



Austrian Academy of Sciences

EIF - Institute for European Integration Research

In cooperation with

Department for History and Political Science,
Paris Lodron University of Salzburg (PLUS)



FLEXIBLE INTEGRATION IN THE AREA OF CFSP/ESDP

Debates on the Provisions of the Draft Constitutional Treaty

Sonja Puntscher Riekmann

Isabella Eiselt
Helmut P. Gaisbauer
Monika Mokre
Markus Pausch
Peter Slominski

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List of Abbreviations

DCT – Draft Constitutional Treaty

ESDP – European Security and Defence Policy

EUMS – European Union Military Staff

EUPM – European Union Police Mission in Bosnia and Herzegovina

EUROFOR – European Operational Rapid Force

EUROMARFOR – European Maritime Force

EU RRF – European Union Rapid Reaction Force

FI – Flexible Integration

CFSP – Common Foreign and Security Policy

GDP – Gross Domestic Product

ISAF – International Security Assistance Force

LoI – Letter of Intent

MDC – Mutual Defence Clause

MoD – Ministry of Defence

NORDCAPS – Nordic Coordinated Arrangement for Military Peace Support

NRF – NATO Response Force

OCCAR - Organisation conjointe de coopération en matière d'armement (Organisation for Joint Armament Cooperation)

PSC – Permanent Structured Cooperation

QMV – Qualified Majority Voting

SHAPE – Supreme Headquarters Allied Powers Europe

Introduction

Foreign and Security Policy is the subject of many current debates on the future of the European Union as the development of this policy field faces several dilemmas.

On the one hand, we witness a paradigm shift in security policy due to the end of the Cold War and the end of the balance of terror. Regional conflicts, terrorist attacks and weapons of mass destruction are understood as the most important contemporary threats. The adequacy of national and regional security systems developed for different threat scenarios is therefore internationally discussed and there are few doubts in European countries that an efficient Common Foreign and Security Policy (CFSP), and, above all, a European Security and Defence Policy (ESDP) is called for.

On the other hand, there are good reasons for EU Member States to be reluctant to hand over their defence competences to the European level:

- First, the ability to defend oneself is traditionally a crucial part of national sovereignty and statehood;
- second, EU Member States have either other commitments to regional partnerships (NATO) or are non-aligned/ neutral;
- third, their capacities both in human and financial resources as well as their willingness to invest into security policy vary considerably.

The Iraqi crisis enhanced discussions on the necessity of Europe becoming a global counter balance to the USA, on the one hand, and the impossibility to find a European consensus in international defence matters, on the other hand.

It is against this background that CFSP and ESDP have become an important part of the Draft Treaty and that, at the same time, new instruments of flexible integration (FI) were introduced for these policy fields. Differentiated possibilities of participation should enable those states willing and capable of an effective European security policy to develop this field without forcing other Member States to activities and engagement beyond their own interest. In this way, an effective CFSP/ESDP within the common institutional framework, therefore not endangering European integration, should be warranted.

However, the provisions of the Draft Treaty are not more than a general framework for future political developments. This is why the Austrian Federal Chancellery commissioned a study on political effects of the regulations of the Draft Treaty with regard to FI in CFSP/ESDP. The main question of the study was how these provisions were interpreted in the Member States and which political conclusions they will draw from them.

In order to answer these questions, a questionnaire of 23 questions was developed with the help of a steering committee of four experts on CFSP/ESDP that was to be answered by experts (or teams of

experts) in 14 of the 25 European Member States (**Belgium, Czech Republic, Denmark, Estonia, Finland, Germany, Greece, Hungary, Italy, Poland, Sweden, Spain, United Kingdom**). Additionally, **Norway** was also covered by our questionnaire. By doing this, we got some insight on how flexible integration in CFSP/ESDP is perceived outside the EU and to what extent third countries which are closely affiliated to the EU are willing or capable to participate in CFSP/ESDP. Questions tackled

- the development of national security doctrines,
- positions on CFSP/ESDP in general,
- positions on Flexible Integration in CFSP/ESDP,
- opinions on recent developments in this field, and
- concrete political intentions with regard to the new provisions in the Draft Treaty.

The experts were asked to describe positions of

- government,
- political parties,
- military,
- pressure groups,
- academia/think tanks,
- media as well as the public opinion.

Country reports of about 10 pages each were delivered by the teams. They varied in length as well as in thoroughness and stressed different aspects of the questionnaire. This is due to the differences in national debates. Still, it was possible to draw a relatively clear picture of European positions towards flexible integration in CFSP and ESDP in this final report. The country reports as well as the questionnaire and the list of experts can be found in the annex.

Part I: Security and Defence Policy in Europe - General Developments and Main Debates

1. Major Trends in Security and Defence Policy

Security policies all over the world have witnessed a change of paradigms during the two decades following the end of the cold war in 1989. As the country reports affirmed, this development is characterised by three trends:

- *Regional threat scenarios have replaced the polarised world of the Cold War;*
- *Terrorism and proliferation of weapons of mass destruction are seen as major contemporary threats;*
- *The importance of regional security policies (as opposed to the defence of national territories) has increased.*

These developments have led to two forms of policy change:

- *restructuring of national defence policies, discussions about advantages and disadvantages of conscription, creation of smaller and more flexible military units;*
- *higher importance is placed on regional defence policies (NATO and ESDP).*

Debates about these policy shifts have taken place in all of the countries analysed in our study; some of them also implemented new security policies. These new challenges have also been acknowledged by the so called "Solana Paper", adopted by the Council of the European Union on December 12th, 2003. According to the Council decision the EU should become part of a multilateral global security system. Thus, the need to develop an effective security policy adapted to contemporary challenges was addressed as well as the need for cooperation within the UN, with NATO and especially with the USA. The Paper was generally welcomed in most of the EU countries although it has led to some concern in the new Member States as their security interests towards the East were not explicitly mentioned.

Due to the geographical range there are some interesting positions reported from the **Czech Republic**, **Poland** and **Estonia**. The former Czech Secretary of State for European Affairs and now Czech Permanent Representative to the EU Jan Kohout recently announced three areas of prime interest and engagement which correspond with the EU security interests stated in the "Solana Paper": the Balkans, the Caucasian region and the Middle East. Generally the Czechs have decided to develop their niche capabilities (chemical units, Special Forces, intelligence) and strengthen their post-conflict involvement.

Poland considers the Solana Paper to be written from a western perspective. There is a wide-spread conviction among Polish policy-makers and public opinion that the litmus-test of any EU political and military ambition is the way it approaches challenges in Eastern Europe and on the territory of the former Soviet Union (e.g. Moldavia, Georgia). But nobody truly believes that the EU would ever risk challenging Russia politically in this region. This Polish concern is shared by **Estonia**. There were some discussions of the Solana Paper on state level as well as in the academia. One of the biggest concerns among all groups in **Estonia** is the EU-Russia security dialogue and its influence on **Estonia**'s security.

In **Hungary**, no official position on the Solana Paper was uttered, but it obviously influenced the **Hungarian** National Security Strategy adopted in March 2004. The National Security Strategy has been developed in accordance with the Strategic Concept of the NATO of 1999 as well as with the European Security Strategy. Publications about the Solana Paper called the attention to the fact that the influence of the American National Security Strategy can be registered not only in its structure but also in some formulations. In general, the official position in **Hungary** is that "more Europe should not mean less America".

In **Belgium, France, and the UK**, there was no public debate on the topic because the Solana Paper seems to represent perfectly both French and Belgian interests and given the difficulties caused by European defence issues in general, it appears that the **UK** Government preferred to pass the Paper without comment.

In **Greece**, the new security challenges were discussed during the Greek EU presidency in the first semester 2003 during which the Solana Paper was prepared. As the main elements of Greek concern were included, no major debate on the content took place.

In **Italy**, interest in the Solana Paper was limited to a few experts and analysts. Newspapers and other media presented the Council decision on this issue with little emphasis. Contributing to the *EU Rapid Reaction Force (EU RRF)* is widely viewed as a national interest, but so far this has not implied major changes or additional financial efforts.

This holds also true for **Denmark**, where the Solana Paper did not receive much interest in the media. The Minister of Foreign Affairs, however, has made several positive references to it, and the Centre Left opposition has voiced support for the strategy. Generally the Danish Security Reports are very much in line with the EU Security Strategy.

In the **German** public, the Solana Paper was widely welcomed and accepted. To translate the strategy into practice there is a call for the use or elaboration of the following tools: the strengthening of conditionality, including an anti-terrorism clause in EU-agreements; stronger cooperation in home and justice affairs, a common border policy and operational powers for Europol; the establishment of Battle Groups by 2007; and the strengthening of the EU's non-proliferation policy. Although it is widely accepted that the ESDP should cover the full spectrum of the Petersberg Tasks beyond EU

vicinity it is also clear that Germany would have to limit its engagement to a selected number of missions (i.e. in the Balkans or Africa).

The **Finnish** political elite has been content with the strategy initiated by Javier Solana. Especially welcomed was its emphasis on effective multilateralism since before its adoption there was a major concern about the role of crisis prevention, international law and the role of the UN. As for the new security challenges of the Union, there has been a debate in **Finland** to establish a unit of some hundreds of soldiers for the RRF eventually in cooperation with **Sweden** and the Baltic States. **Finland** has also promised some two thousand troops for future EU crisis management operations.

In **Sweden**, the Solana Paper elicited very little interest. The new threats, however, have been subject of intensive discussions. The geographical focus has changed after the cold war, since international activities were carried out in Europe and were considered to have a direct impact on **Sweden's** own security. Two particular and interlinked threats are seen to be of special importance: international terrorism and the spread of weapons of mass destruction, both in line with the threat assessment laid down in the Solana Paper. Generally it is acknowledged by **Sweden** that the new challenges call for international cooperation.

At the official level in **Spain**, the debate on the Solana Paper was more on general aspects. It is not considered as a security strategy in the strict sense of the word, but as an important step in the configuration of the ESDP. The global approach to Europe's security interests and threats, the emphasis on the need to improve European capabilities and the recognition that the EU may have to use hard power in certain situations are welcomed. Nevertheless in the Spanish opinion the Solana Paper is still considered to be vague and less complete than a security concept should be.

Finally, the Solana paper appears to have generated quite a substantial amount of interest also within the Ministry of Foreign Affairs in the Non-EU-member **Norway**. However, this did not filter out into the public debate, nor was there any evidence of interest in the Paper amongst politicians from other ministries.

1.1. Development of National Military Structures and Expenditure

*There is generally little doubt in the EU Member States that regional security policies are the right answer to contemporary threats – although in the **Czech Republic, Estonia, Hungary and Poland**, considerable tensions between traditional military concepts on the one hand and new security doctrines on the other hand, exist. Furthermore, the development of military expenditure shows a tendency towards re-organization of army structures in view of international cooperation in most of the countries under review. But while some of them concentrate on cooperation with NATO, others focus on the Europeanization of defence aspects. Differences are remarkable: In **Estonia, the Czech Republic, Hungary and Poland** initiatives are focused on cooperation with NATO. Given that all four*

countries went through substantial transformations of the military and are new NATO-members this is not very much surprising. All other countries in the survey support ESDP.

France, **Germany** and **Belgium** have the strongest European orientation. As concerns military reform, **Germany** is acting in favour of reaching the *European Headline Goals*. The Defence Ministry traditionally prefers – in view of the limited budgetary possibilities – a role and task sharing. But since **France** and the **UK** are in favour of pooling capabilities, the German Ministry of Defence is reconsidering its position. However, a possible approach could be the pooling of identical systems such as the Euro-Fighter or the future A400M military aircraft which are expected to produce economies of scale in terms of reducing running and operating costs.

Harmonisation with both EU and NATO requirements has high priority in **Belgium**. Therefore the new objectives are all directly linked to the needs of a European Defence, the *European Headline Goals* and the *Defence Capabilities Initiative* of NATO as well as the decisions of the NATO Prague Summit.

Spain has gone through lively debates on security issues during the last months and years. The consolidation of the ESDP was an important issue of the Spanish EU Presidency in the first semester 2002 under Prime Minister José María Aznar. But the conflict on the Spanish island Perejil which was taken by Moroccan forces in June 2002 caused disappointment about the fact that other European States did not show greater solidarity. In 2003, Aznar's unconditional support of the US during the Iraqi crises led to serious conflicts not only among EU Member States but also between the governing Popular Party (PP) and the opposition. After the events of March 11 and the unexpected victory of the Socialist Party (PSOE), the new Prime Minister José Luis Rodríguez Zapatero decided to pull Spanish troops out of Iraq and strengthen the European orientation again. The concept of Jose Bono, the new Defence Minister, follows the principle of "peace and parliament" meaning that broad consensus should be reached in all decisions on security aspects. Despite many differences between PP and PSOE there is already consensus on the main strategy. The *Strategic Review* which was debated in Congress in December 2002 still under a PP government was also supported by the Socialist Party. And although a new *Directive of Defence* is being announced, the main elements are expected to remain the same, such as the link to and the shared security with the European continent and the full support of the development of an independent and autonomous European capacity.

France, having the largest budget for defence together with the **UK**, takes the European development strongly into account of its defence plans. It wants to play a leading role in the development of the ESDP and convince other countries to increase their military expenditure for the development of military capabilities of the EU. As well as in **Belgium**, the new concepts of flexibility within the European framework are integrated in the strategic deliberations. **France** has not only europeanized its defence and security policy but also its defence industry. European industrial projects like the construction of the A400M are supported by **France**. These and other initiatives like OCCAR

(Organisation conjointe de coopération en matière d'armement) and LoI (Letter of Intent) are not only considered as a progress in defence policy but also as an important economic advantage. In all European projects, autonomy from the United States is a further, traditionally important argument for **France**.

In some countries, national reform plans have highest priority. This is the case in the **Czech Republic** where the *Army Professionalisation Concept* has to be realised. The reform should help to meet the *Target Force Goals* as well as the *Headline Goals* of NATO. In **Estonia**, the modernization of the command and education programme as well as the Rapid Reaction mechanism is most important.

Poland's 6-years plan of modernization of the Polish Armed Forces and the Plan '*Army – 150 thousands*' try to strengthen Polish capacities by creating highly qualified mobile forces for international missions. It goes along with a "modern" definition of security stressing soft-security risks. Hence, **Poland** prefers a small, professional but modern army although the General Staff is very conservative and hesitant to reform. A reduction of infrastructure and personnel is part of the plans.

For **Hungary** the most important point for all initiatives on the national and the European level is their compatibility with NATO. As **Hungary** has always aimed at avoiding the duplication between NATO and EU, neither the ongoing nor the planned procurements are influenced by ESDP. **Hungary** does not plan to create special capabilities allocated to EU or NATO. **Hungary**'s active participation in strengthening the European Defence Capabilities (European Capabilities Action Plan, ECAP) depends on whether the mechanism serves Hungarian national interests. The ongoing specialization of the Hungarian armed forces is decided upon other – primarily domestic – aspects. It is expected that the need for pooling capabilities will grow over time, and that, if NATO efforts in this regard will be successful, the EU will apply similar solutions.

The **UK**'s recent *Whitepaper on Defence Policy* seeks to move towards network enabled capabilities. Cooperation with the US and the EU is seen as important and compatible. With regard to ESDP, the **United Kingdom** is in favour of strong cooperation with **France**, which is seen as the key method in advancing ESDP capabilities. But differences over Iraq have undoubtedly complicated this cooperation. Nevertheless, the **UK** is willing to commit significant capabilities to the *Headline Goals* and both forces and headquarters facilities to EU sponsored operations. Similar to **France**, the **UK** tries to promote its programme as a model for other EU countries. There is no direct link of **UK**'s defence plans and the development of ESDP. And despite the initiatives of cooperation, the strong conviction of the Ministry of Defence is that **UK** forces must be able to operate without relying on contributions or permissions from other nations. Especially the Conservatives are strongly opposed to any increased integration of EU military capabilities. In the media and the public, there is up to now only little interest in EU military operations and reform plans.

The official **Greek** attitude towards EU common security policy is highly supportive especially as regards issues related to the geographic proximity, like the Balkans, the Middle East, the Mediterranean and the Caucasus region. Nevertheless, the national defence strategy does not reflect this orientation; it is heavily focused on territorial defence. Only the upcoming Olympic Games in **Greece** led to the development of a new set of tasks which takes into account the new security challenges. The central axis of **Greece's** military strategy has always been the deterrence of "Turkish threat". Due to this and its overall geo-strategic environment Greek defence expenditure as a percentage of GDP is the highest within the EU, but the so called "rapprochement policy" with Turkey introduced in 1999 should lead to a decrease in defence spending by 20%.

In **Italy** the most crucial issue of the last years in defence policy was the transition from conscription army to a professional army which produced changes in quality, structure and doctrine. Today, multinational missions have highest priority. Although **Italy** did not make visible changes because of ESDP so far, it has a strong interest in pooling certain capabilities like the Battle Group concept which might become the framework for significant Italian contributions. It is actively involved in the existing initiatives designed to promote the pooling of strategic lift capacities– both in the air and at sea.

In the last decades **Spain's** main issues concerning military structures were the professionalization and the modernization of the Armed Forces as well as the full participation in NATO. In the early 1990s drastic reductions were made in military spending, while at present the defence budget is slightly increasing.

The reforms planned in **Sweden** are necessary for different kinds of tasks, one of them being international missions. The *Nordic Coordinated Arrangement for Military Peace Support* (NORDCAPS) envisages joint Nordic contributions. According to the position of the Swedish supreme commander, the development of a EU RRF should be the guideline for reform in **Sweden**. Capability should be increased and a Battle Group of 1500 soldiers prepared to leave some 10 to 15 days after a decision of dispatch will be created by 2008 with the goal to help solving problems in high-risk environment outside the EU.

For obvious reasons, ESDP does not play a major role for **Norway**. The **Norwegian Long Term Plan on Defence** (the first for 2002-2005 followed by a second for 2005-2008) shows a first comprehensive Norwegian response to NATO transformation. The entire national command structure will be reorganized and scaled down to be adjusted to a smaller forces structure. The aim is to enable the armed forces to contribute more effectively to multilateral forces and to enhance co-operation.

Table 1 on the next page shows that in most countries under review, military expenditure is between 1% and 2% of the GDP. Only **Greece**, **France** and the **UK** have higher percentages. With the exception of **Greece**, **Norway** and **Sweden**, states are either raising their defence expenditure in percentage of GDP or keeping it stable. The most important issue is the creation of small and flexible military units and their internationalization.

Table 1: Military expenditure and main tendencies

Country	Defence expenditure in % of the GDP ¹	Trends and tendencies in defence expenditure ²	Main orientation towards ³	Important issues
Belgium	1.3	growing	ESDP	Better equipment, quicker engagement
Czech Republic		growing	NATO	National reform, professional army
Estonia	2	stable	NATO	Reform of command and education programme and Rapid Reaction mechanisms
Denmark	1.6	stable	NATO	New equipment and international operations
Finland	1.4	stable	Non-aligned	International crisis management
France	2.8	growing	ESDP	EU RRF
Germany	1.7	growing	ESDP	European role and task sharing
Greece	4.9	declining	NATO	National security (especially vis-à-vis Turkey)
Hungary	1.8 ⁴	Growing	NATO	Compatibility of all initiatives with NATO
Italy	1	stable	NATO and ESDP	International missions
Norway	1.9	declining	NATO	Troops for international peace operations
Poland	1.9	stable	NATO	Highly qualified mobile forces for international missions
Spain	1.2	stable	ESDP	RRF, North Africa
Sweden	1.7	declining	Non-aligned	RRF
United Kingdom	2.4	growing	NATO and ESDP	Independence from other countries

1.2. NATO and ESDP

The supranational obligations of ESDP raise two basic problems for EU Member States: NATO members have problems with a potential conflict of interests between the Atlantic alliance and European defence while non-aligned Member States are afraid of a potential incompatibility of non-alignment and ESDP.

To begin with one end of the spectrum **France** seeks to balance its strong European and global ambitions with NATO rapprochement by accepting most of the propositions resulting from the Prague NATO summit and contributing a good deal to NRF (NATO Response Force). French European ambitions were recently mainly pursued through bilateral (**Germany, UK**) and multilateral (**Belgium,**

¹ The percentages are only approximate values. There were no figures available for the Czech Republic.

² These are mostly short-term tendencies.

³ Only tendencies are identified. They need not be exclusive.

⁴ An increase of the defence budget to 1.8 is the goal, but according to the Hungarian report it is not yet reached.

Luxembourg) engagement for further development of ESDP. These ambitions are reflected in the French *Military Programme* (2003-2008). Underlining the French global ambitions the tough stance against the US led coalition against Iraq was mentioned as well as the successful ARTEMIS operation in the Democratic Republic of Congo which showed that **France** wants to be a serious player in global politics.

A similar position regarding the relation between ESDP and NATO is being reported for **Belgium**, where the *Strategic Plan* (2000-2015) is establishing a non-hierarchical defence strategy which does not allow for divergence between the international organisations like NATO, UN, OSCE and EU. The main points are multinational engagement, employment of non-military means and prevention of military conflicts.

German positions show a similar balanced approach to NATO and ESDP, although there seems to be a somewhat stronger commitment to NATO partnership - at least in political semantics. The transatlantic partnership is an explicit basis for German security policy, whereas ESDP is a means to strengthen the area of stability in and around Europe and to strengthen at the same time the two-pillar-structure of NATO. ESDP can act where NATO is not engaged or decides not to do so. **Germany's** security doctrine is based on the NATO strategic concept and, since very recently, the EU Security Strategy (Solana Paper). The last *Verteidigungspolitische Richtlinien* of the Ministry of Defence (May 21, 2003) emphasize the need for embedding the *Bundeswehr* into multilateral or multinational force structures and advance the goal of multinational cooperation and integration. This reflects a change in German perceptions of security and defence policy after September 11.

After the elections of March 2004, **Spain** decided to pull its troops out of Iraq. Now, **Spain** aims at strengthening the European dimension of security policy - however, this is not understood as being incompatible with a strong Atlantic alliance. For **Spain**, NATO is essential for a European Defence. The Spanish Defence Minister mentioned some principles of international relations: a sovereign cooperation but not submission, loyalty to both allies Europe and NATO and the respect of international law, reinforcing the role of the UN and rejecting the concept of pre-emptive war.

The **Danish** foreign policy knows three dimensions which are to be closely tied and mutually reinforcing - European, transatlantic and global. The European dimension is seen as most important. There is a call for strengthening CFSP in line with the Convention's proposals and for supporting ESDP. A large majority of the political parties favours full Danish participation in the ESDP. The now debated defence reform will be based on a new perception of threats after 9/11. Therefore, Danish Armed Forces capabilities should be strengthened in the areas homeland security and internationally deployable military capabilities. This general approach has received broad political support.

Having changed British policy on European Defence in 1998, the **UK** Labour Government moved back to a closer transatlantic relationship after the lead up to the Iraqi war of 2003. In the recent *Whitepaper on Defence Policy* the **UK** government formally recognises that major military operations

will be conducted in alliance with the US. At the same time, it has tried to mend fences in the EU and has been co-operating since the Iraqi war in furthering ESDP. The move back to a closer transatlantic relationship was welcomed by Conservatives, and by a significant section of the media. The Liberal Democrats opposed the rush to war and supported the need for closer co-operation with EU partners. In the public opinion however there is widespread mistrust of any moves that might be characterised as the building up of a European Army.

The **Polish** position is in general expected to be close to the British one in its *atlanticist* approach. In fact, NATO and bilateral political-military cooperation with the US and other major Member States is seen as the most important guarantee of external security. **Poland** therefore declares to continue to act in support of NATO's cohesion. At the same time, however, **Poland** affirms to be actively participating in the development of ESDP as an indispensable complement to CFSP. It is foremost the Foreign Ministry and Defence Ministry having a political perspective on the role of the Polish army which might be transformed into political leverage in NATO and EU. One of the areas where NATO and ESDP interests overlap could be the Naval transport capacities. Kaliningrad is seen as a potential problem in the Baltic Sea, which is now surrounded by EU and NATO members. Strategic air transport is also in the interest of some EU Member States and could therefore be another area of cooperation.

The **Czech Republic** is much closer to the intergovernmental and *atlanticist* end of the security spectrum. It expects NATO to remain the key security anchor for the foreseeable future, chiefly in order to keep Americans in Europe. The Security Strategy adopted on 10 December, 2003 confirmed that it is NATO that plays the key role in maintaining security in Europe. According to the Security Strategy the new threats and risks call for more attention to counter-terrorism measures and a further specialisation of the Czech security forces in fields of long term expertise. As to ESDP, the discussion is rather limited, because the defence sector is concentrating on its own reform. But so far, the opposition, the army and the Ministry of Defence have been sceptical with regard to pooling capabilities.

Hungary has also a strong *atlanticist* orientation but it can accept FI in CFSP/ESDP as long as it does not loosen the strategic relations with the US. The Hungarian position therefore is a typical wait-and-see position. It tries to find a balance between the two extreme positions and presents the case as a problem of the future. ESDP appears in Hungarian defence planning only in the sense, that Hungarian forces, assets and capabilities are committed to both EU and NATO. An important element of planning is the coordination of all organizations (usually in cycles of 6 months) in the course of which it is decided which Hungarian capabilities can be taken into account by EU and NATO.

The **Estonian** defence doctrine is based on alliance building with NATO as the first choice. ESDP and CFSP are seen as competing concepts potentially undermining transatlantic unity, and are therefore not actively supported. However, after signing the EU accession treaty, the government's position shows some slight changes caused by the EU security initiatives and the Iraqi conflict.

In **Italy**, all major parties, with strong backing from a majority of public opinion, support active participation in multilateral peace-support operations, especially under UN mandate. In the Kosovo operation of 1999 (Allied Force) NATO was largely seen as an adequate – or, at least, sufficient – legitimizing institution under exceptional circumstances. Participation in the International Security Assistance Force (ISAF) in Afghanistan has also been relatively non-controversial, while the Iraqi crisis has highlighted the limitations of public support. No reference has been made to ESDP.

1.3. Neutrality/Non-alignment and ESDP

*As for the non-aligned Member States under review, both **Finland** and **Sweden** were engaged in an intensive national debate on ESDP and NATO in the light of their policies of non-alignment.*

According to a *White Paper* in discussion, the Finnish Security and Defence Policy will not be dramatically changed. **Finland** will continue to play an active role in the development of ESDP and in strengthening the transatlantic relations. The rather reluctant Finnish position has changed after the EU Summit in December 2003. Prime Minister Vanhanen declared that **Finland** should participate actively in the core policy areas of the EU, including the CFSP/ESDP. Especially the defence clause and the solidarity clause have stimulated a heated debate on the nature of Finnish non-alignment. The Finnish security policy has traditionally laid emphasis on credible defence, military non-alignment of the country and the role of the UN Security Council. A Finnish NATO membership is not planned for the next years but considered as an option for the future. This perspective seems to be complemented by a growing public interest in joining NATO.

The **Swedish** position is comparable to the Finnish approach, but it does have some specific elements. The new Swedish security doctrine adopted in February 2002 retains non-alignment but is differently interpreted by political actors. There is a clear fragmentation of the debate along party positions. Prime Minister Göran Persson said that neither adherence to mutual security guarantees within the EU defence nor NATO membership are suitable alternatives to neutrality. The Liberal Party, on the other hand, is strongly in favour of immediate application for NATO membership while the Moderate Party (Conservatives) considers NATO membership as a matter of when, rather than if. In any case, there is a commitment of Prime Minister Persson that the capability for participation in crisis management operations has to be strengthened.

1.4. Iraqi Conflict

*In the majority of the countries under review, the Iraqi conflict led to the acknowledgement of the growing importance of CFSP and, in particular, ESDP. This view is shared by **France**, **Germany**,*

Greece, the Czech Republic, Denmark, Spain, partly by Italy and Sweden and, last but not least, Poland.

From a **Belgian** point of view, the Iraqi conflict led to a growing importance and significance of the Solana Paper.

In **France**, the problems were considered as a further example for the difficulties of Europe to speak with one voice. There is obviously an increasing need for a working ESDP which should be realised at least by “the able” and “the willing” like the Tervuren-group (**France, Germany, Belgium, Luxembourg**). **France** is deeply convinced that Europe has to reach for a position as a real player in global politics.

For **Germany**, it holds true that, on the whole, the Iraqi conflict may not have changed the traditional position in the middle between Washington and Paris, but it certainly has led to greater acceptance for European initiatives in security and defence policy.

The **Czech** Prime Minister has seen in the conflict a new impetus for the creation of a more effective CFSP.

In **Denmark**, the Iraqi conflict has led to increased political support for CFSP and ESDP and a more open mind towards the idea of flexibility among the pro EU parties.

The **Swedish** Prime Minister deplored on various occasions the fact that it had not been possible to find a common European standpoint.

In **Italy**, the Iraqi crisis has produced contradictory effects. On the one hand, it may have reinforced a relatively new Euroscepticism, feeling that “Europe” does not exist on key foreign policy issues; on the other hand, the need for more European coordination in the face of an increasingly unilateralist US is perceived to become stronger than ever. The problems of the US-led operations in Iraq might strengthen the pro-EU actors in the domestic debate.

On **Poland**'s position and its self-evaluation the Iraqi conflict has had a tremendous impact. Despite the complication of Polish-German-French relations the Iraqi experience apparently modified Polish thinking on ESDP and structured co-operation: While beforehand, **Poland** was against structured co-operation as it expected to be left outside, in the light of the Polish experiences in the Iraqi war, there is a growing conviction that **Poland** can and must have a part in structured co-operation. Consequently, the Polish attitude towards this option has become more positive.

Hungary's position of wait-and-see did not work out during the Iraqi-conflict when the Hungarian Prime Minister Medgyesi had to decide whether to sign the letter of the eight or not. It was felt that both options were bad, but the one perceived as “less bad” was chosen. There was fierce public critique of the Iraq policy of the political elite, which was, however, not followed by an identifiable turn towards Europeanization afterwards.

For **UK**-relations with EU partners, the Iraqi conflict has perhaps been more difficult than any event since joining the Community. The close relationship with the US in this issue caused many frictions in European relationships, particularly with **France** and **Germany**. The government and the conservative opposition encouraged anti-French sentiment in the media, which further exacerbated public antipathy to the EU in general and CFSP in particular.

The main effect the Iraqi conflict had on **Finnish** positions in security and defence matters seems to be a more critical perspective on a possible NATO membership. Furthermore, Finnish political elites were concerned with the rift in the positions between the EU countries. The media described the Iraqi crisis as a failure of CFSP and feared a negative effect on the work of the European Convention.

For **Norway's** view on CFSP/ESDP and its possible role within it as a Non-EU-Member, the war in Iraq does not appear to have had any immediate consequences.

2. National Debates on Flexible Integration in CFSP/ESDP

The answers concerning national debates on FI in the area of CFSP/ESDP allow for a differentiated picture across the countries under review.

*There is no public debate on this issue reported for **Belgium, Germany, Greece, Spain, UK, France, Italy, and Norway**. This meets perfectly with the expectations that in the founding Members and big Member States, which are potentially decisive in a structure of FI, there is no public mistrust concerning this field. On the other hand, there are small (partly non-aligned) Member States that entered the Union later, and the former communist countries, which are not yet confident about their place and weight in the European Union. These countries had an intensive and mostly rather emotional than well informed debate in the public arena.*

2.1. Flexible Integration within and/or beyond the Treaties

*The inclusion of flexible arrangements under the common institutional framework was favoured by a majority of the countries surveyed. However, if substantial progress in developing a European Defence cannot be achieved, bi- or multilateral cooperation beyond the Treaties remains an explicit alternative for **Belgium and France**. **Germany** is a key actor with regard to FI in CFSP/ESDP and has the clear preference for dealing with the relevant issues within the Treaties. It is furthermore in favour of a better integration of initiatives already existing outside the EU framework such as the Contact Group for Bosnia and Kosovo, the Franco-German Brigade, the Euro Corps, EUROFOR, EUROMARFOR, the LoI and OCCAR.*

In **Greece**, FI is definitely considered as a positive step in the right direction of developing and strengthening CFSP/ESDP, but any attempt to realize arrangements beyond the treaties is met with scepticism.

Belgium, on the other hand, although generally preferring FI within the framework of CFSP/ESDP, does not have problems with initiatives outside. The Brussels summit with **France, Germany** and **Luxemburg** in April 2003 clearly showed that cooperation beyond the Treaties is in certain cases accepted and even initiated by **Belgium**. This summit was considered to be an answer and a possible solution to the paralysis of ESDP during the Iraqi conflict. The Belgian strategy therefore tries to combine integration within ESDP structures and integration with those countries willing to cooperate beyond the Treaties if the institutional mechanisms do not work out.

In **Spain**, the general perception is that the mechanism of FI within the Treaties is better than beyond. Initiatives such as the trio-meeting between **France, Germany** and the **UK** are met with scepticism and with a certain fear that a *directoire* without **Spain** could try to advance too far. According to the Elcano Survey of February 2004, 80 % of the Spanish take the view that all European countries are equal and should in general have the same influence and decision-making capacity. The flexibility clause which brings such initiatives back in the framework of the Union was welcomed with enthusiasm by the governing Socialist Party.

In the **UK**, the discussions on all aspects of the Draft Constitutional Treaty (DCT) have been marked by emotion rather than substance. Concerns regard the relation to NATO and national sovereignty. The **UK** is not opposed to FI per se, but it would not accept any influence on British independence in Foreign and Defence Policy. Free coalitions with other powers – especially the United States – must remain possible, full sovereignty must be secured. The wider debate has not centred on concrete provisions but on the question whether a referendum is required in order to ratify the Constitution.

For **France** and **Italy**, experts explained the lack of concern by the public by the fact that the highly specialised terminology is not understood by the “average man”. Furthermore, European integration is seen as a remote process which can hardly be influenced. As to official positions, **Italy** shows a widespread preference for FI within the institutional channels. Nevertheless the priority is still the effectiveness of a mission, followed by the broadest possible institutional legitimacy. In **France**, both FI within and outside of the institutional framework are considered as possible and as complementary rather than incompatible. As a consequence, concepts such as *Kerneuropa* (core Europe) and “variable geometry” are hardly among the main concerns of citizens.

In **Norway**, public awareness of CFSP/ESDP is in general low due to fact that **Norway** is not a member of the EU. CFSP/ESDP is discussed in very general terms, and often linked to the question of its potential impact on NATO given the development of an alternative security structure in Europe.

Table 2 tries, however, to give an overview over the main tendencies in the countries under review:

Table 2: Country positions on FI within and/or beyond the treaties

Country	FI within the Treaties	FI beyond the Treaties
Czech Republic		against FI
Estonia		against FI
Hungary		against FI
Poland		against FI
Sweden		against FI
Denmark	x	
Finland	x	
Greece	x	
Italy	x	
Spain	x	
Belgium	x	x
France	x	x
Germany	x	x
United Kingdom	x	x

Those countries that do not principally oppose cooperation beyond the Treaties, such as **France** and **Belgium**, aim at simple bilateral or multilateral cooperation if (and only if) the EU framework is paralysed. The Italian position emphasizes the importance of a legitimisation through either UN or NATO. In general, the answers show that there are no concrete ideas or concepts on how FI could work outside the institutional framework of the European Union. Ad hoc coalitions and summits like the one held in Brussels in April 2003 are therefore the most probable and assumable version of such initiatives. Nevertheless there are widespread concerns about a general tendency toward exclusive approaches to FI which could lead to the establishment of a *Kerneuropa*.

2.2. Flexible Integration and *Kerneuropa*

Debates on Kerneuropa have not taken place in all Member States. In some of the countries under review, there is a certain fear that FI would provide new cleavages in Europe. The debates differ, however, in intensity, differentiation and its connection to CFSP/ESDP.

In **Estonia**, media, academic groups and public opinion support a single-speed Europe, as they fear to stay outside of the core of a possible multi-speed model. They also consider the idea of a core Europe as a method to discriminate new members.

This holds also true for **Poland** having the historically grounded fear to be excluded and therefore being very sceptical on FI in general. FI, in whatever form, is seen as an attempt of 'old' EU members to 'hi-jack' European integration by approving fundamental decisions without 'newcomers'. A Union within the European Union is feared to be a big threat and there are concerns that some of the Member States could not be interested in inviting **Poland** to participate. As long as there is no clear vision of how FI could work in practice, **Poland** will handle this issue with care and scepticism.

In the **Czech Republic**, positions on FI differ between government and opposition. Whereas the governing Social Democrats are in favour of taking part in some form of FI, the Civic Democrats (ODS) who have won the latest elections to the European Parliament are definitely against FI. Future willingness to strengthen CFSP/ESDP will strongly depend on the governing party. The only notion that resonates within the public is the "first-class" vs. "second-class" membership which is not directly linked to CFSP/ESDP. The absence of a public debate in this policy field can be explained by the enlargement processes of EU and NATO which were in the focus of public awareness. Furthermore, security matters are mostly conflated with NATO.

Hungary's political elite showed considerable antipathy against FI. Only when Jacques Chirac raised the possible involvement of **Hungary** in a *Kerneuropa* during a visit in February 2004, it was referred to in a more positive way. Nevertheless, the fear of being a second rank member still dominates the positions on FI. The public and the media showed little interest in the issue, although they begin to discover the different positions within the EU.

The Nordic rapporteurs reported a more informed and intense debate on FI which concentrated on the topic CFSP/ESDP. The Finnish public and media have also been worried by the possibility of a multi-speed Europe or of a *Kerneuropa* created in the area CFSP/ESDP.

The Finnish official line has been that all Member States should participate on an equal basis in the strengthening of the CFSP/ESDP. **Finland** has been concerned by the creation of an intense, closed cooperation in defence between the biggest Member States.

In **Denmark**, the debate had its most intense moments immediately after the failure of the Brussels summit in December 2003. A concept of *Kerneuropa* was not seen as a viable outcome, as few commentators believed that the Franco-German axis would not be sufficiently strong to gather six to seven countries in a core Europe. Especially CFSP/ESDP was considered as an area where **France** and **Germany** would need British participation. *Kerneuropa* was viewed with scepticism, as it was likely to exclude **Denmark** due to its opt-outs. Some sort of flexible participation was seen as less challenging, as **Denmark** was likely to remain in the forefront in some policy areas.

While there has been an awareness of initiatives on FI in **Sweden**, these have not been much debated since **Sweden** is generally against FI. The meeting of **France, Germany, Belgium** and **Luxembourg** in Brussels in April 2003 was criticized by Göran Persson and Foreign Minister Anna Lindh. One of

the arguments was that this initiative created further divisions in Europe and thereby contributed to weaken it after the problems created by the Iraqi conflict.

Hardly any discussion on the issue is reported for the Scandinavian Non-Member State **Norway**. But a few voices hoped that FI could make it easier for Non-Members to participate. Others had doubts that there will be any change relevant for the Norwegian position.

2.3. Involvement of European Institutions in Flexible Integration

The formulations of concrete mechanisms and practical methods of FI in CFSP/ESDP in the DCT are rather vague and practical experience is missing. The Member States developed different preferences according to their interests and anticipations of the negotiation process. The study dealt with this aspect by asking to what degree the European institutions should be involved in FI. Despite the fact that the major arrangements are now included in the DCT to come it remains highly informative to see the different positions of the Member States because of their direct impact on the form of implementation as well as on the political support of the new instruments.

Estonia, strongly opposed to FI in ESDP in general, consequently did not have any suggestions on how the European institutions should be involved. **Norway** as a Non-Member State was not concerned by the question. **Poland, Hungary** and the **Czech Republic** had no clear approach to the division of competences. However, **Poland** tried to find a balance between a certain support for the community method on the one hand and the protection against too ambitious or even radical supranational solutions on the other. As foreseen in the DCT and now being realized in the European Constitution, the Council should undoubtedly be the decisive player. **Poland** wanted the Foreign Minister to be placed within the Commission and to have two deputies with the right to submit initiatives to the Council.

In **Sweden** there was – with the important exception of the ruling Social Democrats – broad opposition against changes in the involvement of the different institutions. The status quo should be secured, since the double hat of the Foreign Minister is seen as a big problem by most political parties.

For **Denmark**, the key role should remain within the Council, but the installation of a Foreign Minister is supported by the Danish Parliament. Nevertheless FI in ESDP has been opposed in general. This is why there have been no concrete proposals for institutional competence-sharing. The **UK** wanted decisions to be taken by the Member States with a crucial role for the National Parliaments.

Finland and **Belgium** were satisfied with the solutions of the DCT. But while **Finland** did not see any necessity to strengthen the Foreign Minister, the Belgians wanted him or her to be very strong with remarkable autonomy. They were also in favour of a stronger role for the Commission and the Parliament in CFSP – the latter having control over expenses and the right on information. Concerning ESDP, the Belgian position was not as accentuated as in CFSP.

Italy prefers the intergovernmental method which means that the European Council plays the central role in ESDP. Nevertheless the competences of the Foreign Minister should allow him or her to bring issues to the Council and to execute policies under a strong mandate.

France fully agreed with the DCT arrangements: The European Council identifies the strategic interests and fixes the objectives, the Council of Ministers acts in the sense of this strategy and the necessary decisions are taken by both. The Foreign Minister executes this politics by using both the instruments of the Union and those of the Member States and the Parliament is regularly consulted and informed.

In **Spain**, academic analysts want the European Commission to have a strong role in controlling common European interests and Spanish Parliamentarians from the national as well as the European level require better involvement.

A stronger role for the Foreign Minister has been supported by **Germany** which wants him or her to be consulted by the Council before a decision is taken. The Foreign Minister should then check the compatibility with the *acquis* and the overall CFSP. The Commission should evaluate the coherence of the cooperation and the EP should be regularly informed.

Whereas there are no specific proposals regarding the concrete role of each institution in flexible arrangements, **Greece**'s general approach is to strengthen those European institutions that will ensure the further development of the Union's policies and minimize the influence of intergovernmentalism.

In a majority of the Member States, National and European Parliamentarians wish to have more rights of control and more transparency in the area of CFSP/ESDP.

2.4. Fall-Back-Devices

The Questionnaire asked for possible reactions when the first priority of a Member State would not be realized. All Member States showed their willingness to search for compromise, even those strongest opposed against integration in ESDP. Those compromises remain strictly on the intergovernmental level; ideas of federation or stronger "supranationalization" do not seem viable for the near future. The **UK** would not accept QMV in CFSP/ESDP and would try to water down any proposal going into this direction. **Estonia** would accept all decisions reached by compromise between NATO and ESDP. A step-by-step cooperation within the European structures would then be acceptable. This holds true for **Hungary**. A similar position is taken by **Denmark**. For **Poland**, the most important subject is to avoid exclusion. But a European solution standing in conflict with the United States would never be accepted. **Sweden** and **Finland** would both try to seek compromise. **France**, **Germany** and **Belgium** would strengthen their cooperation beyond the Treaties and **Italy** would probably participate in ad hoc arrangements and concentrate on the link to the US.

3. Opinions on Recent Developments of Flexible Integration

3.1. Intergovernmental Conference 2003

*The questionnaire asked for an assessment of the amendments of the Treaty provisions by the IGC 2003. Despite the recent approval of the Constitutional Treaty by the heads of states and governments, the discussions on the occasion of the IGC 2003 in December 2003 give some indications of the Member State's positions especially with regard to CFSP/ESDP. All countries surveyed welcomed the outcome of the IGC 2003 as regards CFSP/ESDP. The overall failure of the IGC 2003 was most exhaustively debated in **Poland** and **Germany**, and led to renewed discussions concerning the future development of integration. Fears of Kerneuropa have been evoked and calmed down once again.*

a) Assessment of Amendments

Opinions on the suggestions of the DCT on FI in CFSP/ESDP differed in the countries under review. Very positive reactions to the new possibilities for FI and the suggested double-hatted Foreign Minister were reported from **Germany** and **Belgium**. Also the Spanish governing Socialists have welcomed these suggestions.

In **Denmark**, proposals to strengthen CSFP were brought forward in view of the split over Iraq. Debates on this issue led to the general call for the EU to speak with one voice. Beyond this there was no major debate on the proposals concerning ESDP, probably because of the Danish opt-out on defence.

The idea of a European Foreign Minister met considerable support in **Poland**. Polish commentators have generally pointed out that EU does not need new institutional designs but rather a sense of solidarity and common political will. The proposed abandonment of Presidencies was criticised, since it might reduce small member's engagement in CFSP. Unlike CFSP, ESDP evoked vehement critique at this stage of the discussion process. It was feared that the 'closer and structured cooperation' might endanger NATO's collective defence role and transatlantic ties in general, that the criteria set for participation would exclude countries willing to contribute and that both forms of cooperation would lead to the creation of parallel and duplicated military structures as well as introduce new division lines in Europe.

Finland and **Sweden** were both content with the amendment in the DCT that changed the criteria for permanent structured co-operation so that it would be open to all the EU members. Both the Swedish Prime Minister and the Swedish Foreign Minister suggested that **Sweden** should join this structured co-operation. **Finland** would have preferred a stronger emphasis on civilian crisis management. According to this position, a whole chapter should have been devoted to it in the text of the DCT. In addition, **Finland** was in favour of extending QMV in the area of CFSP, while it would have preserved unanimity in defence issues. This meets partly with strong German criticism on the persistence of unanimity rule in CFSP and ESDP. In **Greece** and **Hungary**, there were no discussions on the suggestions of the DCT in this field.

For the **UK**, as mentioned above, the debate has centred on the question of whether a referendum is required in order to ratify the constitution or not. The government played to a domestic anti-European audience by highlighting changes it would require before ratification. It sought to ensure that the **UK** is at the centre of decision making on foreign and security policy matters, while, at the same time, preserving its sovereignty.

The **Estonian** government position about Treaty provisions concerning ESDP and CFSP was contradictory. On the one hand, it took the very conservative stance, “we are not going to do anything that could harm the transatlantic coalition”. On the other hand, it is supporting the idea of passive participation in the CFSP and ESDP area.

b) Failure of IGC 2003

In **Germany**, the failure of the IGC 2003 was very negatively perceived. While only a few voices blamed the government for its inflexible stance on the double majority issue the overwhelming majority supported it and blamed **Poland** and **Spain** for the failure.

In **Poland** there were also two interpretations. The overwhelming majority blamed **France** and **Germany** for their inability to compromise and their tendency to dominate the enlarged EU. It was argued that for the future of the EU and the success of enlargement, it was much better to go through a transient crisis than to reach under time pressure another ‘rotten compromise’. The second interpretation, almost exclusively found among intellectuals, some experts and journalists, was based on the conviction that the number of voices would not be decisive for Polish ‘political power’. Far more important would be the ability to build coalitions. With a prolonged inflexible stance **Poland** would lose potential partners, rather than win support.

Spanish public opinion was rather disappointed by the failure of the IGC 2003. The then governing Popular Party was criticised by the then oppositional PSOE for its incapability to find a compromise. What appeared to worry Spaniards was that there was “not enough” Europe and that “variable geometry” could become the dominating model.

In **France**, the failure did not generate any new major debate. There were voices that underlined that despite the IGC failure there is progression made in the field of ESDP.

In **Hungary** there was no public debate on the DCT and therefore the failure of the IGC did not generate special interest.

The **Estonian** government and most of the public did not take the failure as something traumatic, since, in many ways, the government has seen the Nice Treaty and its provisions more beneficial. This position seems to represent a typical perception of the new Member States in Central Europe. Among the Estonian political parties only the Social Democrats supported by academia/think tanks were greatly alarmed at the ramifications of the IGC failure, claiming that it could lead to a *Kerneuropa*.

In **Finland**, the failure of the IGC was seen by the media as a complete defeat of the Union. Prime Minister Vanhanen, however, was more relaxed and therefore convinced that the constitutional process would continue during the Irish presidency without any major difficulties. His Swedish counterpart saw as crucial not to destroy all the progress made in the IGC by the failure to agree in Brussels in December 2003. A similar balanced perception of the IGC failure is reported from **Greece**. The achievement of a final compromise was seen as a matter of time only.

In **Italy**, the failure has not been perceived as closely linked to CSFP/ESDP issues, but rather to the broader balance of power within the EU, reluctance of some members to accept certain elements of “deepening”, and the repercussions of enlargement.

c) Kerneuropa

German government officials aired the idea of differentiated integration or two-speed Europe directly after the failed conference with obvious disappointment. But there was no debate on *Kerneuropa* comparable to the one in 1994 when the Schäuble/Lamers Paper came out. However, there is a widely shared (long term) view among the German Security and Defence Community that a multi-speed Europe or variable geometry should be enabled by the mechanisms as provided for by the future constitution.

The **Polish** side reacted with two interpretations. According to the government’s position the idea of *Kerneuropa* is wrong as it would mean a *de facto* end of the EU and European integration. Commentators and policy makers sharing this view stressed that the notion of *Kerneuropa* is rather a kind of political ‘black-mail’ than a realistic option. Some leading EU members use it as a threat in order to force others to approve solutions serving only their interests. But there were also oppositional voices. *Kerneuropa* in this perspective is a very likely answer to the present political dynamics in Europe. Hence, Polish foreign policy would be self-defeating if it constantly challenges **France** and **Germany** thereby strengthening the prospect of *Kerneuropa*. In case of a concrete implementation of a European core, **Poland** should not decline the concept, but, on the contrary seek to join and become an insider. Interestingly, this perception meets perfectly with the above reported long term view among the German Security and Defence Community.

The **Belgian** position was that a failure of the constitutional process would be a strong argument for a European Federation within the enlarged Union. A sort of avant-garde of the willing (**France**, **Germany**, the **Netherlands** and **Luxembourg**) would be desirable in the policy fields justice and home affairs, asylum and immigration policy, foreign policy, social policy and taxation.

The **Italian** debate was also quite productive in constructing different visions of new cores. Two lines of thought have emerged: the centre-right one emphasizing the new role of the **UK** as a full participant in the tripartite “core” (**Germany**, **France** and the **UK**) together with **Spain**, but potentially **Poland** too, which would assure **Italy** to be included; the centre-left line advocating a return to the logic of the founding members, which of course would include **Italy** but on the other hand exclude the **UK**.

The **French** government evoked its long standing support for enhanced cooperation in different fields as a means for prolonging integration in an enlarged Union.

The Czech debate focused on the issue if the **Czech Republic** should join an emerging integration hard core. An advocacy argument by Prime Minister Špidla at the Brussels summit that the **Czech Republic** were ready to join met with stark rebuke by the opposition party ODS and clashed also with President Václav Klaus' views. However, the Ministry of Defence has become gradually more open to this new dimension in European integration.

As mentioned above, **Hungary** in general is opposed to any form of FI, although the French President suggested a possible Hungarian participation in a *Kerneuropa* during his visit in February 2004.

3.2. Trio-Meeting between UK, France and Germany

On 18 February 2004 the heads of state of the UK, France and Germany held a tripartite summit aimed at promoting a shared understanding of various issues including suggestions of the IGC 2003. The trio-meeting was of course welcomed by the three involved governments but also by Belgium. It remained largely unnoticed in the Czech Republic and in Non-EU-Member State Norway. The Danish Prime Minister downplayed its significance arguing that it was quite natural that the three leaders met prior to the EU Summit. In a similar vein, the Estonian government claimed that it was a national affair having little to do with EU procedures.

To begin with the **UK**, the trio-meeting caused little political or public debate. It is variously characterised as Britain working with Europe, Britain at the centre of Europe, and Britain being important to the Franco-German axis.

In **Germany**, the meetings are seen increasingly indispensable for taking the EU forward on strategic issues, major questions of external policy and problems of CFSP/ESDP institutional design. Furthermore, there is a strong commitment to the Franco-German cooperation.

For **France**, meetings of the “big three” are not reflecting a dominant position in relation to the other Member States but it appears as simply logical and normal that there is regular consultation between them. This especially holds true for ESDP given that the three are founding members. The last meeting was especially important to normalize the relations between **UK** and **France** and did provide a chance for the **UK** to show its active participation in European politics.

Belgium, as mentioned above, sees an important role for itself in European politics and argues that this position of a small state is proof for the non-existence of a *directoire*. Still, it claims for the recognition of the leading role of the big three in CFSP.

Contrary to this position, in **Denmark, Estonia, Finland, Greece, Hungary, Italy, Poland, Spain** and **Sweden**, several voices interpreted the meeting as the beginning of *directoire* rule.

The harshest critique came from **Poland**. Although it seems to be accepted that main EU countries do have the right to - or even should - play the role of leaders of European integration, this has to happen strictly within the context of a European debate engaging all members. The political reality nonetheless shows that ideas concerning the EU as a whole are first "precooked" within a small circle of main members, and only then brought onto the EU agenda on the basis of 'take it or leave it'. That was the Polish experience with the Iraqi crisis.

A similar but less "conspicuous" position is reported from **Italy**. The meeting is seen as an episode reflecting a deeper trend: leadership in the enlarged EU can only be provided by an inner core. **Italy** has the problem of not being a candidate for full participation in all issues. Thus, an acceptable core should be flexible, issue-based, open to future additions and transparent in its agenda.

In **Denmark, Finland** and **Sweden** similar double-edged positions with slightly more emphasis on the positive, productive side were aired.

Hungarian political elite and the media interpreted the trio-meeting as making business over the head of the small countries.

In **Greece**, the critical attitude towards "outside arrangements" in general also holds true for the trio meeting. This position is partly due to the negative experiences with the so called "initiative of the five" promoting the EU accession of Cyprus without prior settlement of the political problem. On the other hand, some voices welcomed the initiative as promoting EU efforts in CFSP/ESDP.

Part II: Prospects for Realization of Flexible Integration in CFSP/ESDP

One major aim of this survey was to find out probable political consequences of provisions on FI in the field of CFSP/ESDP. The new arrangements in this field - introduced by the DCT, concretised in the IGC and finally laid down in the future European Constitution - can be divided into two main categories: instruments (e.g. permanent structured cooperation) and institutions (e.g. European Headquarters). These arrangements constitute a changing framework for the participation of the Member States in European Missions. Part II of this report therefore presents the prospective practical relevance of the new or newly designed instruments of flexibility, the prospective participation of the Member States in the new institutions like European Headquarters or the "Agency" and the conditions for participation in European Missions.

1. Prospective Practical Relevance of Instruments of Flexibility

1.1. (Permanent) Structured Cooperation

In the questionnaire, we asked for the willingness and ability to take part in permanent structured co-operations. In spite of still existing concerns, most Member States would participate in a structured cooperation mainly out of fear of being left out. With regard to access, a great majority of the official positions are in favour of "openness for all".

The DCT provides the possibility of a structured cooperation between those Member States "which fulfil higher military capability criteria and wish to enter into more binding commitments in this matter with a view to the most demanding tasks" (Article III-213).

In general, Member States have expressed a positive opinion on structured cooperation. However, three main problems were mentioned:

- The design of structured cooperation is so diffuse that it would not achieve the goal of a more effective ESDP (**Estonia, Czech Republic**);
- Structured cooperation will be used to form an avant-garde group of Member States (**Poland, Estonia, UK**);
- Structured co-operation will sideline NATO's leading role and/ or agonize NATO (**Poland, UK**). To prevent this, German experts and relevant government officials favoured the inclusion of a "reference to the importance of the Atlantic Alliance" within the protocol on structured cooperation.

a) Participation in General

Critique on the original ideas of **France, Germany, Belgium, and Luxemburg** has been alleviated by the moderations carried out by the Convention. And in spite of still existing concerns, most Member

States would participate in a structured cooperation mainly out of fear of being left out. In this vein, the Estonian statement on participation in ESDP initiatives could be exemplary for most of the small states: “There is a national consensus that there is no other option than participation in the EU and NATO initiatives, as **Estonia** is too small to solve its security problems alone.”

The Italian rapporteur points out the crucial role of the governmental coalition in determining the level of commitment in structured cooperation. But essentially the fear to be left out of decisive developments forged by major countries (**France, Germany, and UK**) in the EU would be a strong argument for Italian participation. Regarding budgetary implications the debate has been very low profile. Key political leaders in **Italy** are not convinced that increased defence spending would translate into increased security for the country or significantly greater political weight in Europe.

Spain feels able and willing to participate in structured cooperation, both in political and capability terms. It is capable of contributing almost immediately with a national Battle group.

The **UK** is highly motivated to take part in structured cooperation (and in ESDP developments in general) mainly in order to prevent French leadership in this area of European integration. This motivation helped to overcome the British concerns that the original ideas by **France, Germany, Belgium and Luxembourg** were a gesture without real content, which would annoy the Americans without achieving greater coherence among European forces. On the contrary, the British Government is now sure, that they would be used to create an ‘avant-garde’ group of Member States which would be incompatible with the overall workings of the EU.

Greece is already investing a very high percentage of its GDP in defence and therefore considers itself able and is also willing to take part in structured cooperation.

France is afraid to lose its sovereignty by participating in structured cooperation but would be willing to participate if it were credible and enriching for all members. At the same time, it is considered politically realistic and necessary to share the burden in terms of human and financial resources.

After having led a multinational division in Iraq, **Poland** feels able and is willing to even initiate structured cooperation. As the new Member States are for the foreseeable future not taking part in other main integration projects like Euro or Schengen, the area of ESDP is conceived in **Poland** as a possibility to gain influence in European political circles.

The same is true for the non EU Member **Norway**, which considers it important to be as active as possible to show both interest in EU activities and the ability to make a contribution.

b) Participation Criteria

Regarding the note envisaging a prospective Protocol on structured cooperation presented by the Italian presidency in November 2003 and including specific criteria for participation there was little national debate in any of the Member States surveyed. A great majority of the official positions are in favour of “openness for all”, which is considered as the main achievement of the IGC 2003 and - as

mentioned by the British rapporteur - expressed in the new wording “permanent structured cooperation” (PSC).

As to the establishment of PSC, the **UK** preferred unanimity decision whereas the draft constitutional treaty proposed a qualified majority vote. The Czech government wished to see the threshold relatively high (2/3 or 60% of all Member States), especially including the **UK**. **France**, on the other hand, was ready to start cooperation also with only one partner country. **Greece** supported a minimum of one third of the Member States, but would have agreed to a general abolishment of a minimum number as a prerequisite for establishing PSC.

Notwithstanding its opt-out on defence matters, **Denmark** would be prepared at least in terms of capabilities to participate in PSC. The criteria for PSC, still loosely defined seem to resemble the criteria for NATO’s Response Force in many aspects. The Danish government’s proposal for a new defence reform is based on meeting the criteria for NRF, and it is therefore likely that, if there was no opt-out, the new defence reform would make it possible for **Denmark** to join PSC. Following main conditions for participation are stated in the Danish Position Paper prepared for the IGC 2003: clear rules, equal terms, and openness to all.

By the same token, **Finland** and **Sweden** welcomed the amendment of the constitutional draft allowing every willing Member State to participate in PSC, mainly because of their own restricted resources in defence. **Finland** is in general opposed to any kind of participation criteria.

Whilst the **Czech** government is also definitely in favour of an open structure the Czech Ministry of Foreign Affairs wants exact and rather quantity-based criteria for participation to be set up.

In **Poland**, at least diplomatic circles are well aware of the need to find a balance between inclusiveness and effectiveness of the participation criteria for PSC. The Polish debate between the presentation of the Constitutional Draft and the summit in Naples showed the fear that the criteria set for participation privileged the main European powers, **UK**, **France** and **Germany**.

Greece is confident in its military capacity and is ready to accept any criteria as long as they do not prevent its own and Cyprus’ participation in PSC.

Especially the provisions of the Protocol regarding cooperation, availability, flexibility and deployment are in line with the Belgian military reform. Like other Member States **Belgium** is worried about the budgetary implications of participation.

The accession and exclusion criteria were welcomed in **Spain** in general, although at the same time it was perceived as a very complicated system. While the Spanish government is convinced to have the capacity to fulfil accession criteria some Spanish analysts fear that **Spain** is on the limit of its capabilities. But since **Germany** and **France** broke the Stability Pact such protocols only have little credibility.

The Council suggestion to create Battle Groups that could either be formed entirely by one Member State alone or by cooperating Member States was welcomed by **Poland** and **Sweden**. **Sweden** plans to prepare 1500 troops (plus another 300 for reinforcement) after 2008. Furthermore, the Nordic Coordinated Arrangement for Military Peace Support (NORDCAPS), operational since 1 July 2003, already envisages joint Nordic contributions. The strong political will in **Sweden** to contribute to sustained peace-support operations is underlined by a report of the parliamentary defence commission. This report envisages the doubling of investments in international missions and deals with financial aspects by proposing funding by reductions in procurement and bureaucracy.

Estonia considers itself not capable to contribute to Battle Groups in the near future and explicitly opposes the linkage of participation in PSC with participation in Battle Groups. Non-participation in PSC in this case is officially justified as “not in the national interest”.

German experts and relevant government officials are in favour of standards for participation without using criteria which would have direct budgetary implications (such as defence convergence criteria). Furthermore, the time-consuming procedure of a parliamentary vote for a German engagement would possibly conflict with the commitment to make forces available within a period of five to thirty days.

The **UK** lays special emphasis on guarantees and reassurances about how Member States will qualify for participation in an operation and to ensure that the Council has oversight of the initiative, but secured nevertheless that all Member States could join PSC. Major criteria for the **UK** are readiness of the Member States to develop improved defence capabilities and their commitment to supply by 2007 units supported by sufficient transport and logistical capabilities to carry out crisis management missions.

c) Permanent Structured Cooperation and Enhanced Cooperation

While PSC is a special instrument for ESDP, the DCT also allows for the general instrument of enhanced cooperation to be used in CFSP/ESDP. However, the question arises, if this provision will be of any practical relevance in ESDP. The statements presented here show the general confusion about the actual content of both concepts as regards their inclusiveness or exclusiveness.

Italy simply points out that everything depends on interpretation of the two formulas in practice. The Finnish rapporteur envisages the role of enhanced cooperation in the traditional area of CFSP, whereas PSC will be realized in the area of ESDP. The Danish rapporteur would find armaments as the only area left for enhanced cooperation. For the German rapporteur, enhanced cooperation would additionally serve as a safeguard if PSC should be watered down through practically all Member States participating in it. In this case, enhanced cooperation could be used within structured cooperation.

This possibility is also seen by **Estonia** while its implications are perceived as strongly negative. **Estonia** considers enhanced cooperation as much more exclusive and disadvantageous for small countries whereas PSC provides for a more open structure.

The **Polish** as well as the **British** perception is the other way round: For the Polish rapporteur, enhanced cooperation aimed at political or soft-security co-operation - without committing themselves to military or hard security co-operation, offers possibilities of engagement for neutral/non-aligned EU members. Similarly for the **UK**, structured cooperation goes beyond enhanced cooperation and offers the opportunity to some endowed states to drive forward ESDP in the name of the whole Union. This perceived exclusiveness of structured cooperation conflicts with the general British idea of flexibility within ESDP where everybody can join equally and opt out at any time. Therefore the possibility of enhanced cooperation should not be ruled out as it is perceived as more inclusive.

The following table 3 sums up some major differences in the perception of enhanced co-operation and PSC.

Table 3: Selected Countries' Position on Relation between PSC and Enhanced Co-operation

Country	Permanent Structured Co-operation	Enhanced Co-operation
Poland		more inclusive (Neutrals)
UK	more exclusive (avant-garde)	
Finland	ESDP	CFSP
Germany		more exclusive (Safeguard for ESDP)
Estonia		more exclusive

Summarizing, it can be stated that the **UK**, **Poland** and more or less **Finland** are expecting, that PSC is the more exclusive concept, which could lead to the development of avant-garde groups while **Germany** and **Estonia**, for different reasons and with different expectations, understand enhanced co-operation as potentially more exclusive. Whereas this is seen as a safeguarding possibility by **Germany**, its alleged exclusiveness is the main critique of enhanced co-operation.

1.2. European Decision

The Council adopts European decisions which define the approach of the Union to a particular matter of a geographical or thematic nature. European decisions within this field are adopted unanimously but constructive abstention does not hinder the adoption. In the case of constructive abstention, the Member State shall not be obliged to apply the European decision but accept that the latter commits the Union. Furthermore, a “passarelle” clause was introduced in the DCT, allowing for the European Council to adopt unanimously a European decision stipulating that the Council shall act by a

qualified majority in a certain policy field The future Constitution, however, will not open the field of ESDP for this “passarelle”.

a) Constructive Abstention

In all Member States under review, there has been a very limited debate on the issue of constructive abstention within the political elite, the media and the general public. However, some similarities and differences with regard to the European decision-making process can be seen in the country reports.

Both **UK** and **France** are determined to preserve their sovereignty in the field of CFSP/ESDP and are thus opposed to any moves to qualified majority voting in these policy fields. Conversely, they are also aware that any progress in these fields should not be hampered by the excessive use of vetoes, especially by smaller Member States. As a corollary, the **UK** has been reflecting ways to strengthen and enhance the use of constructive abstention and possibly of developing enhanced cooperation which has led to some movement on the idea of structured cooperation.

The position of **Denmark** resembles that of the **UK** as it takes the stance that the EU cannot impose a certain foreign policy on a Member State. Similarly, this Member State cannot prevent the others from pursuing a common foreign policy.

By the same token, **France** considers constructive abstention as a good way of preserving its sovereignty in the field of CFSP/ESDP while enabling its partners to pursue a common policy goal.

In **Germany**, the instrument of constructive abstention is seen as a useful tool for facilitating consensus among EU members. But it considers it a weak mechanism since it is, on the one hand, combined with the possibility of opting out from commitments related to an unanimous decision and, on the other, does not change anything with respect to the veto right of single Member States. Thus, the longstanding German position remains unchanged that QMV should be used in CFSP in order to organise an effective and efficient foreign policy.

Italy is largely in favour of the constructive abstention mechanism as a reasonable way to avoid paralysis.

Belgium views constructive abstention as a means that may pave the way for a structured cooperation in the field of CFSP/ESDP. As any future application of constructive abstention shall only be possible in accordance with the principle of unity and coherence of the Union, it may also serve as a safeguard mechanism against possible trends of setting up *directorates* outside the Treaties.

There is also general acceptance for this kind of flexible instruments in **Spain** and **Greece**.

The two Scandinavian countries, **Finland** and **Sweden**, consider the instrument of constructive abstention useful in the field of CFSP/ESDP.

Poland understands it as necessary as it is opposed to a European unanimity “at any price”, i.e. to institutional solutions leaving no room for members’ objections.

The **Czech Republic** as well as **Estonia** had no discussion on this instrument so far.

b) Passarelle Clause

Scarcely surprisingly, the "passarelle" clause was supported by those states that were in favour of QMV in CFSP/ESDP.

With regard to a “passarelle” clause, both the **UK** and **France** are strongly against any move towards QMV in the CFSP/ESDP area. At the beginning of the debates surrounding the European Convention, the **UK** Government conceded to consider the extension of QMV on a case by case basis stressing that any future decision to move to QMV would have to be made by unanimous agreement in the Council. But the **UK** government has increasingly made clear that an extension of QMV to CFSP is not seen as an option. Similarly, the French government – with broad support of the political class as well as the general public – is against QMV in the field of CFSP/ESDP and therefore also against the “passarelle”.

Contrary to these sovereignty oriented positions, all **German** representatives in the European Convention were very much in favour of introducing into the Convention draft treaty at least a “small” “passarelle” clause for a unanimous decision on whether QMV could be used in particular policy fields of the CFSP without amending the treaty. It was a minimalist fall back position. The overall German objective remains the generalisation of QMV in CFSP.

Denmark, **Greece** and **Italy** have a similar position to that of **Germany** as they are in favour of a “passarelle” clause as well as in favour of QMV within CFSP.

Finland is also in favour of extending QMV to the field of CFSP (but not to ESDP) but it remains sceptical of the effectiveness of the “passarelle” clause.

Belgium takes a slightly different stance preferring the possibility that the Council may adopt QMV after consultation with the European Foreign Minister in the framework of structured cooperation.

The **Swedish** position resembles that of the **UK** and **France** as it is against the “passarelle”. The current Swedish Prime Minister sees only one possibility for using it, namely when something dramatic happens and, at the same time, the Union agrees that the issue cannot be handled through the usual procedure. It would, however, not be suitable for a situation with conflicting views.

The governing **Spanish** Socialists welcome the “passarelle” clause and would have preferred the extension of the circumstances in which it could be applied. The Popular Party, however more in favour of an intergovernmental approach, has doubts.

Poland and the **Czech Republic** are generally sceptical or even against a “passarelle” clause but with different emphasises. **Poland** could accept a very carefully drafted “passarelle” that would not

impinge upon state's interests. The 'Iraqi experience', however, clearly diminished chances for Polish consent in this regard.

Likewise, the **Czech Republic** considers the introduction of "passarelle" as premature due to many unresolved questions. The **Estonian** government is explicitly against using "passarelle" under today's definition. In the government's White Paper not a single field was marked as a possible area for compromise. The government has requested specification of the practical working and long term purpose of the clause. **Estonian** academics and think tanks, on the other hand, see it as a normal intermediary step from the intergovernmental model to a supranational one. To summarize, Table 4 gives an overview of the main positions on the "passarelle":

Table 4: Country Positions concerning „Passarelle“⁵

Country	Passarelle Clause	
	Pro	Contra
Belgium	x	
Denmark	x	
Finland	x	
Germany	x	
Greece	x	
Italy	x	
Spain	x	
Czech Republic		x
Estonia		x
France		x
Poland		x
Sweden		x
United Kingdom		x

1.3. Mutual Defence Clause

The MDC is – out of different reasons – a sensitive subject for NATO members and for non-aligned Member States. The questionnaire asked for debates around the MDC and for expected repercussions with NATO membership or non-alignment respectively. While NATO members were concerned by a possible incompatibility between solidarity in the EU and solidarity in the transatlantic partnership, for non-aligned states arose the question if the MDC would interfere with non-alignment. Although the IGC reached an agreement on MDC in June 2004, we would like to present the debates on MDC

⁵ There were no positions reported from Hungary.

in the member states based on the DCT as they can give us some insights in the probable behaviour of Member States when called for mutual defence.

In 1997, six Member States (**France, Germany, Belgium, Italy, Luxembourg, and Spain**) proposed to integrate, in a flexible way, the commitments of article V of the WEU treaty⁶ into the EU framework. This can be seen as the first attempt to include a so-called "Mutual Defence Clause" (MDC) in the EU. The attempt failed and was repeated at the Summit of the four nations (**France, Germany, Belgium and Luxemburg**) in April 2003. In its actual formulation in the DCT, the MDC is obviously open to various interpretations.

The DCT states "if a Member State is the victim of armed aggression on its territory the other Member States shall have towards it an obligation of aid and assistance by all the means in their power in accordance with Article 51 of the United Nations Charter. This shall not prejudice the specific character of the security and defence policy of certain Member States" (DCT, I-40, par. 7).

The questionnaire asked for debates around the MDC and for expected repercussions with NATO membership or non-alignment respectively. Conversely, non-NATO-members were asked if they expected problems due to the obligations of NATO-members, and non-neutral Member States were asked if they expected problems due to the non-aligned status of some Member States. Finally, possible correlations or contradictions between the mutual defence clause and enhanced co-operation were asked for.

In **Italy** the MDC is officially essentially understood as a political statement, rather than an automatic military/defence commitment undertaken by the members.

In a similar vein, **Belgium** defines the clause as mainly symbolic.

Germany sees different possible consequences of the MDC, among them also the option that it remains rather meaningless when reserving the right to opt out from every commitment to mutual defence. In this case, enhanced cooperation could be used by interested countries in order to set up the necessary military and institutional structures for a stronger underpinning of the weak and openly formulated clause.

Quite on the contrary, the MDC is taken very seriously in the **Czech Republic** and the requirement of a substantial degree of co-ordination, planning and preparation done by security, rescue and health actors from the Member States as well as an intensive intelligence co-operation is expected. Consequently, the **Czech Republic** understands the MDC largely as a matter of the future. For **Greece**

⁶ "If any of the High Contracting Parties should be the object of an armed attack in Europe, the other High Contracting Parties will, in accordance with the provisions of Article 51 of the Charter of the United Nations, afford the Party so attacked all the military and other aid and assistance in their power."

the integration of the “mutual assistance clause” within the DCT is a means to develop the European Security and Defence Policy into a collective system of security and solidarity.

Probably, the openness and lacking clarity of the MDC was necessary in order to come to an agreement between all Member States. However, it can also be argued that the clause in this form makes neither political nor military sense. This opinion is most frankly represented by the **Polish** government that sees the MDC as a pointless provocation of the USA and is afraid that contradictory interpretations of the MDC will lead to political tensions.

a) Mutual Defence Clause and NATO

Most NATO members hold the view that NATO remains the basic security provider while the EU mainly deals with humanitarian and civil aspects. This interpretation is supported by the relevant article of the DCT that gives a prominent place to NATO commitments.

This interpretation was, however, originally not supported by **Poland** that understood the MDC as a duplication of NATO obligations and by the **UK** that felt that the MDC was not acceptable as it challenged the NATO security guarantee. The **UK**, however, supported enhanced cooperation in the more limited form of a “solidarity clause” whereby all Member States come to the assistance of a single Member State suffering from a terrorist attack or a man-made or natural disaster. For the **UK**, the corollary to this compromise was an explicit assertion that NATO remains the body ensuring collective defence for its members.

Contrary to these positions, the NATO member **Belgium** has been one of the champions of the MDC as well as of solidarity in the EU. Despite its understanding of the clause as primarily symbolic it sees it as an important signal towards smaller countries, like **Belgium** itself. Furthermore, it understands the MDC as a political statement towards further integration. As to the relationship between the MDC and NATO, the Belgian position is also more differentiated than positions of most other countries. For the time being, it understands the relation between NATO and EU in military matters as one of subsidiarity. The EU will only intervene in lower risk situations or if NATO reduces its engagement. In the case of a major aggression, it is understood that NATO solidarity comes into force. However, **Belgium** also sees the possibility of weakening transatlantic ties that will give higher relevance to an independent European security policy.

Due to its complicated relationship to Turkey **Greece**'s concern relates to the interpretation of the reference made in the DCT to NATO in the case of a potential activation of the MDC vis-à-vis Turkey.

b) Mutual Defence Clause and Neutrality/Non-Alignment

*The neutral/non-aligned Member States (**Austria**, **Finland**, **Ireland**, and **Sweden**) protested against the original formulation of MDC. The actual formulation, however, satisfies the non-aligned countries in the survey (**Finland** and **Sweden**) as it does not introduce automatism.*

However, in both countries (and contrary to all other countries analysed here), the MDC led to intense and critical discussions. In **Sweden**, the MDC was part of a debate between different political parties on Swedish non-alignment. The government protested against the original formulation and is satisfied with the new version arguing that the MDC has no impact on Swedish non-alignment. The Liberal Party and the Christian Democrats were content with the original formulation, while the Green Party and the Left Party feared for Swedish non-alignment. The new proposal was accepted by all parties even though the Green Party and the Left Party were still critical, arguing that **Sweden** was now “less non-aligned”. The Moderates and the Centre Party saw the formulations as satisfactory and as having no effect on Swedish non-alignment policy, whereas the Liberal expressed their contentedness that **Sweden** was now less non-aligned.

As to the perspective of non-neutral Member States, most of them do not see non-alignment as problematic. However, there are also some reservations with regard to the compatibility of neutrality and EU membership. This is put most bluntly by the official **Belgian** position that neutrality contradicts the political aims and fundamental principles of the EU. **Germany** and **Poland** do not see the issue quite as crucial but maintain that some commitments of neutral/non-aligned countries (like overflight rights for fighter aircraft) will be necessary.

c) Summarizing Positions

Summarizing the positions, one can distinguish between three groups of countries

- ***Belgium**, **Germany**, and **Greece** were strongly in favour of the MDC,*
- ***Estonia**, **Finland**, **France**, **Italy**, **Sweden**, and **Spain** were mildly in favour of the MDC,*
- *The **Czech Republic**, **Poland**, and the **UK** were against the MDC for a very long time. Despite their final approval they still have to be regarded as sceptics towards MDC.*

While it seems obvious how the first and the third group would react in a situation that calls for an actual implementation of the MDC, the real commitment of the largest number of Member States cannot be predicted. Especially the non-aligned states seem to have agreed to the MDC precisely because they do not feel obliged to any activity by it. The political impact of the MDC will thus depend on the concrete situation. Of course, this result induces some doubts as to the usefulness of this article but, maybe at least its symbolic value for further integration will be of relevance.

2. Prospective Participation in new Institutions of CFSP/ESDP

2.1. European Headquarters

An autonomous European Headquarters is currently not mentioned in the Constitutional Treaty. Nonetheless, the European Council agreed to take forward work on the establishment of a small EU cell at SHAPE and NATO liaison arrangements with the EUMS. Additionally, it is planned to establish

a civilian/military cell within the EU Military Staff and that the cell should begin its work at the latest by the end of 2004.

The Belgian idea of establishing autonomous European Headquarters capable of planning significant military operations occurred on the occasion of a meeting of the heads of state of **France, Germany, Belgium** and **Luxembourg** on 29 April 2003 and was heavily opposed by Member States not participating in this meeting. The argument in favour of this idea focused on the need for an autonomous planning staff for EU led operations. In the eyes of opposing Member States the idea was meant to draw a divisional line between EU and NATO activities in defence matters. At the European Council in Brussels on 11/12 December 2003 a British proposal led to the compromise of installing a European planning cell at the NATO Headquarters (SHAPE) in Mons near Brussels.

This solution satisfied those who favoured an autonomous headquarters independent from NATO (**Belgium, France** and **Germany**) as well as those being sceptical about de-coupling EU Defence from NATO facilities, like **Denmark, Poland, Sweden** and especially military circles in the **Czech Republic**.

The main issue especially important to **Italy** and **Germany** is the priority of national headquarters in leading autonomous EU operations. For the German Minister of Defence, this amendment was important because **Germany** has just established its own multinational headquarters in Potsdam.

The governing Socialist Party in **Spain** accepts and supports the autonomous European Headquarters. It considers the idea as essential for Europe's strategic credibility and for its independence from the US. The Popular Party however fears that this initiative could negatively affect the Atlantic alliance or create the fiction that there is in fact a real ESDP. In military sectors concerns about possible duplications at the strategic more than the operational level have been raised. However, the creation of a fully autonomous military structure in the EU is perceived as an irreversible process.

Poland was especially concerned about a possible "institutional de-coupling of EU from NATO" by creating a separated headquarter. Furthermore, a concurrence between NATO and EU operational planning would impinge upon the military planning in the Member States since troops pledged to NATO and EU are the same. Hence, there must be a common or inter EU-NATO co-ordination of their activities, training and tasks.

The **UK** opposed the plans to establish separate Headquarters in Tervuren, but accepted the idea of a separate planning capacity as long as it keeps close links with NATO. In the understanding of the **UK**, the EU is not creating fully fledged headquarters but is instead seeking to enhance the EU military staff (EUMS) through a non-permanent cell with civil and military components. British fears that the cell would allow the EU to act autonomously have been allayed by the cell having the implementation of military operations listed as a low ranking priority.

Only some **German** experts and the **Belgian** rapporteur fear that the close connection between NATO and EU will prevent the development of an autonomous EU capability for taking military action.

Similarly in **Greece** the idea of European Headquarters is not questioned, instead, it is considered as important that its full autonomy vis-à-vis NATO is ensured, mainly because **Greece** does not want “difficulties” existing within NATO regarding certain issues between **Greece** and Turkey to be imported into CFSP/ESDP.

Fear of duplication of NATO military structures is the main reason for **Denmark, Finland** and **Estonia** to prefer the integration of the EU planning cell in NATO structures. This view is also supported by Non-EU-Member **Norway**. In **Denmark**, the coordination of civilian and military aspects of crisis management as part of the work of the Planning Cell is highly welcomed and supported. Also, the Swedish Prime Minister Göran Persson considers it important to have a civilian-military planning unit in order to complement the facilities of NATO.

As a non-aligned country, **Finland** retains it important that when using the military devices of NATO for planning an EU operation, the citizens of the EU non-aligned Member States should be treated equally with the citizens of NATO Member States.

In **Estonia** military elites are highly sceptical about the EU’s ability to lead military operations outside of NATO. In a similar vein, **Denmark** is in favour of conducting EU led operations through the ‘Berlin plus’ arrangements whenever appropriate.

2.2. European Agency in the Field of Defence Capabilities Development, Research, Acquisition and Armaments (“Agency”)

The questionnaire asked for the willingness and ability of the Member States to participate in a European Armaments Research and Military Capabilities Agency. In July 2004 the Council approved a joint action establishing the Agency. The answers we received in spring 2004 showed general support for the Agency as well as widely differing understandings of what the Agency should actually do.

"A European Armaments Research and Military Capabilities Agency shall be established to identify operational requirements to promote measures to satisfy those requirements to contribute to identifying and where appropriate implementing any measure needed to strengthen the industrial and technological base of the defence sector to participate in defining a European capabilities and armaments policy and to assist the Council in evaluating the improvement of military capabilities." (Art. I-40, par. 3)

The questionnaire asked for the willingness and ability of the Member States to participate in the Agency, for opinions regarding the management of the Agency (technical or political manager) and for the relation between the Agency and the older agreements on armament cooperation, OCCAR

members (**France, Germany, Italy, UK**), and LoI (members: **France, Germany, Italy, Spain, Sweden, UK**).

a) Participation in General

All Member States welcomed the establishment of the Agency, although some of them were concerned by their limited financial resources, which may prevent them from actually taking part in specific research and development programmes.

The **UK, France** and **Germany** have been in favour of establishing the Agency, and see it as an important mechanism to improve European capabilities. The **UK** wants the Agency to be “capability led” and to follow a three-fold modus operandi in order to:

- determine the capabilities that are required;
- honestly evaluate how far short of these capabilities the Member States are falling;
- analyse the way in which gaps can be bridged.

The **UK** has been working closely with **France** to ensure that progress is made in this area. It will participate, but it is not clear to what extent it will affect current national defence programmes. Questions arise as to the extent the **UK** will be willing to give up independent capabilities in both defence development and actual military units. The **UK** government is concerned by the danger of losing its independent armament capabilities. The **UK** defence budget being in difficulty the focus is rather on following US equipment proposals. There is a British awareness of US concerns about sharing technology within Europe. It is on these grounds that the opposition Conservative Party is against the creation of the Agency. Moreover, **UK** defence companies remain torn between co-operation with partners in Europe and the US. The **UK** government stresses that the Armaments Agency should be responsible to and run by the Member States, and that it is important for the Member States to recognise that possessing the adequate capabilities is only useful if they have a willingness to use them if need be.

France is determined to participate in the Armaments Agency and was very active in the European Convention (in collaboration with **Germany** and the **UK**) to establish such an Agency. Contrary to the British position, **France** views the Agency as a first step to a common security system in Europe capable to operate independently from the US at least in terms of equipment and resources.

As already said, the Agency is a German long-term project geared towards EU integration and promoted together with **France** and some other partners. The major issues in the general debate in **Germany** centred on the question whether the Agency should have decision-making powers and budgetary means or whether it should have only a coordination function. In the end, the mainstream thinking was oriented towards an Agency with coordination and networking function for two reasons: On the one hand, because of British resistance to any construction going beyond this model, on the

other hand because of the success story of OCCAR which should be continued and integrated step by step into the EU framework.

Italy's support for consolidation of the European defence industry has been viewed as rather half-hearted in recent years by some observers: In particular, critics of the Berlusconi government have pointed at the decision not to join the A400M project. Some military experts have argued, however, that **Italy** will actually be better equipped than some of its EU partners in the next few years in the crucial field of strategic lift, precisely thanks to the acquisition of state-of-the-art transport aircraft (from a US company). In practice, it is not certain that participation in specific projects should be seen as a sign of the overall commitment to EU-level coordination in the industrial defence sector. An important stimulus for active participation in the Agency will be the attempt to "secure" key programmes, at least by avoiding significant cuts once they have been launched: Clearly, a tight multilateral setting makes any change of plan more costly and thus more unlikely.

The **Spanish** Government's position is clearly in favour of participating in the Agency from its creation. Already during the Spanish Presidency of the EU (January 2002 to June 2002), the European armaments policy received a great boost. The setting up of a sole body to coordinate and systematize the different initiatives and programmes was proposed by the Government team which prepared the programme in the field of defence policy.

Greece is able and most willing to participate in the Agency; mainly because it considers it necessary to co-ordinate actions linked with the European defence industry in order to enhance its competitiveness and strengthen its own national defence sector.

Belgium is principally in favour of the establishment of the Armament Agency but admits that it is too early to provide any serious assessment of its future engagement at this stage. On the one hand, **Belgium** recognizes the fact that the Agency has to be equipped with sufficient manpower to operate credibly. On the other hand, it is also aware of its own budgetary constraints.

Interestingly, the Danish Government supports the establishment of an Agency and the Prime Minister has on several occasions underlined its potential to strengthen further European Research & Development in technology. **Denmark** does not have a large defence industry which however regrets the fact that by not participating in the Agency, it may not benefit from technological spin offs from closer European cooperation on Research & Development in the defence area. But the opt-out in defence issues is likely to prevent Danish participation in the Agency.

Finland welcomes and supports the establishment of the Agency and is willing to participate in it. But like **Belgium** limited financial resources in defence might be a problem for Finnish participation at the beginning, while certainty on longer-term budgetary guidelines will only be reached in autumn 2004.

Having itself a substantial military industry sector, **Sweden** is not suffering from serious financial or human resources problems and is thus very interested in participating in the Agency.

As **Norway** is not a member of the EU it cannot take part in the Agency. In order to compensate, Norwegian authorities are seeking some kind of less formal link or observer status in the Agency.

Poland and the **Czech Republic** declared that they will join the Agency from the outset of its work. For **Poland**, participation in the Agency is a prerequisite for influencing European Defence Policy. The main problem for **Poland** is the shape of its defence industry which is still undergoing a process of transformation. Therefore, **Poland** will, on the one hand, try to use the Agency as a vehicle for engaging Polish defence industry into multinational projects, and, on the other, it will oppose abandoning Art. 296 TEC as the defence industry is not yet ready to for an open-market competition with Western companies.

The **Czech Republic**, not having as ambitious plans as **Poland**, is more concerned by its scarce financial and human resources.

Estonia still faces different challenges as most of its military equipment is of non-EU origin. The Estonian government initially opposed the establishment of the Agency. However, this position has changed during recent months without any major debates, as it seemed both beneficial in the long run and an opportunity to demonstrate 'good will'.

b) Management of the Agency

*The positions on the management of the Agency correspond with perceptions of a political or technical character of the organisational body. It has been noted that the Council adopted a Joint Action in July 2004 (2004/551/CFSP) on the establishment of the European Defence Agency. With regard to the management of the Agency, the Joint Action states that the decision-making body is a Steering Board composed of the Ministers of Defence of each participating state. The head of the Agency is the SG/HR for the CFSP. Due to the fact that this Joint Action was adopted after our questionnaire had been sent out to our partner, the following section covers the debate on this issue prior to the Joint Action concerned. While the **Czech Republic, Germany, Poland, Spain and Sweden** understood the Agency as a technical organisation, **Finland, France, Greece and the UK** understood it as a political institution.*

Considering the management of the Agency (technical or political), the **UK** would have liked the Agency to focus on the development of capabilities and stressed the central role of Defence Ministers in the Agency's decision-making process. The **UK** argued that nothing will be achieved unless the 25 Member State's defence ministries are prepared to develop a shared vision of how Europe's defence capabilities are to develop and how Europe's procurement and technology should be geared in its support. As a result, the **UK** pushed for Member States' defence ministers to be on the steering board of the Agency and the Secretary-General of the Council of the European Union/High Representative for CFSP to head it so as to avoid parochial concerns. Moreover, the **UK** government was concerned about the possibility of jeopardising the sharing of technology with the US. Similarly, **Finland** was

very much in favour of a political leadership composed of the defence ministers. Political decisions on the Agency should, however, be made in the Council of the European Union.

The French government would have preferred the Agency to be multi-functional in nature and the composition of the Steering Board to mirror this fact. Thus, unlike the **UK**, **France** wanted the views of other ministries to be represented where this is relevant, namely in debating industrial or research questions. With regard to the Agency's top position, **France** advocated a political leader.

Given the political importance of the Agency **Greece** also preferred a political manager having the overall control and being supported by technical experts.

Germany, on the other hand, saw the role of the Agency rather technical in nature. However, this was only seen as a first step in the perspective of a stronger Agency model in the longer run.

Like **Germany**, **Sweden** preferred intergovernmental network-based cooperation, not a political Agency. Cooperation should be undertaken on a voluntary basis and efficiency is of importance. A similar position was held by **Spain**, favouring the technical approach.

Italy had so far not developed any clear official position on this issue.

Czech politicians, military sector and security experts seemed to converge in their opinion on the Agency, viewing it as a more or less technical management matter. Nonetheless, **Czech** officials did not rule out a future development towards a more politicised Agency. Similarly, **Poland** viewed the Agency as having only a technical role to play but admitted that it might have a political impact as well. Apart from that, **Poland** was interested in the Agency becoming a serious body, and not just another 'talk-shop'.

c) Relation to OCCAR and LoI

*There seems to be a general consensus that existing initiatives in European Defence cooperation should be kept outside of the new community structures. **France** and **Italy**, at least, favour an incorporation of OCCAR and LoI into the Agency structures in the long run.*

The **UK** wants the Agency to engage in partnerships with existing bodies such as LoI and OCCAR. The Agency should be seen as a new point of coordination. The **UK** would like to avoid a vast bureaucratic Agency and is thus in favour of a model with only a small core staff.

France has so far not considered the relationship of the Agency to other institutions such as OCCAR or LoI. In the short run, **France** would like to see the new Agency embedded into the current network of OCCAR and LoI. Thus, it seems that the Agency will not replace but rather complement existing initiatives such as OCCAR/LoI. In the long run, however, it may replace the two former initiatives.

Germany emphasizes that the six to eight leading arms producing nations of the EU are organised in OCCAR or LoI. Thus, these two initiatives are seen as an integral part of a European network managed by the Agency. Both activities should, for the time being, rest within their present juridical

arrangement whereby synergy with these and other initiatives should be created by the Agency. But the six to eight nations could form the avant-garde for a future EU armaments' policy.

Italy has an interest in keeping the “club” selective. Consequently, the two groupings could remain outside the Agency at least initially, to be possibly incorporated at a later stage, thus ensuring the effectiveness of the new body but also the survival of what has already been achieved.

Belgium does not think that the Agency will replace OCCAR/LoI because the functions of the institutions concerned are too different. But the new developments may lead to a dense network of pertinent activities revolving around the Agency.

3. Scenarios for Participation in Missions

The questionnaire asked for the willingness of Member States to participate in missions on behalf of the European Union. Generally, the political elites and media in all countries welcomed the engagement of EU in the framework of ESDP and considered it an important step forward in the EU led crisis management. Most of the countries in the survey are ready to take part, according to their respective possibilities, in any of the extended Petersberg missions mentioned in Article III-210 par.1 DCT.

Missions on behalf of the European Union include

- joint disarmament operations
- humanitarian and rescue tasks
- military advice and assistance tasks
- conflict prevention and peace-keeping tasks
- tasks of combat forces in crisis management, including peacemaking and post-conflict stabilisation

The questionnaire asked for the willingness of Member States to participate in missions under certain conditions, namely

- only if USA is engaged
- only if NATO is engaged
- Turkey is not opposed to it
- certain Member States are participating (please name the countries)
- a minimum number of Member States are participating (one third, half, two thirds...)
- even if certain Member States explicitly oppose a mission
- a resolution of the UN Security Council authorizes a mission
- other conditions.

Generally, the political elites and media in all countries welcomed the engagement of EU in the framework of ESDP and considered it an important step forward in the EU led crisis management. Especially police missions in the Balkan countries were supported by a large public consensus.

3.1. Tasks

Most of the countries in the survey are ready to take part, according to their respective possibilities, in any of the extended Petersberg missions mentioned in Article III-210 par.1 DCT. However, there are some exceptions:

Finland is explicitly restricting its participation to conflict prevention, peace keeping missions and humanitarian and rescue operations. **Italy** points out the difficulty in reaching domestic consensus for disarmament operations as well as military advice and assistance tasks, whereas it seems to have a solid base for humanitarian and rescue tasks, conflict prevention and peacekeeping tasks. And as the Iraqi engagement shows, even the deployment of Italian combat forces was rather a matter of the international political context and the inclination of the government in power than the configuration of the coalition per se.

Estonia plans to engage only in cases of conflict prevention and peace keeping tasks. However, opposition parties in **Estonia** are more supportive of EU military and crises management co-operation as they see it as contradictory to be an EU member but oppose its integration initiative.

During its presidency **Sweden** has supported the inclusion of conflict prevention as an important task of EU missions and sees EU missions in general as a good example for operations where the EU can help the UN.

3.2. Potential Coalitions

*US (NATO) and UK involvement appear indispensable for most critical missions carried out under the framework of ESDP. Only **France** and **Italy** are prepared to launch a mission without transatlantic support. **Turkish** participation or opposition to a certain mission does not influence the decision for or against participation in any of the countries surveyed.*

US and NATO engagement seems strongly relevant for **Denmark**, **Estonia**, **Hungary** and **Poland**. **Denmark** finds it necessary that a mission is *supported* by NATO and thereby the USA but points out that this does not mean actual NATO *engagement*. Furthermore, the position of the **UK**, **Germany** and the **Netherlands** would be relevant for Danish participation.

Finland feels ready to establish a unit of some hundred troops for the EU RRF and is considering cooperation with **Sweden** and perhaps with the Baltic States in the deployment of these forces. The participation of other non-aligned countries would make it easier for **Finland** to justify its participation.

High intensity missions will be carried out by the **UK** only in coalition with the US. Especially, the Conservative Party feels more strongly attached to US and NATO participation. Similarly, **Germany** (especially the Conservatives and the Liberals) and **Poland** will only become part of combat forces in crisis management (including peace-making and post-conflict stabilisation) in cooperation with NATO or in cooperation with the US or as part of the EU framework in cooperation with the US. Whenever the EU is acting autonomously **Germany** prefers cooperation with **France** and/or the **UK**. **Poland** also mentions the importance of **UK** participation in dangerous missions, but would not be bothered by the opposition of **France**, **Germany** or neutral/non-aligned countries to a certain mission. Similarly it is unlikely that a decision of the **UK** or of **Greece** would be changed by the opposition of a state.

For the Estonian government, the involvement of the **UK** is of high importance.

For the **Czech Republic**, no decisive statement was made. Possibly, the mission participation of the **Czech Republic** would depend on the involvement of NATO as well as the **UK**. In any cases, participation of a minimum number of 2/3 of the Member States appears to be relevant.

To **Poland** and **Denmark** political and military “weight” of countries supporting a mission is more important than the number of Member States participating.

The participation of **France** in a mission does not depend on US or NATO engagement. **France** and **Italy** alike would engage in autonomous EU missions that are supported only by a limited number of Member States, e.g. even with only one partner.

Belgium tends to decide on its participation in a certain mission on a case-by-case basis and does not rule out any coalition mentioned in the questionnaire. However, due to geographical and cultural links it is inclined to join missions where **France** and **Luxembourg** are engaged. With regard to the number of Member States involved **Belgium** supports the idea of cost and risk sharing and at the same time points out that the number of participants enhances the legitimacy of a mission.

3.3. UN Resolution

*In contrast to the majority of countries (**Belgium**, **France**, **Hungary**, **Spain**, **Norway**, **Sweden**, **Denmark**, **Finland**, **Czech Republic**) an UN resolution is not an explicit condition for the participation in an EU mission for **Estonia**, **Greece**, **Italy**, **Poland**, and the **UK**. **Poland** justifies this position with the power position of **Russia** and **China** within the UNO, i.e. of two states that are seen as oppressive powers.*

A White Paper on Finnish Security and Defence Policy to be published in autumn 2004 might change the **Finnish** position in a similar direction. Media commentaries in **Finland** have also concentrated on the *problematique* of the precondition of a UN mandate.

Germany's participation in crisis management operations depends on an UN or an OSCE mandate. Other possible conditions for German engagement could be a ceasefire arrangement and a request of

the conflicting parties or a request of a democratically elected government (for keeping peace in a country). Furthermore, military action always needs a positive vote from the *Bundestag* and can only be carried out within multinational frameworks such as NATO or EU.

The prerequisite for participation of **Greece** in the framework of the activities of the UN, OSCE and the EU has been the respect of certain rules such as the existence of a clear mandate prior to the formation of the force, the definition of the chain and of the size of command, the definition of the rules and the concept of operations and the acceptance of the ethnic composition of the force by all belligerent parties.

3.4. Geographical Extent of Missions

In general, EU engagement in the Balkans is highly supported in all Member States surveyed. Furthermore, as the Belgian rapporteur points out EU-NATO cooperation in this area could lead to strengthened confidence between the two organisations. However, extension of EU missions to distant areas is met with scepticism especially in the new Member States.

The attempt to extend EU missions to Africa as the Artemis mission in Congo faces some need of political justification, especially in the **Czech Republic, Estonia, Germany, Italy** and **Poland**. Polish press commentator's circles as well as political circles (opposition parties) in the **UK** and in Germany were concerned because the EU decided to send troops before NATO refused to be engaged. This procedure did not correspond with the Berlin 'plus' agreement, stating that 'the right to first refusal' belongs to NATO. Therefore, Artemis was interpreted as a small precedent, but potentially dangerous for the future of NATO-EU relations.

Polish security interests are explicitly focused on the territory of the former Soviet Union and on the Balkans. For **Estonia**, engagement in the Balkans is appropriate because these areas are geographically close, important for EU security, implicate a clear role division with NATO, and missions in these areas would receive popular support. As regards a military engagement in Africa, the Estonian government is requesting more transparency about the motives and purposes and its connection to EU security, but is nevertheless ready to participate.

The Polish rapporteur points out that **Poland** – unlike the **UK** and **France** – does not have a tradition of expeditionary forces. Hence, the interest in this sort of military actions – undertaken by former colonial powers – is rather limited. Furthermore, Polish public opinion does not see Africa as a direct source of problems and **Poland** is still not an immigration country for asylum-seekers from Africa. This may, however, change in the future due to EU accession.

In the **Czech Republic**, government opinions on the transfer of the NATO mission in Bosnia to the EU were divided. The Minister of Defence opposed it, whereas the Foreign Minister and Prime Minister supported the transfer. Czech communists considered Artemis - as a geographically distant mission - „as an example of where the *directoire* might easily drag us into in the future.”

For **Italy**, the Artemis mission was important in order to support “the incremental growth of the EU’s capabilities through experience on the ground” despite the lack of a geographically or politically compelling rationale for Italian involvement. However, it is in **Italy**’s general interest to see the EU taking on more responsibilities in that vast geographical area, also in light of the country’s shortfalls in terms of force projection capabilities, for which EU-level pooling of resources could clearly be a partial solution.

The focus of discussion in **German** media and within the older security establishment regarding the Artemis mission lay on the geographical extent of EU missions in general, i.e., whether, after Afghanistan, now Africa should become a zone of security interest for **Germany**, whereas Joschka Fischer, Minister of Foreign Affairs, pointed out Europe's responsibility towards Africa. A second debate in **Germany** regarding Artemis concerned a *'Bundeswehr* overstretch": Commitments to international peace keeping missions encompass 8,000 to 9,000 troops, which in reality means 30,000 troops in total because of rotation. After the successful conclusion of the operation, some security analysts and integration experts still criticised the role of the French, initially designed as a framework nation but acting in fact as a lead nation with EU blessing and the support of some EU members, including **Germany**.

Spanish security is closely related to stability in North Africa and the Mediterranean region. This is why this area is seen as particularly important. **Spain** is convinced that it has to play an important role in this region. This is especially decisive since the Spanish-Moroccan conflict about the island Perejil showed that there is not much interest of other EU Member States to intervene in this kind of conflicts.

Greek security interests focus primarily on the Balkans, the Middle East, the Mediterranean and the Caucasus. However, the Greek presidency which in case of ESDP lasted 12 months (July 2002 to June 2003) because of the Danish opt-out prepared and finalized the EU missions in Congo, Bosnia and Macedonia.

Belgium as former colonial power in Congo faced special problems regarding the EU mission in Congo. The Belgian parliament decided after the experiences in Rwanda to disengage in UN missions in general and especially not to send Belgian troops to ex-colonies. The cautious approach led to only limited Belgian engagement in Artemis, restricted to political and logistical support. In general, **Belgium** will remain cautious in supporting African missions.

All pro-EU parties in the **Danish** Parliament as well as the Danish government regretted the withdrawal of Danish forces of Macedonia and Bosnia due to the transfer and the Danish opt-out in European defence matters.

Finland supported the transfer of SFOR from NATO to EU and is willing to contribute significantly to this mission. The European Police Mission in Bosnia and Macedonia (EUPM) was supported by **Finland** with 23 police officers, Concordia with 23 peace-keeping officers. Due to a shortage of

troops (about 200 peace-keepers were deployed for the UNMEE missions in Eritrea and Ethiopia) **Finland** could only contribute financially to the EU operation Artemis in Congo.

Norway was and is contributing with personnel to the EU police operations in Bosnia and Macedonia. 3500 Norwegian troops and 80 police officers have been made available for peace operations in the context of the ESDP. The reasons for non-participation in Artemis remain unclear. Whereas the participation in EU missions did not generate any public debate in **Norway**, the contributions to the Iraqi war were critically discussed.

Conclusions

General Developments

Security policies all over the world have witnessed a change of paradigms during the last decades.

This development is characterised by three trends:

- Regional conflict scenarios replaced the polarised world of the Cold War;
- Terrorism and mass destruction weapons are understood as the new major threats;
- Regional security policy has become more important, while the defence of national territories is no longer in the centre of security policies.

These developments have led to two forms of policy change

- Restructuring of national defence policies, discussions of conscription, creation of smaller and more flexible military units;
- higher impact for regional defence policies (NATO and ESDP)

The further development of CFSP and ESDP, however, is confronted with three main problems:

- Pooling of resources and role and task sharing in military matters are understood as a threat to national sovereignty;
- ESDP is understood as a competition to NATO;
- There are doubts on the compatibility of non-alignment/ neutrality and ESDP.

The prominence of these potential conflicts in national debates depends to a high degree on the implications of ESDP Member States expect for their national position. In this vein, **France**, **Germany**, and the **UK** see themselves as important partners within ESDP as well as NATO – although the cooperation between **UK** and **France** in ESDP has been disturbed by the Iraqi war. Similarly, **Belgium** has a differentiated view understanding ESDP as an important part of further integration as well as a form of assisting smaller countries (such as **Belgium** itself) that has to be closely co-ordinated with NATO. Only in the **UK**, these questions are explicitly coupled with concern about national sovereignty.

Greece contributes substantially to the development of the CFSP, especially with regard to issues related to its geographic neighbourhood (i.e., the Balkans, the Middle East, the Mediterranean and the Caucasus).

After the elections of March 2004, **Spain** has declared its aim to strengthen the European dimension of security policy - however, this is not understood as incompatible with a strong Atlantic alliance. For **Spain**, NATO is essential for a European Defence. The Spanish Defence Minister mentioned three principles of International Relations: a sovereign cooperation but not submission, loyalty to both allies Europe and NATO and the respect of International Law, reinforcing the role of the United Nations and rejecting the concept of pre-emptive war.

Converse to this positive attitude are the opinions in the **Czech Republic, Hungary** and **Estonia** that have fundamental doubts on ESDP. These countries see NATO as their first and foremost partner. And **Estonia** as well as some Czech parties see the sovereignty of the countries at risk. For **Estonia**, this situation is especially problematic as it tries to avoid two undesired choices: (1) to delegate most of its sovereignty in defence matters to the EU or NATO in order to keep its independence from Russia, and (2) to keep a high degree of sovereignty but face the Russian pressure on their own.

Poland is a very good example for the aforementioned fact that evaluations of ESDP depend to a high degree on expectations for national interests: **Poland** was very sceptical with regard to ESDP before the Iraqi war but has gained self-confidence in its own military capacities during its involvement there. Nowadays, while maintaining the importance of NATO **Poland** aims at developing ESDP and its own role within this policy field. This attitude is also due to the fact that **Poland** is not likely to become very soon a Euro country or a Schengen country and thus tries to participate in another core area of European integration.

For the two non-aligned countries, **Finland** and **Sweden**, the debate on ESDP is part of broader national discussions on non-alignment. This was especially the case for the mutual defence clause that was first declined by the neutral/non-aligned Member States due to its automatism. In its newly drafted form it is accepted also by the neutral/non-aligned states although it triggered critical discussions in **Sweden**

From the "outside", there can be found harsh critique on the concept of neutrality from **Belgium** maintaining that neutrality and European solidarity are mutually exclusive concepts while **Germany** and **Poland** see neutrality as unproblematic as long as certain forms of solidarity (like e.g. like overflight rights for fighter aircraft) are warranted.

Flexible Integration

The differing positions of the Member States as well as the differences in their human and financial resources, on the one hand, and the need for a European security policy that became obvious to most Member States during the Iraqi war, on the other hand, makes FI seemingly the obvious choice for dealing with this policy field. In this way, an effective CFSP and ESDP can be implemented without forcing Member States to engagements exceeding their own wishes. However, the country reports do not support this positive understanding of FI. Roughly, one can summarize, that countries expecting to be part of a core group support FI while those fearing to be left out oppose the concept.

Belgium, France, Germany, and the **UK** are strongly in favour of FI. While they prefer a solution within the framework of the Treaties they also feel prepared to find solutions beyond the Treaties in order to secure political efficiency. **Italy** is also in favour of FI and aims at being part of a core group consisting of the "oldest" members **Germany, France**, and **Italy**. As this does not seem very probable and the **UK** plays a much more prominent role a second option is to build up a broader core group

including **Germany, France** and the **UK, Italy, Poland** and **Spain**. In **Spain**, the general perception is that the mechanism of FI within the treaties is better than beyond. Initiatives such as the trio-meeting between **France, Germany** and the **UK** are met with scepticism and with a certain fear that a *directoire* without **Spain** could try to advance too much. Similarly, in **Greece**, FI is considered as a step in the right direction of developing and strengthening CFSP/ESDP, but any attempt to realize arrangements beyond the treaties is met with scepticism.

For all other states included in the survey, FI is understood (with varying degrees) as a step towards an EU of two classes. **Estonia** as well as **Hungary** understands FI as a method to discriminate new members. This also holds true for **Poland** – FI is seen as an attempt to 'hi-jack' European integration by approving fundamental decisions without input of the "new-comers" in the fear that they might obstruct the deepening of integration. The notion of "first-class" versus "second-class" membership also resonates in public debates in the **Czech Republic** and is fuelled by the opposition party ODS. The governing Social Democrats, however, are in favour of FI. **Sweden** is in general against FI while the debate in **Finland** and **Denmark** has been more differentiated. In **Norway**, there were some voices hoping for easier Norwegian participation due to FI.

The failure of the IGC 2003 widened the gap between supporters and opponents of FI: At this point, **Germany** aired the idea of a two-speed Europe while the official reaction of **Poland** was that this concept would be the de facto end of EU and European integration. Although an agreement of all governments could be reached at the IGC 2004, these reactions to a crisis of European integration are still of interest as they show very clearly the differing national positions towards flexible integration.

Thus, it can be summarised that up to now there is not much evidence for the expectation that FI in CFSP/ESDP could be a way to avoid problems for further integration. Quite on the contrary, even without concrete measures the discourse on this issue divides the Member States while, at the same time, the mobilizing power of the concept is undermined by the lack of criteria for participation.

Institutional Set-Up of CFSP/ESDP

The questionnaire asked for preferred options for the institutional set-up of CFSP/ESDP. Although this question has been solved by now the answers to this question seem still relevant as they allow conclusions on likely forms of implementation and political support.

Generally, an intergovernmental solution was seen as the only viable one – although **Greece, Spain**, and, to a certain degree, **Poland** opted for a kind of balance between intergovernmentalism and the community method. **Greece's** general approach is to strengthen those European institutions that will ensure the further development of the Union's policies and minimize the influence of intergovernmentalism. In **Spain**, academic analysts wanted the European Commission to have a strong role in controlling common European interests. Opinions differed with regard to the role of the Foreign Minister: **Germany, Italy**, and **Belgium** wanted a stronger role for the Foreign Minister than

provided in the DCT; **France**, **Poland** and **Denmark** went along with the provisions of the DCT, while **Sweden** saw the double hat as very problematic.

Most countries defined the role of the European Parliament as rather minimal, giving it the right to information and maybe cost control. In a majority of the Member States, parliamentarians from the national as well as the European level required better involvement.

In general, however, the concepts of the Member States for CFSP/ESDP do not give much room for democratic control.

Provisions for FI in the DCT

The most important part of the project dealt with the question if and in which way Member States intend to use the instruments of FI in CFSP/ESDP provided for in the DCT. However, as the formulations of the DCT are vague and discussions in many countries not very advanced, definite assertions remain difficult and practical experiences will be needed in order to come to a final assessment of the political impact of these instruments.

Permanent Structured Cooperation

Most countries in the survey see permanent structured cooperation positively and intend to be part of it. **France**, **Germany**, and the **UK** understand themselves as "natural" participants, **Greece** and **Spain** feel able and willing to participate in permanent structured cooperation, and **Poland** claims to have proven its ability in military matters during the Iraqi war. Other countries like **Italy** or **Estonia** feel that they have to be part of permanent structured cooperation so as not to be left out of decisive developments. Only the **Czech Republic** is highly critical both with regard to the general concept and to its own participation.

With regard to participation criteria, most Member States endorse the idea of "openness to all". The **Czech Republic**, **Germany**, **Greece**, **Poland**, **Spain**, **Sweden**, and the **UK** are in favour of some sort of participation criteria while all other countries were either reluctant or plainly opposed to this concept. Most significantly, however, all countries in the study were against budgetary criteria for participation due to their national constraints. Thus, it is perhaps not really far-fetched when the German rapporteur mentions the possibility that enhanced cooperation could be used by certain Member States *within* permanent structured cooperation if permanent structured cooperation should "be watered down through practically all Member States participating in it". In general, however, perceptions about the respective criteria for enhanced and structured co-operation differ widely in the Member States so that it proved difficult to research the political consequences of these two provisions.

European Decision

With regard to European decisions the decision making process was in the centre of our interest, i.e. the question for constructive abstention, and the *passarelle* clause, which, however, cannot be applied in the area of ESDP.

Most Member States are in favour of constructive abstention as a compromise between QMV and Veto; only **Germany** is concerned by the fact that it allows opting out as well as vetoing decisions.

Not surprisingly, the *passarelle* clause is seen positively by those states aiming at QMV in the area of CFSP/ESDP, i.e. **Denmark, Germany, Greece, Italy, and Spain** while the **UK, France, Poland, the Czech Republic** and **Estonia** are against it.

Mutual Defence Clause

Despite the finally reached agreement, the Mutual Defence Clause is – out of different reasons – a sensitive subject for NATO members and for neutral/non-aligned Member States. While NATO members have been concerned by a possible incompatibility between solidarity in the EU and solidarity in the transatlantic partnership, for non-aligned states arose the question if it would interfere with non-alignment.

Most NATO states solved the problem by declaring that NATO remains the basic security provider. This view was not shared by **Poland** and the **UK** who were against the clause.

The non-aligned Member States were against the original formulation of the clause but are satisfied with the formulation in the DCT as it does not involve any automatism.

Summarizing the positions on this subject, one can distinguish between three groups of countries

- **Belgium, Germany and Greece** were strongly in favour of the MDC,
- **Estonia, Finland, France, Italy, Spain, and Sweden** were in favour of the MDC,
- **Poland, UK, and the Czech Republic** were against the MDC. *Despite their final approval they still have to be regarded as sceptics towards MDC.*

European Headquarter

The idea to create an independent European headquarter was heavily and broadly criticized as either threatening the independence of national headquarters or competing with NATO competences. The compromise of a European planning cell at the NATO headquarters in **Belgium** is generally welcomed; only **Germany** and **Belgium** uttered some concerns with regard to the close connection between NATO and EU.

European Agency in the Field of Defence Capabilities Development, Research, Acquisition and Armaments

All Member States are in favour of the Agency and willing to participate, although some of them are concerned by their limited financial resources (**Belgium, Czech Republic, Estonia, and Finland**). The **UK**, though being a strong supporter of the Agency, nevertheless aims at maintaining independent capacities.

However, there seem to be different perceptions as to the character and aim of the Agency. This can be deduced from the concepts for the management of the Agency. While the **Czech Republic, Germany, Poland, Spain** and **Sweden** understand the Agency as a technical organisation, **Finland, France, Greece** and the **UK** understand it as a political institution. The **UK** and **Finland** want it to be steered by national defence ministers while **France** understands it as multi-functional and therefore prefers a steering board mirroring this fact. Thus, the future of the Agency is highly unclear in spite of its popularity in the Member States.

Missions of the EU

Positions towards missions of the EU and the willingness to participate depend on the geographical situation of the operational area and the international legitimacy of the activity. Generally, however, the engagement of EU in the framework of ESDP is welcomed. Most countries are ready to take part, according to their respective possibilities, in any of the extended Petersberg missions, although some of them (**Estonia, Finland, and Italy**) restrict their engagement to conflict prevention, peace keeping missions and humanitarian and rescue operations.

For most countries (with the exception of **Estonia, Greece, Italy, Poland, and the UK**), a UN resolution is an important precondition of participating in a mission. Also, for most countries a NATO engagement is decisive, at least for military operations. For **France** and **Italy**, however, participation in a mission does not depend on NATO.

While the engagement on the Balkans was supported by a large European consensus the Artemis operation in Congo was seen as problematic by some Member States. The question on the reach of European interests was posed in **Germany, Italy, Poland, and the Czech Republic**. **Germany** also feared a "*Bundeswehr* overstretch" and was concerned by the fact that, in the case of Congo, the EU decided to send troops before NATO refused to be engaged. For **Belgium**, special problems arose out of its past as a colonial power.

A general conclusive assessment of the provisions on FI in the fields of CFSP/ESDP on the base of this study has to be rather sceptical: At this point of European integration, FI does not provide a means to prevent centrifugal tendencies in Europe while developing an efficient CFSP/ESDP. This has also

been acknowledged by the governments of the Member States and led to a continuous reduction of these provisions. While the mutual defence clause was understood as part of enhanced co-operation in the Convention Draft it became a general provision during the IGC 2003. If the assessments of this study hold true structured co-operation will also be joined by (nearly) all Member States. The very open formulation of most provisions in the DCT made it acceptable to all Member States and thus laid the foundation for further progress in this field. Therefore, the lacking clarity can be seen as an asset – but, at the same time, it clearly shows that no real consensus on these matters has been reached up to now. Thus, political discussions and negotiations on this policy field have to continue if one does not want to endanger European integration by a premature use of possibilities for FI. On a more positive note, the willingness of the Member States to take part in all possible activities within ESDP can be understood as a symptom of a growing acceptance for CFSP/ESDP.