long-range transportation, rotation base, and logistics infrastructure for sustaining a protracted mission in a distant, austere, and harsh theater, particularly against a resolute opponent threatening open warfare...as well as C3[4]ISR integration."[49] In Bosnia, the coalition faced problems with a lack of secure radios due to limited cryptographic equipment among many of the allies, which hampered tactical operations, and a lack of aircraft able to receive incoming radio information.[50]

C4ISR interoperability is of particular concern. Due to the nature of the European defence industry, almost all EU militaries have issues communicating in coalitions. It

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[47] Katia Vlachos-Dengler, *From National Champions to European Heavyweights: The Development of European Defence Industrial Capabilities Across Market Segments*, (RAND Corporation, Santa Monica: 2002), xiv.
[48] Eric Larson, et. al, *Interoperability of US and NATO Allied Air Forces: Supporting Data and Case Studies*, (RAND Corporation: Santa Monica, 2003), xiv.
[49] Ibid, 35.
[50] Ibid., 40.

has been noted that "most European militaries have independently developed and procured information collection and dissemination infrastructures means that few today can talk to each other effectively."[51]

A further complication concerning the issue of interoperability and coordination is that many European countries have been unwilling to relinquish control of some of their resources to international coalitions, including NATO, let alone to the ESDP. As Flournoy has pointed out, it is expected that states will continue to maintain control of C4ISR rather than pooling them through a coalition. She notes that this occurred in Bosnia where the German Atlantic surveillance platform, the UK's Nimrod and Canberra aircraft and the US U-2R and RC-135s were controlled nationally.[52] This protection of national assets prevents coordination and serves as another barrier to security integration through the ESDP.

National policies still focused on national priorities have also contributed to the lack of interoperability among the member states of the European Union. A major part of this problem is the lack of coordination of national defence industries. Ninety percent of all European capabilities come from within Europe.[53] Yet in many cases capabilities produced in one country are not compatible with capabilities produced in another. According to Flournoy, the defence industry in Europe faces numerous challenges

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[51] Michele A. Flournoy, et al, *European Defence Integration: Bridging the Gap Between Strategy and Capabilities*, (Centre for Strategic and International Studies: Washington, October 2005), 76.
[52] Eric Larson, et. al, *Interoperability of US and NATO Allied Air Forces: Supporting Data and Case Studies*, (RAND Corporation: Santa Monica, 2003), 40.
[53] Michele A. Flournoy, et al, *European Defence Integration: Bridging the Gap Between Strategy and Capabilities*, (Centre for Strategic and International Studies: Washington, October 2005), 24.

including barriers to the US market, rules of intra-European defence trade that can be counterproductive, uncoordinated defence demand, and the continued focus of industrial capabilities on Cold War era systems.[54] Shipbuilding and land systems industries are the most fragmented, with concentration focused on the national level.[55] As Preben Bonnen has pointed out, there will also be problems if coordination occurs. He argues that standardization has two major implications: fluctuating productivity and the compromising of operating requirements in order to limit the cost and unwieldiness of the system.[56]

There is a strong political aspect preventing closer integration of national defence industries. Vlachos-Dengler argues that consolidation of national defence industries does not always follow market rules for political and industrial reasons including protection of the national industrial base, national security interests and domestic employment. She argues that these issues are part of the reason that shipbuilding and land systems industries remain fragmented in Europe.[57] The French make no mistake about where they will acquire their capabilities, stating in their 2003 White Paper that "The expertise in the technologies necessary for these future equipments will have to be sought nationally for the nuclear deterrent, and on a European level for most of the other

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[54] Ibid.

[55] Katia Vlachos-Dengler, *From National Champions to European Heavyweights: The Development of European Defence Industrial Capabilities Across Market Segments*, (RAND Corporation, Santa Monica: 2002), xi-xiii.

[56] Preben Bonnen, *Towards a Common European Security and Defence Policy: The Ways and Means of Making It a Reality*, (London: Lit Verlag, 2003), 121.

[57] Katia Vlachos-Dengler, *From National Champions to European Heavyweights: The Development of European Defence Industrial Capabilities Across Market Segments*, (RAND Corporation, Santa Monica: 2002), xi.

principal systems."[58] Bonnen makes this argument succinctly, stating, "[I]magine France granting a British corporation a large order for the production of armoured vehicles. The public outcry would be enormous."[59]

A further problem for the future of military integration is the mixed signals the EU appears to send on who should be responsible for defence integration and the acquisition of capabilities. In one document, the General Secretariat of the European Union states "[g]iven the membership overlap between the EU and NATO/Partnership for Peace, the necessary interoperability between forces developed by EU Member States and NATO nations is primarily a responsibility of individual countries."[60] While in another they state that "the EU will promote the principle of interoperability in the field of military capabilities with its partners, notably NATO and the UN, and its regional partners, in line with the European Security Strategy."[61] In yet another the EU Secretary General indicates that "The point of the Common Foreign and Security Policy and European Security and Defence Policy is that we are stronger when we act together." [62] It would seem that the EU has yet to agree to what its own role in security and defence is. If the EU is to make advances in capabilities and coordination it will first need to decide on its own role and responsibilities.

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[58] French Ministry of Defence, "Substantial Research Effort," *2003-2008 Military Programme Bill of Law.*

[59] Preben Bonnen, *Towards a Common European Security and Defence Policy: The Ways and Means of Making It a Reality,* (London: Lit Verlag, 2003), 121.

[60] General Secretariat of European Union, *European Union Factsheet: The EU Battlegroups and the EU Civilian and Military Cell,* February 2005, Available at: http://ue.eu.int/uedocs/cmsUpload/Battlegroups.pdf

[61] General Secretariat of the Council of the European Union, *Headline Goal 2010* (18 May 2004), Point 9.5.

[62] Secretariat General of the European Union, *European Security Strategy* (12 December 2003), 13.

Policy Prescriptions

How can the EU get from where it is now, facing critical capabilities shortfalls in many areas and a lack of interoperability in others to where it needs to be, for military integration and given the numerous challenges it will no doubt face in the process? There are several policy prescriptions that may help the EU reach its full potential in the acquisition of capabilities and increase interoperability. Foremost among them, and a common vein in many proposals, is an increase in top-down coordination at the European level. This could come through an agency, such as the EDA, tasked with coordination and the rational supervision of capabilities acquisitions to prevent overlap. Tied to this concept are ideas such as capabilities pooling and the acquisition of shared assets. This concept is similar to the recommendations put forward to encourage European Union countries to look at 'niche defence,' specializing in a certain area of military expertise and gaining the tools and training necessary to support this specialization. In these cases, forces and technologies would need to be interoperable so that resources could be pooled for operations. Another idea is the realignment of national defence industries along broader, European Union-level lines. This would increase interoperability and help to prevent overlaps in capabilities. Closer connections with the central integrating body would also help defence industries to predict and understand what sorts of technological developments will be most in demand, providing a benefit for businesses as well.

As the European Security Strategy document states, "Systematic use of pooled and shared assets would reduce duplications, overheads and, in the medium-term,

increase capabilities." [63] It is also a rational way to increase capabilities and maximize effectiveness and force projection for countries that are unable to 'go it alone'.

The rising cost of defence capabilities means that many European countries are now no longer able to pay for the broad range of capabilities necessary to handle today's threats.[64] There are three related solutions to this problem: resource pooling, niche capabilities development and acquisition of community resources.

Resource pooling would require a high level of coordination but it could alleviate many of the problems currently faced by European Union member states. By pooling the assets that the member states currently possess, as well as ensuring that future national capability acquisitions were selected to fill in the gaps, the European Union could dramatically increase its capabilities and force projection. As the Secretary General has pointed out, "Systematic use of pooled and shared assets would reduce duplications, overheads and, in the medium-term, increase capabilities."[65] The pooling of resources goes hand-in-hand with closer cooperation among the EU member states. One is not possible without the other.

The cooperation among the Benelux countries is the best example of how pooling and closer integration of forces can benefit all the countries involved. As Bonnen has noted,

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[63] Secretariat General of the European Union, *European Security Strategy* (12 December 2003), 12.

[64] Michele A. Flournoy, et al, *European Defence Integration: Bridging the Gap Between Strategy and Capabilities*, (Centre for Strategic and International Studies: Washington, October 2005), 21 & 32.

[65] Secretariat General of the European Union, *European Security Strategy* (12 December 2003), 12.

As part of their joint efforts, the three Benelux countries' army, navy and air force identified areas where they can complement each other. For instance, since the Dutch air force has only a few transport aircraft, Belgium can put its fleet of 12 C-130 Hercules at the disposal of the Dutch army. In return, the Dutch air force can handle the air refuelling of Belgian fighter aircraft during missions and the Luxembourg army can protect the airfields.[66]

Cooperation began after WWII with the Belgian-Netherlands Military Agreement (BENESAM) signed on 10 May 1948. It brought about the standardization of tactical methods, organization, equipment and arms.[67] Luxembourg joined the agreement in 1987. According to Bonnen, cooperation has brought about "numerous forms of joint activities...in the fields of supply, system maintenance, training, finance and legal affairs...All Benelux forces are also trying to take advantage of existing similarities in equipment to develop common technical and operation capacities and to promote training and operations in common." [68] In 1995, Belgium and the Netherlands came to an agreement to bring about closer cooperation between their navies. In 1996, their navies were integrated under the same command.[69] The Dutch also have similar, though less integrated, agreements with Germany to share air and sea transport capabilities.

Extrapolating from these experiences in pooling and cooperation to the larger EU arena will be difficult but not impossible. It would require a change in mindset from viewing defence as a solely national responsibility to one that is European in nature. With this shift would come the realization that European defence is also national defence.

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[66] Preben Bonnen, *Towards a Common European Security and Defence Policy: The Ways and Means of Making It a Reality*, (London: Lit Verlag, 2003), 120.
[67] Ibid, 119.
[68] Ibid., 119-120.
[69] Ibid, 120.

Niche specialization is another, somewhat similar, approach that member states could take to maximize their capabilities and those of the EU. The Czech Republic is a prime example of this phenomenon. In its post-Cold War transformation process, it chose to focus on niche areas of specialization where it would have both a comparative advantage and the ability to contribute much-needed capabilities to the European Union. The Czech Republic created units designed to deal with chemical and biological weapons, fulfilling not only a shortfall in capabilities listed in the EU Capability Charts, but also giving it a continued role on the world stage and influence in EU military decisions it would not have had otherwise. By focusing its attention on this area, the Czech Republic developed elite, expeditionary-capable forces and expertise. If more of the smaller EU countries focused on niche specialization, when pooled, their capabilities would far exceed national abilities and allow the EU to achieve its capability goals.

Creating an EU budget for acquisition of community capabilities would be another possible way of dealing with the current shortfalls in EU capabilities. Currently the EU does not have a community budget for capability acquisition. All capabilities are purchased and paid for at the national level. Giving a budget to the EU has many advantages. First, it would give more impetus to the acquisition of European capabilities by giving the EU responsibility for acquisitions as well as making them responsible to national governments to provide the best 'bang for their buck'. Second, it would give the EU the ability to purchase those capabilities most needed for their operations and allow the EU to set capability priorities. It would also give the EU more power to coordinate capability acquisitions.

All of these approaches would benefit greatly from a top-down coordination mechanism. The newly created EDA was designed in such a way to fulfil this purpose. It also provides a necessary step for improving EU capabilities since the voluntary and bottom-up approach the EU has taken through the ECAP has been largely unsuccessful in increasing capabilities. Though it is too early to judge how successful the EDA will be at improving and coordinating European capabilities, the roles and responsibilities it will face can be assessed. The EDA would, first and foremost, have to provide impetus for acquiring capabilities among European governments. It will have to be able to provide new and innovative ways to transform militaries and increase capabilities while dealing with decreases in European defence budgets. The EDA would also have to play a pivotal role if the EU chooses to increase coordination or implements resource pooling, niche specialization or acquisition of community capabilities from a common EU defence budget. If any of these policy prescriptions were implemented, the EDA would require a huge degree of responsibility, but it would also have the ability to shape the future of European defence integration.

Some policy prescriptions have also been proposed for the issue of the problem of integrating national forces in international operations. The RAND corporation, in relation to the issue of multinational coordination in NATO proposes a solution that could easily be adopted by the states in the ESDP.

> Uncertainty about what missions will be needed, which countries will participate, the conditions under which allies will join or leave the coalition, and what forces they will contribute creates the need for flexible organizational structures, doctrines, procedures, and 'open architecture' systems. These elements should be lubricated by the ready availability of liaison officers to overcome cultural and linguistic barriers and facilitate information flow. However, in the short run the tools most likely to be

effective in managing these frictions are organizational and doctrinal elements that enhance flexibility and adaptiveness, and routine exercise and training in a coalition setting.[70]

In this case, the proposal is straightforward, though the application of it requires an immense commitment of time, money and study in order to determine trouble spots, 'enhance flexibility and adaptiveness' in one of the most lumbering bureaucracies in the world, and create the type of routine exercise and training missions that will prepare a multinational force for challenging expeditionary operations.[71]

Conclusions

The acquisition of capabilities within Europe is a unique opportunity for the ESDP to move closer towards military integration. Capabilities improvements are both fundamental to the future of the ESDP and can provide impetus for cooperation and integration. Through cooperation in procurement, capabilities that member states will have difficulty acquiring on their own, such as strategic lift and C4ISR can be acquired and used as pooled resources. The potential for using cooperation in capabilities acquisition to move towards integration is enormous. Yet, Europe faces many challenges in integrating militarily.

Among these challenges are the state of capabilities in Europe and the dire need for acquisitions in order to support the Petersberg Tasks and give the ESDP any hope of success. Capabilities improvements face pressure from all sides, including decreasing defence budgets, domestic constraints that cause a lack of political will among leaders

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[70] Eric Larson, et. al, *Interoperability of US and NATO Allied Air Forces: Supporting Data and Case Studies*, (RAND Corporation: Santa Monica, 2003), xiv.
[71] Ibid.

and negative demographic trends that will increasingly take money and focus away from defence issues.

Aside from the question of capabilities, there are also practical issues that will make military integration more difficult. These issues involve the nature of international coalition operations, which includes barriers such as language, military role and history and force distribution imbalances and the lack of interoperable capabilities within Europe. The dislocated nature of the European defence industry serves to further confuse and hamper defence integration. The importance of politics in this area make defence industry issues particularly difficult to overcome.

Though the problems are numerous and cast a rather gloomy picture of the potential for military integration, some important policy prescriptions may offer solutions to the problem. These policy prescriptions primarily deal with the nature of capabilities acquisitions, but they also highlight the potential for integration through procurement. In an environment where no country can afford to 'go it alone', policies such as pooling and specialization may be necessary in order to increase capabilities. They will require high-level coordination and a commitment on the part of the member states in order to be achieved.

Military integration may prove more promising than political integration. The payoffs of military integration, including an increase in capabilities and credibility in the international arena are strong incentives for cooperation, and possibly even integration. At the same time, the question of sovereignty and the desire to protect national objectives and defence industries may hamper efforts towards more rational force postures. It remains to be seen if national governments will decide closer military cooperation or

integration are in their interests, or if divergent policies, capabilities and goals better

protect them.

Chapter 7: Conclusion

The European Union faces immense challenges in integrating security and defence. These challenges may prove to be insurmountable if the ultimate goal of the ESDP is to establish a supranational defence of the European homeland. At the same time, this does not mean that security and defence integration should be abandoned altogether. That the ESDP may never replace national governments completely does not mean that no progress can be made.

The European Union should focus on the areas of security and defence that have the most chance of success. Specifically, increasing capabilities and improving crisis management mechanisms are areas of security and defence that all the member states seem to support and that could act as initial stepping stones for integration. These policy areas are important no matter what view a member state may have of the ESDP. In all cases, these two mechanisms must be the central focus of the ESDP.

The greatest challenges that must be overcome in security and defence integration are the lack of political will among the leaders of the member states for military integration and the lack of capabilities to support the goals of the European Union. The second challenge stems in large part from the first. The first problem is more difficult to remedy than the second. By applying any one of the numerous proposed solutions to dealing with capabilities shortages, this area can be improved. Increasing political will is more problematic. The best hope for encouraging national leaders to support security and defence integration is to highlight the benefits that come with it such as decreases in cost and a better use of security and defence budgets and resources. Even this may come at a

price as increasing capabilities may only come at the expense of jobs and domestic dissatisfaction. Yet future pay-offs are more than worth some current discomfort.

Hopes for future integration of the ESDP are diminished due to the confusion that characterizes much of the EU's security and defence policy. Confusion is apparent on many levels. It is by no means certain that the member states actually want to integrate security and defence. Even if national governments can agree on integrating security and defence, their policies do not concur on how this should come about. Further, the member states have different views of the aims of the ESDP and the shape it should take. Due to this confusion of vision, there is no clear final goal for the ESDP. While this approach may work in other EU policy areas, it is doubtful it will be successful here, as security and defence policy not only cuts to the heart of sovereignty in a way that few other of the policy areas do, but it is also the only area that deals with immediate, life and death decisions. These issues will continue to make national governments reticent to give up control to a supranational organization.

All these constraints do not paint a rosy picture or allow for strong predictions of success for security and defence integration. Yet all is not lost. The establishment of criteria for integration, such as increasing capabilities and force transformation as well as a minimum level of defence spending could provide direction for the ESDP integration process. Perhaps the best solution for approval by the member states at this point and in the foreseeable future is to focus on these first steps, improving capabilities and crisis management, while operating intergovernmentally and not pushing for integration before the member states of the ESDP are prepared for it.

The Draft Constitution for the European Union appears to be taking this message to heart. A focus on improving capabilities is clear in the establishment of the European Defence Agency, which occurred despite stalls in the constitutional ratification process. The constitution also pushes for closer cooperation through the mutual solidarity clause and other clauses that set up mechanisms for cooperation.[1] Though these moves may be considered as stepping-stones for integration, the failure to transfer budgetary oversight to the EU as well as other necessary steps for integration indicates otherwise. At the same time as the constitution takes steps forward for the ESDP, the failure to ratify the constitution may serve as yet another blow to security and defence integration as the momentum for integration in this field is lost. Overall, the constitution indicates a continuance of the intergovernmental, and not supranational nature of the ESDP.

What chance is there for security and defence integration in the European Union? That all depends on what type of integration is expected. There is little to no chance of full integration or of the member states ceding ultimate authority in security and defence to the European Union. The ESDP will remain primarily intergovernmental, in part due to the strong connection between security and defence and sovereignty and the life or death nature of policy decisions in this area. That being said, some areas of security and defence lend themselves more easily to integration. The greatest potential for success lies in the realms of capabilities acquisitions and crisis management, which have clear pay-offs for member states. Full security and defence integration will be difficult if not

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[1] Secretariat-General of the European Union, *Treaty Establishing a Constitution for Europe,* Brussels, 29 October 2004, Article I-43, I-44, III-312.

impossible to achieve, but real progress can still be made in this area. Much can happen

if leaders have the political will to do so.

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