

A British Perspective on the Problems and Prospects of the Common Foreign and Security Policy (CFSP) and the European Security and Defence Policy (ESDP)²

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Introduction

This article offers a brief analysis of the origins of current European Security and Defence Policy initiative (ESDP) initiative from a British perspective. The second section examines the context in which the current European defence debate is taking place and examines the motivations of the British government in jointly launching the defence initiative; the third section examines four major challenges that need to be overcome if the initiative is to live up to British expectations. The fourth section concludes by reflecting on the implications of the EU's interest in developing a defence capability. This article argues that despite significant policy convergence between the British and French governments, there remain important differences over key aspects of a European Union (EU) defence capability. From a British perspective, if the EU wants seriously to construct a defence capability there remain important hurdles to overcome in terms of defining the task an EU force might carry out, institutional issues, practical procedural questions and financial implications. The article concludes by suggesting that within British circles there is a growing concern that the ESDP initiative is in danger of offering a weak additional EU capability, but at a potentially high political cost, especially to the American commitment to NATO.

Section One: The origins of the ESDP initiative³

The idea of the EU and its institutional predecessors having a common foreign and defence capability has been a federalist holy grail dating back to the 1950s. However, it is only recently that the member governments of the EU committed themselves to a common foreign and security policy in the wake of German unification and the end of the Cold War. The 1993 Treaty on European Union (TEU) formally created a common foreign and security policy (CFSP). This codified and extended 20 years of foreign policy coordination amongst national governments on an intergovernmental basis, using distinct procedures and practices from that of the standard community method. Until this point, defence had been excluded for the process of European integration for 39 years.

What is striking is that for the first time the Maastricht Treaty included the notion of security and referred to ‘the eventual framing of a defence policy which might in time lead to a common defence.’ The distinction between security, defence policy and defence was at the time a hard fought issue. The British proposed a division of labour between existing European organisations, in which NATO would be responsible for defence (questions of operational command and control and deployment of military forces and territorial defence) while Western European Union (WEU) would consider a European dimension to defence policy (a broader notion encompassing more general threats to the security of West European countries and specifically excluding questions of defence). Finally, the European Union would consider yet more general threats of security in relation to the OSCE and the UN, including confidence and security building measures and steps to counter the security risk from the proliferation of advanced technology exports and armaments.

At Maastricht, the EU was granted the authority to request WEU to undertake and implement decisions and actions of the European Union, which had defence implications. In effect the EU sub-contracted defence to the WEU. In this way WEU became the defence arm of the European Union and the European pillar of NATO. A division of labour led to the WEU embracing the so-called Petersberg tasks covering crisis management, conflict prevention and peace-keeping roles, whilst NATO continued with the role of territorial defence. At that time, part of the British government’s motivation was to develop WEU as a useful intergovernmental institution that would slow down attempts to incorporate defence policy into the European Union whilst avoiding any challenge to NATO.

Despite this functional division of responsibilities, NATO officials made strenuous efforts to embrace new non-article 5 missions, especially peace keeping and peace making tasks, thus effectively curtailing the role of the WEU in anything except the softest of Petersberg tasks. To facilitate this, NATO introduced flexibility into its structures allowing its own members to opt-out of these new missions when they did not want to be involved and permitting non-NATO countries to opt-in through the construction of coalitions of the willing, termed Combined Joint Task Forces (CJTFs).

Despite very evident weaknesses in the Union’s CFSP, there was little enthusiasm among member governments for a major review of the CFSP portfolio which in the Maastricht Treaty, the member states were committed to conduct in 1996. With ratification of the TEU completed only in 1993, there was no consensus about whether to strengthen, transform or abolish WEU when the treaty reached its fiftieth anniversary in 1998, or how defence might be incorporated into the EU. Obvious differences remained between Britain and France each with competing ideas. The British saw Europeanisation of the alliance and the development of an EU defence capacity as a zero sum game: Europeanisation of NATO was an alternative to the addition of a defence competence to the Union’s competences. The British government pinned their hopes on rapprochement between France and the United States leading to full re-entry into NATO, together with the emergence of a stronger

European pillar within the alliance. The French government considered the Europeanisation of NATO as an incomplete approach to the development of a European capability and refused to rejoin NATO as a full member. France therefore pinned its hopes on fellow European countries providing the necessary defence expenditure to construct a distinct European capability. Whilst both visions were facing difficulties, neither government was yet minded to abandon hard fought positions.

The absence of an appetite to directly confront the defence issue was further compounded by British and French opposition to compromise within their own parliaments. The enlargement of the EU to include post-neutral countries — Austria, Finland and Sweden — further complicated the process of reconciling NATO and EU membership and made the issue of adding a hard defence capability to the EU even more problematic. The Amsterdam treaty was in many ways a stocktaking exercise. The declaratory statement of Title V of the Maastricht treaty, ‘that a common foreign and security policy is hereby established’ had created ‘a capabilities-expectations gap’ between what observers thought the EU could do and what it was actually capable of doing. There was barely any progress registered in the Amsterdam treaty on foreign policy and even less on defence.

The new instruments established by Title V — common positions (statements of the EU on foreign policy issues), which required unanimity, and joint actions (implementation of agreements), which allowed for qualified majority voting — had been used sparingly, and to little effect. Less than 40 joint actions had been adopted between the ratification of the TEU and the end of 1996, mostly reactions to developments in the Balkans, the Middle East and Africa. France, Britain, Germany and Italy had developed common policies on Bosnia through the Contact Group, largely bypassing the new machinery of CFSP. The concept of common strategies, appears in Article 13, ‘to be implemented by the Union in areas where the Member States have important interests in common . . . in particular by adopting joint actions and common positions’. But there was no common understanding as to what this implied. The need for greater international visibility led to the appointment of a High Representative of the Union to provide for the continuity and leadership led to arguments about the whether a senior official or a political figure should be appointed. Clause 5 of Article 18 empowered the Council to appoint ‘a special representative with a mandate in relation to particular policy issues, thus codifying the experiment adopted (with David Owen and Carl Bildt) in the Bosnian conflict. There was however, clear agreement on the need for a policy-planning unit within the Council Secretariat to advise the Secretary-General/High Representative, alongside the existing CFSP secretariat.

The Commission was now to be ‘fully associated’ (Article 18.4), but in language which made it clear that the Council and presidency retained the initiative. The presidency ‘shall consult the European Parliament on the main aspects and basic choices’ of the CFSP (Article 21) — the barest minimum the member states could get

away with conceding. Article 28, on second pillar expenditure — a contentious issue in the Maastricht IGC because of French and British resistance to EP oversight of spending giving it future leverage over CFSP — administrative expenditure and non-military operational expenditure were to be taken from the EC budget, leaving ‘operations having military or defence implication’ to be funded by those states who did not exercise their right of constructive abstention.

In the area of defence, the language of Article 17 of the Amsterdam treaty was hesitant and deliberately ambiguous. The European Council could now ‘avail itself’ of WEU action, rather than the slightly weaker ‘request’ contained in the Maastricht treaty. Links between the two organizations could be developed further, with the possibility of a merger ‘should the European Council so decide’. Article 11 defined CFSP as ‘covering all aspects of foreign and security policy’; Article 13 declares that the European Council ‘shall define the principles and general guidelines’ for CFSP, ‘including for matters with defence implications’, leaving for future negotiation what matters these might be agreed to cover.

However the Amsterdam negotiations skirted around the major issues: should the EU have a direct defence capability; how might command and control be exercised; how would military advice be incorporated into EU decision making? Modest improvements in the foreign policy procedures and instruments fell well short of addressing the most serious policy failures of the EU over the half-decade since the negotiation of the Maastricht Treaty and side stepped many of the hard lessons learnt in the Balkans. It also left unanswered the question as to whether the EU could have a defence competence without a fully effective common foreign policy.

Section Two: Relaunching a defence initiative

As so often is the case with developments in the CFSP policy-sector, ‘learning by doing’ generated pressures to resolve some of the problems left over from the IGC and the Amsterdam Treaty. The learning experience provided by the Kosovo conflict in the winter of 1998 and spring 1999 and an emerging convergence of views between the British and French governments are crucial factors behind the British and French governments’ decision to launch a proposal that the EU should have a defence capability.⁴ There are six main drivers of this process.

First, in Bosnia and more recently Kosovo, the US administration held very different views as to how the military operations should be carried out. In both instances, US concerns for casualty avoidance led to a reluctance to deploy ground forces and a willingness to rely on the use of air power to deliver results. Differences over this approach and US insistence that its own participation was dependent on acceptance of this strategy, brought to the attention of the British Prime Minister, how dependent they were on the United States in terms of the military strategy. American hesitations over policy towards Serbia, as refugees poured into Macedonia and Albania and from there into Italy, Germany and other EU member states, and

the unilateral quality of American decision-making, shifted Atlanticist opinion in London, the Hague and Berlin towards considering the possibility of military operations in circumstances which might not directly include the United States.

Second there was British concern over the weakness of their European allies. The Americans provided 75% of the firepower, European allies lacked reconnaissance and surveillance aircraft as well as long range precision weapons and bombers. British ministers publicised the fact that European governments spent two-thirds as much as the Americans on defence, but could deploy only 10–15% of US troop levels.⁵ From a British standpoint there was a feeling that an inability to muster a significant military force and failure to quickly deploy in the region contributed to the Serbs expulsion of Kosovo's ethnic Albanian population and underlined how reliant the European allies in NATO were on the professional forces provided by the British and French. Kosovo also highlighted the weakness of Europeans in terms of their defence capability. The Europeans could only provide half the number of military forces specified for the operation. A key motivation was that almost all continental European governments were deficient in terms of their capabilities. Too much was spent on conscript armies with limited military utility, when highly mobile well trained and combat ready forces were needed.

Third, in the UK there was a feeling that the British Strategic Defence Review provided a model for others to follow: a clear foreign policy driven analysis of needs had to be established against which capabilities had to be matched; armed forces had to be professionalised; deployability and sustainability were the key components of the revolution in military affairs; defence expenditure needed to be better spent to deliver value for money.⁶ One of the British government's motivations has clearly been a recognition that developing a European force might provide the most effective rationale for change, especially in light of the limited success of NATO's own Defence Capabilities Initiative (DCI) and the WEU's Audit of Assessment and Capabilities.⁷ Indeed Belgian and Swedish officials have been quite explicit in arguing that a European (rather than a NATO) justification is the only domestically acceptable framework for defence expenditure. In this respect, British hopes rest on European countries — especially France and Germany — collectively committing themselves to improve their own forces' capabilities that will then be available both for NATO and EU-led operations.⁸ President Clinton's Secretary of Defense was at the forefront of arguing the key question was whether Germany was willing to re-organise their forces on a professional basis, to end the decline in its defence budget and to re-equip them for out of area operations.⁹

Clearly, the British desire to play a leading role in Europe also provided a backdrop, against which a defence initiative was one of the few trump cards left to play. A reappraisal of where such a leadership role might come from led to the conclusion that Britain was a leading member states of the Union and its defence capability and willingness to take on risky military deployments were assets with a diplomatic dividend. A review confirmed that previous policy had locked the British

government into a dysfunction strategy: they had given a priority to using WEU to stop the EU gaining a defence capability, at the expense of using Europeanisation to make a more effective contribution to the alliance. The time was now ripe for a reappraisal.

Fourth, French acceptance that Europeans were not willing to duplicate their forces when defence budgets were decreasing, has forced a reappraisal of their own approach. From the outset the German government has insisted that the Euro Corps be dual assigned to NATO and the EU. Fifth, over the last half-decade there has also been a growing realisation in Paris that there is neither the will nor the financial resources available, to create alternative defence capabilities to those assigned to NATO.¹⁰ Finally, the failure of WEU to play any significant military role in the last decade — especially in the Balkans — has effectively closed off the preferred choice of Paris in deploying a European capability through WEU. Enforcement of the no-fly zone, air strikes in Bosnia and IFOR and KFOR have all taken place through NATO rather than WEU.¹¹ If the French government really wanted an effective European capability, clearly this required a re-think of policy.

This policy convergence between the two most influential governments fed into the discussions at Pörtlach informal European Council in October 1998 the British Prime Minister introduced a number of proposals on closer defence cooperation. This was followed up by the Franco-British St. Malo Declaration of December 1998, with its bold statement that ‘the Union must have the capacity for autonomous action, backed up by credible military forces’, with member governments operating ‘within the institutional framework of the European Union’, including ‘meetings of defence ministers.’ The convergence of policy positions centred on British acceptance that France would not rejoin NATO and that the EU should now provide the framework for a European defence pillar. This was matched by French acceptance that any steps towards a European defence capability should complement, but not attempt to duplicate existing NATO structures.

At the European Council in December 1999, the 15 governments agreed to sketch out in detail how a European defence capability might be developed. The Helsinki European Council established as an objective the desire to create a common European security and defence policy (CEDSP). To this end the governments committed themselves to a ‘headline goal’ of creating by 2003 a military sustaining force of 50–60,000 troops capable of deployment within 60 days with rapid response elements deployable far more quickly. This force would be sustainable for one year and would be answerable to the member states of the EU.¹²

Behind the headline, there remain considerable differences between the French and British governments over the extent to which the EU defence capability is truly independent. From the outset, the British government has made clear its view that a Union capability should not decouple national forces from NATO or create a competing institutions, but instead increase the options and assets available for either NATO or EU led operations. NATO’s ‘Berlin-plus arrangement’ in effect cleared

the way for consideration as to how the EU might use NATO assets and use its planning and command and control procedures. In this conceptualisation, the EU defence capacity is a safety net for when NATO (and the US) choose not act. British officials talk in terms of a '... UK absolute red line ...' that whatever comes out of this initiative it should be supportive of NATO. In the words of Secretary General of NATO, the initiative is '... not about Europe going it alone, but about Europe doing more.' The French position is less homogenous (though not necessarily more incoherent) than that of the British. On the one side, the French Defence Minister and the French MoD are broadly supportive of the British interpretation. They are ranged against the President, Prime Minister, the foreign ministry who have a quite different interpretation of the limits and possibilities of an EU capability and explicitly speak in terms of an autonomous capability available as an alternative to the NATO structure and an option whenever 'NATO as a whole' is not engaged. In this view a European capability is a direct challenger to NATO's CJTF model where some NATO countries do not wish to participate.

Section Three: The major challenges in delivering a Common European Security and Defence

In essence there are four sets of issues which are currently under discussion and which need to be overcome in delivering the Helsinki headline goals by 2003. First, what tasks might an EU defence force carry out; second, what institutional developments need to take place to create an effective CESDP; third what procedural mechanisms are required to incorporate CESDP into the EU; and finally what additional expenditure is required to deliver enhanced capabilities.

Tasks

The role of the EU in the area of defence is rather unclear and may for some time remain in a state of flux. In terms of the potential military tasks of which an EU force might be asked to carry out, there are two schools of thought on this issue. First, the pragmatists led by the British government, argue that collective defence (Washington Treaty article 5) should remain the sole responsibility of NATO. This group suggests that in practice an EU force would be ineffective unless it could draw on NATO assets and use DSACEUR 'as the commander of choice.' For this group, the need to specify what tasks the EU might want to use a military force for is rather abstract and unnecessary since NATO is their preferred choice and will always have the right of first refusal on any mission. For this group, there are essentially three military options in descending order of preference

first, a NATO led force, which through the acceptance of the concept of combined joint task forces permits various forms of flexibility to cope with most

missions.

second a NATO/US endorsed but EU led force. Here the United States might not wish to become directly involved, but is willing to lend indirect support to EU member states.

and third and as a last resort, an EU led force that does not rely on NATO assets or direct US support.

Each option carries important implications for command and control from the battlefield to political leaders, the type of missions such forces might reasonably undertake and the type of HQ that will be used. The key issue for the pragmatists is that the EU should only consider operations for tasks 'where NATO as whole was not engaged.' Some British officials argue that even if a particular task falls nominally within the Petersberg tasks, that a careful analysis will have to be made concerning the capabilities of the EU and possibilities of escalation. In this respect the EU's commitment to peacemaking which covers a wide range of confrontations including actions such as Kosovo cause the most anxiety. Paradoxically, whilst the Kosovo experience added momentum to British aspirations for a European capability, some British officials continue to argue that it would have been 'deeply unattractive to imagine the EU taking on that exercise [sic].'

A second 'EU first' group led by the French government, accept that NATO should have as its primary task collective defence, but go on to argue that certain types of other mission should automatically lead to consideration of the EU as the organisation of choice. For this 'EU first' group defining the precise roles and division of labour between NATO and the EU is not just important, but essential if the EU capability is not to be perceived as a second rate NATO. For this group the pragmatists appear implicitly to be suggesting that the EU can only act if NATO says it can.

This 'EU first' group argue that the adoption of the Petersberg tasks have created a policy space for the EU. The Amsterdam Treaty (Article 17 ex J.7) provides a clear treaty base and offers legitimacy to the EU to use forces for humanitarian and rescue tasks, peacekeeping tasks and tasks of combat forces in crisis management, including peacemaking. For them, this removes the power of veto that NATO might have in these areas. This approach also removes the risk that the EU might become a military organisation of last resort, left with those missions that are too risky or too insignificant for the US and NATO allies to undertake themselves. In private, French officials have spoken of a power projection capability of up to 1,500 kilometres beyond the EU's borders where the 'natural responsibility' should remain with the EU.

The European Commission has recently entered into this discussion with its own contribution to the debate. It is in the task of crisis management that the Commission has understandably interpreted both the tasks for the EU and its own role in the

development of a Common European Security and Defence Policy, in a rather more expansive way. Commissioners have conceptualised the role of the EU's CESDP in much broader terms as a crisis management capacity.¹³ Christopher Patten, the External Relations Commissioner has argued that the EU must have the capacity to exert influence through diplomacy aid programmes and trade measures and the provision of security assistance in crisis situations — a joined-up government approach to security provision.¹⁴ The Commission argues that in the post cold war environment, the transatlantic partners may not want to intervene in every regional crisis in Europe. The Commission sees its role in the co-ordinating non-military aspects of crisis management such as humanitarian aid, election monitoring police deployment and training border controls institution-building, mine clearance arms control and destruction, combating illicit trafficking embargo enforcement and counter terrorism. Many of these ideas have been included in the Presidency Conclusions of the Goteborg European Council in June 2001. This established concrete targets for civilian aspects of crisis management that are to be achieved within the same time horizon as the Helsinki goals.¹⁵

Institutional Issues

Hitherto, governments have tried to avoid addressing institutional issues until the headline goal had been established. Notwithstanding some deliberate ambiguity, the British government has been pressing for greater attention to the institutional dimensions of the headline goal in terms of command and control, clarifying the role of the EU's supranational institutions, especially the extent to which CESDP should be accountable to the European Parliament.

Command and Control

In addressing how defence policymaking and command and control of military forces might be incorporated into the existing EU framework, EU governments have made some progress in addressing the issue of the role of the Commission and European Parliament. The debate initially focused on whether governments should add a fourth pillar to the EU — a clearly distinct mix of procedural practices and institutions which would permit flexibility in membership to allow participation from WEU observers and associates who were not members of the EU.¹⁶ This would also ring-fence defence decision-making practices and procedures by preventing the European Commission from any shared right of decision-making and place decisions beyond the reach of the European Parliament and European Court of Justice.

At the Nice European Council in December 2000, it was agreed that a military dimension would be incorporated into the EU by adding it to existing arrangements in the existing CFSP pillar. To this end there will be a Defence Council comprising the defence ministers of the member states, which will probably have equal status to the foreign ministers' General Affairs Council. Below the Defence Council will be a

Political and Security Committee comprising national Political Directors. This will provide advice to both EU foreign and defence ministers and deal with CESDP on a day-to-day basis. Alongside this body, the CFSP secretariat (located in the Council of Ministers) would provide advice to the Political and Security Committee (PSC). A military staff would be added to this structure made up of the Chief's of Defence in a Military Committee (currently termed interim military body) and supported by military experts who would form the nucleus of a Military Staff. The Military Committee will give advice and make recommendations to the Political and Security Committee and the Secretary General/High Representative as well as providing direction to the military experts. These structures were established on an interim basis on 1 March 2000 with the Secretary General of the Council and EU High Representative (Javier Solana) also acting as the WEU Secretary General pending the winding-up of WEU.¹⁷ These arrangements will continue as interim structures, until the issue of the how to overcome the Irish electorates failure to ratify the Nice Treaty is resolved.

One of the most difficult problems in introducing military structures into the EU will be how to ensure transparency with NATO planning and especially parallel assessments in NATO and the military committees of the Council Secretariat — the so called sequencing problem.¹⁸ The British government argues that planning and a formal consultative link should ensure transparency between NATO and the EU in the assessment of tasks and the decision on the most appropriate institution to use. The British argue that if the EU is to be directly involved in commanding military forces this will only take place after consultations with the US and NATO partners and would be a second choice option (after a NATO led CJTF). In these circumstances their 'second best' preference is for a NATO/US endorsed but EU led force drawing down the assets of NATO, commanded through Deputy SACEUR and using a NATO command and control chain. Such a mission would be one in which the US did not wish to get directly involved, but EU member states required the satellite intelligence and transport capabilities of NATO members to conduct this operation. For the British government, only in a worst case scenario and for the most benign of military situations would the EU lead and run a military operation using a national HQ outside of the NATO European structures and using an EU command and control chain.

An important issue is how to ensure the concerns of non-EU members of NATO is taken into account in the decision-making process and that these countries participate in planning for different memberships of the EU and the Atlantic Alliance. For non-EU European governments (Iceland, Norway Turkey, the Czech Republic, Hungary and Poland), transparency, inclusiveness and indivisibility of security are the watchwords. Turkey in particular has argued that decision-making on defence in the PSC should take place at 21, with non-EU countries having the right to speak and make proposals and have access to all the relevant information and documents on which decision making is made — even when non-NATO assets are used.

The potential problems of command and control are significant. First, the system finally adopted may potentially leave the EU at the mercy of non EU members of NATO (US, Canada, Turkey, Norway Iceland, the Czech Republic, Hungary and Poland) who effectively have a veto over the draw down of forces and the use of DSACEUR as the commander of any NATO endorsed, but EU led force. This is something of a paradox since non-EU members of NATO may well hold the success of any future EU defence capability in their hands. A particular problem may be what William Hopkinson terms the 'playing of politics' linking the EU's access to NATO assets to how the EU deals with particular non-EU NATO countries on other issues. Turkey has a particular set of concerns, since it has long standing aspirations to join the EU, it opposes the application of Cyprus to join the EU and fears the development of EU structures which might give Greece privileged access while marginalizing Turkey.¹⁹

Second, from a practical point of view it is not clear that the use of NATO assets can and will work in a crisis not least because CJTFs have not yet been fully tested in practice under time pressure. Third, there remains widespread unease in London at a situation in which European troops could be deployed on the ground whilst the United States attempts to lead a diplomatic resolution of the conflict. It is a conventional wisdom that events in the Balkans have taught the UK the error of having European troops in theatre without the presence of the Americans and while the Americans lead diplomatic efforts to try and resolve the conflict. Fourth, there is also a concern that the link between the Council of Ministers and any force it commands might be weak and the decision making chain confusing, especially if non-EU members of NATO participate in decisions to mount and end operations as well the conduct of military operations.²⁰

Finally, there remain serious questions surrounding the desire of EU member states to create and fund permanent multinational joint headquarters. To date the British have a fully functioning Permanent Joint HQ at Northwood. However, they remain extremely reluctant to multi-nationalise this command, which they fear will seriously reduce its military effectiveness. The only other force European HQ's are NATO's ARRC and the Euro Corps HQ, though the French and Germans are separately developing national force HQs similar to Northwood. In the meantime the absence of EU headquarters raises important command and control issues.

Supranational Institutions

In terms of the role of supranational institutions, the exclusion of the Commission from this structure is a departure from the decision-making method for CFSP and marks out this institutional mix as something quite distinctive from EU foreign policy making in the other half of this pillar. The British government argues that the Commission should not have a shared right of initiative in the area of defence and the decision-making mechanism should be unanimity. In practice much will depend on the tasks the EU wishes to carry out and the utility which the Commission can offer

both the Council of Ministers and governments in this process, especially in the area of crisis management where the Commission has various responsibilities and competences.

Parliamentary Accountability

Parliamentary accountability on CFSP is notoriously weak. The EP is informed but not involved in CFSP decision making. By contrast the WEU Assembly has important oversight powers of the WEU and whilst the British argue that the EP should have no direct involvement the WEU institute for Security Studies has proposed a Common European Parliamentary Defence Committee comprising representatives of the EP and members of Security and Defence committees of national parliaments.²¹ Funding and accountability of the European Commission will be the key battlegrounds. Procedures are now in place for national governments to fund operations they participate in, and the costs of establishing a military structure in the Council will be funded out of general administrative costs. Nonetheless important problems still remain. As Monar and Rees identify, governments may be reluctant to meet the financial costs of political obligations they have previously committed themselves to; second, in an attempt to pay for any shortfall the temptation to fund this from the EU budget will be great, thus directly involving the EP; and third, a procedure already exists for supporting non-military crisis management tasks from the EC budget which directly draws the EP into the decision making process. A consequence of creating a hybrid solution to the incorporation of defence into the EU is that it will create what Monar and Rees term a 'grey zone.'²² A range of Council institutions will be involved in decision-making and policy planning with overlapping responsibilities yet shrouded in secrecy. Moreover, flexible participation in defence policy making will lead to variable engagement of EU member states and non-EU members of NATO. The role of the Commission will also be important since unlike the Council Secretariat (and its component parts) it is directly accountable to the EP.

Procedural Issues

The final problem is how a defence competence might be incorporated into the EU. Through a series of protocols attached to the Nice Treaty, defence clauses have been included in the overall package endorsed at the Nice European Council in December 2000. The failure of the Irish electorate to ratify the Nice Treaty has left the current institutional arrangements in a provisional form. The extent to which they can remain like this without legal status is unclear. Some argue that it is if the defence protocols are a major reason for the failure to ratify the treaty in Ireland and potentially in other neutral countries too (Austria, Finland, Sweden), it could be possible to avoid attaching the protocols to the treaty altogether and rely instead on the conclusions of a European Council that will set out the format of what heads of state and government want to do. However, whilst the WEU can be disbanded

without reference to the EU, some argue that if a body similar to the NAC and Military Committee is to be created this needs to be done through a treaty amendment since it lies outside the powers of the European Council to grant responsibility to these structures. There are also concerns that for accountability and legitimacy reasons, the addition of defence to the EU's competences should not be embraced by stealth, without a mandate from the EU's electorate.

Costs

The extent to which the CESDP will deliver an enhanced defence capability will crucially centre on the issue of cost. There are four dimensions to this. First, whether the Europeans will deliver greater defence expenditure to enhance national capabilities to provide for more deployable forces. In part this can be done by better value for money, but in most instances it will require more expenditure. Estimates as to how much expenditure is required vary from between 2 and 3% for at least 5 and possibly 10 years. Second, a meaningful CESDP will require the acquisition of new capabilities especially long-range transport, satellite and intelligence capabilities and real time battlefield communication systems. Third, if the CESDP initiative is to be successful it requires investment in developing command and control systems both inside the EU (council structures) and also the development of national command HQ's. Finally, whether the EU governments are willing to address currently inefficient procurement practices question for the supply of military equipment and poor research and development practices, remains an open question. The US spends \$35 billion per year on defence R&D whilst the remainder of NATO spends only \$9 billion. While the European members of NATO together spend about 60% of the US figure, duplication and inefficient national practices means they come no where near generating 60% of the U.S. capability.²³ Reports of progress in the area of enhanced defence spending look extremely modest with defence expenditure at best steady with few signs of real year-on-year growth necessary to deliver the required financial resources. Perhaps most worrying of all spending estimates of the International Institute for Strategic Studies suggest that the EU governments are still only spending 60% of the US figure with declining support in Europe for military expenditure.²⁴

Section Four: Conclusion

The initiative to create a Common European Security and Defence Policy is undoubtedly an important initiative in the development of the EU as an international actor. The British government has clearly made a major contribution to the launch of this initiative and invested heavily in its success. However, from a British government perspective delivering the Helsinki headline goal of 50–60,000 troops deployable within 60 days and sustainable for one year, is not a risk free enterprise.

There is clearly a danger of antagonising the US Congress that does not fully understand the need for an EU defence capability and alongside the Bush Administration both fear that this will be a rival rather than a partner to NATO. Second, there is recognition in the British government of the danger of setting out a commitment to CESDP without establishing clear targets and milestones in moving towards the Helsinki headline goal. The British government has been at the forefront of ensuring that the initiative should be focussed on delivering a tangible increase in the military capabilities of EU member states and in doing so contribute to both transatlantic and European security. From the vantage point of the halfway point in the initiative progress looks painfully slow with few enhancements to existing capabilities.²⁵

Should EU governments fail to overcome these very significant obstacles, the initiative might lead to a weak additional capability at a high political cost to the Alliance, the EU's allies and especially US support for NATO. Madeleine Albright summed up U.S. concerns with what she called the 'three D's': the fear of 'decoupling' the US from Europe; needless 'duplication' of NATO structures and capabilities; and the danger of 'discrimination' against NATO members that do not belong to the EU. US Ambassador to NATO Alexander Vershbow has gone further in suggesting the initiative could quickly lead to a two-tier alliance, 'in which the Europeans only focus on low-intensity situations such as peacekeeping, while leaving NATO to do the dirty work at the high end of the spectrum. That would not be healthy for the transatlantic relationship.'²⁶

For the British government, the next capabilities conference to be held in November 2001 provides an important milestone opportunity to publicly hold other EU governments to their commitment to deliver real increases in defence expenditure and military capability. Failure by them to do so, will underline a growing anxiety in the UK political establishment that CESDP is more about symbolism than substance. It will also shake the current Labour government's commitment to the EU, especially since the British government has made quite important concessions to launch the initiative and subsequently invested a great deal of political capital in its success. Perhaps most worrying of all for the British political elite, is the real fear that the ESDP initiative is now in quite serious danger of offering a weak additional EU capability, but at a potentially high political cost, especially to the American commitment to NATO.

Notes

1 The analysis, opinions and conclusions expressed in this article are those of the author and do not necessarily represent the views of the JSCSC, the UK MoD or any other British agency.

2 An earlier version of this paper was published as 'Les perspectives d'une politique de sécurité indépendante de l'Union Européenne: Institutions et moyens', in Serge Sur and Jean-Jacques Roche, eds., *L'Annuaire 2001* Bruxelles: Bruylant, 2001.

3 This and the following section draws extensively on Anthony Forster and William Wallace,

'Common Foreign and Security Policy: From Shadow to Substance?', in Helen Wallace and William Wallace (eds.) *Policy-Making in the European Union*, Oxford: OUP, 4th ed., 2000.

4 Some observers date the convergence back to the first Gulf War in 1990–1991.

5 Other figures quoted were that European governments spent 60% as much on defence as the US figure and the EU has 1.9 million men and women under arms whilst the US 1.4 million. Despite this, only 2% of European forces were capable of being deployed in Kosovo. 75% of all aircraft, 80% of the ordinance and most of the intelligence were provided by the US. See Christopher Patten, *The EU's Evolving Foreign Policy Dimension- the CESDP after Helsinki*, 22 February 2000, http://europa.eu.int.comm/external_relations/speeches/patten/speech_00_5.htm

6 Germany, Italy and the five EU non-aligned states currently spend less than 2% of GDP on defence. See for example the WEU's own 'Audit of Assessment and Capabilities for European Crisis Management Operations', endorsed by the WEU Council in Luxembourg, 22–23 Nov. 1999.

7 For an acknowledgement of the American fear that this will be a bureaucratic exercise that promises much and delivers little, see the British Defence Secretary's letter to the *Daily Telegraph*, 14 February 2000. For a more caustic critique of the failure of European allies to improve defence capabilities see the speech of Secretary of State William Cohen, 'European Security and Defense Identity', 36th Munich Conference on Security Policy, 5 February 2000. <http://www.defenselink.mil/speeches/2000/s20000205-secdef.html>

8 German willingness to deploy ground troops, which was legally sanctioned and confirmed by the 1994 decision of the constitutional court is clearly important. In 1995 Germany was unable to deploy any military forces abroad. In 1998 over one thousand German troops were stationed in Macedonia and a German General commanded all the KFOR troops deployed in Kosovo.

9 This is very sensitive in Germany since the concept of *Innere Führung* and the idea of the soldier-citizen — is at the heart of Germany's post-1945 civil-military relations. The Weizsäcker Committee was established to address these issues and reported in Summer 2000. For US comments see William Cohen speech at the annual Wehrkunde conference reported in the *Financial Times*, David Buchan and Quentin Peel, 'EU warned over defence force proposal', *Financial Times*, 7 February 2000. German defence expenditure in 1999–2000 was 1.3% of GDP, higher only than Luxembourg in the EU.

10 The agreement in January 1993 between France and Germany and SACEUR that Euro Corps would be available for tasking by NATO was an important milestone in this process.

11 Only the naval blockade in the Adriatic, policing of the Danube and Mostar have taken place through WEU.

12 Taking rotation into account Field Marshall Lord Inge has estimated the number of troops required will be in excess of 180,000. See the submission to the House of Lords European Union Select Committee sub-committee C (CFSP), E/99-00/C.22, p. 4.

13 For the fear that such a capacity might provide the vehicle through which decisions drift away from NATO and towards the EU see the *Times* leader 'Army Dreamers', *The Times*, 10 February 2000. For the possible roles the EU might play see the speech by Javier Solana, to The Foreign Policy Association and The Public Affairs Committee of the Union, 25 January 2000.

14 See the speech by Christopher Patten, *The EU's Evolving Foreign Policy Dimension — the CESDP after Helsinki*, 22 February 2000, http://europa.eu.int.comm/external_relations/speeches/patten/speech_00_51.htm

15 Presidency Conclusions, Goteborg European Council, 15–16 June 2001, V Cooperating for Peace and Stability, paras 47–51.

16 Associates (Non-EU members of NATO) are: Iceland, Norway, Turkey, Czech Rep., Hungary and Poland; Observers (members of EU but not of NATO) are: Austria, Denmark, Finland, Ireland and Sweden.

17 The Helsinki European Council made a political commitment that if the EU did embrace a defence capability it would take the necessary decisions to wind up the WEU by the end of the year

2000 since WEU would have served its purpose.

18 To this end the British have already double hatted their military experts.

19 See the written evidence to the House of Lords European Union Select Committee, Sub Committee C (CFSP) submitted by of William Hopkinson and that of Jorg Monar and G Wyn Rees p. 2 and p. 14 respectively.

20 In terms of military effectiveness the need to avoid duplication (and cross cutting) chains of command is a major lesson of the Bosnian campaign.

21 For a further discussion of this see written evidence to House of Lords European Union Select Committee sub Committee C (CFSP) submitted by Richard Whitman and Karen E Smith, 'Recent Developments on a Common European Policy on Security and Defence', Feb. 2000, E/99-00/C19, p. 3.

22 For an excellent analysis of this see Monar and Rees, *op. cit.*, p. 4.

23 Figures quoted in William Drozdiak, 'US Tepid on European Defense Plan', Washington Post 7 March 2000.

24 Michael R. Gordon, 'Armies of Europe Failing to Meet Goals, Sapping NATO', International New York Times, 7 June 2001.

25 The United States spends 3.2 percent of GNP on defence, whilst Britain and France spend 2.8 and 2.6 percent, respectively. Germany has plans to reduce military spending by \$10 billion over the next four years making further cuts to the current figure of 1.4% of its GNP. Figures quoted in Drozdiak, 'US Tepid on European Defense Plan', *op. cit.* See also Michael R. Gordon, 'Armies of Europe Failing to Meet Goals, Sapping NATO', New York Times, 7 June 2001.

26 US Tepid on European Defense Plan', *op. cit.*