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A European strategic concept – defence aspects

REPORT

submitted on behalf of the Defence Committee
by Mr Gubert, Rapporteur

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[1] Adopted unanimously by the Committee on 4 November 2003.

[2] *Members of the Committee*: Mr *Wilkinson* (Chairman); MM McNamara, Goris (Vice Chairmen); Mr Acosta Padrón, Mrs *Aguiar*, MM de Arístegui San Román (Alternate: *Agramunt*), *Barquero Vázquez*, Lord Burlison, MM Contestabile, Cox (Alternate: *Flynn*), Dreyfus-Schmidt, Duivesteijn, Freiherr v. Guttenberg KT, Glesener, Goulet, *Gubert*, Henry, Mrs Hoffmann, MM Ioannidis (Alternate: *Verivakis*), Jacquat, Jardim, Kortenhorst, Leibrecht, Lengagne, Medeiros Ferreira, Monfils, *de Puig*, Ranieri, *Rigoni*, Rivolta (Alternate: *Nessa*), Schneider, *Sfyriou*, Siebert, Szabó, Voulgarakis, Walter, Wegener

Associate members: MM Açikgöz, Bilgehan, Çavusoglu, Hegyi, Ibl, Janas, Komorowski, *Lorenz*, Neças, Mrs Nybakk, MM Surjan, Tabajdi, Tekelioglu, Wrzodak, N…, N…

N.B.: *The names of those taking part in the vote are printed in italics.*

RECOMMENDATION 733[1]

on a European strategic concept – defence aspects

The Assembly,

(i) Highlighting the current challenges facing the European Union in the field of security and defence;

(ii) Stressing the need for the European Union to develop a credible and effective security and defence policy;

(iii) Stressing the need for the European Union to draw up a strategic concept that encompasses all areas of Union action, whether it be political, economic or military;

(iv) Aware of the divisions that persist among European states with regard to the objectives to be achieved by the ESDP;

(v) Aware of the impact of enlargement on the process of implementing a common European security and defence strategy;

(vi) Stressing that the accession of new members to the European Union will contribute to enhancing the Union's role on the international stage and that it is important to define and implement common security policies for Europe and the rest of the world;

(vii) Taking the view that it has become necessary for the European Union and NATO to agree on common objectives for world peace and security and to avoid unnecessary and counter-productive duplication and competition;

(viii) Taking the view that the European strategy should not be confined to providing a military response to the problems posed by international terrorism and the threat of weapons of mass destruction and terror;

(ix) Stressing that it is important for states to maintain and strengthen the commitments subscribed to under the international treaties on disarmament, arms control and the non-proliferation of dual-use defence technologies;

(x) Taking the view that it is the duty and responsibility of the European Union to help ensure compliance with the principles of the United Nations Charter and to see to it that they are not undermined by unilateral action;

(xi) Stressing the importance for the European Union to pursue and develop dialogue and cooperation with other centres of power, states and international organisations;

(xii) Considering that the European strategic concept must be based on the principle of autonomy of European action;

(xiii) Considering that the European Union must enhance and develop its capacity for civil and military crisis management by:

- achieving the headline goal and extending the Petersberg missions to include the defence of the European Union's interests;
- supporting the creation of standing European multinational military and paramilitary forces and their headquarters;
- making a major effort with a view to acquiring common defence equipment and technologies while supporting efforts at national level;
- setting up an intelligence component involving both national contributions and autonomous resources;

[1] Adopted by the Assembly without amendment on 1 December 2003 (6th sitting).

– creating a "European Security Council" of Foreign Affairs and Defence Ministers of the EU member states, responsible for security and defence questions;

– envisaging the creation of a European "peace corps" to help with post-conflict stabilisation and reconstruction in the political, social and economic fields;

(xiv) Desirous of making a contribution to the debate on a European strategic concept, in particular as regards the parliamentary dimension,

RECOMMENDS THAT THE COUNCIL

1. Participate actively in drawing up a European strategic concept, in particular as regards security and defence aspects;

2. Ensure that the European concept takes the following aspects into account:

– the need for Europe to be capable of autonomous decision-making and action as regards political and military crisis management;

– the need to adapt and extend the Petersberg missions to cover the current threats;

– the need to adapt the EU headline goal to take account of increased requirements for rapid-reaction capabilities;

– the need to support the European Capability Action Plan (ECAP) in accordance with current and foreseeable requirements;

– the plans for a European defence industrial policy;

– the creation of a European agency responsible for the harmonisation of operational requirements, the development of cooperative programmes and the coordination of defence research and technology;

– the need to establish a European Union Council of Foreign Affairs and Defence Ministers of the member states;

– the need to create a defence intelligence agency within the EU;

3. Keep the Assembly informed of its initiatives with regard to the development of the ESDP.

EXPLANATORY MEMORANDUM

submitted by Mr Gubert, Rapporteur

I. Introduction

1. On 20 June 2003, the EU High Representative for the Common Foreign and Security Policy/WEU Secretary-General, Javier Solana, presented the Thessaloniki European Council with a document entitled "A secure Europe in a better world". That document, which is in fact the outline of a strategic concept for the new enlarged EU, is divided into three very brief chapters: current threats, strategic objectives and political implications.

2. It is not the first time in the past two decades that European states have tried to draft a common strategy in the field of foreign, security and defence policy. During the 1980's, the Rome Declaration on the reactivation of WEU (October 1984) and The Hague Platform on European security interests (October 1987) made a decisive contribution to launching the political process of seeking a "European approach" in this area. Initially limited to WEU, that process was extended to the EU with the Maastricht Treaty, which referred to the "eventual framing of a common defence policy"[2].

3. In 1995, still in the WEU framework, an even more ambitious initiative was adopted. On 14 November 1995, the WEU Ministerial Council, meeting in Madrid, endorsed a document entitled: "European security: a common concept of the 27 WEU countries". That document can justifiably be described as the forerunner of the EU strategic concept. Indeed, WEU at 27 is the EU post 2004. While the historical context has evolved, the political elements have not changed fundamentally since then. The "common concept" was the result of a process of intergovernmental cooperation that is still the reference framework for the EU's European Security and Defence Policy. Eight years on, it refers to the same threats and the same search for solutions.

4. What has changed is the geostrategic environment. There have been no major conflicts in Europe since 1999 (the Kosovo war) and the 11 September attacks against the United States have led to a redefinition of security priorities (not just in Europe, but worldwide), placing the focus on the "global" war against international terrorism. European states, either individually or in the framework of NATO and the EU, are engaged in the process of post-conflict stabilisation in Iraq, Afghanistan, Africa (Côte d'Ivoire and, up until the end of August 2003, the Democratic Republic of Congo) and East Timor. In 1995 attention was focused on Yugoslavia, whereas in 2003 it has shifted to zones on three different continents and thousands of kilometres from Europe.

5. In the meantime the EU, following the transfer of WEU's operational functions to it in 1999, has taken on direct responsibility for the management of international crises. This is why it has acquired the necessary military capabilities for conducting the Petersberg missions as defined within WEU in 1992: humanitarian and rescue tasks, peacekeeping tasks and tasks of combat forces in crisis management, including peacemaking. Those capabilities were declared operational in 2003, but their use requires a political concept defining the conditions in which the EU may have recourse to force.

6. However, the divisions that arose among European countries during the second Gulf war (March-April 2003) together with the forthcoming enlargement have impeded the development of a common strategic vision defining the EU's role in the current international context. Moreover, there is still a need to breathe life into another vital concept, that of Europe's "autonomy" in the field of security and defence. That is not a neutral concept, for it implies the EU having freedom of political and military action vis-à-vis the United States in order to defend its interests. As in 1995, it entails the development of a new and balanced partnership for the benefit of world peace and security. Without such autonomy, the "European strategic concept" makes no sense.

[2] Maastricht Treaty, Title V "Provisions on a common foreign and security policy", Article J.4 (17 in the Consolidated version of the Treaty on European Union), 7 February 1992, http://europa.eu.int. In the Amsterdam Treaty the words "eventual framing" were replaced by "progressive framing".

II. European strategic concepts: the contribution made by WEU

7. The idea of one or several strategic concepts (in different policy areas) is not new. Since the end of the cold war, the European states have been trying to coordinate their policies and actions in the field of security and defence. That long drawn-out process has yielded tangible and positive results, notwithstanding all the delays, setbacks and difficulties involved in developing common approaches in that area. Those efforts are now centred on the EU, which must assume the operational responsibilities that go with the crisis-management functions it took over from WEU in 2000.

8. However, the member states are divided about the Union's role on the international stage. In the field of security and defence the focus has clearly shifted back to the transatlantic link. The United States is no longer supportive of Europe's ambition to be a strong and autonomous partner, but is trying rather to influence and direct its development[3]. This is what lies behind the distinction that Defense Secretary Donald Rumsfeld draws between "old" and "new" Europe. New Europe is at ease with a transatlantic relationship dominated by the United States, whose security policy it agrees with, while old Europe is seeking an autonomous path that will reconcile the notions of partnership and solidarity with a defence of its interests and a world vision that is not necessarily identical with that of the US Administration.

9. The debate about a European strategic concept is at the same time a debate about the degree of autonomy that Europe should enjoy vis-à-vis the United States. This was for a long time a key issue in WEU that set the tone for its two most important contributions to European security and defence policy. Indeed, its declarations of 1987 and 1995 remain fully relevant today and help shed light on the issues at stake in the process of defining a European strategic concept.

1. The Hague 27 October 1987 "Platform on European security interests"

10. The "Platform on European security interests" adopted by the WEU Council at The Hague on 27 October 1987 can be considered as the forerunner of the present ESDP. With the end of the cold war in sight (the Berlin wall was to fall two years later), the WEU member states decided to set out on a European path to security and defence and to play an active role in negotiations on European security, hitherto dominated by the US/USSR tandem. The two superpowers consulted their respective allies but they alone took the decisions.

11. This "breach" of transatlantic discipline (the central European Warsaw Pact members being bound for their part by the principle of "democratic centralism") resulted from an awareness of the fact that European states had specific security interests distinct from those of the United States, particularly in the field of nuclear disarmament. However, there was no question of prompting such a debate within NATO, for this could lead to divisions that would be detrimental to the negotiations between NATO and the Warsaw Pact on mutual confidence-building and threat reduction measures (which became the Agreements on Conventional Forces in Europe – CFE – in 1990). The European Union at the time was in an embryonic phase in terms of its political development (and it still had no competence for security and defence which were only included in the Union under the 1991 Maastricht Treaty).

12. WEU, which had been reactivated in 1984, was the logical European framework in which to express that resolve to become autonomous vis-à-vis the United States. This was the idea underlying the "Platform", a short and concise document divided into three parts: conditions of European security, aims of the European approach and the policies required to implement that approach. The preamble of that document stated in premonitory fashion that: "We are convinced that the construction of an integrated Europe will remain incomplete as long as it does not include security and defence". Its analysis of the conditions of European security was limited by the cold war context, but the WEU member states expressed the wish for a new balance in transatlantic relations, stressing that:

[3] "US dismay over Blair's stance on EU defence" and "US to confront Brussels over defence policy", *Financial Times*, 16 and 17 October 2003.

"4. European forces play an essential role: the overall credibility of the Western strategy of deterrence and defence cannot be maintained without a major European contribution (…) The Europeans have a major responsibility both in the field of conventional and nuclear defence. In the conventional field, the forces of the WEU member States represent an essential part of those of the Alliance. As regards nuclear forces, all of which form a part of deterrence, the cooperative arrangements that certain member States maintain with the United States are necessary for the security of Europe. The independent forces of France and the United Kingdom contribute to overall deterrence and security".

13. This text describing the situation in 1987 is still valid today. In the "global" war against international terrorism and the threat of weapons of mass destruction and terror, Europe's participation – albeit limited in terms of scale and quality – remains essential. With the exception of Iraq and Afghanistan (for the time being) Europe has a major presence in crisis and post-conflict zones (particularly in south-eastern Europe, Africa and East Timor). The United States, in spite of its (relative) power, relies on its European allies to speed up the process of establishing security and stability as well as to give greater international legitimacy to US interventions.

14. The solutions put forward by the "Platform", unsurprisingly, are precisely the ones that the signatory states to that document seem to be divided over today:

"III. The Member States of WEU intend to assume fully their responsibilities:

(a) In the field of Western defence

"1. We recall the fundamental obligation of Article V of the modified Brussels Treaty to provide all the military and other aid and assistance in our power in the event of armed attack on anyone of us. This pledge, which reflects our common destiny, reinforces our commitments under the Atlantic Alliance (…)

2. It is our conviction that a more united Europe will make a stronger contribution to the Alliance, to the benefit of Western security as a whole. This will enhance the European role in the Alliance and ensure the basis for a balanced partnership across the Atlantic (…)

3. We are each determined to carry our share of the common defence in both the conventional and the nuclear field. in accordance with the principles of risk- and burden-sharing which are fundamental to allied cohesion (…)

4. We remain determined to pursue European integration including security and defence (…)

To this end we shall:

– ensure that our determination to defend any member country at its borders is made clearly manifest by means of appropriate arrangements,

– improve our consultations and extend our coordination in defence and security matters and examine all practical steps to this end,

– make the best possible use of the existing institutional mechanisms to involve the defence ministers and their representatives in the work of WEU,

– see to it that the level of each country's contribution to the common defence adequately reflects its capabilities,

– aim at a more effective use of existing resources, *inter alia* by expanding bilateral and regional military cooperation, pursue our efforts to maintain in Europe a technologically advanced industrial base and intensify armaments cooperation,

– concert our policies on crises outside Europe in so far as they may affect our security interests".

15. If we replace the word "WEU" each time by "EU", we have all the components of a genuine ESDP: mutual defence (one of the proposals in the draft Constitutional Treaty submitted in 2003), striking a new balance in transatlantic relations (sharing the burden and responsibilities), development

of institutional mechanisms and operational capabilities (consultations, creation of a formal Council of defence ministers, headline goal, ECAP – European Capability Action Plan – armaments cooperation). Sixteen years on, that ambitious programme remains for the moment confined to the military management of crises by the EU.

16. The "Platform" paved the way for WEU's development into the "defence component" of the EU, as described in the Maastricht Treaty in 1991. That document was and remains a political statement of Europe's autonomy in the defence of its interests. While it explicitly states that European security and defence are also guaranteed by the transatlantic relationship, it places the main responsibility and ultimate decision-making power in the hands of the European states themselves. This is not yet a strategic concept but a principle forming the basis for discussion. For the purpose of implementing this project, the WEU member states extensively restructured the Organisation's structures and tasks.

17. They also developed an "open door" policy towards the European states of NATO and the EU, as well as towards the countries of central Europe, which progressively became involved in putting this "Platform" into practice and in building an autonomous European defence. That joint effort undertaken by Europe in an "enlarged" format led in 1995 to the drafting of the outline of a European security concept which in terms of its analysis of the threats and the solutions it proposes remains relevant today.

2. "European security: a common concept of the 27 WEU countries"

18. This document, adopted on 14 November 1995 by the WEU Ministerial Council meeting in Madrid, is to date the only one that can claim the title of "European security concept". It was drawn up jointly by all WEU countries of all categories of status within the Organisation. Those 27 states included the current and future member states of the EU, with the exception of Cyprus, Malta and Slovenia (which became a WEU associate partner in 1996). That joint effort had the merit of bringing about common positions on a wide range of subjects concerning all European values and interests, later reflected in the work of the Convention in 2003 and in the document "A secure Europe in a better world".

19. The common concept was a highly detailed text divided into two parts. The first described and analysed the security and defence situation in Europe and the rest of the world, while the second set out a number of political, institutional and operational proposals on crisis prevention and management. The document owed its "strategic" depth first and foremost to its (non-exhaustive) description of the common values and interests of European states and of the threats to European and global security.

(a) Common values and interests

20. Those common values and interests were identified as follows:

- "democratic values and human rights, the defence of peace, international order and the rule of law;
- Europe's worldwide economic interests;
- the security of European citizens in the world".

There is a general consensus on the first set of values, which have been the guiding principles for the construction of Europe since 1945. Supported from the outset by the Council of Europe and WEU they are also the core values underlying the political project of European union. They are universal in scope and shared by many other nations on all continents.

21. In referring to Europe's "worldwide economic interests" and the "security of European citizens", as though Europe were a state entity, the aim of the WEU countries was to add a political dimension to Europe as a geographic entity, to make it a credible power in international relations. That remains the ambition of the EU today. Both points are highly relevant for security and defence, in that they concern such matters as energy supplies to Europe and the protection of communication and transport networks within and towards Europe. Those interests also include the maintenance and development of a civil and defence industrial and technological base in Europe.

22. Being able to protect European nationals means being capable of rapid intervention in conflict and crisis areas and having the necessary means to establish security and/or rapidly evacuate large numbers of people. Africa has been the theatre for a number of operations of this kind in the past, as well as more recently (in Sierra Leone and Côte d'Ivoire, for example). Latin America could also become an area of concern, should there be a worsening of the political and economic crises in Argentina and Venezuela or of the armed conflict in Columbia. In Asia too there are many European nationals: permanent residents, staff of non-governmental organisations or personnel of trading and economic assistance missions.

(b) Threats to European security and stability

23. The threats in 2003 are the same as in 1995, but their order of priority has changed. In November 1995, the Dayton Accords put an end to the war in Bosnia and Herzegovina that for three years had monopolised the European countries' attention. However, there was no end in sight to the first war in Chechnya which threatened to destabilise the whole Russian Caucasus and the neighbouring countries. The possibility of armed conflict in Europe was therefore quite logically still perceived as the number one threat at the time.

24. The risk of the proliferation of weapons of mass destruction and terror became more tangible with the end of the cold war. The problems linked with monitoring installations, materials and personnel involved in the former USSR's chemical and nuclear weapons programmes gave rise to fears of increased proliferation. The development of more or less clandestine nuclear weapons programmes in India, Pakistan, North Korea[4] and Iran, and the Iraqi precedent, gave rise to concerns which continue to this day, in particular in connection with the threat of international terrorism. Chemical and biological weapons, as well as ballistic capabilities (delivery vehicles) were also mentioned in the "common concept".

25. International terrorism, in particular of Islamic fundamentalist origin, was already a major concern at the time. The "export" to France of the conflict between radical Islamic elements and the Algerian government led to the bloody terrorist attacks of 1995 (July to October) in Paris. Islamic combatant groups funded by Saudi Arabia were also present in Bosnia and Herzegovina and Chechnya, while in Afghanistan the Taliban continued their march towards Kabul. The 27 WEU states declared in almost premonitory fashion that "international terrorism is an important security challenge (…) calling for coordinated and cooperative responses". They also established a link between terrorism and organised crime, drug trafficking and "uncontrolled or illegal migration".

26. They also identified environmental risks as another threat to European security. Natural or manmade environmental disasters, they stated, could "affect well-being and stability in sub-regions or larger parts of Europe, and stability and security in Europe as a whole". The catastrophes that have taken place since 2002 – accidents involving oil tankers and merchant ships off the coasts of Europe, flooding, forest fires, the heat wave that hit the whole of Europe in 2003 – are recent examples which have revealed Europe's shortcomings in terms of its ability to avert or rapidly deal with such situations.

(c) Reactions of the 27 WEU countries

27. After a detailed presentation of the European security environment – the transatlantic relationship, relations with Russia, regional security and European global security interests (in Africa, the Middle East, the Asia-Pacific region and Latin America) – the 27 states put forward a wide range of proposals. Their stated aims were the "promotion of security and stability" and "crisis prevention and management", to be achieved by concerted action and coordinated use of resources.

28. With those aims in mind the WEU countries acknowledged that "their security is indivisible, that a comprehensive approach should underlie the concept of security and that cooperative mechanisms should be applied in order to promote security and stability in the whole of the continent". They identified four frameworks for such cooperation: the European Union (which at the

[4] Since 1998 India and Pakistan have been recognised nuclear powers. North Korea officially declared its nuclear weapons production programme in 2002.

time of the security concept was preparing the Intergovernmental Conference that led to the Amsterdam Treaty), NATO (then engaged in the preliminary phase of enlarging its membership and geographic scope), the OSCE (prevention and management of crises and conflicts) and the United Nations (responsible for international peacekeeping and crisis management).

29. In practical terms they emphasised the need for the United States and Russia to continue their negotiations on reducing their nuclear arsenals, as well as for disarmament and arms control regimes (nuclear, chemical, biological and conventional armaments). They laid particular stress on European nuclear arsenals and referred to the principles set out in the 1987 "The Hague Platform", in particular the one stating that "Europeans have a major responsibility both in the fields of conventional and nuclear defence". However a number of other states had reservations in that regard and the issue of the European nuclear deterrent remains a sensitive and complex area to this day.

30. As regards European crisis-management capabilities, the conclusions drawn in 1995 remain relevant today. The WEU states referred in their security concept to the Petersberg missions defined by the WEU Council in 1992 and they agreed on the principle of conducting future actions in the framework of coalitions. Those coalitions would bring together the national assets pre-identified by countries in a "declaration of military units from the whole spectrum of their conventional armed forces as being available for Petersberg operations". That declaration subsequently paved the way for the forces catalogue drawn up under the Helsinki headline goal. The principle of a "framework nation" to which WEU provided political support while also coordinating national contributions, also remains valid to this day (see for example EU Operation Artemis conducted in 2003 in the Democratic Republic of Congo under French command).

31. For collective action it was proposed to call on multinational military forces known as "forces answerable to WEU (FAWEU)". These included the European Corps, Euromarfor and Eurofor which today are among the forces made available to the EU (under its headline goal) and NATO. The 27 states not only analysed missions and forces but also identified a number of deficiencies which remain central to today's debates on the ESDP and the work being done by the European Capability Action Plan (ECAP):

- "crisis-management mechanisms, including procedures for force generation and assembly, and command and control procedures;
- reconnaissance and intelligence;
- strategic and in-theatre transport capabilities;
- standardisation and interoperability;
- the European defence industrial base".

The concept also referred to the need for a clearly identified European chain of command separate from that of NATO.

32. The final recommendations put forward in the common concept remain valid today: "adapt national defence forces while maintaining their effectiveness", "strengthen (WEU's) politico-military structures", "reinforce European assets and capabilities" and "enhancing the European defence industrial base". The common concept of the 27 WEU states also fully assumed its role as the precursor of a European security strategy and a European defence. However, the crises that have taken place in Europe and the rest of the world since 1995 have brought home the limitations of that political declaration.

33. The process of implementing the proposals put forward by the 27 countries has been hampered by divisions among states, their different perceptions of (national and European) interests, by problems of intergovernmental and inter-institutional cooperation, by low levels of defence spending and by the ambitious reforms of the national defence systems (move towards professional armed forces). Eight years on, it is the EU that has the responsibility for realising this ambitious project and it alone must bear the consequences of failure.

III. The European Union and the search for a common strategy

34. The European Union is undergoing a process of transformation that will have major strategic repercussions for the future of the European continent. During the course of this decade either the EU will become a new global power centre – a "power" in the conventional sense of the term – or a "league of European nations" (by analogy with the League of Nations of the period 1918 to 1939), in other words a large political and economic entity with no real political or military power. The draft Constitutional Treaty, the European strategic concept and the strengthening and development of Europe's political, military and armaments structures for crisis management have all contributed to shaping a European strategic vision, but the current construction still lacks coherence and cohesion.

35. The difficulties encountered in defining strategic aims and common policies on security and defence have been compounded by the consequences of the 11 September 2001 attacks in the United States and by the second Gulf war. The global war on terrorism and the link established by the United States in its National Security Strategy (September 2001) between terrorism and weapons of mass destruction and terror have led all over the world to a redefinition of priorities and means in the field of security and defence. The EU, the majority of whose members are also members of the Atlantic Alliance, has quite naturally been drawn into that process.

36. Another factor to be considered is that of enlargement. As the 2004 round of enlargement draws nearer, one can only note that the current fifteen members of the EU are ill-prepared for the necessary adaptation of the EU's decision-making structures. This indeed was the task assigned to the Convention on the Future of Europe which drafted the "Treaty establishing a Constitution for Europe". This text, which must be ratified by all the members of the enlarged EU, is supposed to give the Union the political, institutional and legal instruments that will enable it to function at 25 (and to enlarge further in the future) while at the same time playing a more active role on the international stage, particularly in the field of security and defence. This was also the aim of the document "A secure Europe in a better world" submitted by the High Representative for the CFSP.

1. Repercussions of 11 September 2001

37. The 11 September 2001 attacks against the United States mobilised an unprecedented international effort to combat international terrorism. The United States' response was to deploy its full panoply of political, legal, economic and military means. However, the consensus that existed with regard to retaliation against the Taliban regime in Afghanistan collapsed when the United States turned its sights on Iraq (and other "rogue" states). During the period 2001-2003 the EU defined two strategies for combating international terrorism and the proliferation of weapons of mass destruction and terror.

38. Those two threats have been a longstanding concern of the European Union and were also addressed in detail in the common concept of the 27 WEU countries. However, the second Gulf war illustrated the problems of interpretation of the notion of "weapons of mass destruction" and the difficulties involved in evaluating the real threat.

39. An extraordinary European Council held on 21 September 2001 adopted a plan of action on terrorism focused on the following areas:

- "enhancing police and judicial cooperation;
- developing international legal instruments (bilateral and multilateral conventions and treaties);
- putting an end to the funding of terrorism;
- strengthening air security;
- coordinating the European Union's global action ("the Common Foreign and Security Policy will have to integrate further the fight against terrorism")".

On 10 December 2001, the Council of EU foreign affairs ministers decided to launch "a targeted initiative to respond effectively (…) to the international threat of terrorism". In so doing it established

a direct link between the threat of terrorism and that of the proliferation of weapons of mass destruction.

40. Following that decision, on 15 April 2002, the EU Council adopted a series of recommendations on the "implications of the terrorist threat on the non-proliferation, disarmament and arms control policy of the EU", with a view to strengthening the existing multinational control framework:

> "A. Support all activities related to the universalisation of existing multilateral instruments (i.a. CWC, BWC, Geneva Protocol, NPT, CTBT, CCW and Ottawa Convention)[5] (…);
>
> B. Work for the effective implementation of the international instruments as well as political commitments world-wide (….);
>
> C. Support the work of the international organisations (e.g. OPCW, CTBTO, IAEA)[6] (…);
>
> D. Reinforce, where needed, the multilateral instruments (…)".

The EU Council also decided to strengthen the control regime for the export of arms and "dual-use items or technologies". International cooperation and political dialogue with other states on those issues are also an integral part of EU policy in this area.

41. On 16 June 2003, the EU Council, meeting in Luxembourg, defined the "basic principles for an EU strategy against proliferation of weapons of mass destruction". That strategy consisted of ten points:

- "Pursuing universalisation of disarmament and non-proliferation agreements while stressing the importance of effective national implementation thereof;
- Ensuring compliance with non-proliferation commitments by making best use of, and, when appropriate, strengthening international inspection/verification mechanisms;
- Strengthening export control policies;
- Introducing a stronger non-proliferation element in relationships with some partners;
- Having a focused dialogue both with countries suspected of proliferation activities and with those whose cooperation is vital to effective policies against proliferation;
- Expanding cooperative threat reduction initiatives and assistance programmes;
- Ensuring that appropriate resources and support are allocated to international organisations and arrangements active in non-proliferation such as the IAEA, the OPCW, the CTBTO PrepCom and the HCOC[7];
- Promoting close coordination with the United States;
- Pursuing an international agreement on the prohibition of the production of fissile material for nuclear weapons;
- Considering, in case political and diplomatic measures have failed, coercive measures, including as a last resort the use of force in accordance with the United Nations Charter".

Those proposals were endorsed by the Thessaloniki European Council in June 2003 with a few amendments, such as the deletion of the reference to the use of force.

42. However, the European Union is not a security organisation like NATO or WEU. It would be simplistic to develop a European security strategy geared solely to those threats and would limit the

[5] Chemical Weapons Convention, Biological and Toxin Weapons Convention, Protocol for the prohibition of the use in war of asphyxiating, poisonous or other gases and of bacteriological methods of warfare (1925), Non-Proliferation Treaty, Comprehensive Test Ban Treaty, Inhumane Weapons Convention, Convention on the Prohibition of Antipersonnel Mines.

[6] Organisation for the Prohibition of Chemical Weapons, Comprehensive Test Ban Treaty Organisation, International Atomic Energy Agency.

[7] The Hague code of conduct against the proliferation of ballistic missiles (2002).

Union's scope for autonomous action worldwide. The EU must also defend and promote its socio-economic, industrial and technological interests and a European political model and value system. The Union's strategy should have no geographic limitations, given the global scope of its responsibilities.

2. Contribution of the Convention on the Future of Europe

43. On 13 June and 10 July 2003, after more than a year of discussions, the Convention on the Future of Europe adopted a draft Treaty establishing a Constitution for Europe. That document will be the main item of discussion during the 2003-2004 Intergovernmental Conference, following which it will be submitted – with or without amendments – for ratification by each member state of the enlarged Union. A Constitution for Europe is also a strategic concept, in that it not only describes how the European institutions are to function, but also sets out a number of interests and objectives to be defended and promoted in Europe and worldwide.

44. The Constitutional Treaty announces in its preface the ambition "to develop the Union into a stabilising factor and a model in the new world order", and in its preamble the intention "to strive for peace, justice and solidarity throughout the world". Thus, from the outset the EU perceives itself as an active player in the field of international relations with worldwide security responsibilities. It must defend and promote its values, which are the very same as those identified in 1995 by the 27 WEU states in their common concept: "The Union is founded on the values of respect for human dignity, liberty, democracy, equality, the rule of law and respect for human rights".

45. The EU sets itself the following objectives in the field of international security:

> "In its relations with the wider world, the Union shall uphold and promote its values and interests. It shall contribute to peace, security, the sustainable development of the earth, solidarity and mutual respect among peoples, free and fair trade, eradication of poverty and protection of human rights and in particular children's rights, as well as to strict observance and development of international law, including respect for the principles of the United Nations Charter[8].
>
> (…)
>
> (a) safeguard the common values, fundamental interests, security, independence and integrity of the Union;
>
> (b) consolidate and support democracy, the rule of law, human rights and international law;
>
> (c) preserve peace, prevent conflicts and strengthen international security, in conformity with the principles of the United Nations Charter;
>
> (…)
>
> (h) promote an international system based on stronger multilateral cooperation and good global governance"[9].

46. The reference to the United Nations and to "good global governance" is important and indeed is a permanent feature of the EU's security and foreign policies. This common preference for using multilateral instruments is quite logical, in that it corresponds to the way in which the EU itself functions. However, that position can also generate internal tensions if some member states take unilateral action that weakens the UN system, as well as being a source of transatlantic dissension, at least as long as the present US Administration remains in power.

47. If the Union is to be able to take action in the field of security, it must have the ways and means of defending its interests. It is in this area that the Treaty shows certain limitations. The Convention members state, as regards the competence of the EU (and using the terms of the Maastricht Treaty), that "The Union shall have competence to define and implement a common foreign and security policy, including the progressive framing of a common defence policy". But further on in the text,

[8] Part I, Title I: Definition and objectives of the Union; Article 3: The objectives of the Union.
[9] Title V – External action of the Union; Chapter I – provisions having general application, Article III-193.

there is no mention of that prerogative either under the heading "exclusive competence" or that of "shared competence". And Article 15 on the CFSP merely states that "Member States shall actively and unreservedly support the Union's common foreign and security policy in a spirit of loyalty and mutual solidarity and shall comply with the acts adopted by the Union in this area. They shall refrain from action contrary to the Union's interests or likely to impair its effectiveness".

48. Since the CFSP is a matter for intergovernmental cooperation and decisions on issues of security and defence must be taken unanimously, that provision allows debates on divisive subjects to be avoided. It is enough for a single member state to oppose discussion of a sensitive political issue for the Union to "refrain" from taking a stance. The price to pay for avoiding internal crises is a loss of the effectiveness that could be achieved if there was a system of qualified majority voting or "enhanced cooperation" (from which defence is excluded under the Nice Treaty) that would enable the more strongly committed states to intervene in a crisis situation or adopt a common position. One solution would be to replace the veto (except in cases affecting the national security and/or territorial integrity of a member state, for example) with a system of constructive abstention, as practised by Denmark[10].

49. The draft Constitutional Treaty gives the European Council the task of designing a strategy for the Union. However, the European Council is composed of the heads of state and government of the member states and only comes together in collegial formation twice a year. Given the differences of interests and the lack of a common vision, the European strategy will in that case depend on the balance of power among the member states and could generate internal crises and divisions that would be detrimental to the process of framing a Common European Security and Defence Policy.

3. "A secure Europe"

50. The contribution of the CFSP secretariat to the debate on a European security concept is an outline document submitted by the High Representative and adopted by the Thessaloniki European Council in June 2003. It sets out a number of proposals for enabling the Union to play a more effective role on the international stage and contribute more actively to global security and stability. This document, entitled "A secure Europe in a better world" starts in conventional fashion with an analysis of the security environment (the threats), then identifies strategic objectives and proposes policies for tackling present and future challenges.

51. In the introduction it depicts a secure Europe which "should be ready to share in the responsibility for global security". However, while its population (450 million inhabitants) and share of world GDP (25%) are presented as decisive arguments, they are far from being factors of power in the present European context. Indeed, Europe's population is divided among its member states, each with their own domestic and foreign policies, and far from all 25 members of the enlarged Union have any real share in its economic power. In the field of armaments, for example, 90% of production is controlled by five or six states (which, moreover, are in competition with each other).

52. Europe's international environment is marked by a series of problems that are potentially dangerous for security: regional conflicts, poverty, hunger, epidemics, refugees and mass migration (in particular in the developing world), corruption, dictatorships, climate change and energy dependence. The repercussions of 11 September fall into the category of the "new threats" (already identified by the 27 WEU states in their common concept of 1995): international terrorism, proliferation of weapons of mass destruction, "failed states" and organised crime.

53. As regards the first of those threats, the document offers nothing new in its analysis, except perhaps its over-simplification. It draws a distinction between international terrorism and the "traditional" terrorist organisations which Europeans are "familiar" with and which can be brought back into the fold in that "ultimately they may be ready to abandon violence for negotiation". International terrorist groups, however, are trying to obtain weapons of mass destruction: "The new

[10] At the European Summit in Edinburgh in 1992, Denmark negotiated four exceptions to its participation in the EU's development, including one stipulating that it would not participate in any decisions or actions with defence implications.

terrorist movements seem willing to use unlimited violence and cause massive casualties", which, it is claimed, is not the case for "traditional terrorist organisations".

54. The only international terrorist organisation to be mentioned by name is al-Qa'ida. The document later states that "the most recent wave of terrorism is linked to violent religious fundamentalism", but the latter is not explicitly identified. The causes of international terrorism are described as "complex" and as "including the pressures of modernisation, cultural, social and political crises, and the alienation of young people living in foreign societies".

55. The proliferation of weapons of mass destruction is described as "the single most important threat to peace and security among nations", but it is cited after international terrorism. There is no analysis of the arms race in the developing world, except for the statement that "We are now (…) entering a new and dangerous period that raises the possibility of a WMD arms race, especially in the Middle East". The scenario of weapons of mass destruction falling into the hands of a terrorist group is put forward to explain that in a such a case conventional "deterrence would fail", but no conclusions are drawn. The document also warns against the future possibility of attacks using biological, chemical or radiological materials.

56. If not "rogue states", then it is "failed states" which, together with international terrorism and organised crime (responsible for "major illicit flows of drugs and migrants [that] reach Europe through the Balkans, Eastern Europe and Central Asia") expose the European Union to "a very radical threat indeed". "Bad governance, civil conflict, and the easy availability of small arms" are cited among the causes of a weakening of state structures, but no mention is made of other economic, social, ethnic, religious or political considerations.

57. The document announces three strategic objectives for the Union:

- "First, we can make a particular contribution to stability and good governance in our immediate neighbourhood;
- Second, more widely, we need to build an international order based on effective multilateralism;
- Finally, we must tackle the threats, new and old".

58. The first objective takes account of the experience of the recent conflicts in former Yugoslavia but is extended to other regions so as "to promote a ring of well governed countries to the East of the European Union and on the borders of the Mediterranean with whom we can enjoy close and cooperative relations". However, there is no further explanation of the concept of "good governance". Belarus, Moldova, Ukraine and, further afield, the countries of the Caucasus, the Mediterranean region and the Middle East are the main priorities for those efforts in the years to come.

59. The second objective is based on the finding that "in a world of global threats, global markets and global media, our security and prosperity depend on an effective multilateral system. The development of a stronger international society, well functioning international institutions and a rule-based international order should be our objective". Following the experience of the second Gulf war and the crises it caused within the United Nations, the Atlantic Alliance and the European Union, that multilateral commitment on the part of the Union also reflects the desire to overcome the consequences of the unilateral action taken by the United States and its allies against Iraq.

60. The UN system remains the reference for this document produced by the CFSP secretariat, which underlines that "the fundamental framework for international relations is the United Nations Charter". To preserve that role, "strengthening the United Nations, equipping it to fulfil its responsibilities and to act effectively, must be a European priority". However, that statement is weakened by the subsequent reference to an argument frequently used by the United States before, during and after the Iraq conflict, to the effect that "if we want international organisations, regimes and treaties to be effective in confronting threats to international peace and security we should be ready to act when their rules are broken".

61. But the question is, in what framework should such a decision to act be taken? The United Nations? Or can it be taken by a number of states bound by a multilateral treaty and according to the

specific rules and procedures of that treaty? Or is unilateral action permissible, at the risk of weakening the whole system? This is a highly relevant question given the current discussions about the future of the United Nations and about Europe assuming greater responsibilities for security and defence, with all that this implies for the international order.

62. In order to deal with "the threats of the new era [which] are often distant" and which "implies that we [Europeans] should be ready to act before a crisis occurs", the document proposes a new (reactive) defence posture based on the principle that "the first line of defence will often be abroad". This is not yet the "preventive" approach proposed by the United States in the new National Security Strategy adopted in September 2002, but the reasoning is similar. Such an approach calls for intelligence and threat assessment resources that are currently lacking at European level and which for the moment only exist in certain of the larger member states. The European solution proposed here calls for a "mixture of instruments":

- "export controls" and " political, economic and other pressures" to deal with proliferation;
- "a mixture of intelligence, political, military and other means" to combat terrorism;
- "military instruments", "humanitarian [aid]", "economic instruments and civilian crisis management" to stabilise and rebuild "failed states".

63. The EU must acquire the political and other means it needs to tackle the current challenges. Three types of measures are proposed to make it more effective: "we need to be more active, more coherent and more capable". For the first point, "more active policies are needed to counter the new, dynamic threats" and "we need to develop a strategic culture that fosters early, rapid, and when necessary, robust intervention". That is a point on which all (present and future) member states agree. Where they differ is on a point that the document "A secure Europe in a better world" never mentions, namely that of Europe's autonomy of action vis-à-vis other international "centres of power" (to quote the term used in the United States National Security Strategy).

64. It is more necessary than ever to be "more coherent" given the multiplicity of security and defence initiatives at both multilateral and bilateral level among EU states. Whether it be at political or operational level, or in terms of assets (armaments), the member states have different approaches and different rates of progress. The imbalances among member states in terms of their capabilities, particularly for the purpose of intervention abroad, for example, limit the scope of any joint action. That is why the CFSP secretariat proposes to pool military and civil capabilities as well as political, diplomatic and economic instruments.

65. That pooling of capabilities means rationalising efforts and making better use of available (in particular, budgetary) resources. Six ways of achieving that aim are suggested:

- "More resources for defence (…);
- [reduce duplication] Systematic use of pooled and shared assets would reduce overheads and, in the medium-term, increase capabilities (…);
- Greater capacity to bring civilian resources to bear in crisis and post crisis situations (…);
- Stronger diplomatic capability (…) pooling would increase capability. We need to develop a system that combines the resources of Member States with those available in EU institutions;
- Improved sharing of intelligence among Member States and partners (…);
- (…) we should think in terms of a wider spectrum of missions. As we increase capabilities in the different areas, we should think in terms of a wider spectrum of missions. In addition to the Petersberg tasks this might include joint disarmament operations, support for third countries in combating terrorism and security sector reform. The last of these would be part of broader institution building".

66. A final aspect with regard to strengthening EU action in the field of international security is that of cooperation with other partners. This is based on recognition of the fact that the Union cannot solve

all the problems on its own (the United States reaches the same conclusion in its National Security Strategy), neither can it deal with all the threats. Hence "we need to pursue our objectives both through multilateral cooperation in international organisations and through partnerships with other key actors or regions". However, a distinction is drawn between strategic partners at regional level (Russia, Japan, China, Canada and India) and *the* partner in transatlantic relations.

67. On this point the document states: "Acting together, the European Union and the United States can be a formidable force for good in the world. If we build up capabilities and increase coherence, we will be a more credible actor and a more influential partner". The notion of "good" versus "evil" is also strongly present in the US National Security Strategy of September 2002, which moreover does not seem to accord the same importance to the EU as the latter does to the US, which describes the EU merely as "our partner in opening world trade". The ambition of a strategic partnership between the EU and the United States is far from having been achieved, if only because of the imbalance in terms of political, military, economic and technological assets.

68. In conclusion, the authors of "A secure Europe in a better world" acknowledge the magnitude of the problems to be addressed: "If it can become a fully effective actor, the European Union has the potential to make a major contribution, both to dealing with the threats and to helping take advantage of the opportunities. An active and capable European Union would make an impact on a global scale. In doing so, it would contribute to an effective multilateral system leading to a fairer and more secure world".

69. The use of the conditional tense ("if it can become", "would make an impact", "could contribute") means that this document has less political impact than it could have if it adopted a more assertive tone. This is the result of the divisions among the EU member states, exacerbated by institutional questions at European level, and by a lack of coordination among member states in the field of domestic, economic and foreign policy, and in the field of security and defence in particular. A strategy that aims to overcome those divisions and seek a common vision is the only answer if the Union is to become an autonomous player in the field of global security.

IV. Proposals for a common European security and defence strategy

70. The EU is at a major crossroads. Its future nature will be debated at the Intergovernmental Conference, yet major policy guidelines on this point are conspicuous by their absence. That indeed is a bad omission in the draft Constitutional Treaty, which does not define the type of Union we are moving towards.

71. The French Constitution states that "France is an indivisible, secular, democratic and social Republic"; the United States Constitution starts with the following statement: "We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America"; Germany's Basic law stipulates that "The Federal Republic of Germany is a democratic and social Federal state" and that "With a view to establishing a united Europe, the Federal Republic of Germany shall participate in the development of the European Union that is committed to democratic, social, and federal principles, to the rule of law, and to the principle of subsidiarity, and that guarantees a level of protection of basic rights (…)".

72. The draft Constitutional Treaty merely states that "this Constitution establishes the European Union, on which the Member States confer competences to attain objectives they have in common. The Union shall coordinate the policies by which the Member States aim to achieve these objectives, and shall exercise in the Community way the competences they confer on it". This model resembles a loose confederative structure with several tiers (or "speeds") which has no objectives other than those that the member states can all agree upon, since all decisions have to be taken unanimously. The problem is that the component parts of that structure (the member states) do not share the same objectives at the same moment in time. How under such conditions is it possible to design and implement a common European security strategy that is both coherent and credible?

73. To get out of that impasse the strategic concept must provide a global definition of the key security and defence functions to be assumed by Union in order to comply with the Cologne and Helsinki declarations. It must take on board the decision taken in Cologne in June 1999, according to which:

> "(…) the Union must have the capacity for autonomous action, backed up by credible military forces, the means to decide to use them, and a readiness to do so, in order to respond to international crises without prejudice to actions by NATO".

74. Another essential question is that of the assets that Europe needs in order to assume the role of a global player ready to take responsibility for global security. The contribution by the CFSP secretariat is confined to the statement that "systematic use of pooled and shared assets would reduce overheads and, in the medium term, increase capabilities". Yet this question of military assets is so crucial to any European security concept that it must give some indication of the requirements in that field.

1. Political and institutional aspects

75. The draft Constitutional Treaty avoids any definition of the nature of the Union. It is very unlikely that the 2003-2004 Intergovernmental Conference will clarify that question. Thus the current system – a combination of intergovernmental and community policies, supplemented or duplicated by national, bilateral and multilateral initiatives outside of EU structures – will continue. The 2004 enlargement will inevitably be followed by further rounds of enlargement in 2007 and beyond. The issue of whether enlargement or a reform of the institutions should take priority has thus been resolved in favour of the former.

76. Those rounds of enlargement will have repercussions for the definition of a European security and defence strategy. To be coherent and credible, the EU strategy must have the unreserved support of all member states. Yet, as was stressed above, the member states do not have the same objectives, at least not at the same moment. Moreover, each round of enlargement will take on board new member states, each with a contribution proportional to its size, population and economic and military strength. Those new member states will also have interests to defend and, as is already clear from the discussions in the IGC, they will not accept the idea of a Union in which there are several different levels of rights and obligations among member states.

(a) Implementing a common defence policy

77. This has been a major aim of the EU since the early 1990s. From WEU to the EU, the European Security and Defence Policy has become a political and military crisis-management instrument. The crises of the last decade took place before the Union had acquired appropriate decision-making structures. At the time of the 11 September 2001 attacks the Union was in the process of organising its operational capabilities. The second Gulf war took place when the EU was preparing to declare the Union's military capabilities operational (19-20 May 2003).

78. Today the EU is theoretically capable of intervening in a crisis, provided, of course, that the member states agree on the principle and modalities of such intervention. However, the divisions that arose over the second Gulf war are paralysing the EU structures and hampering the development of a coherent European strategy for countering the "new threats" that is not just a carbon copy of the current US approach. Many European states feel that it is dangerous to criticise the US and that even if some countries disagree with its actions, some degree of solidarity among allies must nonetheless be maintained. Others take the view that Europe should not be the junior partner in a transatlantic relationship that is by nature imbalanced.

79. That dilemma will continue to weigh in the medium term on the debate about framing a Common European Security and Defence Policy and beyond that, a European strategic concept. The draft Constitutional Treaty proposes a "miracle" solution in the form of "enhanced cooperation" in the area of security and defence[11]. There are already "common" policies, for example with regard to

[11] The draft Constitutional Treaty refers to "closer cooperation", "structured cooperation" and "enhanced cooperation".

Russia and Ukraine, supplemented by national diplomacy, and in the future there could also be "common" mini-defence policies. States wishing to adopt a common, more integrated approach to security and defence issues could do so within the EU and be joined by other member states later.

80. However, it is important to bear in mind that the EU at 25, 27 or 30 will no longer be the Union of the "founding fathers", who were united by a common history and vision. Pluralism is the hallmark of the enlarged EU, with or without a Constitution. If there is to be a genuinely common and coherent approach to security and defence, then it must be possible for all member states to participate in it. The alternative would be *à la carte* policies whose limits would be defined by the number of states involved. Third countries could then easily make use of their bilateral relations or exploit divisions among European states.

81. That indeed is the current scenario, which is likely to last for some time to come, for the Convention has failed on two essential points: reform of the institutions and delimitation of responsibilities and competences between the Union and the member states. At the time of the Maastricht Treaty in 1990-91 there was hope that over the following ten years the foundations would really be laid for a common security and defence policy. The Amsterdam Treaty, which gave WEU responsibility for the military implementation of the EU's political decisions on security and defence, was a step along the way. In 1998-99, the WEU member states decided to transfer the Organisation's operational capabilities to the Union, "overlooking" the fact that there were not only ten, but 28 countries participating in WEU's operational structures, including certain NATO member states that were not members of the EU. It took two years of negotiations to arrive at the so-called "Berlin plus" agreements, which gave the EU access to certain NATO military assets for military crisis-management purposes.

82. Today the EU states find themselves in the same position as WEU prior to 1998. The arrangements and procedures exist, but there is no common security and defence policy to back them up. Such a policy – this is something the Assembly has always called for – should be defined by a Council in which the foreign affairs and defence ministers of the member countries would come together on an equal footing. A "European Security Council", which, like its UN counterpart would apply a weighting system for voting (without forgetting the right of veto, which is here to stay for the time being), could adopt decisions whose legitimacy would be conferred on them by the Union as a whole. This would comply with the principle set forth in the draft Constitutional Treaty, whereby "Member States shall actively and unreservedly support the Union's common foreign and security policy in a spirit of loyalty and mutual solidarity and shall comply with the acts adopted by the Union in this area. They shall refrain from action contrary to the Union's interests or likely to impair its effectiveness".

83. Instead of that, the Convention proposed the creation of two posts, that of a Council President (an idea opposed by several member states and accession countries) and a Union Foreign Affairs Minister (whose powers vis-à-vis those of the national foreign affairs ministers it does not define). Given the current "confederative" context, there is a risk that the incumbents of those two posts would be no more than the spokesmen for decisions adopted by the EU Council, which *de facto* are the result of bilateral or multilateral proposals made by the member states. The present system would thus be maintained, but with another layer of bureaucracy. As for the parliamentary dimension, the national parliaments are absent at all levels, with or without "enhanced", "structured" or "closer" cooperation.

(b) Europe's contribution to global stability and security

84. Thus equipped, the Union will implement strategies by means of restricted cooperation based on geographic affinity. The Nordic countries will look after the countries of their region, while the southern European countries deal with the Mediterranean or African regions. Other combinations might arise according to the requirements of the moment. Such regional strategies are important, but should be part of a global strategy. At the present time the latter is dominated by the preventive and pre-emptive approach being conducted by the United States on two fronts: the war on international terrorism and the fight against the proliferation of weapons of mass destruction and terror. However, the Iraq crisis has brought home the limitations of that approach when not all allies are prepared to follow the United States' leadership.

85. The strategic concept drawn up by the CFSP secretariat contains only modest proposals, because the complexity of the EU decision-making process and the pluralism that is the hallmark of the Union makes it difficult to find a common position on questions as delicate as those raised by the US National Security Strategy. The Union gives a clear preference to multilateral policies and considers that the UN Security Council has a crucial role to play in matters of peace and war. That in any case is its theoretical position, but during the second Gulf war a number of member states supported unilateral action despite the lack of a UN mandate and of any discussion at Union level. National interests prevailed, each country concerned giving its own reasons. It was clear from the recent debates in the UN that the resulting divisions have still not been overcome.

86. Thus the EU's ambition of becoming a major player on the world stage is thwarted by the action of its own member states. That fact is recognised in the document "A secure Europe in a better world", which states that "Greater coherence is needed not only among EU instruments but also embracing the external activities of the individual member states. The Union's external assistance amounts to some 7 billion euros a year; member states spend about ten times that amount". The Union's strong involvement in this area on all continents contributes to strengthening its influence.

87. The imbalance is even more striking in the field of security and defence. The member states are still far removed from a system of integrated or pooled national resources. They contribute to operations (the police mission in Bosnia, Operation Concordia in the Former Yugoslav Republic of Macedonia, Operation Artemis in the Democratic Republic of Congo, for example) but not to a common policy. Each state determines its own national, European and transatlantic priorities. However unlike NATO, which has clear competence for (collective) defence, the EU is responsible only for crisis management and not for the security of its member states.

88. The "solidarity clause" – designed to deal with terrorist threats and different types of natural or manmade disasters – and "closer cooperation" on mutual defence are two proposals in the draft Constitutional Treaty that entail giving the EU more explicit competence in this area. But in the case of both provisions, credibility is only assured if all member states sign up to them. United action is crucial if Europe is to assume global responsibility vis-à-vis other major non-European centres of power. As stressed in the text submitted by the CFSP High Representative, "In a crisis there is no substitute for unity of command". This presupposes a common strategic vision among member states that have different national policies and different defence commitments within other organisations (Atlantic Alliance and WEU).

89. The draft Constitutional Treaty makes provision for a group of member states to establish "closer cooperation" on mutual defence. However, judging by the initial discussions within the Intergovernmental Conference, this clause is a major source of disagreement. Indeed, it would mean transforming the Union into a collective defence pact, which would generate considerable tension between it and the United States. This approach is rejected by the majority of EU member states and accession countries at a time when, precisely, the European states and the US are just emerging from the crisis in transatlantic relations that occurred in the run-up to the second Gulf war.

90. A more logical solution, and one on which a consensus would be easier, would be to offer countries the possibility of acceding to the modified Brussels Treaty, according to the modalities set out by the WEU heads of state and government in December 1991 in an annex to the Maastricht Treaty, supplemented in June 1992 by the WEU Council's Petersberg Declaration. Indeed Article IV of the Treaty[12], which defines the links between WEU and NATO in the field of collective defence, avoids any conflict between the two organisations whose defence clauses are complementary. If the provisions of the draft Constitutional Treaty were to be implemented as currently proposed, this would spark off a major crisis within the EU, as well in its relations with the United States, which no state wishes to happen.

[12] "In the execution of the Treaty, the High Contracting Parties and any Organs established by Them under the Treaty shall work in close cooperation with the North Atlantic Treaty Organisation. Recognising the undesirability of duplicating the military staffs of NATO, the Council and its Agency will rely on the appropriate military authorities of NATO for information and advice on military matters".

91. To be a success, the process of drafting a common security and defence strategy also needs the support of public opinion and the active backing of its "institutional spokesmen", the national parliaments. Various opinion surveys have shown that public opinion in the different countries supports the emergence of a Europe as a political and military power. What is less clear-cut are the reasons for that trend. The "new threats" have increased demand for security within and outside the Union's borders, but since the second Gulf war there has been a decoupling between European and American public opinion. Europe here appears as a counterweight in a democratic power system dominated – albeit in the name of the "common good" – by a single state.

92. In order to assume its global responsibilities for security and defence, the EU will need to define its role vis-à-vis the United States: does it wish to be an equal partner or simply provide a reservoir of political, military and financial and support (reconstruction aid, for example)? Similarly, fresh thought needs to be given to relations with Russia and other former soviet states in the European sphere of influence. Russia is still perceived as a threat by many of the central European states that are joining the EU, which will certainly have an impact on the Union's relations with that country. At the same time Europe needs the energy resources of Russia which does not have a policy of "European preference" in this area. Moreover, EU-Russian security cooperation is essential for stability in the Baltic Sea region (Kaliningrad), Caucasus and central Asia.

93. An issue of equal importance is the EU's strategy with regard to Ukraine and Moldova. It is incomprehensible that the Union should consider these two states (and others) as unlikely accession candidates in any credible timeframe (the same problem arises for Turkey). On the contrary, it is necessary to step up efforts to bring those states into the European family of nations, without which there will always be zones of instability on the Union's eastern borders.

94. The Union must also more strongly assert its role within international crisis-management bodies and arms control and disarmament regimes, and establish links with other nascent regional security bodies, in particular in Asia. In other words, in order to gain credibility in the eyes of third states, the EU must develop a European approach to security and defence questions, which at the current stage of the debate must encompass civil and military, economic and social aspects. For that its means must match its stated ambitions.

2. Defence capabilities

(a) Achievement of the headline goal and its further development

95. The headline goal (HG) defined at the meeting of EU heads of state and government in Helsinki in December 1999 consists of being able to deploy 60 000-strong troops with their equipment and logistics to a crisis zone and sustain them for at least one year. With a view to setting up that force, to which candidate countries and other non-EU European NATO member countries are to contribute, catalogues of forces and capabilities have been drawn up, the most well-known being the Helsinki catalogue (named after the December 1999 Helsinki Summit). A European Capability Action Plan (ECAP) has been launched in order to improve capabilities.

96. At the Thessaloniki Summit in June 2003, the EU heads of state and government declared the headline goal force operational. Their stated aim, in particular as regards equipment, not yet having been met, however, they decided during that summit to move into a new phase of ECAP, with a view to rationalising efforts in the equipment field. For that purpose they set up "an intergovernmental agency in the field of defence capabilities development, research, acquisition and armaments", which will be studied more closely in the next chapter.

97. Thus on paper the EU has a military intervention capability that it can use anywhere in the world. In practice, it has launched two operations that are important for the development and improvement of European military crisis-management capabilities: Operation Concordia (taking over from the NATO mission in the Former Yugoslav Republic of Macedonia) and Operation Artemis (in the Democratic Republic of Congo: DRC). The latter operation, which ended in September 2003, was conducted, unlike the first, without recourse to NATO assets.

98. The use of Alliance assets (headquarters, communications, logistics, for example) is governed by the "Berlin plus" agreements which took three years to negotiate, from 1999 to 2002. Those agreements were applied for the first time when the EU operation in FYROM was launched. The EU's reliance on NATO is a legacy from WEU that has important political connotations, in that it avoids any decoupling in the field of security policy that might be detrimental to transatlantic relations. However, if the Union is to have autonomy, it must have the means to act where "NATO as a whole is not engaged", as expressly stated by the Helsinki European Council in 1999. The EU military structures must therefore be capable of assuming the planning and direction of operations in any situation and under all circumstances. There is a tendency to forget that the Petersberg tasks also include combat missions, "including peacemaking". The only thing that stands in the way of developing the Union's military capabilities beyond a crisis-management capability is a problem of political interpretation.

99. The headline goal force also finds itself in competition with the NATO Response Force (NRF), whose creation was decided at the Atlantic Alliance Summit in Prague in November 2002. and whose task is to be the spearhead of the new enlarged NATO, as well as to demonstrate Europe's resolve to become a "better" military partner for the United States. From a purely military standpoint, the two forces are complementary, since they call on the same capabilities, in particular rapid reaction capabilities, for which only a small number of states have the necessary human and material resources. However there is a problem with the different types of engagement of the two forces in theatres which are increasingly distant from Europe.

100. Availability of human resources is a recurring question in the United States, which uses reservists as a temporary measure to offset the requirements resulting from the longer duration and greater distances of deployments. This is what is meant by over-stretch and under-staffing. Those two phenomena are also present in Europe, in spite of the theoretically high numbers arrived at by adding together the total numbers of troops in the EU and European NATO states. What is important is the number of soldiers that are equipped, trained and ready for combat. This is the reason for the growing trend in favour of professional armed forces in Europe (either fully professional or mixed systems of professional and conscript soldiers).

101. Clearly, if European states wish to engage alongside the United States in the global war against international terrorism and the threat of weapons of mass destruction and terror, then they must increase the numbers of troops available for operations abroad, rapidly reform the system of reservists (who are rarely in a state of combat-readiness, except in the United Kingdom, and there only to a limited extent) and make a major effort as regards equipment and logistics. This is a major political issue. If Europe wishes – in the name of a strong transatlantic link – to align its strategy on that of the United States, then the European states must carry out an in-depth reform of their defence posture in order to be capable of missions abroad in rapid succession.

102. Given the differences of approach among the European states, it is important to try and tackle the problem from a common European perspective. This means, provided that the different countries are able to agree, developing reservoirs of forces within multinational formations, and incorporating within them a reserve component that can be mobilised at any moment. Thought must be given to the idea of creating a permanent command structure and a European standing force within which a number of units (national and multinational) would be in a permanent state of readiness for deployment to a theatre of operations at any distance pending the arrival of reinforcements or, in a post-conflict situation, of the civil and military capabilities needed for stabilisation and reconstruction. The EU has the necessary potential, but it also needs vision and ambition on the part of its political leaders. The same reasoning applies to NATO, particularly with a view to strengthening Europe's credibility vis-à-vis the United States.

(b) Armaments and defence technologies: developing European capabilities

103. The Union has autonomous political and military structures: it has at its disposal a rapid reaction force and it will be assuming responsibilities in the armaments sector. The Convention members proposed in the draft Constitutional Treaty the creation of a "European Armaments, Research and Military Capabilities Agency". The EU heads of state and government meeting in Thessaloniki

decided to set up an agency to deal with armaments issues. Up until now, armaments cooperation was based on a set of bilateral, multilateral, institutional and informal initiatives, such as OCCAR (Organisation for Joint Armament Cooperation), the Framework Agreement on restructuring the defence industries and WEU's Western European Armaments Group (WEAG).

104. NATO has many working groups that have been endeavouring for decades to arrive at common rules to secure standardisation and interoperability between Europe and the United States and among European countries themselves. The European Defence Industries Group (EDIG) promotes the interests of the (mainly state-owned) defence industries. There are various overlapping initiatives in a number of different areas, all this in a context of competition among countries and companies. In parallel, the American defence industries have launched an offensive aimed at controlling the lion's share of a fragmented European market.

105. To have a credible security strategy, the Union needs a credible armaments policy. Europe's defence industries are going through a difficult phase, according to numerous experts, yet for the moment still only piecemeal measures are taken. The major producers are competing with each other and with American firms, common programmes are beset by delays and cost overrruns, and strategic operational requirements, particularly for forces projection and logistics purposes, have to be covered by "chartering" civil and military transport and logistic capabilities from other states or the private sector. Progress has been made in those areas, thanks to efforts to coordinate and pool available resources (airlift and logistics, for example) and to the orders that have been placed for transport and tanker ships and aircraft (Airbus A400M).

106. The limitations of those initiatives are due mainly to the problems encountered with harmonising requirements and order books. This is one reason why western Europe has three "native" combat aircraft (Eurofighter, Rafale and Gripen), four battle tanks (Challenger, Leclerc, Leopard and Ariete) and numerous kinds of armoured and transport vehicles, submarines and surface vessels produced by individual nations or groups of countries. In addition there are joint ventures with American companies: General Dynamics Santa Barbara for land vehicles and equipment (Spain and the United States), the Joint Strike Fighter/F35 programme (Denmark, Italy, Norway, the Netherlands, the United Kingdom, Turkey and the United States). To these must be added "off-the-shelf" purchases from the United States, Israel and other countries (Greece, for example, "manages" Russian-produced S300 anti-air and anti-missile batteries on behalf of Cyprus).

107. This diversity is characteristic of the European force today and the NRF tomorrow. Moreover there are many different doctrines governing the use of weapons systems that are generally limited in number. To make effective use of that military equipment we need to harmonise requirements, secure interoperability of equipment, procedures and personnel and make a budgetary effort. This will enable not only the survival of the industries concerned, but also – and this is of strategic importance – their development and competitiveness on the world market.

108. Exporting armaments, heavy systems in particular, also means exporting influence over more or less lengthy periods (training of personnel, maintenance, "collateral" investments, political ties, for example). Some countries have the experience, the expertise and the equipment, but lack the political weight to assert themselves at international level. That can only come from the EU. But for that the EU must have an independent strategy and a common resolve to put it into practice and the readiness to use all political and financial instruments at its disposal to support the export efforts of its member states.

109. For the moment this appears to be a longwinded task. There are areas where more impetus could already be given at European level, for example those of the new technologies and space. The scale of the investments required is such that restricted or wider cooperation among states is essential. And yet there are not that many projects in this area. European forces need advanced command, control, communications, intelligence and information systems that are compatible with those of the United States. They must be based on common technologies but also contribute to the development of European centres of excellence and European approaches and technologies.

110. The "new" types of wars have brought home the importance of the new technologies, at least during the offensive phase. Total superiority on land, in the air, on the sea and in space has become

fundamental. Numerous and versatile land, air and naval forces are a decisive element. The two aspects are linked, technology being the interface between them. The fact that Europe is lagging behind the United States is a reality that must be addressed. European states can either link up with American systems and find themselves totally dependent on the US, or develop their own technologies to guarantee their autonomy. The latter will generate tensions in transatlantic relations, as was the case for example with the debate in connection with the Galileo civilian satellite positioning system.

111. Investment in defence research and technology is crucial if Europe is to acquire an autonomous defence in support of an independent European security strategy. Here again, we note that Europe's potential is dispersed among a myriad of national and multilateral initiatives, but that under pressure from budgetary constraints it is gradually pooling efforts and moving towards greater rationalisation and cooperation in this area. The EU must act both as a catalyst and a unifying structure in those areas where individual states are unable to cover the full range of possibilities and requirements. The member states for their part must support research and industry, preferably through common programmes over the medium and long term.

112. More than ever it is important to hammer home the idea that in order to have a strong military capability the EU must be able to rely on a consolidated and autonomous defence industry. Moreover its importance for (often highly skilled) jobs, economic growth, research and technology must not be lost sight of. The Union must clearly recognise the strategic importance of defence industrial policy and defend and further develop that idea in its strategic concept. It is a fact that strategic autonomy in this area cannot be achieved solely in a national framework: it must be developed at European and international level. There must be an open debate on industrial interdependence and its corollary, specialisation, but at the end of the day this seems to be the only solution to reverse the stagnation and decline currently affecting Europe's (still) national defence industries.

113. The survival of a defence industrial sector depends to a great extent on its ability to carry sufficient weight on the international market to be able to make the investments that will enable it to be at the leading edge of technological research, making for a better balance of power in transatlantic relations. The EU governments must recognise that they have a responsibility in this process and that it is high time to frame a genuinely European armaments policy conducive to technological development, for this is a prerequisite for transforming the national defence systems. In this way they will be able to build at national and European level a modern tool that is both sophisticated (in technological and conceptual terms) and operational, while guaranteeing the transatlantic interoperability without which the European states cannot become credible partners for the United States.

V. Conclusions

114. The European Union of the founding fathers is disappearing, to be replaced by the new post-enlargement Union of 2004. The common political project of a union of peoples and states framed in 1957 has matured and evolved. But even at 25, 27 or 30, that new Europe is still not a power in its own right. Enlargement calls for flexibility, adaptability and a deep sense of compromise. This is the focus of efforts at the present time in the IGC, with the risk that the EU may temporarily lose sight of its objectives. Some saw a Convention tasked with drawing up a constitution as a means of achieving those aims. Yet the key element of this process – democratic legitimacy – has been overlooked. It is obtained by getting the support of peoples (elections, referenda) and parliaments (parliamentary scrutiny and ratification of international agreements), as well as that of governments (commitments entered into on behalf of the state).

115. It is because it did not comply with those three criteria that the draft Constitutional Treaty is now confronted with the objections and amendments that are weakening certain of its key provisions, for example in the field of security and defence. The IGC's final text will be measured against those criteria and faces the risk of an unfavourable referendum result or vote in parliament. There is a consensus on the objectives of reforming the way in which the institutions work in order to bring them closer to the citizens of Europe and making the EU a player in the field of international security and stability. What is lacking is a "headline goal" that is shared by all present and future member states.

116. The discussions going on in the IGC with regard to such questions as voting, the number of commissioners and enhanced, structured and closer cooperation reflect divergences of opinion not about the objectives themselves, but the ways and means of achieving them. They also reveal differences of perception as regards the future role of the EU: is it to be an economic power or a political and military power as well, a federation, confederation or a pool on which to draw for coalitions and capabilities? All options are possible. Diversity, pluralism and a respect for minorities are the privilege and hallmark of democracies, but they must not weaken the whole. To refocus the debate the Union needs a strategic concept which sets out the major orientations for a given period.

117. The President's report to Congress on the United States National Security Strategy (NSS) is based on such a principle. Rather than being engraved in stone (like a Constitution) it sets out the US Administration's main political orientations for the medium and long term which evolve with each report. While this may have been the approach adopted by the authors of "A secure Europe in a better world", it must be borne in mind that there is no European government to put the proposals it contains into practice. It is up to each member state to implement them first at national level, then in a common framework.

118. Thus we can measure the difficulties involved in arriving at a single European strategy. WEU, the EU and NATO are all parties to that process. Moreover there can be no European strategic concept without some input from the United States, given existing alliances and multinational and bilateral agreements. Hence the EU strategy is determined by the transatlantic framework, which explains the similarities between the document produced by the CFSP secretariat and the American NSS. Yet at the same time, political developments in Europe, and in particular the reactions of European public opinion to the second Gulf war, have brought home the need for autonomous decision-making and action.

119. This is the aspect that sets apart the European and American strategies and which must figure explicitly in the future European strategic concept, together with its full (political, economic, industrial and technological) implications. Autonomy is an aim shared by all European states, albeit with differences of perception according to their specific interests. The principle is already widely applied within the EU, and not only in the field of security and defence. Without autonomy there can be no genuine transatlantic and international partnership, there can only be relations in which one party is subordinate to the other and takes the lead from it, rather than being proactive. Unless a new balance is struck in the transatlantic partnership, without a strong Europe that can contribute to security (and to defence capabilities) there can be no victory and no lasting peace in the combat against the new threats we face now and in the future.