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Speaking points of Christopher Patten, Commissioner for External Relations

Crisis management: the role of the European Commission

INTRODUCTION

- I wish to start by thanking Jean-Luc Dehaene and my colleague Michel Barnier for the invitation to come here today and to address this joint meeting of the Defence and External Action Working Groups of the Convention. I have already had the pleasure of addressing the External Action Group in early October and am pleased to be given the opportunity to speak to you again today. I have followed the discussions in both your Groups as well as I can and I congratulate you on both the quality and richness of the debates and the contributions to it that several of you made.
- When I was last here, on 8 October I made 4 key points. I would like to briefly recall these points this morning, because they have a direct impact on the issue of crisis management, which we are discussing today.

These 4 points are:

- (1) I emphasised that « external action » means much more than CFSP (Common Foreign and Security Policy). It covers trade, development assistance, humanitarian aid, environment, and issues such as visa and asylum policy and foreign policy. The challenge the Convention is facing is, in my opinion, therefore not only to devise better mechanisms for the CFSP, or for ESDP (the European Security and Defence Policy), which is only one of the instruments the EU has at its disposal, but rather to ensure that all of the Union's resources are used in the most effective and joined-up

way. It is only if the Union and its Member States manage to combine all these instruments, that Europe can effectively defend its interests. The catchwords here are: coherence and efficiency.

- (2) The present institutional architecture is simply too complicated to be sustainable in the long term. There is a clear need for institutional and political rationalisation, for a better structure that will foster and consolidate the positive practices that have been developed.
 - (3) I suggested concrete steps for change, some requiring Treaty change, some which did not.
 - (4) Finally, I underlined that new structures and Treaties, important as they are, can only work if there is political will to move forward.
- These considerations are, in my opinion, entirely applicable to today's discussion on crisis management.
 - Quite a lot has happened in the Convention since I gave this evidence on 8 October: many others have contributed to the debate, the Presidium adopted the draft preliminary Treaty (or skeleton Treaty) and Jean-Luc Dehaene presented his draft report to the Working Group he is presiding over. The Commission will soon present a further contribution to the Convention which, among many other issues, deals with the future relationship between the Commissioner for External relations and the High representative for the CFSP. Michel Barnier may have informed you of these latest developments.

CRISIS MANAGEMENT

- After these introductory remarks, I will now turn to today's topic of crisis management, and to the present and future challenges and tasks that the Commission and indeed the Union as a whole are facing.

- The focus of thinking on the CFSP (Common Foreign and Security Policy) has been largely on EU crisis management capacity. This focus has only become stronger as a result of the decision to create a European Security and Defence Policy (ESDP), the « Headline Goal », foreseeing in particular a Rapid Reaction Force of 60.000 soldiers to effectively implement the Petersberg tasks. And it is true that an effective Union response to an external crisis is the ultimate test of its ability to co-ordinate foreign policy.
- I would like to start with a quote from Gareth Evans, the former Foreign Minister of Australia and current President of the International Crisis Management Group. It is a quote from his excellent recent Montague Burton Lecture at the University of Edinburgh. Gareth Evans gave a very gloomy assessment when he said (and I quote)

« The 20th century was by far the bloodiest in human history, and as the 21st begins, we cannot have much confidence that we will do any better. Despite all the hopes we have been nurturing since the end of the cold war more than a decade ago, the international community has been, with not many exceptions, spectacularly unsuccessful in preventing mass killing and resolving deadly conflict within and between states. »

He then goes on to mention some of the most serious atrocities, conflicts and crises of our days: the genocidal atrocities in Srebrenica and Rwanda in the mid-1990s, the horror of September 11, October 12 in Bali, the ongoing Arab-Israeli conflict, Chechnya, the simmering India Pakistan conflict, the Colombian war, West Africa, Congo and Zimbabwe where the forces of disintegration seem to be getting stronger and stronger.

- Sadly enough, the programme and the tasks that lie ahead of us are therefore clear: what can the Union do? How can we best use our assets and our instruments to avoid and overcome these crises, some of which are a direct threat to our own societies? How should we design our future institutional framework and decision-making procedures to cope with this formidable task?
- The Commission's primary role in crisis management is clearly to identify and manage, on the basis of the relevant Council legislation and political mandates, all the civilian instruments that are at our disposal. These instruments are primarily: humanitarian aid, EC co-operation

assistance, trade policy and political dialogue, as well as certain internal Community policies that have external effects, such as Justice and Home Affairs (migration, asylum, visas).

- It is also clear that we need to distinguish three components (the classical « triptych » for crisis management): conflict prevention, conflict management and reconstruction.
- I thought it would be helpful for your discussions if I elaborated a little further on each one of these three points, from my perspective as Commissioner for External Relations, and then draw some conclusions for the future.

CONFLICT PREVENTION

- The Commission strategy in the area of conflict prevention is set out in a paper, which we adopted in 2001. This strategy is based on four main objectives :
 - * Making more systematic and co-ordinated use of all EU instruments to address the root causes of conflict;
 - * Increase the effectiveness of our action by tackling cross-cutting issues such as trafficking in drugs, arms and human beings, trading in illicit goods, environmental degradation etc.;
 - * Develop our ability to respond rapidly to nascent conflicts;
 - * Promoting international co-operation with key partners and the United Nations, in the field of conflict prevention.

Let me give you three examples of how the Commission and the other Institutions have implemented these objectives in the « real world ».

- * Conflict prevention was made an integral part of the EU's external assistance programmes. This has been realised through the « country and regional strategy papers » which provide the basis for our assistance to the countries concerned. Conflict indicators such as the

balance of political and economic power, control of the security forces, ethnic composition of the government in ethnically divided countries, and the human rights situation in the country have been developed. This means that money from the European Union can and will be better targeted to support democratic institutions, election monitoring, development of civil society and strengthening the rule of law.

- * In relation to « early warning », the Commission, working closely with the High Representative, transmitted a « watch list » of priority countries to the Council, based on an assessment that was made for more than 120 countries.
- * With the adoption of the Regulation on the Rapid Reaction Mechanism in 2001, we are able to spend money on conflict prevention (as well as on other measures of crisis management) in a fast and flexible way. We used this mechanism effectively in FYROM, Afghanistan, the Great Lakes region and recently in Indonesia for a fact-finding mission after the Bali attack. For 2003 the budgetary authority granted us 30 million Euro to spend under this effective and successful instrument.

CONFLICT MANAGEMENT

- When efforts to avoid a conflict from erupting have failed, we enter the phase of conflict management. This may include some form of military action as part of the Petersberg tasks set out in Article 17 of the EU Treaty. Rather than military style interventions, I should emphasise the importance of other instruments to deal with these situations and in particular civil protection and the other elements of the programme adopted by the European Council at Göteborg for the mobilisation of civil and police forces. Whilst the Commission has knowledge and devotes considerable resources allowing it to provide important added value to the latter, I am somewhat hesitant to speak on the issue of military intervention since the Commission has no powers or authority in the military field. Nor does it seek any.
- Does this mean that the Commission should keep out of the whole area? Some would answer yes: military questions are for the Member States, and the Commission should mind its own business. That is wrong for at least two reasons:

- First, while the Commission has nothing to say in military and defence matters, in reality it is hardly possible in crisis situations to separate purely military from related issues in which we are competent, and have a real contribution to make. Military and non-military cannot be placed neatly in separate boxes. Nor should they be, because they need to be closely co-ordinated in support of a single strategy for crisis management.
- The Commission, for example, may be active in the region during the conflict, or be funding police support in post-military conflict situations as in Bosnia-Herzegovina, where on 1 January the EU will take over the Police Mission from the United Nations; or we may be arranging for the training of border services where uncontrolled mass migration is generating conflict; or we may be helping to re-establish administrative structures in countries emerging from crises – as we have seen in the Balkans and Afghanistan today. The Commission does therefore provide added value and its assistance is complementary to what is being done elsewhere in the Union.
- The second reason it makes no sense to try and entirely fence off security issues from the Commission is that the Commission's role cannot be confined to only one pillar of the Treaty. The Commission is fully associated with all of Common Foreign and Security Policy (CFSP), including the European Security and Defence Policy (ESDP). Article 3 of the EU Treaty moreover entrusts both Council and Commission with the task of ensuring coherency between the three pillars.
- I should finally underline that the credibility of the EU Common Foreign and Security Policy depends on the EU's military capacity. The creation of the "rapid reaction force" will certainly help to increase the EU's credibility abroad. But it remains difficult for our allies to take Europe seriously unless we actually spend more on our security. This is an issue on which I tread with great care and will only speak as a European citizen. I refer to Lord Robertson's statements on the level of defence expenditure in Europe. The US administration recently decided to increase its investment in defence by 14%! We should do more than we do today, otherwise the imbalance will create serious problems in the longer term for the transatlantic relationship. It is not enough to argue that Europe is picking up its share of the bill by paying most of the world's development aid, as true as this may be, or by increasing even further our humanitarian aid. We also need to invest more in airlift capacity, in Special Forces, in battlefield communication equipment and in other areas.

RECONSTRUCTION

- The Union has several instruments at its disposal for post-conflict situation. I will be brief on those today, not least because I already gave detailed evidence on this to the External Action Working Group in October. Just a few examples.
- We have helped prevent conflict arising again in the Balkans. I am convinced that the efforts of the Union and the close co-operation between the Commission and the High Representative have been crucial. Our presence in the region, the political and financial pressure we have brought to bear, and the perspectives that the EU Stabilisation and Association process brings have all contributed to the maintenance of peace since the Dayton Agreement. The EU continues to provide 85% of the peacekeepers in the Balkans.
- In Afghanistan the EU has been very closely involved in the Bonn Agreement, EU Member States have a leading role within the ISAF (International Security Assistance Force) and we are making a substantial contribution to reconstruction of the country. It would be a serious mistake to think that all problems are now resolved in that country and in the Balkans. There is still a huge amount that should be done!
- The EU's demining and DDR programmes (demobilisation, disarmament and reintegration): A good example is the 10 meuro of support, which was given in 2001 to the Trust Fund in Sierra Leone. At present the Union is also very active in Afghanistan.

LESSONS TO BE LEARNT

What lessons can we learn from this description of the present situation, to apply to the future set-up of the Institutions and decision-making procedures? What can the Commission contribute to this?

- First of all, we should, in my opinion, only change what isn't working. Surely it would be a mistake to pretend that the EU lacks all capability at present to handle crises or to underestimate what we have done. The above examples demonstrate that we can actually deliver within the present system. While this may be necessary in other areas, we should in my opinion, be careful in seeking a major overhaul of our procedures and Institutions for crisis management.

- Secondly, modern crisis management is about much more than only “conflict management”. We should bear in mind that conflict management is “only” one of the stages of crisis management.
- I am therefore not convinced that we need to devise new procedures, which seem to be tailored to the conflict management phase, or even to military interventions. Nor do I believe that it is essential to have one unified chain of command for each and every crisis.
- Why? It should not be forgotten that in most of the crisis management situations, there would normally have been significant Community and Member State assistance prior to the eruption of conflict. This may well also include humanitarian aid or assistance in areas such as policing, the rule of law, civilian administration and civil protection, but also the management of our trade relations.
- I see no need to turn the procedures upside down as soon as a crisis erupts, or when it moves to the stage of a real conflict. I cannot see how that would work in organisational terms, and it could in fact be more of a recipe for incoherence, disruption and institutional rivalry, than speed and coherence.
- What I am arguing for is to reinforce the Institutions in their existing specialisms: the role of the Council and the High Representative in giving political guidance and the Commission in managing and delivering the assistance. Rather than discussing the procurement of cars for the European Police Mission in Bosnia (EUPM), the Council and the PSC (Political and Security Committee) in particular should spend their time on giving political and strategic guidance in crisis situations as is foreseen in the Nice Treaty. Operational management should be left to others.
- Thirdly, we need to improve the speed of response. Good examples are the Community’s Humanitarian Assistance through ECHO and the Rapid Reaction Mechanism. Decision-making procedures in the Council will have to be made more dynamic. With 25 Member States it is impossible to decide quickly if unanimity remains the rule in CFSP.
- Fourthly, we need a re-evaluated budget. Spending in support of crisis management needs to be faster and more flexible. But new arrangements must neither subvert the EC budget nor escape democratic parliamentary (EP) scrutiny and financial accountability (Court of Auditors). More speed and flexibility can be achieved within the present structures. The Commission has vast experience in managing the EC budget and it would be a mistake and a waste of resources to set

up parallel structures to manage certain parts of the budget. With the exception of military or defence expenditure, which the EC budget cannot finance under the present Treaty and where Member States should urgently agree on a separate arrangement, it would in my opinion be a wasteful mistake and a recipe for incoherence if we were to set up budgets separate from the EC budget. The Commission has made several proposals for faster and more flexible budgetary procedures, all of which are feasible within the present system and within the budgetary ceilings and arrangements agreed at Berlin in 1999. These include the creation of a reserve for crisis management outside the heading for external actions (heading 4), creating a flexibility instrument to address emergency needs and extending the use of the current emergence reserve to include CFSP crisis management interventions. For the period after 2006, when the new Financial Perspectives will kick-in, we could go even further, for instance, by setting aside a certain percentage of each relevant budget line for crisis management or for use in emergency situations. Procedures should also be devised to allow for more rapid mobilisation of that money.

- Fifthly: to ensure better and more coherent use of the instruments that are at the disposal of the Union (Institutions and Member States), the Convention should come up with clear recommendations on the future legal status of the Union (I advocate a single legal personality), on the external representation of the Union (with an enhanced role for the High Representative and the creation of EU delegations abroad), and on the relationship between the High Representative and the Commission. I have made these points at my earlier appearance before the Convention and don't have to repeat them here.

CONCLUSION

I am grateful for your attention and I am happy to answer your questions.
