

Working Group VIII

Working document 9

## **WORKING GROUP VIII « DEFENCE »**

**Subject :** Note by Mr Oğuz Demiralp

Members of the Working Group will find attached a note by Mr Oğuz Demiralp, alternate member of the Convention.

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**EUROPEAN DEFENCE**

1. The scope of the CFSP is defined by Article 17 of the Treaty, especially by its first and second subparagraphs. Article 17 of the Treaty reiterates that the CFSP respects the obligations resulting from the North Atlantic Treaty. Needless to repeat, collective defence is a remit of the Atlantic Alliance under Article 5 of the Washington Treaty. As a matter of fact, paragraph 27 of the Helsinki European Council Presidency Conclusions states the European Council's determination to develop an autonomous capacity to take decisions and, where NATO as a whole is not engaged, to launch and conduct EU-led military operations in response to international crises and stipulates that this process will avoid unnecessary duplication.

Therefore, extending CFSP's remit to cover also collective defence would result in contravening the fundamental principles of the CFSP as enshrined in the Treaty and the Helsinki Presidency Conclusions.

Avoiding duplication is indeed a prerequisite of maintaining the transatlantic link in European security and defence, therefore establishing cohesion and complementarity between NATO and the EU is indispensable.

Furthermore, NATO is the only legal link in the security field between the EU and the Allies, both European and North American.

The fact that there is only one set of resources and forces shows that the indivisibility of security should be our basic principle.

2. Since the definition of the Headline Goal in December 1999 at the Helsinki European Council, Turkey has participated in two Capability Conferences and expressed its willingness to contribute a brigade size force, supported by sufficient air and maritime elements to the Headline Goal.

However, our contribution together with those of other candidate countries, is recognized by the EU as supplementary. An accurate framework of our contributions has not been clarified since then.

The EU Member States have started to work on a capabilities review mechanism that will help them monitor and facilitate progress towards honouring of undertakings to achieve the overall goal in both quantitative and qualitative terms.

Furthermore, the review mechanism to be established is supposed to achieve consistency between the pledges undertaken in the EU framework and for the countries concerned, the force goals agreed to in the context of NATO planning or the Partnership for Peace. This second aim of the review mechanism is of crucial importance if the overall goal is to avoid unnecessary duplication in European security and defence.

Therefore, the EU has already started developing a mechanism to guarantee the credibility of the Union's defence policy. The coherence and complementarity of the EU's review mechanism and that of NATO should be one of the fundamental principles to guide EU Member States in that process.

An essential part of the work for guaranteeing the credibility of the Union's policy is the process carried forward by ECAP panels in order to fill the capability gaps. Unfortunately, non-EU European Allies were not allowed to participate in these panels despite their participation in the DCI and now in the Prague Capability Commitment (PCC) in NATO. Taking into account the limits of the defence budgets and the fact that there is only one pool of forces, their participation in the ECAP panels would be key to ensuring coherence and complementarity between the ECAP and the PCC processes. In this context, the positive reaction of the EU to this issue is long overdue.

In this vein, the best option could be to avoid duplication with NATO, to make best use of the capabilities offered by Member States, partners and others, as appropriate, to determine the capability requirements and prioritize them in order to fill the gaps by way of pooling resources, role sharing, more efficient use of resources, etc.

3. We believe that the starting point in elaborating this sensitive issue should be the indivisibility of European security. Whatever form we envisage the cooperation, the arrangements that will be defined should also be extended to the non-EU European NATO members. This will be the only way to create a solid European security and defence.

4. Crisis management procedures foresee how the decisions should be taken in a crisis and later in an operation in order to take timely and appropriate action in such eventualities.

One important aspect in developing EU's crisis management procedures should be close coordination with NATO.

Furthermore, as candidate countries may join the EU in EU-led operations, involving these countries in the development process of crisis management procedures would help coherent and swift action on theatre during an operation.

5. The EU's ability to use both civilian and military instruments as a response to a crisis situation is its cutting edge in comparison to other international organisations.

The actual institutional structure of the EU, formed of separate pillars dealing with different aspects of the same situation under separate procedures, hinders a coherent and smooth EU action in both civilian and military domains at the same time.

A merging of the posts of Commissioner for External Relations and Secretary General/High Representative for CFSP and their secretariats could well be a solution for smoother action in CFSP including defence matters. Such a merge could also provide the EU with a better visibility in world politics.

However, different procedures for decision-making would need to prevail as long as member states consider keeping national control over some issues, while moving towards Community action on others.

6. 19 nation Western European Armaments Group (WEAG) is the widest European armaments cooperation forum that brings together all the EU Members except Ireland and NATO's all European Members except Iceland. Western European Armaments Organisation (WEAO), the executive organisation functioning in accordance with the policies adopted by WEAG, consists of 17 WEAG nations. Austria and Hungary are also expected to join soon.

The charter of the WEAO (1996) stipulates that "Initially the Executive body will be a Research Cell charged with support to WEAG on all research and technology activities and the placement of contracts, in accordance with this Charter, and which is the precursor to the Western European Armaments Agency. When WEAG ministers decide that conditions to move to a full European Armaments Agency are met, it is the intention that this Agency will become the Executive Body and will absorb the Research Cell."

Recently, the studies carried out within WEAG on European Armaments Agency (EAA) reached a point where what is missing is only a political decision to go ahead with its establishment.

Taken together, WEAG and WEAO offer necessary political and legal grounds for the European armaments cooperation in the widest European composition.

One should also keep in mind that OCCAR and LOI nations are also members of WEAG and WEAO. OCCAR and LOI brings together those European nations which have a leading role in European Defence Industry and together they represent the supply side of European Defence Equipment Market (EDEM). The uniqueness of WEAG is that by having 19 European nations as members, it brings both the supply and demand side of the market together.

In light of the above, it could be said that WEAG/WEAO framework, with an almost complete groundwork, offers a very favourable framework to adopt for the future European armaments cooperation. After NATO Summit in Prag, the enlargement of NATO probably will result with the enlargement of WEAG and WEAO, but not necessarily OCCAR and LOI.

It should also be born in mind that all none-EU WEAG Members made commitments to contribute to the EU Headline Goal and European military capabilities.

The EU, while developing its armaments policy, should consider what is available at the widest European scale and make use of existing institutions and fora such as WEAG and WEAO with an inclusive approach. Such an approach would also provide mutual reinforcement and openness between NATO's DCI and the EU's ECAP efforts, and could lead to economies of scale in meeting the capability shortfalls.

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