

Working Group VIII

Working document 43

WORKING GROUP VIII « DEFENCE »

Subject : Note by Mr Valdo SPINI

Members of the Defence Working Group will find attached a note by Mr Valdo Spini, alternate member of the Convention.

Document by Valdo Spini, representative of the Italian Chamber of Deputies, for the final meeting of the Defence Group scheduled for 10/12/2002

The issue of defence - which only appears in its own right in the Amsterdam Treaty that came into effect on 1 May 1992 - is essential for the development of the European Union as a political subject on the international stage. But it is equally a controversial issue because of the different positions adopted by the member states or the candidate countries (NATO member states, non-aligned or neutral countries, and the countries awaiting NATO entry).

This is why in dealing with this issue two main objectives are to be pursued:

1) we must not step back from what we have already achieved. This means that we must leave the way open to achieving what is set out in the Treaty, namely that the ESDP must include *"all questions relating to the security of the Union including the progressive framing of a common defence policy... which might lead to a common defence should the European Council so decide"*.

In other words, no decisions should be taken which will preclude the attainment of this long-term objective.

Let us not forget, among the matters already unanimously adopted, the *Helsinki headline goal*, that is to say, the commitment to creating a European Rapid Reaction Force of 50,000-60,000 troops by the year 2003. This commitment, which was unanimously entered into, must be maintained, particularly now that NATO has recently decided to set up its own rapid reaction forces at the Prague Summit, even though it will be smaller, numbering 20,000, but with more wide-ranging objectives than the European force.

It is therefore essential to create the political conditions needed to achieve the so called "Berlin plus" agreement, in other words, the possibility for the European Rapid Reaction Force to use NATO's facilities and assets.

I believe, however, that this European Rapid Reaction Force could also be extremely useful to meet the requirements of the United Nations, and this potential is something which must be emphasised.

2) But it is not sufficient merely to defend what has already been achieved: we must go further still. And here I believe we should positively stress what has been proposed in the document submitted by the group's Chair, Michel Barnier on 29 November (point 48), envisaging a "Euro-Defence Zone" in which decisions would only be taken by the member states which decided to take part in it. By so doing, the positions of the neutral or non-aligned countries would be safeguarded, while the countries committed to a European Defence Policy could move forward on their own.

I would like to illustrate this necessity by offering a concrete example. In 1998 it was decided to set up the "Alba" humanitarian relief mission for Albania. This was the first mission in which only European countries were involved, without any direct United States intervention. But the mission could not be called "European", and neither could it be placed under the official flag of any European institution because some of the member states did not take part in it. This must never happen again. This is why the creation of a "Euro-Defence Zone" must be supported.

What we could do is incorporate into Barnier's document a reference that is found in the joint French-German (de Villepin-Fischer) Declaration regarding the possibility of amending article 296 of the EC Treaty to encourage greater co-operation in the arms industry. This is extremely necessary not only because of the huge difference in the amount of military spending by EU countries in comparison with the United States of America, but above all because of the difference in the quality, efficiency and effectiveness of that spend.

Another important point set out in the document is the foreshadowing of a European armaments Agency. We should stress the need not to waste the present experience of OCCAR, the L. o. I. and the WEAG.

The Barnier document must be further reinforced in relation to parliamentary scrutiny. While the powers of the European Parliament are being developed in this regard a useful contribution could also come from the regular meetings of the Chairs (or the Presidencies) of the national parliaments' Defence Committees.

With regard to the mutual assistance clause in the event of an attack, some of the member countries are already bound by article 5 of the NATO Treaty.

But there is still a further question, namely, what to do with the mutual assistance clause provided by article 5 of the Western European Union (WEU) Treaty. Should this clause be allowed to die with that organisation or should it not perhaps be transferred to our new Constitutional Treaty? And if so, does it need to be adapted in order to include the new threats to security, particularly after 11 September, and the need for co-operation in the field of civil protection? I personally believe that it should, but this is a crucial question that we have to answer.

The provision in the Barnier document to create a new military commander to head field operations may be deemed superfluous. We already have four European commands, and we should not forget that in the NATO doctrine that emerged from the 1996 Berlin Summit (the European defence and security identity, not separate but separable) the *Deputy SACEUR* can be made the Commander-in-Chief, being the high-ranking European officer who is the deputy commander of NATO.

We must, on the other hand, support the proposal in the Barnier document to appoint a Deputy High Representative for the CFSP, with specific ESDP responsibilities. The institutional configuration of this post will naturally depend on the more general decisions to be taken on the positioning and the role of the High Representative for the CFSP.

In conclusion, the Barnier document should be endorsed and supported with the inclusion of the supplementary provisions that we have proposed in this paper.
