



the european convention

Points no. 10

*Main points of the report of the Working Group on Defence presented to the European Convention in plenary session on 20 December 2002
Chairman of the Working Group: : Mr Michel Barnier*

FOR GREATER EFFECTIVENESS AND SOLIDARITY IN DEFENCE

As a preliminary, the Working Group on Defence points to the considerable developments that had taken place in the European Security and Defence Policy (ESDP) from the political, operational and institutional viewpoints.

The Group also stresses the many differences between the respective situations of the Member States with regard to status (whether or not they belong to NATO, non-alignment, etc.), armaments industries, budgets, capabilities or indeed politico-institutional situations.

It also points to forms of cooperation existing between some Member States as regards armaments or in the military field.

However, the Group comments that the ESDP was defined and developed on the basis of the threat as evaluated in the 1990s and it is now necessary to think and organise in terms of the concept of a situation of global insecurity: the need to project stability outside the Union has now been joined by the need to ensure security within the European Union.

This involves providing the Union with the necessary tools for the defence of its objectives and values in accordance with the principles of the United Nations Charter.

Based on these arguments, **the Group addressed two major topics, crisis management and the response to the terrorist threat; it also worked on the issues of capabilities and armaments and the institutional framework.**

It recommends:

For crisis management

- ▶ **Expansion of the context of the Petersberg tasks** (crisis management tasks involving the use of military resources):
 - Conflict prevention
 - Joint disarmament operations
 - Military advice and assistance
 - Post-conflict stabilisation
 - Support for a third country's authorities, at their request, in combating terrorism.

- ▶ **Increasing coherence and efficiency in carrying out operations** by means of procedures that do not affect political control:
 - Use of Article 25 of the Nice Treaty, which allows for the Council's power of decision to be delegated to the Political and Security Committee for carrying out a crisis management operation, and for its duration

- Enhancing the role of the High Representative in crisis management: he would have a right of initiative and would be empowered, in urgent cases, to take the necessary decisions under the authority of the Council and in close and permanent contact with the Political and Security Committee. He would perform a coordinating role.
- The introduction on the ground of arrangements reflecting those in place in Brussels. The coordinating role would be given to the Special Representatives acting on the ground under the authority of the High Representative.
- Swift access to financing, particularly by setting up a fund for financing the preparatory stage of a military operation.

▶ **Flexibility in decision-making and action through:**

- Decision-making on the launching of an operation by unanimity, with the flexibility allowed by the rules on constructive abstention: Member States not wishing to participate would be encouraged not to oppose it, but to abstain. This would mean moving from consensus to consent.
- **The possibility of introducing a form of closer cooperation** between those Member States wishing to carry out the most demanding tasks and fulfilling the requirements: a "defence Euro-zone".

Responding to the terrorist threat by more solidarity

- ▶ **The inclusion in the Treaty of a solidarity clause** entailing recourse to all the Union's instruments (military resources, police and judicial cooperation, civil protection, etc.) for the protection of the civilian population and democratic institutions and for assisting a Member State within its territory in dealing with the implications of a possible terrorist attack.

► **Setting up a form of cooperation between certain Member States wishing and able to do so.**

In view of the different situations and positions of the Member States regarding defence, some members of the Group suggested that the Treaty should be able to provide (as in the case of the Petersberg tasks) for a closer form of cooperation on defence, open to all Member States wishing to enter into such a commitment and fulfilling the requirements (a protocol could be annexed to the Treaty).

Improving capabilities and armaments.

- **Setting up a European Armaments and Strategic Research Agency** to ensure the fulfilment of operational requirements by promoting a policy of harmonised procurement by the Member States, and to support research into defence technology, including military space systems. All Member States which so wished could

participate in the Agency, and certain Member States could constitute specific groups based on a commitment to carry out specific projects. The Agency would make it possible to strengthen the industrial base and optimise military spending, and could also be a true Capabilities Agency by ensuring that the Member States fulfil their commitments in budgetary terms and regarding the state of readiness of their forces.

Strengthening the institutional framework

The group recommends that existing institutional structures in the ESDP area be maintained. It also recommends that there should be at the Council a political figure who, acting under the Council's authority, directs the Union's action and coordinates Member States' efforts as regards defence. The Group takes the view that this should be the figure who performs the duties of High Representative.

