

Transforming the EU's security institutions - a political or a bureaucratic task?

In the title I raised the question whether it is a political or a bureaucratic task to transform and establish security institutions of the European Union This is a bit misleading as it implies that this is an either...or issue, whereas the answer is that it is both a political task *as well as* a bureaucratic one.

There are fields of actions where the transformation is more a bureaucratic question (re-organising existing institutions, ensuring interoperability and mainstreaming), and hence easier to manage, where the potential of self-organisation exists (though political backing is probably needed) and other fields where many political questions (transferring power, making commitments, allocating resources) are to be answered before the whole undertaking becomes primarily a question of institutional adjustment or design.

PART I

Using the **ESS** with its five major threats (regional Conflicts, State Failure, Terrorism, Organised Crime and Proliferation of WMD) as a **starting point**, I would argue that there are **three fields of activity** relevant for European Security. These fields are of course linked to each other (**comprehensive approach to security**), but nonetheless it is possible to distinguish among them.

First: **Structural Prevention**, preventing state failure as well as regional conflicts. I would argue that the EU is very good equipped to engage in structural or primary prevention. **Institutions are in place, programmes are going on. Think** of the various cooperation programmes within the CFSP

framework, development cooperation programmes, EIDHR, the Every Thing but Arms initiative within the framework of EU **external trade** etc.

All these instruments can be used for primary prevention. The decision to do so has been reached as early as in the mid-1990ies, after the failure if the humanitarian intervention in Somalia and the Genocide in Rwanda. Since than the **provision of structural stability**, a concept that gained renewed popularity a few years ago thanks to Stefan Mair and his colleagues, has been an aim of these EU policies.

The Commission, which has generally the lead here, developed various **strategy papers** on policy **issues** such as governance or environmental safety as well as for its actions with regard to **countries and regions**. These papers are intended to mainstream conflict prevention are to be seen as an **aspect of self-organization**.

(Nonetheless frictions exist between Commission and Council, when it comes to the linkage between long-term and short-term programmes! One might sometimes even speak of **turf-wars**.)

Second **ESDP**. Civilian and military means of **crisis-management**, but also possibly engagement in military **counter proliferation** measures. This field is intergovernmentally managed (Brussels based intergovernmentalism), high politics are involved, questions of establishing institutions and allocating resources. Hence political leadership is required, especially through the big EU-Member States, which are the ones that will have to provide the resources.

(I will talk about that issue later in more detail)

Last but not least there is EU **Counter terrorism activities**. After 9/11 The EU endorsed a very encompassing Counter Terrorist Action Plan, which includes measures in all three pillars of the EU. Community: civil protection & border security (even new institution!) CFSP: strengthening international agreements, freezing financial resources. The focus here is, however, on JHA, primarily measures to increase internal security, (legislative measures, Working party on terrorism under JHA Council, Framework decision on terrorism, European Arrest Warrant) cooperation between law enforcement agencies, Joint investigation team (inclusion of Europol) internal intelligence services assembled in the CTG (though not in EU framework) (...)

PART II

Allow me now to say a few words about the transformation of the ESDP. I do have to warn you, as I will be optimistic with regards to the overall development of this very recent field of EU-Integration.

(Moreover, I know of course that criticism will be brought forward during the discussion anyway...)

The ESDP is a very **recent project** of European integration that only exists since 1999 the European Councils in Cologne and Helsinki, nonetheless the EU and the Member States have **great ambitions** as can be seen by the Petersberg tasks, especially the **expanded Petersberg tasks** as well as the ESS.

The challenge here is to ensure that there are institutions in place able to take **decisions**, engage in planning activities, coordination and operate in a timely fashion. Moreover, the EU needs the **capabilities** to complete the tasks that are at hand.

At the European Council in Helsinki it was agreed to establish **various new institutions** within the **EU institutional architecture**, responsible for crisis-management These institutions were

- **Political and Security Committee**
- **EU Military Committee**
- **EU Military Staff**
- **EU Civilian Committee**
- In times of crisis on ad-hoc basis built **Committee of Contributors**

etc. were finally established in 2000, PSC even integrated into the Treaty of Nice in 2000. In addition, through the principle of “**enhanced cooperation**” the Treaty of Nice introduced flexibility into the Second Pillar even though this was limited to the non-military aspects of the CFSP.

In Helsinki the Member-States agreed also on the so called **Headline Goal**, to bring in place the **ERRF** an intervention capacity of 60.000 troops deployable within 60 days and sustainable for up to one year, consisting of voluntary troop contributions of the EU Member-States.

Regarding the **Civilian Capacities** the EU-Member States agreed in **Feira** on **priority areas** for civilian aspects of crisis-management (policing, judicial reform, civil administration and protection) and the establishment of appropriate capacities, among other things **5000 police officers** to be **operational by 2003**.

Both headline goals were officially met, nonetheless doubts were expressed with regards to the actual **deployability** and **sustainability** of the ERRF in case of an actual mission. Obviously these doubts were shared by the Member States, which agreed on new Headline Goals in **2004**, these were the **Headline Goal 2010** and the **Civilian Headline Goal 2008**.

Headline Goal 2010

- included the establishment of a **European Defence Agency**, which is intended to coordinate procurement and R&D activities of the Member States
- **civil-military cell** within the EUMS, coordinating civilian and military aspects, still, the EU is in no position to conduct operations without recourse to national headquarters or NATO.
- **Battle group concept** (goes back to the “Food for Thought Paper” submitted by UK, Germany, France) force packages, consisting of 1500 combat personnel + Logistics and Support, either of national or multinational forces of EU-Member-States (13 battle-groups were committed by Member States at the Military Capability Commitment Conference in November 2004), to be operational by 2007. Major issue: rapid deployability!! B-G are equipped with logistics, reinforcements, etc.
- Aircraft carrier
- Moreover, the EU acknowledged its deficits in the field of Logistics
- Global approach on deployability: - Strategic Lift capabilities
- Intelligence and Surveillance Capabilities

Relation of HG 2010 and Helsinki HG: HG 2010 is less ambitious in terms of troops available to the EU. However, to me it is more **realistic** as it focuses on actual deployability (Battle Group Concept). The **EDA** though not too strong in its formal powers is in a good position to improve procurement coordination and exercise political pressure on the Member States to live up to their commitments made at the Military Commitment Conference (Nov. 2004) + general modernization of forces. **Civ-Mil Cell** is of major importance as (to my knowledge) there is no agreed concept for the coordination of civilian-military coordination in crisis-management! (Played role already in Security Sector Reform Mission in DR Congo, the Aceh Monitoring Mission as well as the EU Police Mission in Rafah (Election support in RD Congo

Civilian HG 2008

Focuses on improvements in terms of deployability and interoperability -> improving quality, not quantity!! (Even though the EU had **conducted a number of civilian crisis operations since, starting with the EU Police Mission in Bosnia in January 2003**)

- **Expanding the tasks** for civilian crisis management: **monitoring** missions, **missions to support** Special Representative.
- Establish civilian crisis-management capacities, **on modular basis** (following OSCE-approach) combination of different modules to address specific needs of a crisis situation.
- **Civilian Response Teams**, ready for deployment within **five days** upon request by the Council, Secretary General or the PSC, sustainable for at least 3 months. Important asset to **facilitate the mission build up**, but insufficient as a means of their own. (Austrian presidency took this issue forward)

As in the case of the HG 2010 the focus of the Civilian HG 2008 is on quality and **actual deployability of the EU capacities**.

Let me draw your attention now to a third crucial document for the ESDP and CFSP in general, that is the **Treaty on the European Constitution** that would have introduced a number of other **institutional reforms** and changes in the **legal basis** of the ESDP.

- **Permanent structured cooperation** -> that would allow Member States whose capabilities fulfil higher criteria and who have made more binding commitments to one another in defence matters to go ahead in defence integration. (Good idea, but problematic as on paper almost all member states fulfil these criteria...)

Council can authorize coalition of EU-Member-States to engage in the name of the EU in military operations (-> 1) increases the legitimacy as well as the political weight of the intervene EU-Member-States; 2) Strengthens the EU profile as a security actor.

- **Union Minister of Foreign Affairs** (integrating the post of **Commissioner for external relations** and the **High Representative for the CFSP**) presiding over the Foreign Affairs Council; **“face and voice” of the EU toward third parties**; coordinating the civilian and military aspects of crisis-operations... problem: **triple dependence**, as responsible to the Council as well as to the Commission and to the Presidency which is to responsible for the external representation.

- **European External Action Service** (indispensable if the post of a Union Minister of Foreign Affairs is created) possibly **integrating the various institutions and bodies dealing with foreign policy** (EUMS, SitCen, Policy Unit etc.) Open Question: What should be included in responsibilities of the External Actions Service.

Conclusion:

- 1) The EU is on the way to become a **holistic security actor**. (Comprehensive Security... Long-term prevention, Counter Terrorism, ESDP...)
- 2) Especially relevant for ESDP: Since 1999, the EU and the Member States are in a **continuing process of refinement**– refinement in terms of **strategic considerations** – agreement on a Concept of Security is a precondition for the establishment of a security identity, **institutions** and **capabilities** - **HG 2010** (Civilian-Military Cell, EDA and battelgroups); Civilian **HG 2008** (Modules, CRT) as well as the suggestions made by the **TEC** (Permanent structured cooperation, Foreign Minister External Action Service) are important to note.
- 3) (Nonetheless, shortcomings remain with regards to intelligence, surveillance, capacities for rapid deployment (strategic lift) consistent modus for financing ESDP, external action in general...)
- 4) Given the fact that the **European public** is strongly supporting European Integration in CFSP as well as ESDP, the prospects are good that the parts of the TEC that are dealing with external action will be implemented regardless of the fate of the rest of the TEC.

Thank you for your attention.