

High-level group of experts on the CFSP

First report

**"European security policy towards 2000 :
ways and means to establish genuine credibility"**

Brussels, 19 December 1994

This report was drawn up at the request of Mr Hans van den Broek, acting in his official capacity. However, the assessments, judgments, ideas and proposals it contains are those of the members of the group alone and do not represent the views of the Commission.

Table of contents

Introduction	Page 1
I. The CFSP (including the relationship with the WEU) as it currently operates	Page 3
II. The issues at stake: the build-up of new risks and threats, fundamental geopolitical change, and the crisis in our system of beliefs and values	Page 5
III. Measures which can be adopted without any amendments to the Treaties	
A. Creation of a central analysis and evaluation capability based on the decision-making process	Page 8
B. Upgrading the operational basis of the CFSP and the WEU	Page 10
C. Promoting synergy: the three pillars	Page 12
IV. Institutional reforms and changes for decision at the 1996 Intergovernmental Conference	Page 14
A. Common military resources to be placed at the disposal of the EU in support of the CFSP	Page 16
B. Moving towards collective defence within the meaning of Article 5 of the Brussels Treaty	Page 17
C. Creation of a central capability with the (non-exclusive) right of initiative	Page 18
D. Reform of the decision-making process	Page 19
E. The EU's profile and representation on the international political stage	Page 21
Conclusions	Page 22
Annexes	
List of members and studies requested	
Values and the CFSP: an overview	

Introduction

The group of experts (see list of members at Annex 1) was asked to identify the requirements for the creation of a credible common foreign and security policy (CFSP) by the year 2000.

Its mandate was principally to consider aspects of security in the strict sense and to proceed on the basis of individual written contributions coupled with collective analysis and discussion. Inevitably it was not able to cover wider aspects such as the functioning of the international political and economic system, development assistance, trade, investment flows, the transfer of technology - which clearly also contribute to European security and international stability. The idea was to begin with the new dimension created by the Maastricht Treaty, Title V of which established a "Common Foreign and Security Policy", and to concentrate, in a first report, on the structural deficiencies of Title V.

The work was inaugurated on 17 March by a working meeting with Mr Van den Broek, following which we initially conducted our discussion in full session, before splitting up into five specialist subcommittees.¹ This report represents the fruit of our labours.

It starts with an overview of the operation of the CFSP to date, including its relationship with the WEU, then sketches in the existing and foreseeable international background, in other words the dangers, threats and geopolitical developments which the European Union is facing, and is likely to face, now and in the short to medium term.

Two conclusions emerge from this part of the report: first, the serious shortcomings of the CFSP and the WEU, and second, the build-up of risks, threats and major geopolitical changes for which the European Union should be, but is not, making active preparations. On this basis we then considered what measures and reforms would be necessary to bring the CFSP up to speed.

It quickly became apparent that a number of the ideas and proposals we formulated in this context would involve no amendment to the Maastricht Treaty, whether in terms of the text of Title V proper, the institutional balance between the three pillars or the relationship between the European Union and the WEU.

We therefore felt that these ideas and proposals should receive immediate detailed consideration, even though it is likely that they could be implemented only gradually, probably over a period of years.

¹ The five subcommittees were: Evaluation of risks and threats (chaired by Mr Michael Stuermer); EU/WEU/NATO Institutional Coherence (Mr Henri Froment-Meurice); Economic aspects of security (Mr Herman Mulder); Values (Revd. Edouard Herr); the Decision-making process (Mr Edmond Wellenstein).

There is little doubt in our minds that they would lend greater weight and effectiveness to a policy which is becoming increasingly a measure of the Union's credibility both internally and externally.

Necessary though they are, however, these measures would not in themselves be enough to endow the CFSP with lasting effectiveness, and hence credibility. Clearly, it is essential to seize the opportunity offered by the Intergovernmental Conference to introduce more radical reforms involving amendments to Title V, a review of the institutional arrangements and clarification of the place of foreign and security policy, including defence, in the edifice of the European Union.

I. The CFSP (including the relationship with the WEU) as it currently operates

There is no denying that activity has been stepped up in the short period since the entry into force of the Maastricht Treaty and the start-up of the CFSP in November 1993. Hardly a day goes by without a meeting of a specialist working party in Brussels; Coreper usually has at least one CFSP-related item on its weekly agenda; the Political Directors consult at least once a fortnight in the Political Committee; and the Foreign Ministers of the Twelve (and the Sixteen) meet practically every month. At the same time the pace of work in the WEU context involving the Ministers of Foreign Affairs and Defence, Ambassadors, Chiefs of Staff, the Permanent Planning Cell and various working parties, while less sustained, has nevertheless picked up considerably.

Nor should we ignore certain developments conducive to the emergence of a European defence identity, including:

- the NATO Summit declaration in January 1994, which among other things gave European NATO members the green light to use Alliance resources and facilities for their own requirements, via the immediately operational "Combined Joint Task Force" (CJTF) concept;
- the readiness to place multinational forces (Eurocorps, Anglo-Dutch amphibious force, the rapid reaction force, ARRC) at the disposition of the WEU in liaison with the CJTF;
- the planned strengthening of Eurocorps, which is due to become operational in 1995, and other joint military initiatives;
- the ruling of the Karlsruhe Constitutional Court allowing German troops to operate outside NATO territory.

The problem is that there is frankly nothing to show for all this activity, all the fresh starts and "progress"; on the contrary, there is an increasing sense of unease at the impotence and drift highlighted week after week by current issues and their reflection in the media. This is true even of the "joint actions" initiated by the European Council, notably at the special session marking the entry into force of the Maastricht Treaty held in Brussels on 29 October 1993. With the possible exception of the Stability Pact these have quickly turned out to be poorly planned, hard to implement and disappointing both in scope and in terms of their meagre results.

In this context the humanitarian aid operation for Bosnia-Herzegovina last winter is particularly dismaying. Approved within weeks, without any proper study of conditions in the field, bogged down in the minutiae of budgetary wrangles about which the public, fortunately, remained in ignorance, it was not finally implemented until the winter was over - too late.

We could cite other examples, fortunately less alarming, but nevertheless illustrating the twin perils of blinkered concentration on hastily conceived "joint actions" on the one hand and sterile bureaucratization on the other, at the expense of soundly-based strategic thinking and systematic attention to the Union's fundamental common interests.

At the WEU, which according to Article J.4 of Title V of the Maastricht Treaty is "an integral part of the development of the Union" and as such is requested "to elaborate and implement decisions and actions of the Union which have defence implications", the picture is equally discouraging.

The WEU is still nowhere near ready to think about setting up an actual force projection capability endowed with the necessary intelligence, command and logistical resources. Work has not progressed as far as the study stage even on the operational role of the WEU, far less on the necessary resources.

It has yet to face up to the fraught issue of the legal and practical linkage between Article 5 of the Brussels Treaty and commitments entered into under NATO.²

It is accumulating a string of "special status" observers and associate partners - and this at the very time when the European Union is poised for further enlargement - an approach which simply serves to blur the concepts of a common defence policy and common defence.

It continues to debate plans for a possible future European armaments agency, while many have already abandoned the idea and are making other arrangements, even though such an agency was expressly foreseen in article V of the declaration concerning the WEU attached to the Treaty of Maastricht.

In sum, the inertia and impotence of the CFSP and WEU are the inward and outward reflection of a lack of capacity or will to act, particularly as regards the threat and/or use of force by the Union.

Yet this is absolutely crucial, for without the proper combination of diplomacy and a capacity to project force there cannot be a credible CFSP, as has been amply demonstrated both in the Yugoslav crisis and, prior to that, in the Gulf War.

² Article V: 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.

II. The issues at stake: the build-up of new risks and threats, fundamental geopolitical change, and the crisis in our system of beliefs and values

The doubts justifiably fuelled by the dithering and impotence in the CFSP and the WEU will prove particularly damaging to the Union and its immediate and longer-term interests in the face of proliferating conflicts and the build-up of destabilizing factors in Russia, Ukraine, the Balkans, Algeria and elsewhere, already outstripping the capacity of individual Member States to intervene, and in a world where the major players, from the United States down, are repositioning themselves for global competition which is quite likely to result in friction between major regional entities.

These doubts will also inevitably undermine the Union and its ability to propagate its value system in the face of societies increasingly attracted by individualism and short-termism in the West and a prey to cultural, ethnic or religious ferment to the East and South.

The sudden disappearance of the old international order with the two nuclear superpowers seems to have left the EU particularly exposed and helpless, paradoxically so, since Europe is at the very heart of the current geopolitical shifts.

At the same time the United States, on which Europe in the final analysis continues to depend for its security, has been preoccupied with domestic issues and, externally, with Russia and the fate of its nuclear arsenal, the Middle East (the Gulf War, the peace process, Iran and Iraq), its own continent (NAFTA), and the huge economic, financial and technical potential of the Asia-Pacific (APEC) region.

More recently, reacting perhaps to an essay published by Professor Samuel P. Huntington of Harvard entitled "The Clash of Civilizations", America seems to have reawoken to the importance of cultural affinity in defining identity and long-term interest, and has hence "rediscovered" the EU. This may explain the acceptance of a European defence identity within a restructured, twin-pillar NATO, unless of course that decision simply reflects galloping isolationism and indifference rather than cultural affinity.

Taken together, these long-range trends in US policy call for the gradual reformulation, on new foundations, of what used to be called "leadership" but Washington would now like to see as "partnership in leadership".

The precondition for this is an effective European foreign and security policy, including defence and force projection. In the absence of such a policy the United States is going to find it difficult to provide continuing a strategic guarantee cover for a Union with dwindling political and military credibility which is at the same time expanding northwards and eastwards, up to the Russian frontier.

The combination of US "repositioning" and the EU's problem in reconciling its (inevitable) enlargement with greater integration, particularly in security matters, cries out for urgent

upscaling of the transatlantic dialogue, at the very time when the Union itself is beset by dangers all around.

While the rethink has been under way in the United States, a dazed Russia has been picking up the pieces and to some extent reasserting its geopolitical identity, setting out to reorganize its former imperial sphere of influence. It is as yet not clear whether this will take the form of a peaceful re-ordering in the form of a common market or commonwealth, or a political-military solution.

The recent elections in Ukraine have done little to calm the ferment there, and the instability could well spread to its immediate neighbours, jeopardizing all the efforts being made in the area extending from the Baltic states to the Danube.

Closer to home, in Central and Eastern Europe, and particularly in the Balkans, the old spectres of nationalism and ethnic rivalry have revived.

Impotent to resolve the Yugoslav conflict, the EU has still not managed, despite generous financial support and the Stability Pact initiative, to "sell" the benefits of economic and political integration to these countries. To do so will take time, and will call in addition for powers of persuasion and leadership which can hardly be mustered in the absence of a common evaluation, a shared agenda and a coordinated approach - in other words, a proper common foreign and security policy. Important principles are at stake: the inviolability of frontiers, to be changed only by common consent, an understanding of modern concepts of sovereignty, and the need to build up a solid fabric of interlocking interests.

The eastern and southern Mediterranean area from Turkey to Morocco is racked by deep-seated but acute demographic, economic and ecological rifts which, taken together, constitute a veritable time-bomb. If these pressures cannot be defused in time by the joint efforts of the EU, the international community and the countries concerned, they will ultimately undermine the legitimacy of the state and fuel the sort of repressive, anti-western religious fundamentalism seen in Algeria.

We are already beginning to see the implications of the evils spawned in these conditions both for people in the countries concerned and for the security of our own societies, from terrorism and drug trafficking to the proliferation of weapons of mass destruction coupled with missile technology and modern control and intelligence techniques, to say nothing of the strains that will inevitably result from illegal mass emigration.

With frightening speed Russia, Ukraine, Central and Eastern Europe, the Balkans, resurgent religious and ethnically-inspired nationalism, sporadic xenophobia and isolationist tendencies (even within the EU), the Mediterranean, Islamic militancy, nuclear proliferation and organized crime have all developed into major threats to the EU's security. And yet the EU is still failing to tackle them - unless you count ringing declarations - precisely for lack of a common foreign and security policy worthy of the name.

Faced with such threats, each instance of procrastination still further undermines the Union's credibility in the eyes not only of the United States, which looks to us for sound "partnership", but of its partners, its potential enemies, and finally its own citizens, who are unlikely to go on giving their allegiance to an enterprise which gives them no sense of a common destiny or common identity and no clear echo of shared, but increasingly vulnerable, values.

The CFSP is a vital necessity in these dangerous times when a new international order is struggling to be born. It is thus a matter of some urgency.

Faced with the evidence of dysfunction, deficiencies and a lack of either any political will or the necessary sense of urgency, we went on to consider what steps should be taken. We identified a number of obvious practical steps which could be taken without amendments to the treaties but which would, we felt, nevertheless do much to give the CFSP and the WEU a modicum of the substance and consistency which has so far been desperately lacking. But these initial measures would not be enough and it is essential to grasp the opportunity offered by the IGC in 1996 to go further - much further, particularly in the context of enlargement - and to chart an irreversible course with a firm timetable and set of commitments towards the construction of the full CFSP, including collective defence arrangements.

III. Measures which can be adopted without any amendments to the Treaties

A. Creation of a central analysis and evaluation capability based on the decision-making process

The strength of the Treaty of Rome, apart from the continuing political will of a quorum of Member States (and in particular France and Germany) and the acceptance of legally binding and verifiable commitments in spheres of Community competence, undoubtedly derived from the establishment of an independent institution with a central role in policy formation and the right of initiative: the European Commission.

Even though that key feature of the Community system cannot, under the terms of the Maastricht Treaty itself, be carried over unchanged into the sphere of the CFSP, we feel something of the sort is required, in a form which can reconcile the special demands of foreign policy and military and defence issues with effective action by the Union. The strengthening of the second pillar based on improved analysis and representation on the international scene could only be achieved in stages.

It is just as important for the CFSP as for any other policy that structured discussion in the Council and the adoption of any decisions be grounded in a common analysis. This is incontestably the first step in strengthening pillar II.

It is inconceivable that the present system - fragmented, lacking a "motor", unequipped to provide a coherent view of the total political, economic and military picture - could ever perform adequately.

Admittedly, national policy planners now meet their Commission opposite numbers and those - few as yet - from the Council's General Secretariat rather more frequently than they used to (every two or three months). But even supposing their reports were to take on some substance (which would entail upstream input from the technical working parties and relevant Commission departments), there would still be no guarantee, as things stand, that they would actually feed into the preparation of decisions, a task currently hovering somewhere between the Political Committee, which has little time and is in any case exceeding its supposedly consultative brief, and Coreper, which already has its work cut out with strictly Community business.

We therefore advocate (without awaiting the outcome of the IGC) the immediate establishment of a genuinely independent permanent central analysis and evaluation capability in Brussels, based on the decision-making process (see Section IV.C) and endowed with the necessary study and information capacity.

It should cover all aspects of the common foreign and security policy, including military aspects, and the external dimensions of terrorism and organized crime.

It should therefore combine all the requisite expertise (which dictates a tripartite Council-Commission-WEU composition and in all likelihood a joint service involving the three bodies), as well as being able to draw on active support (including access to information) from all institutional components of the CFSP, that is, the Member State governments and the Commission, and the WEU.

The main task of this new body which initially (until the end of the IGC) would be under the responsibility of a special adviser nominated by the European Council, would be not only to carry out ongoing evaluation of risks and threats to the Community's interests and values, but to prepare strategies for response to be discussed by the European Council and the Council reflecting the range of options actually available to the Union and its Member States.

It would also report annually to the European Council and Parliament on the state of the Union's security with the aim of improving awareness of the problems, providing a forum for dialogue and democratic debate, and thus fostering the gradual emergence and formulation of a common doctrine enjoying widespread support among the citizens of the Union.

In the performance of its tasks it would also expect to maintain suitable relations with various specialist institutes and groups or associations concerned with European security issues.

The establishment of this central analysis and evaluation capability should obviously be accompanied by a thinning-out of the bodies which have sprung up to deal with the CFSP in the Commission (DG IA) and in the Council's General Secretariat. Very careful thought would have to be given to the institutional place to be occupied by the new body and its management.

The aim of the group is that this central capacity for analysis and planning, directed by a special Counsellor designated by the European Council, should be the first step. Following the IGC this body could then be directed by a political personality designated along the same lines as that for the President of the Commission (European Council and European Parliament) and thus benefitting from sufficient authority, independence and duration in office. At a later stage this person could also be given responsibility for representing the Union internationally, together with the President of the Commission.

B. Upgrading the operational basis of the CFSP and the WEU

The crucial financial and procedural questions here have already been allowed to drift unresolved for a whole year.

Clearly, the CFSP needs both financial stability, with a multiannual allocation fixed in the annual community budget, and sufficient flexibility in the form of an adequate contingency provision, since it will be called upon not only to sustain long-term strategies but also to deal with the unexpected. At the moment only a handful of the Member States combine operational capacity with the requisite political margin of manoeuvre, particularly for armed intervention.

It is indeed fundamental that the financing of the CFSP should be independent from those member states, prepared to act in the name of the Union, particularly in the military arena.

We feel the Council and Parliament should be guided in their current discussions by this dual requirement for stability and flexibility, coupled with due awareness of the urgency of the matter. A lengthy stalemate, besides alienating public sympathy, would inevitably hamper the effectiveness of the CFSP and diminish its credibility still further.

Again under this heading, we believe that where a decision has been taken in principle on a joint action, or where intricate political negotiations (mediation or exploratory talks) are to be conducted on behalf of the Union, it would be helpful to appoint prominent individuals or designate a "lead" country.

The human rights monitoring agency currently being discussed by Parliament likewise reflects a pragmatic approach to the improvement of the CFSP's operational basis. The same would apply in the military context to the setting-up by the WEU of a Standing Committee of Chiefs of Staff modelled on NATO's Military Committee, backed up not only by the Planning Cell, which already exists but is chiefly responsible for contingency planning, but by medium- and long-range operational requirements units or even agencies to draft equipment specifications for the three forces. Thinking along these lines, other possibilities occur: the acceleration, upgrading and expansion of current or planned multinational programmes (Helios and Osiris, respectively) for intelligence and early-warning satellites, backed up by the capabilities of the WEU's Space Centre at Torrejón and perhaps coupled with technical and/or geographical division of labour with US facilities; the setting-up of an airborne European military transport command in readiness for future intervention, along the lines of NATO's AWACS force; or the fleshing-out of the promising CJTF idea, starting with specific pilot operations worked out jointly by the WEU and NATO.

None of these measures would require amendments to the Treaties. A further helpful step which could also be taken now under the third pillar (cooperation in the fields of justice and home affairs) would be to set up a Union database with information on all aspects of terrorism and organized crime, linked to the Financial Action Task Force on money laundering set up in July 1989 at the Arche Summit.

C. Promoting synergy: the three pillars

We are of the opinion that joint (Commission/WEU-WEAG/Presidency) studies should be put in hand immediately, in conjunction with the creation of the central analysis capability, to investigate "horizontal" issues which are inherently both crucial to European security and dependent on a large number of public and private sector players. The joint studies could ultimately feed into Joint Commission-Presidency proposals all the more smoothly if the Presidency of the Council were to coincide with that of the WEU.

One obvious candidate for this treatment would be the ways and means available to the EU to reconcile its emergent defence and security identity with the maintenance of an efficient and competitive scientific, technological and industrial base for weapons production.

How can the present fragmented state of Europe's arms markets be overcome and their requirements gradually harmonized, while at the same time ensuring that the industry is able to compete with the US giants and withstand the ever-fiercer struggle for export markets?

Faced with a challenge of this complexity, we believe it is necessary to adopt a coherent approach addressing "demand" (governments and armed services), market access and "supply", i.e. restructuring of Europe's arms industries.

We should therefore like to see a study put in hand without delay into the possibility of a standing committee of WEU Chiefs of Staff, with its own specifications agencies for each of the three forces, charged with harmonizing medium- and long-term requirements, and another study on the possible role of the Community in managing a coherent process of market opening and restructuring of the arms industries.

Joint studies of this kind could also be used in the context of the working relationship between the Commission and the WEU, with backing in many cases from the European Space Agency, to foster synergy between civilian and military R&D programmes with the emphasis on areas having a high dual-use technology content, in particular:

- satellite launchers
- military reconnaissance, early-warning and communications satellites
- real-time data transmission
- large-capacity parallel processing systems
- stealth technology (aircraft, missiles and ships)
- avionics and aerospace technology
- aerospace monitoring of the marine environment
- position-fixing and guidance technology
- radiation and radiation protection technology
- active and passive identification (IFF) technology.

A number of these joint technical studies could usefully be included in future WEU space cooperation programmes.

Another "shared competence" issue and hence a candidate for joint studies and possible joint proposals is security of energy supplies. The Commission and the Member States, with the help of the IEA in this instance, should certainly conduct a joint analysis of the implications of Central and Eastern European countries' membership of the Union and the worrying prospect of growing dependence on oil supplies from the Persian Gulf, and soon perhaps from Iraq again, which is more or less inevitable in the medium term. The Union is also increasingly dependent on natural gas imports from Russia, Algeria and possibly the Middle East, and any study of these matters should cover the specific implications of this, with particular reference to the question of fixed supply lines (i.e pipelines).

In terms of the CFSP such a review might lead to a reassessment of the EU's political relations with the GCC states and a better understanding of the linkage, in sensitive countries such as Iran and Iraq, between oil revenue, foreign policy and weapons programmes. With binding agreements due to be signed shortly in connection with the European Energy Charter, the economic and financial implications of the review might also prompt the EU to start thinking again at last about the lack of instruments to cover political risks, at least for certain strategically important energy projects (Russian natural gas and oil).

We would further recommend that no time be lost in carrying out joint studies, followed by joint CFSP proposals, into (a) a common system of arms export controls and (b) a common programme to combat trafficking in radioactive substances and nuclear materials.

The imminent Council decision on a joint action for controls on exports of dual-use goods points to the way forward on issues of this kind which lie at the interface between pillars, in particular as regards the economic and security dimensions.

In order to overcome the false dichotomy of either dealing with everything by means of Community directives, alterable by a qualified majority, or clinging to a doctrinaire intergovernmental approach and throwing the baby of the *acquis communautaire* out with the bathwater, we advocate proceeding wherever possible by means of joint Commission/WEU/Presidency studies which can eventually form the basis for joint Commission/Presidency proposals. This more balanced and pragmatic approach would make it possible to reconcile consideration for the special nature of security issues, especially defence-related ones, with concern for maximum collective efficiency, in the form of the fullest possible exploitation of the scope for synergy between the three pillars.

The same adherence to a balanced and pragmatic approach guided us in our discussion of the more ambitious reforms which we consider essential to the construction of a credible CFSP. The scope of these reforms, however, is such that they would entail major institutional changes requiring political decisions which can be taken only at the IGC in 1996.

IV. Institutional reforms and changes for decision at the 1996 Intergovernmental Conference

While the measures we describe in the previous section would undoubtedly improve the efficiency of the CFSP and add substance to the WEU, they fall short of what is required.

It is essential to clarify a number of fundamental points, pre-eminent among them the early establishment of an effective European force projection capability to support the CFSP; the issue of collective defence and, in this context, the relationship between the EU, WEU and NATO; the creation of a capability for proposing decisions (right of initiative), touched on above in connection with the central analysis and evaluation capability described in Section III A; the decision-making process applicable to action by the EU, including operations in the military sphere; and, last but not least, the representation of the EU on the international political stage.

We have carefully studied all these questions, on the twin assumptions that new Member States with a long-standing tradition of neutrality will be participating in the IGC and that the prospect of the accession of Central and Eastern European countries is now firm. We had also to consider the limp and ineffective performance witnessed to date within the CFSP itself and the more restricted circle of the WEU.

Taking all these facts into consideration, we advocate a new, though not revolutionary, departure clearly inspired by the approach adopted for the single currency and the European central bank, not of course that there could be any question of simply transposing it.

The common foreign and security policy (including defence) has so far been a hazy, imprecise objective. It must be transformed into a specific goal, broken down into successive detailed targets backed up by a firm timetable and objective conditions for participation.

A majority of us, while subscribing to this analysis, nevertheless feel it would be a mistake to push matters too far or too fast.

Political realities on the one hand - successive enlargements, well-rehearsed political misgivings and disparities in military resources - and strategic realities on the other - the continued need for the US presence and deterrence and the inescapable geopolitical weight of Russia - dictate that a different approach should be taken in 1996 to the pooling of military resources to be used jointly at the service of the EU to back up ... common foreign and security policy (power projection) on the one hand, which requires decisions to be taken at an early date, and the issue of collective defence within the meaning of Article 5 of the Brussels Treaty on the other, which calls rather for the charting in advance of an irreversible process to be laid down in detail at a later date with the prospective new Member States and the EU's main partners, notably the United States. A pivotal date in this context might be 1998, when the Brussels Treaty is due to expire.

Any attempt to press ahead too fast with the core issue of collective defence in 1996 would simply leave some of the new members exposed to no good purpose and make glaringly obvious the nullity of a concept which depends for any substance, both *de facto* and, some would say, *de jure* (cf Article 4 of the Brussels Treaty) on NATO and its integrated military organization.

On the other hand, to ignore this issue and simply leave it out of the IGC altogether on the grounds that it is too remote a prospect would inevitably cast considerable doubt, inside and outside the EU, on the Union's ultimate political significance.

We feel in fact that this would be a real mistake, not to say seriously irresponsible, in view of mounting insecurity and looming challenges.

Having traced out the scope for reform and progress (the lack of a common analytical function having been dealt with above, as a factor not requiring Treaty amendments), we should like to see attention focused in 1996 on the following five areas:

- the common military resources to be placed at the disposal of the EU (creation of a European force projection capability) to support the CFSP;
- progress towards common defence within the meaning of Article 5 of the Brussels Treaty, in consultation with the United States and other major partners;
- creation of a capability with the right of initiative;
- overhaul of the decision-making process;
- the representation and profile of the EU on the international political stage.

A. Common military resources to be placed at the disposal of the EU in support of the CFSP

The Union Treaty should explicitly provide among the EU's objectives for the building-up of Eurocorps and other multinational units designated for the WEU into a sizeable European intervention force (the figure of 150 000-200 000 men has been mooted) with the necessary command, intelligence and logistical components.

Together with this objective should go a timetable and a set of minimum requirements for participation, in terms of allocation of forces, integration of command structures and effective support for the concomitant technological and logistical programmes - in other words, additional contractual obligations.

It should further be made clear in the Treaty that the intervention force, by definition at the service of the EU and the protection of its major interests and its values, must from the outset receive political and financial backing from those Member States which do not wish to participate, either because they lack the capability or for their own political reasons.

Ideally, we should like to see complete congruence between the countries participating in the European intervention force and the members of the WEU, which has been cast since the Petersberg Declaration in June 1992 as matrix for the operational development of a common defence.

That would involve certain adjustments to the decision-making processes of the CFSP (see Section D below) and the WEU.

We cannot rule out the possibility that a number of WEU members might be unwilling or unable to commit themselves to full participation in the European intervention force.

That would make it necessary to set up new institutional machinery reserved for the countries participating in the European intervention force, at the interface between European Council, the CFSP and the WEU. The WEU would accordingly retain only the defence responsibilities covered by Article 5 of the Brussels Treaty.

B. Moving towards collective defence within the meaning of Article 5 of the Brussels Treaty

A "common defence policy" and "common defence" are already explicitly provided for in the Maastricht Treaty, so the objective in this case would be to map out in 1996 the stages leading to collective defence, given the stated, if as yet unrealized, existence of a "European defence identity" and a "European pillar" of NATO.

Progress towards a common defence would centre on the insertion in the Treaties, say by the year 2000, of a mutual assistance commitment binding all members of the EU; this in turn would entail the achievement of full congruence by that date between WEU and EU membership, as a prelude to a merger.

An interim date should also be set - 1998 looks particularly suitable - to take stock of the process, on the assumption that intensive consultations would have taken place by then with the EU's main partners, in particular the United States.

In the intervening period it is important to ensure the coherence of EU policy regarding membership of the WEU and NATO. Several members of the group considered that new members of the EU seeking to join WEU should also join NATO.

This was important to preserve the integrity of article V of NATO and was a continuation of the present policy of WEU members also belonging to NATO.

Other members of the group considered that the question of WEU membership should be examined on its merits, independently of NATO membership.

C. Creation of a central capability with the (non-exclusive) right of initiative

We are strongly of the opinion that, in tandem with the evaluation capability described in Section III A (and the need for a continuing, strong, visible presence on the international scene (see point IV.E below), the CFSP needs something to fulfil the role occupied in the economic and monetary sphere by the Commission.

The special nature of foreign policy issues, particularly those that require backing by armed intervention (power projection), and the even more special status of defence matters are such, however, that this role cannot, as things stand, be played by the Commission itself, or at least not by the Commission alone.

Accordingly, we should like to see the IGC look at the following two options:

- (a) either, introduction on a systematic basis, followed by gradual extension, of joint Commission/WEU/Presidency proposals, closely coordinated with the central evaluation capability, organised as a joint service between Council, WEU and Commission;
- (b) or, the introduction, within pillar II, a new institutional mechanism which would of course affect the balance between the institutions.

This alternative merits a more detailed explanation. It could require placing the central planning and analysis capacity under the authority of a prominent personality, designated in the same way as the President of the Commission and benefitting from the same authority, independence and duration in office. This person, in close liaison with the Commission acting within its own sphere of responsibility, would inform the Council and European Council of all aspects considered essential for the security of the Union, and formulate appropriate proposals; As regards his relationship with the WEU, this could have to be examined in the context of the future vote of this organisation.

D. Reform of the decision-making process

This is not something which can be tackled in isolation either from the creation of a **right** of initiative, based on a central evaluation capability, or from the establishment of a **European** intervention force and a clearly posted programme culminating in collective **defence** arrangements, for on these will depend to a great extent the effectiveness and credibility of the EU's foreign and security policy decisions.

In particular, these are the things which will lend substance to the Council's discussions by enabling it to address the full political, economic and military dimensions of each **issue**, up to and including the use or threat of force, and thus underpinning the formation of a **political** consensus which will carry real weight.

But as the substantive content of Council deliberations becomes more meaningful they will need to move beyond the uncertainties imposed by an over-rigid unanimity rule. We therefore propose that a distinction be made between decisions with military implications and those without.

In this context the group considered but did not agree to retain the idea that there should be a bottom line in the form of a "reverse Luxembourg compromise" which would prevent any Member State from sustaining a veto the pertinence of which was not accepted by a majority of the others.

Instead, the group considered preferable, for decisions with no military implications - which means most of them, luckily - qualified majority voting should be introduced, though subject to a special weighting which more accurately reflects the different political and military weight of individual Member States.

In the case of decisions with military implications it would be up to the members of the European intervention force, possibly meeting in restricted session in the (EU or WEU) Council, to decide amongst themselves on the resources to be deployed and action to be taken, possibly in conjunction with other allies, in the knowledge that they can rely on the political and financial backing of the whole EU).

It may be objected that development of the CFSP along the lines suggested (a reformed decision-making process, joint military resources, commitment to move towards collective defence, capability for evaluation and right of initiative) would pose a threat to European integration, or rather to integration according to the "Community" model.

We do not share these fears, even if the emergence of what is already being referred to in some quarters as a "hard core" of countries with the political will and power to act might seem to be the logical conclusion as things stand at present. In our view the important thing is that no Member State should be ruled out of the intervention force in advance and that the waverers should not be able to stop those able and willing to move forwards, in other words

they should no longer have the power to stop the Union developing a credible common foreign and security policy.

As regards the Commission, this approach by no means implies that it does not have a great deal to offer the CFSP in terms of analytical expertise and mobilization of economic, financial and technical resources.

What it does mean is that the Commission cannot be - and in fact has never claimed to be - the sole initiating and executive body in this context that it is on the economic side. That is already accepted in any case in respect of monetary matters and cooperation in the fields of justice and home affairs.

Our considered view is that once the CFSP can leave behind its institutional ambiguity, emerge from the straitjacket of the pure unanimity rule (except for decisions having military implications and only involving those who participate), and acquire powerful evaluation capability and right of initiative plus a credible military instrument, it will rapidly endow the EU with the major political status it deserves.

In the following section we go on to demonstrate that such a status cannot properly be confined within the cramped limits of the six-monthly rotating presidency and accompanying troika.

E. The EU's profile and representation on the international political stage

In addition to the reforms already discussed we consider it essential that the EU have a continuous high-profile presence on the international scene and we therefore suggest that the European Council should designate a prominent senior figure to personify the CFSP over a sufficiently long period of time. This figure would have one necessary authority, independence and duration of office to lead the permanent Brussels-based evaluation capacity; and would have the right of access and proposal to the European Council and Council.

At a later stage this personage would represent the EU and together with the President of the Commission, where appropriate, would give expression to its policies and decisions at the highest level.

He or she would therefore have the right to attend meetings of the European Council and ministerial meetings of the CFSP and WEU as long as this body continued to function autonomously.

Working in close relations with the European Administration (notably the President and the Commissioner responsible for CFSP) and the Presidency of the Council and WEU, this figure would be assisted by a secretariat and would receive any necessary assistance from EU representations and embassies abroad.

This outline agenda for the Intergovernmental Conference in 1996 and the preceding suggestions for measures which could if desired be implemented more or less immediately to lend greater weight and effectiveness to the CFSP are very far from exhausting the substance of the questions we tackled, which are dealt with in greater depths in the reports of individual members of the Group.

There is the fundamental issue of the values which should underpin a European security policy. In this connection, we believe public debate and education (teaching programmes, European Defence Institute - see Annex 2) would have an important role to play.

Again, on a separate but not unrelated issue, there are the crucial concepts of the state, the nation, citizenship. On these matters Europe's history is irreducibly various - on that understanding will support be forthcoming. The task of securing the necessary alignment while respecting the different identities will be immense and exceeds the scope of the CFSP, whose long-term existence it will nevertheless determine. This is a topic which merits a further report to itself.

Finally, there is the unremitting pursuit of the collective enterprise without which the pre-eminent "public goods" of security and defence would soon lack all substance.

Conclusions

Insofar as our conclusions can be summarized, they are these:

1. Foreign policy, security and defence issues are "special cases" to which it is impossible artificially to apply the "Community" formulas which have proved their worth in the economic sphere but are not to be imitated here.
2. However, an effective response to these issues calls, as in the case of the single currency, for an explicit statement of the objectives, procedures and instruments of the CFSP incorporating the following points:
 - (a) definition of the joint military resources to be placed at the disposal of the EU in support of the CFSP (timetable and conditions for participation);
 - (b) mapping out of an irreversible course towards collective defence (within the meaning of Article 5 of the Brussels Treaty);
 - (c) creation of a politically independent central capability with the (non-exclusive) right of initiative (based on a central analysis and evaluation capability);
 - (d) a reformed decision-making process for decisions not having military implications;
 - (e) continuous high-profile presence on the international political scene.

Those items should form the core of the agenda at the 1996 IGC as far as the CFSP is concerned.

Attached as Annex 3 is a diagram giving a preliminary idea of the institutional implications of such an approach.

ANNEXES

Annex 1

List of members

High-level group of experts on the common foreign and security policy

**"Towards a credible European security policy
in the run-up to 2000: ways and means "**

List of members

The Rev. Canon Michael BOURDEAUX

Keston Institute
Oxford

Sir Leslie FIELDING

Former Director-General
European Commission

Mr Dieter FRISCH

Former Director-General
European Commission

H.E. Henri FROMENT-MEURICE

Ambassador of France
Neuilly sur Seine

Professor Philip GUMMETT

Professor of Government and Technology Policy
P.R.E.S.T.
The University of Manchester

Mr François HEISBOURG

Vice President
Matra Defense Espace
Paris

Rev. Edouard HERC

Professor at the "Institut de Théologie"
Brussels

Mr Bichara KHADER

Professor at "Université Catholique de Louvain"
Faculté des Sciences économiques, sociales et politiques

The inadequacy of budgetary and military resources that is hampering UN activities is another aspect of the weakness of international diplomacy. This is a hugely damaging state of affairs, as, with economic and diplomatic globalization, an effective worldwide body is vital to the conduct of international relations. The dictates of efficiency demand that all nations join in a concerted approach, starting with the European Union itself, building up through the North Atlantic Alliance and the CSCE, and culminating in the United Nations.

There can be no prospect of establishing a credible, stable international order if we do not rapidly set about making good the legal, doctrinal and operational shortcomings of the current UN set-up.

Annex 2

Values and the CFSP: an overview

High-level group of experts on the CFSP

Sub-group 4¹

The CFSP and values

Overview

- 1. International relations involve more than just the interaction of might and the law. There is also a third dimension, that of the values that underpin all societies, and without which it would not be possible to establish a fair and peaceful international order.²

The CFSP would be limited to defending the interests of the Union, reducing international relations to a simple question of power politics, if it were not for the influence of fundamental and universal values like liberty, justice, solidarity, and democracy guided by the primacy of human rights and the rule of law.

These cannot be abstract, academic concepts, but must be living values that all Europeans not only acknowledge and observe, but would, if necessary, be prepared to fight for. A foreign policy based on values that the majority of citizens do not share would quickly lose legitimacy and public support, which is why, as we enter a new phase of our history, the views of Europe's citizens and public opinion formers are of paramount importance to the CFSP. We must also take care to establish a balance between groups lobbying on the basis of values, and those lobbying on the basis of economic interest.

- 2. Article J.1 of the Maastricht Treaty requires the CFSP to reflect the essential values common to all the Member States, thus imbuing the legislation with the force of those values.

This requirement is all the more justified now that, in the face of rapid globalization and the end of the ideological conflict between East and West, culture is emerging as a key factor in establishing an identity on the world stage, and cultural differences are being accentuated to such an extent that they could become the main focus of international conflict in the future if we do not defuse potential antagonisms in this area through cooperation and conciliation.³ If the CFSP plays down the impact of

¹ Chair: Rev. Herr; Members: Rev. Bourdeaux, Mr Durieux, Mr Frisch, Mr Heisbourg.

² The term "values" embraces ideology, culture and religion, i.e. the representative systems all societies need to survive.

³ Huntington, "The clash of civilizations", in the 'Foreign Affairs' issue of 16 July 1993.

values and cultural issues, it will be turning its back on a historical trend at the worst possible moment, namely Europe's transition from an economic to a political entity.

- 3. Using the CFSP to safeguard the main values shared by all Europeans poses delicate practical problems because of the diversity of the cultural models involved and the emergence of new areas of security-related application, such as international terrorism, nuclear proliferation, corruption and drugs.

The defence of human and minority rights, and the transition to democracy and free enterprise, must perforce be a gradual, duly differentiated process, with the proviso that decisions in this connection must not be arbitrary, but should follow criteria and rules that are as objective as possible. The CFSP can under no circumstances sanction the consolidation of repressive or oppressive regimes, nor can it contribute to the proliferation of prohibited arms. Any response must be proportionate to the gravity of the violation concerned; forced child labour and torture cannot be put on the same footing as the freedom of association.

- 4. The increase in tensions and conflicts brought about by nationalist, ethnic and religious tendencies confirms the dangerous potential of current cultural trends. This should prompt the Union to foster understanding between different civilizations as a matter of course, identifying areas of both incompatibility and convergence and agreement with a view to promoting coexistence and cooperation based on mutual awareness.

It might be useful to set up a European body for that purpose (e.g. a European Foundation for Cultures and Religions), that would be supported by existing national institutions and would initially focus on regions where monotheistic religions predominate. The role of such a body could include creating special educational programmes at secondary and university level, and youth exchange schemes.

- 5. The demise of the East-West divide appears to have initiated a "moralization" of the international stage, but a great deal remains to be done to develop this process. We have made virtually no progress as regards either doctrine, legislation or instruments. We are in for a long haul, but it is important that we get down to work on filling in the gaps and rectifying the current weaknesses of international action.

The fighting in Somalia, Rwanda and former Yugoslavia has focused the spotlight on the problems inherent in humanitarian and democratic intervention, but without establishing precisely what the concept involves, its scope or its limitations; is it, for example, a right, or is it a duty?

Minorities are frequently on the receiving end of conflict situations. Should we not be aiming at establishing a Charter for Minorities, to be signed under the aegis of the United Nations?

The inadequacy of budgetary and military resources that is hampering UN activities is another aspect of the weakness of international diplomacy. This is a hugely damaging state of affairs, as, with economic and diplomatic globalization, an effective worldwide body is vital to the conduct of international relations. The dictates of efficiency demand that all nations join in a concerted approach, starting with the European Union itself, building up through the North Atlantic Alliance and the CSCE, and culminating in the United Nations.

There can be no prospect of establishing a credible, stable international order if we do not rapidly set about making good the legal, doctrinal and operational shortcomings of the current UN set-up.