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Fit for what? Towards explaining Battlegroup inaction

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The thrust of this paper concerns the case of the European Battlegroup (BG) non-deployment in late 2008, when the United Nations requested European military support for the United Nations Organisation Mission peacekeeping force in the Democratic Republic of the Congo (DRC). The argument is built on the fact that when, in official documents, the EU approaches the European security and ESDP/CSDP's military crisis management policy and interventions, it makes strong references to the United Nations and the UN Charter Chapter VII's mandate of restoring international peace and security. Such references make it seem that supporting the UN when it deals with threats and crises is a primary concern of the EU and the member states. These allusions lead to the main contention of this paper, that there is much ambivalence in these indications. The paper develops its argument from one key hypothesis; namely, that the non-deployment of a European BG in the DRC, at the end of 2008, constitutes a useful case study for detecting a number of ambiguities of the EU in respect of its declarations in the official documents establishing the European military crisis management intervention structure.

Keywords: European battlegroup; common security and defence policy; DRC 2008; military crisis management

Introduction

This paper focuses on the European Union (EU) before the Lisbon Treaty was made active, thus it refers to the European Security and Defence Policy (ESDP) though this is now transformed by the Treaty into the Common Security and Defence Policy (CSDP). The paper's thrust concerns the case of the European Battlegroup (BG) non-deployment in late 2008, when the United Nations requested European military support for the United Nations Organisation Mission (MONUC) peacekeeping force in the Democratic Republic of the Congo (DRC), the very task of the EU battlegroup. The argument is built on the fact that when the European Union approaches in the official documents the European security and ESDP/CSDP's military crisis management policy and interventions, it makes strong references to the United Nations and the UN Charter Chapter VII's mandate of restoring international peace and security. This, per se, is unsurprising. Numerous documents, also beyond the area of military crisis management and European security more in general, link the EU to the idea of multilateralism and good governance. However, such references make it seem that supporting the UN when it deals with threats and crises is a primary concern of the EU and the member states. These allusions lead to the main contention of this paper, that there is much ambivalence in these indications. The paper develops its argument from one key hypothesis; namely, that the case of non-deployment of a European BG in the DRC, at the end of 2008, constitutes a useful case study for detecting a number of ambiguities of

the EU in respect of its declarations in the official documents establishing the European military crisis management intervention structure. There are limitations to this case study, specifically owing to the fact that firm conclusions of the type that a comparative approach might yield are difficult to reach by conducting a case study based upon a single case. A further limitation is due to the fact that, although there are several instances of the EU/member states offering crucial support to the UN (dealing with the regimes as well as humanitarian crises, in full observance of Chapter VII of the Charter) thus featuring examples that contrast with the present case, this paper does not include them.

The EU's practice of 'linking' the official acts to the UN is treaty-based, as it is noticeable in the Treaty of the European Union (TEU), i.e. art.3 paragr.5; art. 21 paragr.1 & 2; art. 34 paragr. 2; and art. 42 paragr. 1 & 7. Working on the above hypothesis, the paper first focuses on the EU's military crisis management official discourse giving emphasis to the association with the UN. It then highlights the ESDP policy of developing the battlegroup concept, and makes references to Operation Artemis that might serve as a contrast to the case of 2008. It thus looks at the kind of operations that BGs are supposed to perform and at the differences with the NATO Response Force (NRF) in terms of structure and size, at the African focus of the EU BG concept, and at the way in which the NRF was a failure and the EU BG concept flawed. The first task of the paper is to try to find an answer to why the EU uses the practice of 'linking' the official acts to the UN.

Second, and continuing to work on the hypothesis, the paper brings in the case of the possible action of deployment of BGs: here it pays attention to the UN's demand for a military contribution, and looks at General Affairs and External Relations Council (GAERC) meeting seeking to trace the national positions of some EU states. It points out a few instances of ambiguity including that of the BG concept, and considers whether the EU was obliged to deploy. This paper's second task is to try to understand the way in which the European negative response was built.

Third, the paper seeks to figure out why those EU states that were in charge of deploying had not done so. Thus it enquires into the difficulties and obstacles that informed the national stances of Britain and Germany regarding the BG deployment in the DRC. The paper's third task is to find out the main cause for inaction in late 2008.

The intention of this paper is not to identify the extent of EU/member states' contribution to the UN dimension of military crisis management operation. The focus is not on the situation in the DRC and its complexities, nor on the EU's and the European Commission's efforts to bring stability and peace to the Congo, nor on the EU engaging in partnership with the African Union (AU). The paper's approach is essentially inductive, based largely on official documents, political speeches, government statements as well as secondary

sources, and is supplemented by interviews especially with EU officers in Brussels.

High-quality literature exists that focuses on the EU and the tension between aspiration and capacity, rhetoric and reality. Hill (1993, 1998), Holland (1995), Dover (2005) and many other scholars were inspired by the paradoxes highlighted by the EU's ambitions. This paper deals with a similar topic, but it uses the specific key hypothesis expressed above to uncover the ambiguities of the EU and member states.

The EU's military crisis management discourse connecting to the UN

In approaching European security and ESDP/CSDP's military crisis management[1] interventions, the EU makes strong reference to the United Nations Charter. It thus appears a primary concern of the EU and member states to support the UN when this deals with threats and crises. The declarations are ambitious and keep raising expectations, with the risk that the EU and member states are not able to deliver on such an agenda.

The pledges and aspirations are very noticeable in the EU's security documents. The European Security Strategy (ESS) stresses the EU's support to the UN 'as it responds to threats to international peace and security' (2003, p. 11). The Le Touquet Franco-British agreement (2003) fixes some specific points about the importance of Africa: 'we will take joint initiatives at the United Nations and within the European Union ensuring that they support the efforts of the African Union and of the sub-regional organisations, and that they strengthen Africa's peacekeeping capability'. France and Britain expressed their sustainment of the New Partnership for Africa's Development (NEPAD) and for the Action Plan for Africa, even highlighting that their 'cooperation in the countries of Sub-Saharan Africa can be a driving force in the European Union, promoting peace' (LeTouq 2003). The declaration on the European Cooperation in Security and Defence, issued at the Franco-British summit in London (2003), asserts that 'credible Battlegroup sized forces [are planned] to be created so as to strengthen the EU rapid reaction capability to support United Nations' operations'. The declaration states a desire to construct 'the relationship between the EU and the UN in the field of crisis management'. It underscores that the 'EU should build on this precedent (i.e. operation Artemis in the DRC) so that it is able to respond through ESDP to future similar requests' (UK/F 2003). In 2004, the Council 'endorse[d] the elaboration of modalities under which the EU could provide military capabilities', again with reference to the UN (EU Council, June 2004). That same year, the Headline Goal 2010 (re-)affirmed that '[s]trengthening the United Nations is a European priority' (p. 5), and that 'Real world experience [. . .] has shown the potential for the EU to conduct operations in support of UN objectives' (p. 4); and again referred to the 'development of EU Rapid Response elements, including Battlegroups', and to their task (p. 5). The HG 2010 also declared that 'the EU will promote the principle of interoperability in

the field of military capabilities with its partners, notably . . . the UN . . . in line with the European Security Strategy’ (p. 4). This is not a minor point, since the interoperability of forces and equipment did in reality constitute a problem with respect to military cooperation.

In 2005, the EU was at the forefront of the diplomacy that resulted in the UN General Assembly’s agreement with the notion of ‘responsibility [. . .] to help protect [R2P] populations from genocide, war crimes, ethnic cleansing, and crimes against humanity’ (UNGA 2005). Support for the R2P was included in the ‘Declaration on Strengthening Capabilities’, adopted by the December 2008 European Council. The R2P implies high-intensity operations if military intervention becomes necessary, the precise task of the EU BGs (Biscop 2009, p. 378). The 2008 EU presidency’s conclusions emphasised the policy guideline that ‘the more complex the challenges we face, the more flexible we must be’, underscoring that ‘[b]attlegroups...have enhanced our capacity to react rapidly’ (p. 9), and the ESS Implementation Report ends with a firm call to action (S407/08 2008). The way the EU devised its security policy and the strategic and operational preparation of the rapid reaction force created expectations. The assurances made to the UN in the official documents seemed to promise consistent action.

Was the battlegroup concept devised in response to a request by the UN?

The Union placed emphasis on the importance of developing the EU Rapid Response element. The origin of the BG concept was linked to the growing problems on the African continent, where the Sub-Saharan region remained the theatre for 80 per cent of the world’s civil wars and prevalent state failures. State failure was having destabilising effects in regions such as in the Great Lakes (Howorth 2007, p. 202, 251), and these conflicts were feeding the cycle of terrorism (ESS 2003).

The concept was devised in response to a request by the UN to support the pressurised UN troops (Koops 2007, p. 2), and complied with the UN Charter’s Chapter VII mandate, which set out the authority of the Security Council in maintaining peace worldwide.[2] The rapid response elements originated at the Helsinki Council Summit (1999) and from the 2003 Headline Goal (HG 2003). The need for rapid deployment was made clear during the British intervention in Sierra Leone (May 2000) and during the French operation Licorne on the Ivory Coast (September 2002). France and Britain (Le Touquet, February 2003) supported the idea of a conceptual framework for the conduct of EU-led military crisis management actions, based on the Military Rapid Response Concept. The project was later made more explicit in London (UK/F 2003), and became a trilateral initiative when Germany joined (February 2004).

During the 1999-2003 period, the EU set-up political-military structures to assess, plan and execute military operations. These structures were tested during the military actions Concordia (in the former Yugoslav Republic of

Macedonia, FYROM) and Artemis (in the DRC) (2003). Concordia was made possible through the use of the NATO machinery under the 'Berlin Plus' agreement, and Artemis employed European capabilities and command structures.

Operation Artemis is important to this paper's narrative in terms of the pattern of behaviour of the EU and of the member states with regard to the development of European security policy. First, the EU states were humiliated by their incapacity to deal, in the late 1990s, with the crisis in the former Yugoslavia and also their inability to avoid the humanitarian massacre occurring on the doorstep of the Union. The consequent policy of advancing European security by tackling a crisis using European military force, with no use of NATO assets, was put to the test with Artemis. That operation proved a deliberate contrast to the NATO/US dependency exhibited during Operation Concordia. It provided a logical follow-up to the 1998 Saint-Malo Franco-British Declaration on European Defence. The clause 'the European Union will also need to have recourse to suitable military means', which also included 'national or multinational European means outside the NATO framework', was given clear emphasis in the declaration (StM 1998). Artemis was purposely designed to demonstrate the EU's ability to mount autonomous actions. One of the aims was to exhibit European military autonomy to the United States. Second, with Artemis, the EU member states (particularly France and those that opposed Operation Iraqi Freedom) sought to prove European unity to the USA, after the internal division over the Iraqi question.

Why did the EU respond in 2003 to the direct request (via Paris) to the European Union by Kofi Annan, the then UN General Secretary, for military support in the DRC? Artemis provides a good contrast to the 2008 case of non-deployment in the DRC. France has been the key actor in crafting Operation Artemis. Artemis offered the opportunity of 'resuscitating' the UN (Duke 2008, p. 18) after Operation Allied Force intervened in the Balkans without a UN mandate. Paris was very keen to maintain a dominant role in its African backyard. It had lost significant leverage in that African region since the end of the cold war, and its engagement in a stronger European role in the management of African crises was France's strategic consequence (Koepf 2010, p. 8). Paris conducted intense diplomatic activity at the level of the Political Security Committee (PSC) to gain the EU states' support for this operation (Hendrickson et al. 2008). Together with being a landmark in the debate on the use of force in the PSC, Artemis was also an indication to all member states that Africa was now 'firmly on the map for Europe' security and defence policy.[3] Paris succeeded in heading European policy towards France's African interests.

For the above (and the following) reasons, France was attracted by the Artemis kind of operation. It seemed a workable model to advance (both its own and) European security policy. France was the 'framework nation', which means that it acted as the main constituent of the battalion (supplying 1785 of the

2200 troops deployed) and it conducted operational planning from the French Centre de Planification et de Conduite des Opérations (CPCO) at Creil. This one seconded officers from 13 other countries. France has thus demonstrated the potential for the multinationalisation of a national Permanent Joint Head Quarters. It was willing to provide the Operational HQ and Forward HQ, and was clearly keen to demonstrate its ability to organise and conduct a EU operation with rapid force projection 6500 kilometres far away and into unfamiliar territory (see Cornish 2004, Ulriksen et al. 2004, Howorth 2007, p. 233). These conditions and interests created a powerful influence in 2003 as the engine for European policy (and a keenness to deploy forces). These conditions and interests were not present in 2008 to affect European action, and make a difference with the late 2008 case of UN's demand for European support.

However, the apparent importance of Africa and its security, as suggested by the official documents, lay less in direct intervention of the Artemis variety, but rather in 'support[ing] African mediation and the efforts to prevent and manage conflicts led by the African Union and the regional organisations' (LeTouq 2003). In the Le Touquet statement, France and Britain had made it clear that 'primary responsibility falls on Africa in this matter' (i.e. bringing peace and solidarity), and they underscored their 'support [of] the efforts of the African Union'. The most likely expected involvement in operations in Africa was of the kind of 'joint ownership' to back and sustain the African Union in Africa's peacekeeping capability. Within the projects agreed between France and Britain there was also the initiative of exploring 'how to work together to build a DRC national army' (LeTouq). Therefore, security in Africa was better served by implementing these plans and ideas than by conducting actions of the Artemis type.

Operation Artemis provided the Rapid Response elements with an operative template and laid the groundwork for the EU battlegroup concept (Lindstrom 2007). When the BG concept was approved (by the PSC and by various other military and defence committees of the EU), it was subsequently integrated into the new Headline Goal (HG) 2010 at the European Council (June 2004).[4] The EU/member states set themselves a new HG, reflecting the ESS, the evolution of the strategic environment and of technology, and the lessons learnt from the EU-led operations.

Agreeing on the new HG meant complying, by 2010, with humanitarian and rescue tasks, peacekeeping, and the tasks of combat forces in crisis management including peacemaking (Petersberg tasks), and with joint disarmament operations, support for third countries in combating terrorism, and security sector reform operations as part of a broader institution building approach (tasks from ESS) (Lindstrom 2007, p. 82). Accepting these targets implied that the EU/member states were willing to offer and provide support in cases of the UN needing European military support during crisis management operations.

What kind of operations would be required of the battlegroups?

The battlegroup was defined as ‘the minimum militarily effective, credible, rapidly deployable, coherent force package capable of stand-alone operations, or for the initial phase of larger operations’ (DEMC 2004, p. 3). The concept drew on the NATO doctrine and the NATO Response Force. The latter also emerged in 2003, and was conceived as a means of providing NATO with a fast and vigorous military instrument. Since the NRF was at the same time conceived as encouraging an expeditionary frame of mind among the European allies (Ringsmose 2009, p. 288), it seems reasonable to pay some attention to the differences between the NRF and the BG concept.

The conflicts in the Balkans in the 1990s and the intervention in Afghanistan in the aftermath of 11 September formed the direct background of the US-sponsored NRF initiative. The transatlantic capability gap was a reality. Only a small part of NATO-Europe’s forces was organised for expeditionary operations. Washington envisaged NATO’s future as a global security provider, and planned the NRF to develop/expand the Europeans’ capability to participate in the American-led out-of-area operations. Through the European force contribution, it was also easier for Washington to gain political legitimacy for American military responses to new threats. The structure, size and conceptual configuration of the NRF were in remarkable contrast with those of the EU BGs. The 25,000 strong NRF was intended to be engaged in high-intensity operations alongside the US armed forces, and was thought to be deployable worldwide within 5-30 days, as established in document MC 477 by the NATO Military Committee (April 2003). The central political rationale behind the NRF was the task of reinforcing the transatlantic link in times of crisis. Training served as preparation for major combat operations. This American logic was noticeable in NATO’s agreement (Prague Capability Commitment, November 2002) to a force that could work closely with the USA in Afghanistan during Operation Enduring Freedom (Kugler 2007, p. 4). In terms of structure the NRF force looked like that of a US Marine Expeditionary Brigade (Mihalka 2005; Ringsmose 2009, pp. 288-290).

The European battlegroup initiative was purposely a less grandiose project. The BG concept implied two tasks: at the strategic level, it sought to address the EU’s need to assess a crisis independently and to consider its potential implications; at the operational level, it aimed at making the EU capable of planning and executing military operations and able to use exclusively European assets. The ambition of the EU was to be able to decide to launch an operation within five days of the approval of the Crisis Management Concept by the Council, and to deploy its BG units of 1500 troops no later than ten days after (HG 2010, p. 2). The concept was backed by the employment of time limited missions of 30 days, extendable to a maximum of 120 days. After this limit, the operation would conclude. Relevant to this paper is the fact that the EU BG concept was designed with an African focus. It was meant to take action within a strategic environment characterised by the peace operations of

the United Nations, the African Union and groupings such as the Economic Community of West African States (ECOWAS), in addition to the post-colonial states and conflicts (Gowan 2005, p. 13). These were the main differences between the concept and configuration of the NRF and the EU BG rapid forces. Their divergent tasks also explain the size dissimilarity.

Critics argue that the NATO Response Force faces a set of obstacles that closely mirror those of the EU BGs. These include problems filling the force catalogue, rhetoric and poor implementation, disagreement on which conflict to address, and trust in the available forces instead of creating the capacity to shape force planning (Jacoby and Jones 2008, p. 316). There are indications that the BG concept was flawed from the beginning (see below), had outlived its usefulness and that its unsoundness offered the main reason for the reservations about using it, apart from once in Bosnia-Herzegovina. Also the NRF was a ('qualified') failure. It proved to be a disaster with its relief operation in the aftermath of Hurricane Katrina (September 2005), and later with its other disaster relief effort in Pakistan (February 2006) following the October 2005 earthquake. After those experiences, the NRF was never used again in world operations (Ringsmose 2009, p. 291).

Since the European BGs were primarily intended to reinforce the peace operations led by other groups and organisations, their strategic significance rests on the decision-making of these potential partners as well as on the choices of the EU. Observers from the UN Secretariat argue that the EU battlegroup will only have a long-lasting effect if it is entirely and efficiently intertwined with the plans and actions of the other partners. A not irrelevant paradox is that the EU battlegroup was meant to operate in an area where the EU/Europeans did actually have no clear 'strategic' vision of their own. The ESS pays little attention to Africa, apart from the countries of the Mediterranean. The BG may be justified as one element within a larger basket of long-term comprehensive interventions conducted at both the level of individual countries and regionally in support of the UN and the AU. It seems, however, that the EU emphasis on rapid reaction was incompatible with these long-term lines. The clearest criticism about the battlegroup describes it as a concept in search of a strategy (Gowan 2005, pp. 14-19), which explains why the concept was flawed from the beginning. Similarly to the case of the European BG, the other argument for the NRF is that political calculation has saved the NRF from being abandoned (Ringsmose 2009, p. 288).

The above comments and criticisms, however, are not meant to deny that the battlegroup project was perhaps a political and military advance. The EU member states devised three types of BG for the operation: a national BG (with all components borrowed from the same country), a BG with a framework nation (following the 'lead nation concept' that implies that a EU member served as the main constituent of the BG, while other countries contributed according to their respective capacities), and a multinational BG. They decided to associate BGs with a force headquarters, and welcomed the inclusion in the

BGs of non-EU European NATO countries, as well as countries that were candidates for accession to the EU (FCT 2005).

Headquarters are the primary structures to make the battlegroup operational, so a few words on their use, their inherent dynamics, and on EU military expertise are appropriate here. The EU Military Staff (EUMS) offers expertise to the CSDP in the conduct of military crisis management operations in particular. The EUMS comprises officers seconded from member states. These have a great ability to generate specific types of HQ (forward, operational, etc.). The EUMS is in charge of early warning, evaluation and strategic planning for the missions. Great influential power is concentrated at this level to affect decisions about the need for a particular type of HQ and for planning operations. On the basis of the typology of the operation to be undertaken, there are different choices for employing HQ (i.e. the Berlin Plus arrangements allow the use of NATO's Operational HQ, located in Belgium;[5] autonomous ESDP operations use one of the Operational Headquarters made available by five EU member states, France, the UK, Germany, Italy and Greece, which is then 'multinationalised';[6] the operations can be commanded from Brussels via the EU Operations Centre (OpsCen) within the EU Military Staff under guidance of a designated Operation Commander. The EU OpsCen is not a standing HQ and becomes operative through a Council joint action [see Simon et al. 2011, pp. 13-15, and Keukeleire and MacNaughtan 2008, p. 180]).[7]

The deployment of any national contingent within a BG was the result of the unanimous decision of the Council of the EU, in addition to the national government's approval. Any choice to commit military force was a sovereign decision. In the case of the EU, there were two principal providers (France and the UK). The BGs could be deployed without UN authorisation such as at the invitation of a state, and were intended to undertake operations far from the EU's borders and against robust adversaries (see Boyer 2007, Haine 2008). The EU/ member states fixed the objective of simultaneously dealing with two crisis management military operations (HG 2010; ENH 2008, Annex 2 2008, paragr. 3) implying that they desired to be capable of doing so. There was, however, concern over whether member states had sufficient willingness to deploy.

Why make the connection with the UN?

The question of conceiving a more robust European security structure, autonomous from NATO, and the task of executing military operations using exclusively European assets were divisive. Requiring the help of NATO forces to tackle the outbreak of the Balkan crises had proved an embarrassment. France and Britain were the most convinced not only that upgrading the level of European capability was needed, but that action to control and contain crises follows (Whitman 2004). Germany and the majority of member states perceived the need for a UN (or the Organisation for Security and Cooperation in Europe, OSCE) mandate before starting an operation utilising the military.

Vital to German foreign policy was 'reflexive multilateralism' (Katzenstein 1997). When NATO made the decision to launch an air campaign to terminate the Kosovo conflict in March 1999, Germany participated in the 79-day campaign. The domestic debate and opposition were severe and fluctuated between the two poles of 'no more genocide' (in Kosovo and in the earlier campaign in Bosnia) and 'no more war'. Italy adopted a standing analogous to that of Germany, with a similar history, which brought the country to privilege multilateralism and the UN framework for operations.

By contrast, for France, the force projection increased its significance with the ending of the cold war, and was eased by the recognition of the military as a crucial foreign policy tool. French policy-makers have always been at ease with a combination of civilian and military means. Also for the UK, the keenness to use force was an agreed element of effective policy-making in some cases. In addition, it was a right of the government to commit UK forces to action. Parliament was not requested to vote on deployments, and this clause gave parliamentary debates on the question of the use of force a different aspect compared with, for example, those in the German Bundestag (Giegerich 2006, p. 86, 138, 159), as well as those in the Italian parliament.

The lack of a binding UN mandate for NATO's Operation Allied Force in 1999 exacerbated the debate among EU states on the question of intervention and led to many disagreements but, on the other hand, it produced the new context of EU ESDP. That period (i.e. the aftermath of Saint-Malo) was marked by a steady sequence of international events creating a highly unstable environment within which the newborn ESDP was forced to materialise. The prime ideas at the basis of the Helsinki HG (2003) originated from experiences in Kosovo (Howorth 2007, p. 104). The 1999 decision to confront Slobodan Milosevic with no UN mandate (backed by both present and prospective members of the EU) had outlined the conditions for debating the linkages between the political and operational dimensions of the UN. For many Europeans, the action was defensible by means of the UN norms, albeit it lacked official sponsorship by the Security Council (Gowan 2008, p. 48). When China and Russia threatened to veto any UN mandate for action, the Slovene ambassador protested that 'not all permanent members were willing to act in accordance with their special responsibility for the maintenance of international peace and security' (Wheeler 2001, p. 119).

However the debate among the EU member states over the question of the binding UN mandate was far from over. As for the ESS, which was drawn up in the wake of the Iraq crisis, it was disapproved that the strategy had not expressly stated that, in principle, the EU should look for a UN mandate for coercive military action. It entails that the ESS can be understood as consenting to/or permitting a Kosovo scenario. State behaviour shows that all of the member states are prepared to make use of force, if necessary. Some have a more evident habit of going for interventions than others. However, no one considers employing force as a primary means and all favour doing so with a

UN mandate (Biscop and Drieskens 2005, p. 2). The mandate was influential in attracting the participation of the EU states in military operations to the point that a UN mandate had been 'produced', in 2003, by the High Representative for Foreign and Security Policy (HR) Solana to give ambassadors the specific arguments that would convince Germany to reverse its refusal to participate in operation Artemis (Meyer 2006, p. 134).

Critical to the EU demanding and obtaining a UN mandate was the fact that the EU had no opportunity to speak its voice directly at the UN Security Council (UNSC).[8] It had this prospect when the EU presidency was held by either France or Britain, the EU states permanent members of the UNSC, or by a European state that was holding an elected two-year seat. Article J.5 of the Treaty of Maastricht states that:

Member States which are also members of the United Nations Security Council will concert and keep the other Member States fully informed. Member States which are permanent members of the Security Council will, in execution of their functions, ensure the defence of the positions and interests of the Union, without prejudice to their responsibilities under the provision of the United Nations Charter.

This declaration was kept unchanged in the Treaty of Amsterdam, though the pertinent article is featured as J.9.[9] Critical to the growth and functioning of the ESDP/CSDP was the fact that France and Britain considered their UN standing as representing a higher calling and would not be compelled, even by existing commitments to common European positions. They managed to maintain their freedom of manoeuvre at the UNSC through the formulation and passing of the treaties, though they were not opposed to consulting, informing and coordinating with their EU partners. The EU partners were in a way taken hostage by France and Britain and their particular interests and policy, and were driven into the choice 'between silent dependency and public opposition to their "representatives"' (Hill 2005, p. 32, 35). However, the whole of this was a paradox because the Security Council was supposed to be the UN forum where the European Union was powerful and influential, by way of two permanent members and admission to the non- permanent seats (Gowan and Brantner 2008, p. 47).

In 2008, when the UN Secretary General demanded European military support for MONUC in the Congo, France represented the EU at the Security Council where it could speak the European voice, by virtue of its chairing the European Council presidency for the semester ending in December. It therefore concentrated some influence that could be used to promote European policy.

If the UNSC's mandate was significant to enable EU states to give their consent to EU military missions, the 'system' of the EU connecting its official acts to the UN was also relevant. It contributed to creating consensus among the EU states on the progress of a policy in the security and crisis management area that foresaw the promotion of a more military self-reliant EU.[10]

Community of views was necessary for signing the legal documents for the establishment of the rapid reaction force. Underwriting agreements where the use of the military was foreseen in connection with a common operation with the UN was less committing to the EU states in terms of ratifying the agreement in their national parliament. The link to the UN also emphasised ethical causes such as the R2P people and humanitarian issues contained in the HG 2010, to contribute to convincing the domestic arena of the value of the national military commitment. Thus, there is a sense of ambiguity in all this. Counter-arguments suggest that the rhetoric and pledges in the official acts responded to the need for building up the identity of the EU. Consequently they are justified by the idealistic task of shaping the 'self' of the Union. These opposed views claim that if the EU appears unable to act along the line which is promising to follow, it doesn't necessarily have to stop talking.[11] This paper contends, instead, that such a rhetoric was a useful remedy against the Union's internal divisions on the radical military plans of the EU/ESDP and made the innovative programmes more palatable to the EU partners. The extent of ambiguity played on by the EU/member states could thus be seen in this practice of linking the official acts to the UN, which was in reality intended to create agreement among the EU states on the progress of the ESDP/CSDP policy in the crisis management area that contemplated the deployment of the military on its own.

A possible action

The UN call

Agreeing on modernising the EU's rapid reaction force was not enough with regard to the tasks claimed by the HG 2010. The ambition of being able to decide to launch an operation within five days of the approval of the Crisis Management Concept by the European Council, and to deploy battlegroup units of 1500 troops no later than ten days after was something exceptional for the Union. Presumably, action had to follow for the simple reason that the EU ought to deliver on its agenda.

The narrative on the UN's call for European support makes clear that, in October 2008, the peacekeeping force of the UN MONUC mission in the DRC was coming under severe strain in Goma, in the province of North Kivu, the country's eastern region. The Security Council (21 October) 'condemn[ed] all attacks [...] launched against MONUC in the past days' (SC 2008). The Council was briefed (28 October) in private consultations by the Under Secretary General for Peacekeeping Operations (Alain Le Roy), and discussed the possible options for employing a multi-national force to make Goma safer (SCr 2008).

A letter from the UN Secretary General, Ban Ki-moon to HR Solana asked the EU to dispatch military support for the MONUC UN mission with a bridging operation, while awaiting reinforcements of 17,000-20,000 men (IAI

2008).[12] The needed troops amounted to the precise number of forces theoretically available by the European scheduled stand-by BGs. The letter used at least three different expressions to stress that ‘the UN had no one else to turn to for well-equipped peacekeepers that could be quickly dispatched’; that is, a EU-led force would provide a ‘necessary complement’ to MONUC, an ‘essential bridging arrangement’ until the arrival of MONUC reinforcements, and a ‘critical complement’ to ongoing efforts (EV 2008).

The European efforts were to provide humanitarian assistance for thousands of refugees displaced by fighting around the city of Goma. Together with protecting civilians in danger, the objectives of the European contribution were to facilitate the delivery of humanitarian aid and protect UN personnel, facilities, installations and equipment (Deutsche Welle 2008a). A European action would have been coherent with the emphasis on the rapid response reinforcing the EU’s ability to answer possible UN requests (HG 2010).

The chairman of the Military Committee (EUMC, General Henri Bentegeat, November 2008) declared that, in theory, the EU could deploy a BG to Goma but that such an action demanded the agreement of all member states in the General Affairs and External Relations Council. Two battlegroups were on call at that time, one was British and the other a German-led BG. Together, they amounted to some 3000 troops, deployable at 15 days’ notice. In Brussels, the situation in the Congo was debated in GAERC (10 November) in relation to the UN’s call for extra troops. However, it was decided that no BG would be deployed to the DRC (IAI). How was the European negative response built around the UN Secretary General’s demand for a EU military contribution?

A closer look at the positions in GAERC?

The General Affairs and External Relations Council (GAERC) was the formal decision-making body in the area of ESDP/CSDP and the Common Foreign and Security Policy. It was composed of the national foreign ministers and for strategic questions by the European Council made up of the heads of state. At the GAERC meeting, when the decision for the EU BG’s non-intervention was taken, HR Solana introduced four military options to the member states.

Together with HR Solana, as holder of the presidency, France was in the position of playing a role in trying to promote a European policy along the line of the expectations of the UN Secretary General. It would have had in particular to commit itself at the PSC level, where the tasks of talking about national proposals, revising others’ ideas and synthesising a view to present at GAERC were pursued. It had already done this within the PSC (in 2003 and 2006, and recently in 2009) to the purpose of drawing together deployable European forces for crisis management. Now it must have been aware of the possible willingness of member states to contribute their troops, and thereby lift the burden from MONUC.

When Solana presented the military options, member states questioned the feasibility of deployment. On the one hand they questioned the fact that the Secretary General had demanded a force slightly larger than a battlegroup, and on the other they disputed the necessity of a separate EU force beside the UN operation on the ground (in Menon 2009, p. 232 [13]).

Britain, provider of a stand-by BG, had its position highlighted by the foreign secretary, David Miliband, declaring that ‘no one [was] ruling out a military role’ for the EU (Deutsche Welle 2008a), a statement that contrasted with his other focus on the deployment of MONUC forces (HoC/1 2008). Domestically, Miliband was accused of being ‘against an EU force’, when ‘France, Belgium and the Netherlands said that they were prepared to send forces, and that an EU deployment was possible under the lead nation concept’ (HoC/2 2008).

Germany, the other BG provider, also questioned the idea of a EU force with its reservations accentuated by the foreign minister, Frank-Walter Steinmeier, calling for Rwanda to help the DRC and the development minister, Heidemarie Wieczorek- Zeul, contending that she couldn’t assess whether a German contribution was useful to build peace, or whether a special EU contingent was fundamental to this scope (Deutsche Welle 2008b; GFO 2008).

France initially favoured deployment. In early October, when the Special Representative of the UN Secretary General to the DRC (Alan Doss from Britain) raised the request for temporary additional troops for MONUC, France had been sympathetic to his call (SCr 2008). France was a convinced supporter of the responsibility to protect people (TG 2008), and it was the initiator of the development of the rapid reaction force within the EU. However, France later showed itself sceptical about deployment of forces, with foreign minister Bernard Kouchner using the term ‘theoretically’ (as General Bentegeat had done) to indicate the existence of battlegroups, and arguing that the presence of emergency mechanisms in the EU should not lead to the assumption that the Europeans were automatically going to send troops alongside MONUC (AF 2008). Britain, Germany and France shared the view that the Europeans envisaged a political- diplomatic approach as a solution to the crisis and as their answer to the UN request (AF 2008, Deutsche Welle 2008a).[14]

Trying to figure out some national stances in GAERC, Belgium was one of the most vocal EU states expressing interest in European deployment. Belgium was scheduled to lead the EU BG with France in the second semester of 2009; nonetheless, in December 2008 it was ready to send 500 troops to the Congo (IAI 2008). As for the Netherlands, the minister of development cooperation (Koenders) had just returned from a visit to eastern Congo in mid-December. The DRC was a pre-modern, frail state in which the government no longer held the monopoly over the use of force. The Dutch minister said that he was accepting the challenging request made by the former UN Secretary General Kofi Annan, that ‘unless we take our responsibility for fragile states, the world cannot enjoy peace and prosperity’, and he had spoken of the potential of the

Dutch armed forces. He had planned to concentrate on the 'judicious' deployment of military instruments. The Netherlands had not objected to the deployment of forces (DMD 2008).

As for Sweden, though the Nordic battlegroup (NBG) led by Sweden had just terminated its six-month stand-by rotation, Sweden seemed ready to activate it and to deploy it in the DRC. It might be argued that the Swedish experience with the rapid reaction force of the kind of the BG had been extremely costly, implying that much of the Swedish enthusiasm for the concept was considerably undermined. The pros and cons in this regard are explained in detail in Jacoby and Jones's analysis (2008) and by Andersson's views (2008). However, a speech delivered on 19 September 2008 in Helsinki by Carl Bildt, Sweden's Foreign Minister at the time, sheds some light on his thinking about the battlegroup's action:

At some point in time we must review the Headline Goals from 1999 as well as the more recent Battlegroup concept. The French Presidency has recently submitted some interesting thoughts regarding this. But in the meantime we should discuss how we can use these forces when they are not used. Why can't we – just to mention an example – as a routine deploy the EU Battle group to different areas of interest to us. This will test their deployment ability – and will demonstrate what we are able to do. I'm certain it will be seen as more meaningful by the forces themselves than just waiting somewhere for nothing to happen.[15]

Our presumed Swedish readiness to activate its BG was, however, a possibility that contrasted with Britain's refusal to provide the services of its Permanent Joint Headquarters (PJHQ) in Northwood as an operational HQ (Gowan 2009, p. 58). This was a facility that the Scandinavians lacked. It was estimated that the strength of the Nordic battlegroup in the first half of 2008 was just less than 3000 troops, with some 2300 officers contributed by Sweden, 200 by Finland, and 150 troops by Norway, some 80 soldiers by Ireland and 50 troops by Estonia. On top of that, the NBG had received training with a specific international focus tasked at 'readying soldiers' for deployment, mobility and flexibility (Jacoby and Jones 2008, pp. 326-327, 330). Hence, the battlegroup being reasonably 'waiting for action', as is considered to be the case here, the question would be 'fit for what?'

The key point at this time would suggest the existence of some influence (by some EU member states): in spite of the availability of forces and the supposed keenness to deploy them, the resultant European common policy was inaction. The ambiguity of non-deployment lay in the denial of using resources that were theoretically available to intervene militarily. The ambivalence of the EU/member states of equipping themselves with the rapid reaction capability and not offering the 'necessary complement' to MONUC with an 'essential bridging arrangement' was apparent. In terms of disposition to deploy, in 2008 the 'critical complement' to the UN/ MONUC ongoing efforts did not amount to such a strong motivation behind deployment as there had been for Artemis, which had moved France and the other member states to be active. There was

no high politics to play by showing the USA that the EU was still capable of agreeing and, in particular, on the novel policy of deploying forces as there had been in 2003.

Even the EU-Africa policy and its evolution that the member states had supported (with the adoption of the Joint Africa-EU Strategy in Lisbon in December 2007 and the first Action Plan (2008-10) soon afterwards (Franke 2009, p. 70, Vervaeke 2009, p. 75), although highly significant, had not moved the member states to take action. The action plan focused on how to ‘enhance dialogue on challenges to peace and security’ (p. 32) within the priority activity being included on its agenda. It underscored the plan of ‘undertak[ing] joint assessment missions to conflict and post conflict areas, and launch[ing] joint initiatives when appropriate’ (p. 33) (JAEUS 2007). These endorsed programmes had not pressed the EU member states to take action. It resulted in this in spite of the fact that the action plan on peace and security included civilian and military crisis management and was aimed at coordinating support for the African Standby Force (ASF). This was the conclusion, even though, in the DRC, the member states and the EU, through Eusec DRC, were providing advice and support for army integration and the development of a rapid reaction force. Thus, it was true that EU support for the African Peace and Security Architecture (APSA) remained highly fragmented. The main reason was that EU member states were content with their bilateral programmes as France, Germany, the UK and Italy also appeared to be (Vines 2010, p. 1106).^[16] A vision of the EU, supported by more than one observer, is that its political relations with its meaningful regional partners (i.e. the AU within the context of ‘strategic partner- ships’) as well as its emphasis on conflict prevention and resolution policy were more a manifestation of its desire to enhance its global ambitions rather than reflecting a true concern for the African countries, exacerbated by wars (Olsen 2002, Gegout 2005, Duke 2008, Bendiek and Kramer 2010, p. 456).

Together with highlighting these limitations, the GAERC insight also gave a sign of ambiguity inherent in the EU battlegroup concept itself: Belgium which had colonial ties with the DRC was, in GAERC, one of the most vocal contributors of troops in support of a European operation. Britain and France had also previously shown that they had national interests to defend, with their respective interventions in 2000 and 2002 in Sierra Leone and the Ivory Coast, which created the basis of the BG concept. For instance, in 2000 the external exports of Sierra Leone to Britain amounted to 35 per cent of the country’s total, and in 2002 the external exports of the Ivory Coast to France amounted to 13 per cent of the country’s total exports (UN comtrade 2009). There were particular relations to protect with the military interventions. Hence, the EU’s ambiguity rests on having promoted a policy, the battlegroup concept that was functional to those EU member states that had particular legacies with African countries with which they shared some traditions of colonial heritage.

Seeking to understand how the European negative response was arrived at to

the request ‘for well equipped peacekeepers that could be quickly dispatched’, the ‘lead nation concept’ gave the possible indication that leaving that role to EU states other than Britain, Germany and France could prove too demanding. With no motivation for Britain and Germany, provider of the EU BGs, and with the reluctant declaration of France, the other EU states either believed it prudent to steer away or they were denied initiative.

Was the EU obliged to deploy?

It could be argued that the EU was not obliged to deploy its battlegroups, to comply with UN’s requests, or to support its causes. The decision to provide military capabilities to a UN operation was a national responsibility, and ‘[m]ilitary capabilities [were] in no way “frozen” for ESDP purposes’ (EU/UN/co 2004, paragr. 4). In addition, not intervening in a situation that was confused by Rwandan complicity could be judged a better option. Also the view that ‘the formal request by the UN arrived too late’ and could not build that impact on EU politics that it hoped to create was a justification that was aired against deployment (Vines 2010, p. 1101).

Further arguments emphasised by those opposing the battlegroup’s action were the involvement of the EU in a number of initiatives, already channelling funds to the DRC through the African Peace Facility (APF), and of the ESDP in supporting the AU’s peacekeeping capacity building. The EU had tried to address the African continent by engaging in partnership with the AU (Knutsen 2009, p. 444). The AU had been structured similarly to the EU, and full-time representatives have been exchanged. There was continuous political dialogue between the PSC in Brussels and the AU Peace and Security Council within the EU-AU peace and security partnership. The EU has increased its support for African capacity by appointing, at the beginning of 2008, a special adviser on African peacekeeping capabilities (General Joana). The ESDP offered capacity-building at AU headquarters in Addis Ababa by making available a team of military advisers based in the European Commission delegation to Ethiopia. These were part of the EU delegation to the AU, under the EU Special Representative for the AU and Head of the European delegation to the AU, the Belgian Koen Vervaeke (Vines 2010, pp. 1092-1093). The EU was going to broaden the scope of AFP for the period between 2008-13 to include conflict prevention and post-conflict stabilisation. The European Commission announced emergency financial aid of 4 million euros, and another 12 million euros were allocated specifically to helping the population in the eastern Congo (Deutsche Welle 2008b). The EU financial support was given to the AU-led peacekeeping operations via the APF (Hardt 2009, p. 393). Within the European Union, both France and Belgium have been the most actively engaged in maintaining the DRC and the broader region on the EU agenda. Belgium led the international efforts towards security sector reform and had been joined by the Netherlands and the UK (Hoebeke et al. 2007, pp. 12-13).

Especially in relation to the R2P task embraced by the EU, there were many

other humanitarian causes needing support in addition to the Congo. The EU could not commit itself to all of them. Some argued that the Union could not be confused with an 'agent' pursuing humanitarian tasks, and that the EU needed to be sure that its actions reflected the European common interest with regard to security and linked its operations to the capabilities, both existing and projected.[17]

Others pointed out that up to the mid-2008, there was a concentration of EU/ESDP operations in the Congo: Artemis (2003) with 1800 troops, Eufor RD (2006) with 2000 personnel, the limited police training effort Eupol, in Kinshasa (2005) with 30 people, substituted by a new mission to the country as a whole (2007), and a continuing security sector reform operation, Eusec RD (2005) with 40 officers. They contended that 5 out of the 20 EU/ESDP operations having taken place in the DRC were a sign that the EU/member states needed to decide what their priorities were (Witney 2008, pp. 40-42). There were various counter-arguments supporting the option of not intervening in the Congo.

Difficulties and obstacles informing the national stances of Britain and Germany regarding the BGs deployment in the DRC in 2008?

Why had those EU states that were in charge of deploying not done so, after all the declarations, and readiness for contributing to UN's efforts they subscribed to? The declarations made above by the EU states' policy-makers led to the realisation that there were uncertainties with regard to the use of their forces. The BGs deployment required not only the consensus of the 27 member states but also a firm commitment from the lead nation in each BG (EV 2008). Here we focus on the difficulties and obstacles that informed the national stances of Britain and Germany in relation to deployment in the Congo, and then focus on the main cause for Britain's and Germany's non-deployment and for inaction in late 2008.

The British position

Capabilities?

A common discourse in the UK was that: 'our determination to have a disproportionate influence in the world means that we have persistently outspent what we can afford'. Britain was one of the few EU states that spent over the 2 per cent of the GDP for defence, and which had ultimately increased it again (Hill 2010, p. 13). The main concern confronting the UK and, in particular, 'in the battlegroup initiative' (Witney 2008, p. 5) was in terms of capabilities.

However there was a major problem: the military component of the UK defence policy was starting to look rather weak, and there was a debate within the British defence establishment on the direction defence should take in terms of strategy (and expenses and development). There was uncertainty on the role

of the military and the future for western armies, whether it be one of stabilisation and counter-insurgency operations (i.e. Iraq and Afghanistan) or one following the contention that old conventional state-versus-state clashes could or would comeback again.[18] This was a specific structural period for the UK for its revision of the Strategic Defence Review, and this ongoing debate and exercise did influence the outlook. The British army continued divided on this question, because it was unthinkable that two kinds of military structure, intensity of operations and level of resources could be sustained (Cornish and Dorman 2009, p. 255).

Funds for capabilities are scarce now, were scarce in 2008, and inadequate to meet the ambitions and needs of the EU for the roles laid out in the ESS (Chatham 2008, p. 21). Investment shortfalls in capabilities critical for EU BGs' missions included helicopters, intelligence and reconnaissance, equipment for air-to-air refuelling (Witney 2008, p. 5) and infantry available for operations. Transport costs were significant. Availability of transport to move battlegroups was a problem. Only four C-17s were available to the EU, all in the UK. Despite current projects such as the Airbus M-400, approximately 200 C-130 flights would be needed to transfer a BG (Jacoby and Jones 2008, p. 331).[19] Comments from foreign affairs elite circles put emphasis on the fact that divergences in national EU military capabilities 'could leave [such] countries as Britain carrying an unacceptable proportion of the military burden and public expenditure costs of European security' (Chatham 2008, p. 22).

Political will?

Britain's reluctance to deploy a BG was compounded by other reasons. A senior British military chief made explicit that a further deployment, even one lasting only six months, would place serious strain on the Ministry of Defence (politics.co.uk 2008). The view that the British BG was on standby on paper but that troops were actually resting between deployments to Iraq and Afghanistan was aired in Brussels among EU officials (EV 2008, Menon 2009, p. 236). British officials stressed a tough limitation of the possible European mission by questioning how any EU force would work with UN forces, as they have seen in other theatres that parallel forces with different command structures often caused complexities (politics.co.uk 2008; see Major 2008, pp. 27-28, 30-31, 35, Tardy 2009).

In terms of firm commitment from the lead nation in each BG, London was not only lukewarm, it was unwilling for intervention. In spite of Sweden pressing for action and offering forces and leadership, Britain appeared to have blocked deployment (Gowan 2009, p. 58). Britain's choice was for inaction.

The German position

Economic constraint, capabilities, troop availability and political concern?

The principal argument for Germany underpinning the idea of battlegroup non-deployment was economic constraint. Just after the UN's call, Chancellor Merkel put the accent on this question saying that 2009 was 'a year which began with the painful realisation that we are in the grips of the most severe economic crisis for decades, triggered off by an international crisis on the financial markets' (MSC 2009). This discourse reinforced the claim already made in 2006 by Defence Minister Jung at the time of the Eufor DR Congo mission, that the lack of financial resources to fund the increasing scope of the Bundeswehr's deployment across the globe was limiting its action (Die Welt 2006). There was no adequate financial basis for involvement in late 2008.

Also for Germany there was the question of capability. Speaking at the Munich Security Conference (2009), the Chancellor laid emphasis on the fact that there have been dreadful and alarming events in Africa, and that 'we have adopted the concept of battle groups, but when it comes to putting this into practice we still have a long way to go'. And showing concern for means and resources available to rapid deployment, Merkel warned that 'the European Security and Defence Policy's military capabilities [were] not adequately pooled' (MSC 2009). The German military capabilities were in the process of being upgraded. The commitments contained in the 2003, 2004 and 2006 federal security documents (Verteidigungspolitische Richtlinien [VPR], Konzeption der Bundeswehr and Weibbuch) revealed the German recognition of the need to acquire an expeditionary capability with high-intensity warfare capabilities (Sperling 2009, p. 144). German Defence Minister Karl-Theodor zu Guttenberg relaunched the call made by the Chancellor on pooling resources, and re-proposed the idea, while addressing the IISS in London (2010), of improving the division of labour among European allies as a system to diminish budget pressure. European governments invested little money together, and persist in spending on their national supplier bases, producing costly duplications. The European Defence Agency (EDA) contends (2010) that 'pooling and sharing' can offer more attractive answers to the challenge of meeting European capability requirements in a constrained economic environment (Giegerich 2010, p. 88, 92).

Availability of troops was questionable. There had been and there were shortfalls: the Bundeswehr was reaching the limit of troops available for international crisis management (Die Welt 2006). Uncertainty about the end-date of the European mission in the DRC contributed to making this question more open to debate within the German federal defence establishment. It was not clear exactly when UN reinforcement for the MONUC force was expected to arrive thus concluding the essential bridging action requested by the UN Secretary General. The situation on the ground could deteriorate and could lead to a request for a strategic reserve. The exit strategy was foreseen by the 2004 EU-UN Joint Declaration (EU/UN/co 2004, paragr. 10), but the Europeans had not agreed on the legal procedures in this respect such as 'how' the change of

employment of the BG should occur (EU/Unr 2005). The BG's operation in the theatre could threaten to last longer than anticipated, as was the case in 2009, in Chad, when the Swedish force extended its action (Jacoby and Jones 2008, p. 328). If extending the presence of the EU BG was necessary, somebody had to ensure the availability of soldiers (Scheuermann 2010, p. 25). These were strong national caveats.

A further caveat was related to the point that the battlegroup deployment could be stalled by the national parliament, whose ratification was required by the German constitution (IT 2008). The federal elections were not far away; in September 2009, the Germans had to elect the members of the Bundestag and domestic reactions to deployment of forces and to Germany's involvement in a further operation were factors that Chancellor Merkel supposedly sought prudently to avoid.[20]

Strategic planning

Germany raised as an objection the lack of strategic planning of the EU/member states' security and defence operations. This was another reason for not endorsing the force deployment in the Congo. It claimed that there were deficiencies in preparing these missions adequately, in following them up carefully on their execution, in drawing on all the EU's resources and in adapting plans and operations to changing circumstances (Asseburg and Kempin 2009, p. 158). A UN report of July 2008 remarked that EU's interventions addressed 'only the consequence, and not the issues underlying the conflict'. This criticism was applied to the situation in Chad, but it suggested a more general inability of EU missions to resolve problems on the ground (UNr 2008).

There were initiatives already in the DRC contributing to rebuild the state structures and to approach issues underlying local conflicts (Eupol Kinshasa, Eupol RD Congo, Eusec as seen above) (Piccolino 2010, p. 128), but the BG's focus on short-term military solutions was not combined with a long-term political vision (Koepf 2010, pp. 13-14). Germany wanted to make sure that military means, if considered useful, as well as diplomatic means were combined into an all-inclusive conflict management approach. Integrating the battlegroup's deployment into comprehensive conflict management strategies was the vision of Germany (Asseburg and Kempin 2009, p. 158).[21]

Priorities

Last, but not least there was the question that the Sub-Saharan region of Africa was not an immediate priority for Germany's foreign, security and defence policy. The Ministry of Defence (2010) focused on the primary goals of German security policy as being to strengthen European stability in the areas of the EU's neighbourhood, the states of eastern Europe, the southern Caucasus, and Central Asia and the Mediterranean region; the Sub-Saharan region of

Africa was not mentioned among the MoD's priorities (FMD 2010). However, Germany was willing to support the UN in specific and limited situations, but it was unwilling to be militarily engaged in African peacekeeping missions 'without any vital interest' (Scheuermann 2010, p. 25), confirming the true of Germany's priorities. The fact that the UN's request related to Africa contributed to Germany's lack of enthusiasm to send supporting troops (Chappel 2009, p. 435).

The suspicion that the EU BG acted in the interest of a few member states (Asseburg and Kempin 2009, p. 159) was lessening Germany's keenness for participation and commitment to the mission. It was noteworthy that France over-contributed to missions to Africa (Sperling 2009, p. 132). These engagements were better to be actively supported by a sufficiently large number of EU states, rather than just being tolerated (Asseburg and Kempin 2009, p. 159). Germany was concerned that by participating in the Eufor RD Congo in 2006 it had served French national foreign policy conducted within the EU framework. That kind of scepticism was still driving Germany's reaction (Gross 2009, Koepf 2010, Tull 2010) to undertaking the EU mission in 2008. It was useful to decide which priority deserved the prompt commitment of the EU's crisis management intervention. In this way the EU states could be clearer on 'when' their willingness to participate, pool resources and deploy forces were going to be most vital, also with regard to acting for the UN.

In the end, the prospect of Germany being drawn into too many European deployments without a clear vision for such deployments was looming as a failure (Miskimmon 2006) of its foreign, security and defence policy. Arguably, German deployments mirrored a 'culture of prudence', aimed at minimising costs and limiting deployments to those areas of the world encroaching unequivocally upon German interests (Sperling 2009, p. 144).

Britain's and Germany's non-deployment

How do we interpret these findings? Financial restrictions, shortage of troops, unavailability of equipment as well as revision of national security strategies were serious concerns. Were these really the obstacles to BG deployment? There are always difficulties vis-a-vis the challenging task of making use of the military, of bridging other operations and cooperating with soldiers with different training. Also deployment is not beneficial in the sense of obtaining direct repayment for that action. We remarked that an important aspect of capabilities is the willingness of offering forces. Referring to other experiences beyond the case of the DRC in 2008, obstacles to the rapid deployment of battlegroups were capabilities, force generation and, in particular, political will (Giegerich 2008, p. 27). Since 2007, member states have been making two BGs available on a rotational basis and none of them was dispatched. The three above-mentioned obstacles emerged as being problematic in Artemis and Eufor, the two military deployments undertaken and completed autonomously by the EU, and also characterised the shortfalls of the more recent armed

deployment to eastern Chad and to the north-eastern part of the Central African Republic. In the latter case, capability was at the core of the stalemate with the failure to locate helicopters and transport aircrafts (Witney 2008, p. 43). Force generation took time (with the UNSC authorising the operation in September 2007, the mission becoming a ESDP action in January, and actual operational capacity being achieved in mid-March). Reluctance to participate and respond to the UN request played a part in affecting (i.e. delaying) the mission (Jacoby and Jones 2008, p. 327). So there are problems conflicting with the 'rapid' deployment. Vines saw a deficit in the UN Secretary General's request arriving too late to create an impact on European politics. This could be true considering that force generation takes time, and also that the Europeans were concentrating their military efforts on other actions.

However, we detect two points here at the conclusion of the reflection on the difficulties and obstacles that informed the national stances of Britain and Germany concerning battlegroup non-deployment in the DRC. One point is about the non-deployment of the battlegroup itself. The other focuses on what we envisage as the ultimate cause behind Britain's and Germany's non-deployment, beyond the hindrances that we have highlighted.

First, the factors that we claimed as barrier to rapid deployment (capabilities, force generation and political will) intertwine their damaging effects within an operation, with deficits in capabilities endangering force-generation. The two together sidetrack political will. The view of these shortfalls considered within the system of the rapid deployment of the BG force offers the prospect of inaction. This point agrees with the assessment advanced by observers of the underperformance of the battlegroup system (Major 2008, Gowan 2009, p. 56). Some even objected that in the EU BG, institutional design problems of bureaucratic dysfunction obstruct the capacity to rapidly take action (Hardt 2009, p. 1). However this discussion is beyond the remit of this paper.

Second, beyond the factors argued here as militating against deployment, how do we perceive the principal motivation for non-deployment, and where does the ambiguity enunciated in this paper's hypothesis lie? Britain's and Germany's political unwillingness to use forces was central to a lack of action in the DRC. Their preoccupations in late 2008 with capability (i.e. funds, equipment and strategic planning) and availability of troops were good pretexts. Their arguments were well placed to reach consensus within the EU-27 and make legitimate their disinclination to deploy. Here lies the ambiguity. Britain's assertion that 'battlegroups were not designed for that kind of operation' (politics.co.uk 2008) may not have convinced some, but possibly convinced others. Britain and Germany were scheduled as BG providers and that role emerged as holding unconditional power, control and influence over an inoperative military. Their pretexts had put aside the tasks the EU/ member states fixed with the HG 2010, their commitment to R2P (which the BGs operations were thought of as playing a part), and their determination to contribute to UN's requests for support in its efforts 'to restore international

peace and security'. Though Britain and Germany, the two BGs providers, adduced a number of very good reasons and justifications for non-deployment, their lack of political willingness to deploy was the main cause for inaction in late 2008.

Conclusions

The danger of any case study based upon a single case is that it is problematic to arrive at definite conclusions of the kind that a comparative analysis might produce. Thus, the insights from this paper do help to draw together some observations, but we are conscious that we cannot draw firm conclusions.

In a case that is not dissimilar from the present DRC at the end of 2008, i.e. that of Operation Artemis in the DRC in 2003, the EU/member states chose action. On the one hand, it seems that the Europeans have responded to the United Nations' direct demand for support issued by Kofi Annan, have reached agreement among the member states on joint action, and thus have deepened integration and have enhanced the EU's military crisis management policy in Africa. The EU/member states respected the norms, rules and policies.

On the other hand, Annan 'connecting' with Paris leads to France, to its prime involvement as a framework nation, to its provision of the HQ, and to its conducting of the operational planning, which involved officers from more than ten countries. Together with demonstrating its ability to multinationalise a national Permanent Joint Headquarters, France led a battalion formed by a majority of its own national troops with a rapid force projection far away from Europe. Artemis was the direct manifestation of the EU/member states' capacity to act militarily independently from NATO/US assets. It was a sign of a novel policy and expression of European extreme efforts in agreeing on this radical position. In addition, the Democratic Republic of Congo was one of the nations of France's (former) colonial 'entourage'. Artemis was a French operation. It could not be a 'model' operation in 2008. In terms of the 'disposition to deploy', the critical components that underlay Operation Artemis, which moved France and the other member states, were not present in 2008. As deduced from this paper, the (external, political, financial and strategic) circumstances were different in 2008. The common foreign and defence policy had grown and a number of military missions had been undertaken, including a maritime military mission, and European experience gained in this field of policies. The Artemis pattern of behaviour (with the battlegroup's focus on short-term solutions) contrasted with the 'joint ownership' pattern (as declared in the official documents and long-term political vision) of the EU's involvement in operations in Africa to back and support the African Union's involvement in Africa's peacekeeping. According to its rhetoric, the EU cared about its political relations with its most meaningful regional partners, the AU, within the context of 'strategic partnerships' or within regional oriented 'strategies' (Bendiek and Kramer 2010, pp. 455-456). It must be decided whether this label of aired connected

policies, guided by priorities and interests, was always justified, or whether the EU was exaggerating the use of the 'strategy' language.

This paper aims to show that the case of non-deployment of European battlegroups in the DRC at the end of 2008 constitutes a useful case study for detecting a number of ambiguities of the EU in respect of its declarations in the official documents establishing the European military crisis management intervention structure. The ambiguities have been discussed in some detail. The basis of the contradictions inherent in the inaction in late 2008 lies in the fact that the military crisis management policy is led by the member states' national interests, concerns and reluctance to deploy forces. This is not particularly new, the ESDP being intergovernmental in nature. Ultimately, with any decision to commit and employ military forces, we are dealing with sovereign decisions and, within the European Union, with two main contributors (France and the UK). The three tasks set out in the introduction to this paper have highlighted ambivalent positions within European policy, despite the fact that the United Nations Charter and Chapter VII and the UN's efforts to restore international peace are included by the EU and member states within the framework for military crisis management operations to establish the idea of European support.

The EU's practice of 'linking' official acts to the UN was in reality intended to contribute to creating agreement among the EU states on the progress of the ESDP/ CSDP policy in the crisis management area that contemplated the deployment of the military on its own (this paper's first task).

The way in which the European negative response to the UN's request for BG's deployment was built suggests that the 'lead nation concept' gave indications that leaving that role to EU states other than France, Germany and Britain, could prove too demanding (the second task). The paper has also found that the BG concept was functional to those EU member states that had particular legacies with African countries with which they shared some traditions of colonial heritage.

Though Britain and Germany, the two BGs providers, adduced a number of very good reasons and justifications for non-deployment, their lack of political willingness to deploy was the main cause for inaction in late 2008 (the third task).

Overall, the findings of this paper are discouraging in drawing attention to the emergence of contradictions within the EU, and not least the apparent relegation of the UN to an appendix of EU policy. The problem is not that the battlegroup missed an opportunity for deployment. The BG concept was flawed from the outset, and this also provided the main rationale behind the reticence actually to use it. The central issue is that if political willingness to commit troops is not behind the instruments that are made available by the CSDP, the EU's military crisis management policy will continue to suggest a sense of

ambiguity. It would damage the EU if member states' reluctance leads the European Union to fail challenging responsibilities.

However what are these conclusions supposed to suggest? The contrast with the 'relegation' of the UN as an appendix of EU policy is given by the coordination efforts within the Common Foreign and Security Policy. Enormous efforts are devoted to presenting a united front, supporting EU common positions and debating and defending European stances at the Security Council at the invitation of the permanent members. These are significant windows of opportunity to combat the discouraging vision of the contradictions that emerged in this paper.

This case study is developed in the pre-Lisbon institutional, structural, diplomatic and cultural environment. Has the 'milieu' now fundamentally changed under the new procedures introduced by the Lisbon Treaty? The European External Action Service (EEAS) will assist the High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the Commission in charge of external relations, but it will be seen also at that level whether infighting (inside and outside the Union), disarray and the lack of a strategic vision will be major factors impacting on delaying or inhibiting the coordination efforts (Missiroli 2010, p. 4). As far as the EU's regional African partner is concerned (the AU), the function of the double-credited EU special representative for the AU and Head of the European Commission Delegation to the AU (fulfilled by Koen Vervaeke) has been partly an experiment, used to intertwine lessons with the EEAS. The EC Delegation office to the AU in Addis Ababa provided two concept notes on the lessons learnt that have been communicated to the EEAS (Vines 2010, p. 1107, note 39).

The Lisbon Treaty has ratified the decision to link CSDP to CFSP, and this presumes the existence of a military capability, whether on a permanent basis or not (Simon et al. 2011, p. 10). It also reinforces the external action of the EU. However it remains uncertain how the common security and defence policy dimension of the Union may develop (Missiroli 2010, p. 15). Article 42 of the TEU (enshrining a qualified mutual defence clause) has already impacted on the decision to terminate the organisation of the Western European Union (WEU). On the other hand, most of the new treaty articles in this area refer to developments that had already taken place before the treaty came into force (e.g. art. 43, the expansion of the scope of the Petersberg tasks; art. 44, the conducting of EU peace-building operations by only some member states; art. 45, the establishment of the European Defence Agency [EDA] which came to light in 2004). By contrast, a novelty in defence matters is represented by the method of permanent structured cooperation (PeSCo), artt. 42.6-46 TEU and related Protocol.[22]

In the past, member states have pursued PeSCo outside the Treaties, through the WEU (e.g. Eurocorps, Euromarfor), and also bilaterally (Whitman and Juncos 2009, p. 44). The keenness of the member states to integrate further and

cooperate in terms of defence will be further manifested by this system.

In the domain of security and defence and military crisis management, France and Britain play a dominant role (as did France and Germany in the past in promoting community progress). For their part, the two countries signed a defence agreement in November 2010, but CSDP was hardly mentioned in the text, suggesting that, more than new commitments, they shared the burden of budgetary cuts. These two EU states together cover almost half of all defence expenditure in the EU (Missiroli 2010, p. 15). These being some of the dilemmas, the lessons and expectations in the current context of post-Lisbon military crisis management suggest that hope should be placed in the Franco-British engagement in this area. It will be seen, in the near future, whether these two countries will overcome their resource limitations and will act as an incentive, or disincentive, for the other EU member states to increase their coordination efforts and create a united front within the CSDP and military crisis management operations.

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Notes

1. We adopt as definition of military crisis management a timely, short-term intervention by an actor, or a coalition of actors, finalised to mitigate an imminent deterioration of security conditions with the help of predominantly military means (Koops 2009, p. 3). Military crisis management operations are conducted by the EU under the ESDP/CSDP policy that was launched in 1999 and entered its operational phase in 2003.
2. Chapter VII gave the Security Council the right to determine the existence of any threat to peace, breach of peace, or act of aggression, and the right to take both military and non- military action to restore international peace and security. UN Charter Chapter VII. San Francisco, 26 June 1945, Art. 39.
3. Interview (May 2005), in Meyer 2006, p. 134.
4. The Headline Goal 2010 was first introduced in a French 'Non-Paper' entitled 'Towards a 2010 Headline Goal'. This was further elaborated by an Italian Presidency Paper and again by a British 'Non-Paper' focusing on implementation, 'The road to 2010' (Quille 2006, p. 5).
5. This option was used for Operation Concordia in the FYROM and for Operation Althea in Bosnia-Herzegovina.

6. This formula was chosen for Operation Artemis in the DRC using French HQ, and EUFOR DRC employing the German HQ.
7. For a detailed account of the origin of the EU OpsCen in Belgium and of the Tervuren Initiative, see Missiroli 2003, pp. 76–80.
8. For the UNSC reform and implications for the EU/CFSP, see Marchesi 2010.
9. For a view of the major reforms to EU foreign policy coordination, particularly at the UN, introduced by the Lisbon Treaty, see Laatikainen 2010.
10. Author's interview with a EU Council officer, Brussels, September 2010.
11. Author's interview with a Political Security Committee officer, Brussels, October 2009.
12. For MONUC's mandate, see: Security Council SC/9552; <http://www.un.org/News/Press/docs/2008/sc9552.doc.htm> [Accessed 23 January 2009].
13. Menon's interviews with senior national and EU officials, London and Brussels, December 2008.
14. The EU diplomacy was based on the EU as the sponsor of the ceasefire, first, in January 2008 with the Goma accords with the backing of the UN and the US, and now, on 7 November, with the Nairobi agreement. The EU diplomacy was three-pronged: it sought to reinforce the ceasefire in Goma, to ensure that MONUC troops were properly deployed in the threatened areas, and to establish that all those people with links to the Rwandan general would not tolerate any further violence (Williams 2008).
15. Speech by Carl Bildt, Minister for Foreign Affairs of Sweden 'Strengthening the ESDP. The EU's Approach to International Security', Helsinki, 18–19 September 2008, Ministry for Foreign Affairs, Sweden. Available at <http://www.sweden.gov.se/sb/d/11378/a/112759> [Accessed 23 January 2011].
16. For a view on African solutions to African problems and the gaps between the AU's ambitions and the actual accomplishments, see Moller 2009.
17. Author's interview with a EU Council officer, Brussels, September 2010.
18. See Colin S.G., 2002. *Strategy for chaos: revolutions in military affairs and the evidence of history*. London: Frank Cass; and General Sir Rupert Smith, 2005. *The utility of force: the art of war in the modern world*. London: Allen Lane. For a view on how Europe's defence was still configured for a Cold War that is long over, see Robertson, 2009.
19. See Andersson, J.J. *Crafting European security policy*, p. 167. Andersson, J.J., 2006. *Armed and ready? The EU battlegroup concept and the Nordic battlegroup*. Stockholm: Swedish Institute for European Policy Studies, 29-33.
20. Author's interview with a senior national official, Berlin, September 2010.

21. For military crisis management connected to and expanded by the practice of long-term oriented 'capacity-building', see Koops (2009). The reforms agreed in the Lisbon Treaty support the increasingly pronounced effort at embedding crisis management and stabilisation operations in a wider and more comprehensive response framework in the longer-term aims of stability-building. The reforms aim at bridging the gap between the intergovernmental Council and the supra-national Commission (Ellner 2008, p. 13).
22. For a focus on the principles guiding Permanent Structured Cooperation, see Biscop 2008.

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