

CONV 405/02

WG VIII 16

## FÖLJENOT

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från:	Sekretariatet
till:	Arbetsgrupp VIII för försvarsfrågor
Ärende:	Sammanfattande not från mötet den 4 november 2002

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### I. Förutom Petersberguppgiften – fortsatt diskussion

Den fortsatta diskussionen om detta ärende återges i dokument CONV 399/02.

### II. Mångfalden av situationer och resurser inom Europeiska unionen

#### Utfrågning av Alain Richard, Frankrikes tidigare försvarsminister

1. Alain Richard, som höll sitt inlägg i egenskap av privatperson<sup>1</sup>, fäste uppmärksamheten på följande svaga punkter som bromsar förverkligandet av ESFP: ett finansiellt problem som har förvärrats genom resurssplittring, en beslutsmetod som grundar sig på konsensus och förfaranden som försenar projekten för resursförstärkning samt en splittring i fråga om prioriteringar vilken orsakas av de roterande ordförandeskapen. Beträffande eventuella positiva förslag till förberedelser för framtiden framhöll Alain Richard två olika möjligheter: a) en förbättring av den mellanstatliga metoden och b) en sammanslagning av resurser och användningen av dessa.

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<sup>1</sup> Alain Richards inlägg bifogas i oavkortad version.

2. Inom ramen för antagande a) skulle man behöva förbättra varje redskap som ESFP förfogar över. Man skulle ge den höge representanten formell initiativrätt, inrätta en rådskonstellation för försvarsfrågor, insätta en biträdande hög representant som skulle ansvara för resursutvecklingen samt inlemma beslutsfattandet i de båda råden och KUSP i ett system med tidsfrister.
3. Med det andra antagandet, b), skulle några medlemsstater kunna gå framåt. Detta skulle ske genom sammanslagning av deras resurser och användningen av dessa, genom bildandet av en "Europeisk försvarsgrupp" med stöd av bestämmelser i fördraget, genom antagandet av en vitbok med de olika slagen av ömsesidiga åtaganden och den stadga enligt vilken gemensamt materiel skulle kunna användas av vissa av dessa stater. De prioriteringar som fastställs skulle göras trovärdiga genom ett finansiellt bidrag och ett rättsligt åtagande gällande stridsstyrkor och utrustning. Inte i något fall skulle emellertid en medlemsstat tvingas dra in sina styrkor i en insatsåtgärd i vilken den inte vill delta. Ett sådant beslut skulle i full utsträckning förbli nationellt. Enligt Alain Richard är de mål som tilldelades ESFP 1999 fortfarande giltiga. En eventuell utvidgning av dem skulle kunna övervägas i två fall: en ökning av resurserna för internt skydd, om en medlemsstat skulle drabbas av en allvarlig kris (som inte skulle kräva någon ombildning av EU:s institutionella organisation) samt införandet av ett gemensamt försvarsåtagande som skulle vara önskvärt endast om det i texten noga anges att de avtalsslutande parterna har valt att till Atlantpakten anförtro de effektiva medlen för att genomföra detta åtagande i form av gemensamt försvar.
4. Arbetsgruppens ledamöter tackade Alain Richard för hans inlägg, frågade vad han ansåg om närmare samarbete, betonade lämpligheten av att inrätta realistiska system, ställde ytterligare frågor om vilken roll den biträdande höge representanten skulle spela samt erinrade om svårigheterna att öka försvarsbudgetarna i tider av budgetproblem. Några ledamöter frågade om ESFP:s nuvarande strukturer är lämpliga för att bekämpa terrorismen, betonade att unionens strategi alltid skall grunda sig på gemensamma beslut och en väl fungerande mekanism för konstruktiv röstnedläggelse samt underströk att överläggningarna i Europeiska rådet bör förberedas på lämpligt sätt på en lägre nivå.

Några ledamöter underströk slutligen vikten av att resurserna utvecklas, att unionens insatser ges större flexibilitet, att mekanismen för närmare samarbete även tillämpas på försvaret genom att den nedre tröskeln för deltagande sänks (till under 8 stater) samt att en hänvisning till det redan befintliga samarbetet mellan vissa medlemsstater förs in i fördraget (eventuellt i ett protokoll).

5. Alain Richard svarade att närmare samarbete i framtiden kommer att bli ännu viktigare allteftersom antalet medlemsländer ökar. Om man vill att EU skall gå framåt på försvarsområdet måste användningen av detta instrument främjas. Utmaningen för konventet är att inrätta en lämplig rättslig ram för att, eventuellt om några år, kunna åstadkomma framsteg, eftersom det konstitutionella fördraget inte bör utsättas för ofta förekommande revideringar. Resursutvecklingen är mycket viktig, eftersom hoten utvecklas snabbt och det är nödvändigt att kunna bemöta dem. Förberedelserna inför stora politisk-militära valmöjligheter och planeringen kan genomföras av den militära staben, Nato eller medlemsstaterna. För att kunna bekämpa den internationella terrorismen på ett mer effektivt sätt skulle underrättelsesamarbetet (för närvarande endast på bilateral basis) behöva öka. Det finns risk för att de nya terroristhoten framkallar allvarliga konsekvenser inom medlemsstaternas territorier. Unionen bör således förbättra sina resurser för att bidra till det civila försvaret av sitt eget territorium och utveckla autonoma resurser. Konstruktiv röstnedläggelse kan medverka till ett väl fungerande system, men risken för ett misslyckande måste övervägas om bred konsensus skulle blockeras genom att några stater går emot ett förslag. Det är då nödvändigt att föreskriva mekanismer som gör det möjligt för de övriga att fatta beslut. När rådets beslut väl har fattats skulle det endast omfatta de deltagande länderna. De nya hoten och det ansvar som följer av dessa borde förklaras bättre för allmänheten. Den roll som den biträdande höge representanten får skulle ingå i strukturen för den mellanstatliga europeiska försvarspolitik.

6. Arbetsgruppens ordförande sammanfattade att mötet hade gjort det möjligt att formulera en överenskommelse om nödvändigheten av att unionen ges större flexibilitet som skulle kunna basera sig på frivilliga åtaganden. Denna flexibilitet skulle ge de medlemsstater som så önskar möjlighet att fördjupa sitt samarbete. Diskussionerna bör fortsätta om de exakta villkor som medlemsstaterna bör uppfylla för att detta åtagande skall vara trovärdigt.

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**Subject: Speech by Mr Alain Richard, former French Minister for Defence, to the European Convention Working Group on Defence on 4 November 2002**

Ladies and Gentlemen,

I am honoured to address the European Convention Group dedicated to defence matters. This gives me double satisfaction, since, I am convinced, proposals will be drawn up within this Convention which will enable our Union to play its full domestic and international role; and also since, in setting up this Group, the members of the Convention have already identified the importance of the subject of defence for the overall policy of the European Union.

Your Group has already received substantial and extensive information from many of those involved. I shall therefore avoid going back over basic issues which are already familiar to you. I would prefer to present you a view drawn from practical experience of a particular aspect of European construction, and to look for sustainable ideas which might facilitate your choices when defining policies.

**I. How do our aims stand now?**

One initial comment must be made, when assessing the development of defence within the Union: it is of a very recent nature. A start was made during the years following the Second World War; but faced with the enormous threat of the Soviet bloc, the Europeans focused their defence effort on the Atlantic Alliance.

Today, while remaining faithful to their commitments, our countries are working on the basis of a new beginning which took shape after the fall of the Berlin Wall, in response to the political and ethical challenge of multiple uncontrolled regional conflicts. It was only in the Treaty of Amsterdam five years ago that the Europeans allowed themselves the possibility of a common defence policy, by a simple article which was felt to be disappointingly modest. Three years ago, the principles of this policy were set down at the European Councils in Cologne and Helsinki. While other European projects have been under construction for 30 or 40 years, this one was launched only a few years ago, and that must be borne in mind when evaluating its progress.

A second train of thought seems useful to me, as your Group is engaged upon its task: we must check whether the aims assigned to our common security and defence policy in 1999 are still valid. Very briefly, the approach adopted by the Union is to be able to use force as an indispensable tool to resolve regional crises leading to violent conflicts between states or communities, following the principles of the UN Charter and ensuring the protection of the civilian population. That is why we have repeated our commitment to the Petersberg tasks, defined in 1992, whose definition is in harmony with this approach; and it is on this basis that we have designed a system of military capabilities.

Other challenges have now come to the fore: the fight against terrorism, re-launched by the tragedy of 11 September 2001, and the threat of weapons of mass destruction illustrated by the Iraqi crisis. The new US administration is putting these at the centre of its strategy. Some of the doubts expressed about the role and weight of Europe – doubts which I believe have been amplified by the media – are tantamount to questioning whether our basic options were mistaken, and whether the tools which we are constructing might be inappropriate.

My conviction is that the choices made in 1999 and 2000 remain the right ones, and that Europe should persist in its determination to deal effectively with violent regional crises. Firstly, terrorism basically takes the form of criminal groups preparing and carrying out attacks against peaceful civilians; such groups act illegally within our states, governed by the rule of law: they cannot be the targets of military action. The tool needed to detect and neutralise them is police investigation, aided by intelligence. Europe is already the region of the world which is most heavily involved in police and judicial cooperation, and is working on further measures. It cannot on the other hand militarise anti-terrorist action within its own territory. The United States, which was the victim of the 11 September attacks, has not done so either.

Some command and support centres for terrorist networks may be established in states willing to harbour them, or be sheltered in areas under the control of armed groups: this was the case with al-Qaida, protected by the Taliban. But then the armed action necessary to eliminate this threat is of the same type as that intended to control an attacking State in a regional conflict. The purpose of the Helsinki headline goal is precisely to make the European Union capable of carrying out an action of that type, even at a high level of intensity, using its own resources. Leaving aside intelligence, which is already taken into account but should assume higher priority, the terrorist threat does not therefore invalidate the fundamental choice of the CESDP.

As for action against the threat of weapons of mass destruction, for us Europeans this comes under the application of international rules. There is a question-mark against Iraq today, as there might be against North Korea tomorrow, because it is suspected of developing weapons which infringe international legislation. Faced with such a situation, even if it is judged to be serious, the European Union is unable to reach internal agreement on preventive and unilateral action. It can only agree to support international enforcement action declared indispensable by the Security Council. There too, any decision to commit the Union would call on the means defined by the European Council in 1999. Participation in re-establishing peace under UN mandate is one of the Petersberg tasks, which already empowers the Union to commit forces far from our continent.

There, in broad outline, are the reasons which to my mind justify the further building of joint military capabilities, based on an effective system of politico-military decision-making, which has been our joint policy choice for almost four years now. It seems to me to be more certain than ever that regional crises will continue to emerge, because of three basic realities which are going to last for a long time:

- opposition between communities and religious groups which cross frontiers, defined by the rules and influences of the twentieth century;
- the many clashes between transition to the rule of law and the market economy, and the dominant interests and authorities of traditional societies, which are prepared to have recourse to armed force and to ally themselves with organised crime;
- the strategies of nationalist leaders who are ready to exploit these contradictions in their region to extend or maintain their power.

I also think that many motives, stemming from our fundamental values and real collective interests, will lead the European Union to act in order to deal with these crises rather than contemplating them passively, and to do so with the assent of its citizens. It should therefore continue to add a credible potential for military action to its other tools for intervention, to avoid the dilemma of letting the law of the jungle apply, or having to ask our American partner to act alone against such violence. This perspective seems to me to provide the solid strategic foundation for the determined pursuit of our common security and defence policy. It also makes it possible to reaffirm the constancy of the Europeans in their choice, which in strategic matters is an advantage, particularly for a new player.

Some Europeans recommend that the Union's ambitions should be taken further and, pointing out that Article 17 of the TEU following Amsterdam states that the common defence policy "might lead to a common defence", raise the questions of other aims "beyond Petersberg". I do not want to evade this major political question, but would prefer to return to it after I have submitted my suggestions on the way in which Europe could best realise its objectives, with renewed political organisation.

## **II – What are our weak points when implementing our policies?**

Earlier I pointed out that implementation of the CESDP has extended over a short period. I implied thereby that progress made was substantial, and gave cause for confidence that there was a positive dynamic. Nowadays each of our nations, when developing its defence policy, takes careful account of the European headline goal in many of its decisions. The building-up of capabilities, in particular concerning the adaptation of human resources, qualifications, training, and command systems, is making real progress. These are concrete realities, all too often passed over in silence in a Europe which remains the home of critical thinking in the world and applies it vigorously to its own accomplishments.

These encouraging points cannot dissipate the weaknesses which hamper the attainment of our objectives, reduce the choices of our leaders in the event of a possible trial of strength, and affect our political influence by calling our determination into doubt. I would distinguish three such weaknesses: the uncertain desire for defence, the financial problem with its effects on armaments, and consistent decision-making. None of these weaknesses condemns the CESDP, and all must and can be surmounted.

The most complex subject concerns our wavering desire for defence. This is the effect of the historic success of European construction: Europeans are almost no longer afraid of war. This is a striking experience when talking about defence policy with foreign partners: in the first five minutes you "feel" whether or not you are in a country where armed conflict is a real threat for the public. This feeling of threat has slowly disappeared from the mindset of Europeans.

Of course, they are not oblivious to the risk of war; the media show them wars often enough. But their vision of conflict is that of emotion and compassion, not that of fear for their families; it is other people's lives which are at stake. In my view, neither the horrors of the Balkan crises, so close to us, nor the tragic reminder of the vulnerability of peaceful nations on 11 September, have really upset this feeling of security. This is a major political fact, depriving any collective effort on defence capabilities of consensus.

I know of no way of magically lifting this barrier in people's minds; I only believe that it is a duty for the leaders of Europe to inform public opinion of ongoing conflicts and of real threats, with gravity and clarity. Javier Solana carries out this role, but are his views sufficiently taken up? Nonetheless, opportunities to do so are not lacking. And our media, which do admittedly have a tendency to take a crisis off our screens when it is not in the phase of bloodshed (or when it has been in one for a long time), "respond" positively when our politicians are being vigilant. Public opinion is receptive to the duty to control violence in the world, and traditional pacifism has little influence. This action of explanation and warning also contributes to the weight of Europe in the outside world, where the risk to life is felt.

The second weakness, of funding for military capabilities and the effectiveness of armaments, clearly stems from the first. The Union does not have a defence budget, and in most of our countries the appropriations voted for it show that it lacks priority. It would be too complex to define here the criteria for a "sufficient" level of defence spending; and I would underline that the comparison which is often made with the United States is debatable, since the extent of our international security commitments is different, and since the Pentagon finances projects with a major civilian impact which the Europeans finance differently, as may be seen with the GPS and Galileo.

I also think that it would be valuable for the European Union to bring together "wise men" from different backgrounds to shed some light on this key question of the necessary level of financial effort for defence. But in any case, we can note two clear symptoms of the present situation: firstly, many of our countries have an official text planning the renewal of their military capabilities, and over lengthy periods note delays in carrying out this programme, or revise it sharply downwards from time to time; then, we made a list of certain specific shortfalls after our most recent commitments in Kosovo and Afghanistan, and yet we find it difficult to set credible dates to make good those shortfalls.

This insufficiency in our financing, which is damaging to our global influence as it is much commented on elsewhere, is amplified by dispersal of resources, since policies on the preparation of forces are entirely national, and their convergence is optional. There are two means of correcting this: the joint projects subscribed to by some of our Member States, and the commitment of many of us under NATO. Even if we are making real progress in some multinational arms programmes of which you are aware, and on the preparation of multinational forces, these projects remain vulnerable as at every stage they are subject to the financial difficulties of each participating State. Recent progress in methods of managing joint programmes such as OCCAR and the LoI have not eliminated this element of hesitation each time an incident occurs, affects the external image of the Union.

As for improvements in forces and equipment decided on within the Alliance, which fortunately converge with our headline goal, these are also slowed by the lack of a formal commitment by States, which alone would make it possible to implement them effectively, as George Robertson often forcefully points out. This reminds us that NATO, with all its past record and great influence, also functions intergovernmentally and stumbles over the same obstacle as the Union when it comes to carrying out joint projects. There is an unexpected effect of this "elastic" commitment by countries: the three members which joined NATO in 1999 are following a rule on financial effort for their defence which eight out of eleven of the other European nations are far from achieving, although they have a per capita GDP which is two or three times greater.



The financial inadequacies as regards our defence thwart the effort towards convergence and modernisation accomplished by the European defence industries, which have carried out most of the transformations desired by our governments. For want of sufficient volume and regularity in European orders, these industries, which are part of the world market, are obliged to envisage more radical and asymmetrical link-ups with their American competitors; this could prove to be at variance with our stated desire for an independent European industrial defence base, and the effects on access to key technologies of the future could be considerable.

The third weakness of the European Union in relation to its security responsibilities is the imperfect nature of its decision-making mechanisms, both for the preparation of capabilities and for the conduct of action in crises. This weakness is natural since the subjects on which decisions have to be taken have been "intimately" national for centuries, and only became European two or three years ago. But if we do not want Europe to be delayed in its political progress, these insufficiencies must be looked at closely.

Fundamentally our current organisation is rational and is progressing according to the classic European model, building homogeneity by acquiring common routines. It contains two natural vulnerable points: the variable level of conviction amongst governments on the need for a Europe of defence, and the deep-seated habit in the Union of prolonged negotiation concluded by a laborious compromise. These inevitable realities, the legacy of history, are also handicaps for a system which has to produce security tools and take a position on crisis situations.

Our decision-making method is consensus, which is necessary in intergovernmental policy. This method functions effectively enough within NATO, which follows the same principle, but with two particular factors helping its success: the presence of a country which is recognised as the natural leader of the Alliance, and a deep level of attachment by all its members to the organisation, because of its essential role in providing security. In such conditions, the possibility of a blockage being created by the opposition of a single country is very remote. This was seen in the Kosovo crisis with the position of Greece, which was unfavourable to the use of force against Yugoslavia but willing to let the other Allies act, and used a constructive abstention not formally included in the Treaty.

The Councils responsible for the CESDP, the European Council, the General Affairs Council and the PSC do not enjoy the effectiveness provided by these two factors. Leadership is of necessity shared, and the incentive to block a project to negotiate a point which is sensitive for one State is much stronger. These realities which are inherent in the current development of our security and defence policy affect both its permanent function of organising effective joint capabilities and its executive steering function in the case of a violent crisis situation which the Union might have decided to address.

In the first case, namely the construction of capabilities, the functioning of the Councils tends to slow down reinforcement projects. Agreements are made to define the stages of the headline goal, but they leave the practical distribution of contributions in obscurity: they do not lay down a deadline or make provision for non-execution of the commitment. Furthermore, priorities are dispersed by the revolving Presidency; currently each Presidency is carrying out its first Presidency in CESDP affairs, with the natural temptation to "personalise" its brief term of office in this high-profile area.

Two factors help us master these problems: a measure of emulation between countries, to sustain the momentum of the CESDP – and to influence it – by useful proposals, and the almost universal pragmatic desire to participate in a process which is perceived as politically important. Hence the advances of which we are aware. On the other hand, there is a latent divergence of views over the degree of the Union's autonomy from NATO. At Saint-Malo we proposed a principle to resolve this divergence: the Union would build its capabilities "without pointless duplication". The subtlety of this diplomatic formula will not prevent the discussion from picking up again, in a context of budgetary scarcity and given the fear, which still exists, of weakening the Alliance by the CESDP. We should also note that the Union is helped by the position of principle of the United States in favour of the CESDP, motivated above all by the hope of an increased contribution by Europe to the burdens of international security. If the United States had chosen in 1998 to obstruct the Europe of defence, it would already be no more than a memory.

As for the functioning of intergovernmental councils in crisis handling, this is subject to the same negative factors, producing the fear of slowness and a lack of precision which are damaging in dangerous situations. It is impossible to assess this practically without real experience. But there too, factors may be perceived which allow of acceptable effectiveness. If an operation is launched, that will mean that the European Council has reached real convergence on the political objective of ending the crisis; the political principles will be clear enough to conduct a coherent strategy. For operational decisions, the practice in any multilateral military action is to weight the influence of the countries according to their level of contribution to the combat forces: this concentrates day-to-day discussion amongst a smaller number of countries. What is more, our countries have acquired experience within NATO and in the coalitions of the last decade. We should therefore remain optimistic about the Union's effective capability to manage a crisis, in a first commitment which will surely relate to a situation of conflict of decreasing intensity. But the question remains open as regards the risk of unforeseen worsening of a situation.

So we could give the developing CESDP a balanced "mid-term report", with its weak points produced by history, geopolitics and mindsets but which has antidotes and potential for progress. The European Convention is therefore happening at a propitious moment: its thoughts and proposals may be able to offer Europe a prospect of credible and extensive responsibilities, beneficial to peace and justice in the world.

### **III – What steps to plan for tomorrow?**

On the basis of these considerations, I would like to propose a few practical suggestions which might feed into the work of your Group. I do so on a personal basis, since nowadays I hold no official post. I do so, in the trust and conviction that Europe will acquire an increased ability to influence situations of tension or conflict in favour of its values and interests. I also do so hoping that the Convention, at this the beginning of a new century, will be able to plan significant forward measures which can be implemented over the long-term. I will discuss two distinct possibilities: continuing and perfecting the intergovernmental method, or reaching a new landmark in pooling and jointly employing our capabilities.

*A/* If the intergovernmental method continues, it may be assumed that the coordination of national policies will intensify and that synergies will increase. This will particularly be the case if the cooperation agreements between the EU and NATO are finally adopted, which will enable the two organisations to act in parallel to encourage the convergence of European defences.

But to enforce the credibility of the CESDP, we must improve all the agents engaged in its coherent performance: the High Representative, his involvement in the issue of capabilities, the balance of the Councils, decision-making in times of crisis, and briefing of parliaments.

*A<sup>1</sup>* – The High Representative has already become an essential part of the security/defence system of the Union, and the authority acquired by Javier Solana has helped the institution. Whatever his precise position in the future structure of the Union, he will retain (under the intergovernmental hypothesis which I am following at the moment) his competences for the CESDP, and it is highly desirable that governments should provide him with all useful intelligence via the appropriate channels.

To facilitate effective decision-making by the Council, I believe that the High Representative should be given a formal right of initiative to present structured proposals on which the PSC and the General Affairs Council would have to decide.

*A<sup>2</sup>* – According to the Amsterdam rules, the High Representative acts in the foreign affairs and security/defence fields. The link between these two fields must be preserved, but the commitments resulting from them are enormous and call for intense international contacts. The work of improving capabilities also requires frequent political intervention at a high level, to push for intergovernmental agreements and help with the necessary work on public opinion. The post of deputy to the High Representative could therefore usefully be created, with responsibility for the development of capabilities, which would reconcile the unity of the CESDP and the need for specific political intervention for the military potential of the Union.

The High Representative and his deputy should draw up an annual report, political rather than technical in nature, to encourage public debate, reporting on the execution of projects to improve capabilities. This report should be examined by the European Council.

*A<sup>3</sup>* – In the intergovernmental method, the functioning of the Councils is the key to the Union's progress. Defence does not have a formal Council; decisions are referred to the General Affairs Council, with the participation of Ministers for Defence, which makes it a cumbersome body. It seems necessary to me to create a Defence Council, competent to deal with capabilities-related questions, while situation analysis and crisis handling would remain with the General Affairs Council or with a specific Foreign Affairs Council. The latter should include Ministers for Defence whenever the possibility of the use of force is being discussed; experience shows that the two issues must be taken in tandem. The PSC will ensure continuity between the General Affairs and Defence Councils, to contribute to their consistency. It should also be used for coordination with other policies of the Union touching on external relations.

The decision-making procedure of the Foreign Affairs Council, the Defence Council and the PSC should be structured within a system of deadlines on proposals which are a synthesis of discussions, jointly presented by the Presidency and the High Representative (or by the latter alone in times of crisis). Only formal opposition expressed by a Head of State or Government within the fixed deadline would prevent the adoption of those conclusions. Such opposition would lead to the issue being included on the agenda for the next meeting of the European Council.

**A<sup>4</sup>** – Decision-making during crisis phases should also move towards greater clarity. It would therefore be desirable to formalise the decision to commit the Union in a crisis theatre, a decision which would fall to the European Council. It would have to set out the aims which the Union wants to achieve in relation to the crisis, and the principles which it is applying to provide a framework for its action. The Council should make public the essential points of such decisions. There should be provision for constructive abstention on such decisions to commit forces. The European Council could then delegate to a Foreign Affairs/Defence Council the holding of a commitment conference in which each nation would detail its contribution in terms of combat units and support units.

Crisis management decisions as such are taken in the PSC framework, which is responsible for the political control of military operations, a major European principle. This Committee therefore needs real training so that it can acquire the reflexes to deal with a crisis. Those countries which chose constructive abstention should attend the PSC but not take part in tactical decisions. Prior consultation between main contributor countries could facilitate decision-making, but should not be institutionalised, as this aspect of policy making must not slip towards a system of weighted voting. The deadline procedure to which I referred in my last point should be the rule for the PSC at times of crisis, on the basis of proposals by the High Representative alone.

Times of crisis highlight military command exercised on behalf of the Union, which should be politically controlled but able effectively to conduct an operation to control violence. The commander chosen by the Council must have full authority over all the forces committed. The rules of engagement for the forces (covering combat methods) should be announced at the beginning by the commander of operations in accordance with a guide drawn up by the PSC; restrictions to these rules of engagement requested by any government for its units must be notified immediately to the commander.

**A<sup>5</sup>** – In the intergovernmental method, parliaments should be briefed and in some cases consulted on the positions taken within the Councils. This principle stems from the current Treaties and national constitutions, but it should be formalised in a fashion appropriate to defence questions, respecting the power of decision of the Council. Parliamentary input will be a valuable element of legitimacy for a CESDP which is gathering momentum.

The European Parliament could hold a six-monthly or annual debate on the CESDP, introduced by the Council. National governments would continue to account to their parliaments for choices made at Union level. However, for approaches decided in common, there would be added value in extending debate to a forum which allowed national parliaments to compare their analyses. This could be the role of an annual session, drawing on the model of the WEU Assembly but with a composition respecting the limits of the European Union. National governments could express their positions there.

**B]** To accelerate the common security and defence policy, and to make it more comprehensible, a mechanism for the voluntary sharing of capabilities and their employment could be established. This would allow those governments which are convinced of the advantages of such sharing to put it into practice, and would provide a non-binding horizon for the others. This European Defence Group, which the new Treaty would authorise the Member States to form, would not establish any supra-State authority over the core of any defence policy, namely the decision to commit units to combat action: this would remain strictly national. But joint commitment to objectives and to the deployment of military resources could go deeper, using formulas which have already been tested. Participation in this group would provide its members with participation at a higher level in international debates and in decisions to act during crises.

**B<sup>1</sup>** – Countries belonging to the European Defence Group should clarify, for themselves and for other players, the general objectives and strategic options of their joint security and defence action. They could adopt a joint White Paper, representing a synthesis of their national strategy texts. This document would make it possible to foresee the sorts of commitment for which volunteer States would prepare jointly, and it would provide the charter under which joint weaponry could be used by some of them.

**B<sup>2</sup>** – States in the Group would adopt priorities as regards human resources, armaments and logistics capabilities, at a level comparable with the best-prepared countries. These priorities would be made credible by a legal commitment based on two essential variables: combat forces and equipment. That commitment would be expressed by a ratio of the number of military available in relation to the adult population, which could be in the order of 0,5%, and by a ratio of investment appropriations for defence to GDP, which could also be 0,5%. In the current Europe of 15, this would represent approximately a million deployable men and EUR 50 billion of annual investment, imagining a Group containing all 15 States.

The volunteer States would undertake to provide a financial contribution to the Group which would guarantee the financing of this double commitment; this sum would have the status of a contribution to an international organisation, even though it was managed by the contributing States. This would affirm in an indisputable fashion that the members of the Group were determined to adhere to their objectives.

The double ratio could be achieved by some States on a progressive scale accepted by the Group. The Group should agree on a quota of its investment resources to be devoted to research and development.

**B<sup>3</sup>** – The states of the European Defence Group could share programming of human resources and equipment, to spread the effort of making good shortfalls. Thus they would extend the choice of mutually accepted dependence which is already present in varying degrees in all our national defence policies, but from which we do not draw the best conclusions. This "shared joint programming" would emphasise access for personnel to qualifications and training for the most modern forms of intervention, their ability to serve together (particularly by more intensive exchanges of officers) and command and control tools enabling them to make use of the above in action.

The Group could also bring together the means to create one, and if possible two, operational commands at army corps level, of the Euro Corps type, which are currently not available to the Union for operations of sufficient length.

**B<sup>4</sup>** – In the context of such programming, the Member States of the European Defence Group should speed up the acquisition of their new capabilities by adopting common ownership of military equipment. These assets would belong directly to the Group; their financing would be divided among members using a scale based on their economies and demography. Time for training and operations, and the personnel using the equipment, would be similarly distributed. This pooling could apply to communication and control networks, intelligence and reconnaissance resources, air and naval transport capacity and even operational platforms (armoured vehicles, naval units and warplanes). It could be encouraged by a more favourable calculation of the target ratio for investment, reflecting the economic benefit of sharing.

The innovative choice which I am suggesting here works on the assumption that the States belonging to the Group would sufficiently clarify amongst themselves the political conditions for the use of military force, so that they could address each situation with great mutual trust, even if their analyses differed. I therefore believe that it should be possible for the deployment of common equipment in operations not to be subject to the veto of one member of the Group, as is normal in existing equipment-sharing agreements. The obverse of this maximum availability would be that in no case should any State be forced to commit personnel to any action in which it was not participating.

**B<sup>5</sup>** – The functional bodies of the European Defence Group should logically be composed of representatives of the States which are members of that Group, from the corresponding CESDP bodies: Defence Council, PSC, Military Committee. This avoids any institutional complications and ensures transparency between the Group and the other nations of the European Union. Similarly, the High Representative and his "capabilities" Deputy, if any, would be involved in the Group's proceedings. The themes for action by the latter should focus on the shared capabilities programme and on the conditions for use of common equipment. Work on analysing situations and preparing politico-military options should remain the responsibility of the bodies of the Union as a whole. The usefulness of the Group, as advocated by me, is not to create a dividing line within the European Union but to give the Union an additional tool for action and thus for influence, which could be of benefit to all.

The series of suggestions which I have presented to you, I repeat on a personal basis, are only described in broad outline, as this seems to me to be the Convention's role. But I can only wish that they be analysed, clarified, and re-evaluated by others, if the Convention feels that this would be useful to provide technical back-up to its discussions.

I have not mentioned the major changes being discussed by your Convention as regards the general organisation of the European Union's bodies, as it is not my role to give an opinion on such matters. The only comments which I might make, in the framework of my presentation, are firstly to recommend a system which is more inclined to continuity than the six-monthly rotating Presidency, and secondly recommend a reduction in the procedural barriers to the conduct of operations combining intergovernmental and Community competences. The idea is not original, but I can bear witness that the continuation of current practices would surely be prejudicial to the effectiveness of the Union as regards defence capabilities and crisis management.

Finally, I would like to return briefly to the question of an extension of the objectives of the Union as regards defence. I can see two in practice: a strengthening of the means of internal protection and the affirmation of a commitment to a joint defence.

The first is very desirable, and does not give rise to objections. The protection of citizens and of public infrastructure in the case of a major crisis, whether an attack or a catastrophe, would be worth improving in all our countries. It could benefit more than is nowadays the case from the resources and know-how of our armed forces. All our governments now have the reflex of providing all useful support for any country of the Union affected by a crisis, and this solidarity has the public support of our citizens. It would therefore be legitimate and appropriate to add to the tasks of the CESDP the coordinated participation of the armed forces in the protection of the public in the event of a serious internal crisis. This would not require any reshaping of intergovernmental arrangements; it is one more task on the agenda of our defence forces. On the other hand, I would stress that this is a very complex mission, since our legal arrangements for internal crises are dissimilar and the effective mobilisation of military capabilities in such circumstances would require meticulous preparation.

I am much more hesitant about the possibility of formally giving the European Union, in its constitutional treaty, a commitment to a common defence. This commitment already exists within the Atlantic Alliance for those nations which have made this choice. Those who have not made such a commitment in the Alliance have no intention of doing so within the Union. Certainly, there is a second defence commitment linking those States which are both members of the Union (of 15) and of NATO, namely that of the amended WEU treaty. It would seem consistent for Article 5, which has no institutional support since the WEU ceased its activities, to be attached to the Treaty on European Union and for its ratification to be open to the new members of the Union who are also joining the Alliance.

However, in this case it would be wise to state in the text that the contracting nations have chosen to entrust the Atlantic Alliance effective means to meet this commitment to common defence. This would have the advantage of reaffirming loyalty to the Alliance in its basic mission, and respecting the spirit of responsibility as it is never good to subscribe to such an important security commitment without the means to do so.

In conclusion, I would like to share my feeling that this discussion on common defence has in many respects already been overtaken by reality. Our Union, initially conceived by statesmen who had lived through our continent's upheavals, has become far more than an alliance. What we have been constructing over the last half century, freely and therefore patiently, is an ever more complete community of destinies, shared by our citizens. Each decade which passes adds other realities which strengthen this fabric of mutual knowledge and convergence of interests: commercial exchanges bringing ways of life closer together; individual and collective rights acquired thanks to the Union; the feeling of being able to influence the choices of globalisation thanks to Europe; the understanding between our younger generations, who are experiencing their education and leisure in a European area they share.

All this is already producing – and will do so equally intensively in a Europe of 25 – a sense of belonging to an interdependent community. That is why in future those who govern us will have to work towards shared security, whether internal or external. This natural convergence will certainly have to be underpinned by political will, which may occasionally be opposed by a tendency to turn in on oneself. But I hope and believe that this political will to consider and create our security and involvement in world affairs together will lead the European Convention to make bold proposals for our Union. It is with this at heart that I have put these few thoughts to you, which you have been so kind as to honour with your attention.

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