



BRITISH-GERMAN DIALOGUE ON DEFENCE AND SECURITY POLICIES: A CENTRE LEFT PERSPECTIVE

A RUSI-FES Report

Building on the success of the first British-German dialogue held in London on March 15, 2007, the Friedrich Ebert Stiftung (FES) and the Royal United Services Institute (RUSI) again joined forces and co-hosted a follow-on meeting in Berlin on March 7, 2008. Parliamentarians from the Social Democratic Party and the Labour Party, alongside representatives from various think tanks, universities, and ministries, met for a day long discussion of central issues in security and defence policy. This report will briefly introduce the topics, summarize the discussions and distil areas for future dialogue.

The British delegation included five members of parliament, Wayne David, Mark Hendrick, Ian Lucas, Denis MacShane and Edward O'Hara. On the German side Rainer Arnold, Hans-Peter Bartels, Walter Kolbow, Rolf Kramer, Ursula Mogg, Steffen Reiche, Angelica Schwall-Düren, Jörn Thießen, and Andreas Weigel participated. Experts from FES, RUSI, the German Ministries of Foreign Affairs as well as Defence, Bundesakademie für Sicherheitspolitik (Federal Academy for Security Policy), the International Institute for Strategic Studies (IISS),

King's College London, Stiftung Wissenschaft und Politik (German Institute for International and Security Affairs), the University of Konstanz, and selected defence industry representatives were also present. The dialogue focussed on four issues: the implications of the EU's Lisbon Treaty for ESDP; the evolution from a Common Foreign and Security Policy (CFSP) to more rapid military and civilian crisis management tools; Kosovo and security in the Balkans; and finally member states' positions and engagement in Afghanistan.

The European Union: Implications of the Lisbon Treaty for ESDP¹

If ratification of the Lisbon Treaty proceeds as planned, the document will be in force from 2009 on.² Reflecting the evolving reality of ESDP missions, the treaty offers a revised definition of the so-called Petersberg tasks. The Lisbon Treaty (Art 28 B) refers to "joint disarmament operations, humanitarian and rescue tasks, military advice and assistance tasks, conflict prevention and peace-keeping tasks, tasks of combat forces in crisis management, including

peace-making and post-conflict stabilisation. All these tasks may contribute to the fight against terrorism, including by supporting third countries in combating terrorism in their territories." While the Lisbon Treaty no longer speaks of a 'Union Minister for Foreign Affairs', a High Representative for Foreign Affairs (HR) would also serve as a Vice-President of the European Commission and would be supported by a European External Action service. The HR is likely to play a key role in ESDP and, for example, takes over from the Political and Security Committee (PSC) oversight of the civilian and military aspects of the redefined Petersberg tasks.

Although the Lisbon Treaty steers clear of a mutual defence clause, it does include a mutual assistance article (28 A.7) and also a mutual solidarity clause (Title VII, article 188R). The mutual assistance provisions reflect a compromise between member states who were seeking a mutual defence commitment on the one hand and those whose traditional neutrality makes such a clause problematic as well as members who feared a mutual defence clause would undermine NATO on the other. Thus, the mutual assistance clause still reads very much like a mutual defence clause despite the compromise. The Union's solidarity clause referring to terrorist attacks or natural as well as man-made disasters closely mirrors the Declaration on Terrorism adopted by the European Council after the Madrid terrorist attacks in March 2004.

Another important innovation in this field is the introduction

of permanent structured cooperation (Art 28 A.6 and 28 E; elaborated in Protocol on Permanent Structured Cooperation). It allows member states "whose military capabilities fulfil higher criteria and which have made more binding commitments to one another in this area with a view to the most demanding missions" to establish permanent structured cooperation within the EU framework. It can be adopted by qualified majority voting (QMV) after consultations with the HR. While unanimity remains the norm for decisions launching missions (Art. 28 A.4) or the expanded Petersberg tasks, further use of QMV amongst participating states is foreseen.

Against this background, Angelica Schwall-Düren MdB opened the discussions by arguing that the Lisbon Treaty would end a phase of European navel gazing and refocus the Union on international affairs. The ambition of the treaty is to increase the EU's capacity for action. Schwall-Düren offered six hypotheses to underpin this assessment. First, the treaty is a clear confirmation of member states' commitment to a CFSP and ESDP which would remain intergovernmental and aims at coordinating positions. Second, while the changes introduced by the treaty provided the instruments for increased effectiveness of the EU it is ultimately the political will of member states to use them that would make a difference. Third, the changes went beyond process and included, for example, a treaty-base for the European Defence Agency (EDA). Referring to some of the changes introduced above

Schwall-Düren argued, fourth, that the process of European integration in the field of CFSP/ESDP is not yet complete. Fifth, the Lisbon Treaty further strengthens the preventive and civilian nature of the EU's engagement even though, according to Schwall-Düren, a more resilient incorporation of the concept of human security is desirable.³ Finally, while the Lisbon Treaty might create a better basis for EU-NATO cooperation, it would not undermine NATO and it is clear that the alliance remained the basis for the collective defence of its member states.

On the issue of the expanded Petersberg tasks, Schwall-Düren maintained that the changes would strengthen the preventive character of ESDP and would also reflect the reality of 'ESDP in action'. A comprehensive approach was necessary to live up to the ambitions European leaders have defined. The mutual assistance clause showed a clear link to the WEU and hence underlined that collective defence remained a possibility for the EU as well. While the assistance clause left it to member states to decide how they would assist each other, it amounted to an institutionalisation of mutual support. Regarding permanent structured cooperation, Schwall-Düren rejected the prominent argument that it would lead to an EU a la carte. Since permanent structured cooperation was in principle open to all member states such a danger would not exist. Schwall-Düren concluded by challenging participants to start thinking beyond ratification of the treaty and develop ideas for

implementation of the new instruments.

The discussion quickly moved beyond the specific aspects of the Lisbon Treaty and homed in on such issues as defence spending, the role of the US, and the merits and perils of a standing EU military force. Speakers raised the question of whether a more coherent EU structure would need to be supported by more defence spending. Some participants felt that more spending would only make sense once more effective structures existed. Opportunities to spend better and more effectively needed to be exploited for example through common defence procurement or common training of armed forces. It was pointed out that more defence spending was not a priority for many voters and hence it would be difficult to find the necessary majorities in parliaments.

Participants remarked the US was changing its views on ESDP and had adopted a more positive and supporting stance. Hence, bilateral relations with the US would no longer need to be a brake on the development of ESDP. The US would expect a clear focus on substance and increased capabilities from Europeans. In the past, US policy too often was a response to European impotence. It was argued that the US might see NATO's importance increasingly defined by its usefulness as a framework to conduct global crisis management missions and less in terms of the alliance's collective defence function (Article 5).

Some German participants argued that the already high level of military cooperation across EU member states pointed to the

long-term perspective of a European Army.⁴ It was pointed out that lacking defence spending would increase the pressure for such a development. Several British participants cautioned against a European Army and insisted that the focus would need to firmly be on increased capabilities. If increased cooperation would help to create better capabilities than it was worth pursuing. However, there needed to be a clear utilitarian logic behind such projects and not merely a fixation with concepts and visions. The participants agreed that sending soldiers into battle was the absolute core of national sovereignty and therefore could not simply be delegated.

From Common Foreign and Security Policy to a more rapid military and civilian emergency response

The EU continues to be involved in an increasing number of civilian and military crisis management operations. As of March 2008, the EU was running a total of eleven missions in Africa, Asia, the Middle East and the Western Balkans, most of them of a civilian nature. A further nine missions have been completed since ESDP became operational in 2003.⁵

It has become apparent that a distinct demand for EU crisis management missions exists and the Union did develop in a short time frame into an established crisis management body. Obvious attraction is presented by the high level of political legitimacy represented by the EU and its perceived neutrality as well as

the financial and economic prowess of the EU. The EU is now a civil-military actor. The uniqueness of the EU's wide spectrum of available means is the potential great promise of EU-led crisis management.

Several trends can be gleaned from ESDP operations conducted or under way. First, instead of the originally planned focus on the European continent, the EU has steadily increased its operational reach. Although the Balkans remains the most important area in terms of personnel deployed, Africa and the Middle East represent key regions for ESDP operations. Aside from a gradual geographic opening, the task spectrum has expanded as well; it is becoming increasingly diverse. Especially the civilian sector where police missions, rule of law missions, border control missions, security sector reform missions and active disarmament missions have been conducted, underlines this growing scope. However, ESDP on operations represents only part of the aspiration that has been defined by EU leaders. So far, all military missions have been located at the lower end of the escalation spectrum. All operations have also been clearly limited in a quantitative sense and the largest operation was conducted with recourse to NATO assets and capabilities. Thus, there have to remain doubts regarding the autonomous capacity for action in higher intensity conflicts. Operational activities have become detached from the classical distinction of civilian and military spheres. ESDP missions are characterised by the fact that a relatively small number of personnel is provided by a relatively high number of

contributor countries. This increases legitimacy and provides a seat at the table and thus the chance to influence events for many countries. There is a tension between these high degrees of multinationality and operational effectiveness but it seems to be manageable as long as personnel are not purely provided for political reasons.

Opening the discussion Denis MacShane MP argued further development of the EU in the field of crisis management was primarily a question of political will. In the past, the US had to take the lead because Europeans were not willing or able to do so themselves. As evidenced by a speech delivered by US Ambassador to NATO, Victoria Nuland, in February 2008, the US was now calling for a stronger Europe in the field of peace and security.⁶ For Europe this meant a huge responsibility. The political Left in particular needed to develop a coherent doctrine about how to contribute to global peace and stability. There was still a tendency to shy away from the military although it was clear that the military was part of the solution to contemporary security challenges. MacShane insisted the Left had to overcome taboos - armies were not there to parade, they also existed to sometimes kill and die. In fact, robust intervention early on in a crisis could save many lives. He closed by underlining that the UK remained inherently suspicious of the EU and Whitehall could therefore be expected to continue to be a brake on the development of CFSP and ESDP.

During the discussion, German participants pointed out that despite a considerable development, German defence policy and involvement in military crisis management was still based on a shaky domestic consensus. While political leaders could not be expected to support positions that go too far beyond the societal consensus on what kind of involvement is appropriate, the debate in Germany was moving and the fact that Germany had no less responsibility for international peace and stability than its partners was understood. Military operations needed to be justified with reference to both interests and values. An explicit reference to interests remained problematic in the German context.

MacShane's challenge was picked up by several speakers. Social democrats across Europe had to be careful to avoid mixing up an inability to learn lessons with standing firm on political principles. It was argued a political Left that is not capable of decisive action in the field of crisis management might become a factor of insecurity for Europe. The Left had a tendency for rhetorical internationalism but in reality often held on to national conceptions of policy.

It was concluded that the provision of security for Europe required active engagement in faraway places. The cost of crisis management would rise in the future. European nations thus needed to start defining common requirements for military equipment and also find ways to bring together the different elements of its overseas spending. The Lisbon Treaty

would not dramatically alter the rules of the game in this field but a useful step was the fact that the HR as Vice President of the Commission would be able to access Commission funds.

Kosovo and security in the Balkans: Dealing with the final status

Kosovo issued a unilateral declaration of independence on February 17, 2008. By the end of March, some 36 countries had recognized Kosovo including 18 EU member states.⁷ The declaration of independence was met with increasing levels of violence; on February 19 Serbs seized and destroyed border posts between Kosovo and Serbia and on March 3 took over a section of a rail line. The worst clash so far came in mid-March with riots in the predominantly Serb town of Mitrovica in northern Kosovo. On March 14, Serbs occupied the UNMIK court building raising a Serbian flag and driving UN personnel off the premises. Three days later UNMIK riot police supported by KFOR forces retook the building and arrested some 50 occupiers. The UNMIK convoy transporting the detainees was then attacked which triggered a reinforced UNMIK and KFOR presence to restore order. During hours of confrontation, UNMIK and KFOR personnel were attacked with automatic weapons and hand grenades. A total of 41 UNMIK police and four KFOR soldiers were injured. One Ukrainian UNMIK police officer died of his injuries. Control of northern Kosovo was handed over to KFOR and French troops were engaged in a clash with Serb rioters on March 18, reportedly

firing live rounds over the heads of the crowd.

While the declaration of independence was thus met with significant opposition, the EU decided on February 16 to launch an EU Rule of Law mission in Kosovo (EULEX Kosovo). The central objective of the mission is to support local authorities by monitoring, mentoring and advising them. In particular, EULEX will focus on the police, judiciary, customs and the correctional services. Total strength of the mission will reach 1900 international officers and some 1100 local staff. During the build up period, scheduled to last 120 days, UNMIK will remain in charge. A total of 26 EU member states will contribute personnel to EULEX. For the first time, the EU-led mission will include a significant contingent of US personnel. In terms of substance, immediate focal points will be the protection of minorities, and the fight against corruption and organized crime. Headquartered in Pristina, EULEX will establish a presence throughout all of Kosovo. The mission is initially mandated to last for two years. Its budget for 16 months has been set at EUR 205 million.

The discussion was opened by Ursula Mogg MdB who argued the Balkans represented an enormous challenge for Europe, both in terms of values and interests. It had to be acknowledged that Kosovo had pushed Europe on the question of independence. The question whether Kosovo would be a true member of a European community of values or was mostly interested in the economic benefits was not yet answered. On the other hand,

Europeans had to confront the Serb ultimatum to withdraw from engagement with the EU. The EU's one and only way to influence Serbia was EU enlargement. It would therefore be appropriate to debate other complementary measures and instruments. Clearly, the EU needed to be able to offer a whole range of tools other than enlargement. A key question in this regard was also how sufficient personnel for international tasks could be found and, in particular, how civilian capacity could be operationalised in the field. Mogg concluded her remarks by pointing out that in the global scheme, Kosovo's potential for further conflict was medium rather than high.

Several participants wondered what the impact of events in Kosovo on Russia would be. Some speakers cautioned that Russia's reaction should not be overestimated because Russian leaders were sending different messages to domestic and international audiences. Others felt that there was potential for Kosovo to become a very problematic area for US-Russia relations. Furthermore, it was likely that Kosovo's declaration of independence and the international response to it would have an impact on other secessionist movements. It would be important to point out to Kosovo's leaders that no one was particularly pleased with the process even though many EU member states were in the process of recognizing Kosovo or have already done so. The population of Kosovo would now need to show support for its new state.

Another aspect debated was the question whether Kosovo's independence created a

precedent and could be justified from the perspective of international law. On balance, participants felt that the legal situation did not present a significant problem because international law was of a fluid nature and not fixed. Clearly, however, Serbia needed to be engaged now. Parallels to the settlement of the conflict in Northern Ireland were drawn. It was suggested by British speakers that the EU actually enabled the settlement because it allowed the communities involved to develop a relationship with each other outside the immediate context of their historical bilateral disagreements. It had to be recognised, however, that Serbia was still trying to exploit European divisions. The EU was sending too many conflicting messages instead of speaking with one voice.

Member States' positions and engagement in Afghanistan

Afghanistan continues to vex NATO member states. As of early 2008, the alliance was commanding some 47,000 troops and 26 Provincial Reconstruction Teams throughout the whole of Afghanistan. Some 40 countries contribute personnel to ISAF including all NATO member states. After the US, the United Kingdom (7,750) and Germany (3,490) are the second and third largest providers of manpower respectively.⁸ While the presence of ISAF has thus increased significantly over time, the NATO-led mission suffers from two major problems: a lack of manpower and certain equipment on the one hand and national

restrictions on how and where national contingents can be deployed on the other. As a result of both, ISAF Commanders have to operate with lower levels of flexibility than they wish. Certain options to achieve military objectives are not open to them because of this overall situation. Recently, the impression that some allies are not contributing enough has gained ground. In particular those, like Germany, which do not allow their main contingent to be deployed to the south of Afghanistan other than in emergency ('in extremis') situations have been accused of undermining allied solidarity by refusing to share operational risks. The spectre of a two tier alliance has caused considerable political tension.

Mark Hendrick MP opened the discussion arguing that NATO member states had to understand the importance of Afghanistan for their national security. The country was a safe-haven for terrorists and continued to account for over 90% of opium production worldwide. While it was evident that the coalition's efforts in Afghanistan were a marathon rather than a sprint, NATO could not afford to let Afghanistan become a failed state again.

Hendrick insisted that there were many positive developments including elections and agreement on a constitution. Afghanistan was mostly secure and one should not mistake the security situation in Helmand province, one of the most volatile ones and where British troops were deployed, for being indicative of the conditions over all. The fact that Taliban

fighters and insurgents now favoured asymmetric modes of attack, including suicide bombings, was a sign that these forces were losing. NATO on the other hand, was not close to failure.

Hendrick described the UK approach to Afghanistan as being based on four principles. First, it was important to create greater Afghan ownership of their security situation. This would also include efforts to reintegrate some of those who are now insurgents into the political process. Second, whenever possible the stabilization and reconstruction effort should be localised. Third, reconstruction efforts were of paramount importance because security would not be achieved without success in this field. Finally, NATO allies would have to try and achieve better burden sharing. At the moment too few countries were carrying too great a load. The risks posed by drug trafficking and international terrorism affected all the allies, and all, therefore, had equal responsibility.

In the ensuing debate it was suggested that crucial differences among allies had to do with preferred means, not desired goals. For Germany, it would be very difficult to increase its military commitment before the federal election in Germany currently scheduled for the fall of 2009. External pressures by allied governments might be counterproductive in the long-run. Participants agreed that a comprehensive approach was necessary both to succeed and also to maintain political support in NATO member states. However, implementing

comprehensiveness on the ground remained elusive despite widespread agreement on the need for it – good and successful examples were hard to find. Several speakers argued greater clarity regarding the international community's objectives in Afghanistan was needed. Too often expectations were unrealistic as far as, for example, democratic standards of governance were concerned.

Conclusion

The second British-German Dialogue on Defence and Security Policies underlined the importance of being aware of each other's domestic political context. Discussion is much more likely to lead to persuasion than the "megaphone diplomacy" some participants derided. Important divergences sparked intense debate on such issues as burden sharing in Afghanistan or the future of defence cooperation in the framework of ESDP. As the dialogue has shown, the political systems of both Britain and Germany have their sensitivities, be it the question of integration of military forces in Europe or the problem of more robust military action. There was agreement, however, that Europe would not be able to shy away from its responsibility for peace and stability within and beyond Europe's borders. ESDP remained, for the moment, one of the most dynamic areas of European cooperation. It will in part depend on the UK and Germany, two major players in defence, whether rising internal and external expectations can be met with increased capacity for action.

¹ While the Lisbon Treaty 'renames' ESDP into Common Security and Defence Policy (CSDP), this report will continue to use ESDP.

² The full text of the Lisbon Treaty is available at http://europa.eu/lisbon_treaty/full_text/index_en.htm (last accessed 16 March 2008).

³ On Human Security see the different reports of the Study Group on Europe's Security Capabilities which are available at: <http://www.lse.ac.uk/Depts/global/2securitypub.htm> (last accessed 16 March 2008).

⁴ Several SPD MdBs who participated in the dialogue also co-authored a recent paper that make the case for deeper military integration in Europe and calls for open minds on the long-term vision of a European Army. The paper, 'On the way towards a European army', is available at: http://www.feslondon.org.uk/documents/FocusGermanyEuropeanArmy_2__000.pdf (last accessed 16 March 2008).

⁵ For information on ESDP missions see: <http://www.consilium.europa.eu/showPage.asp?id=268&language=en&mode=g> (last accessed 30 March 2008).

⁶ See: Ambassador Victoria Nuland United States Permanent Representative to the North Atlantic Treaty Organization (NATO) Speech at the London School of Economics, London, United Kingdom, 25 February 2008, http://nato.usmission.gov/ambassador/2008/Amb_Nuland_022508.htm (last accessed 30 March 2008).

⁷ As at March 28, 2008, in order of date of recognition: France, United Kingdom, Latvia, Germany, Estonia, Italy, Denmark, Luxembourg, Belgium, Poland, Austria, Ireland, Sweden, Netherlands, Slovenia, Finland, Hungary, Bulgaria.

⁸ For March 2008 contributor figures see: http://www.nato.int/isaf/docu/epub/pdf/isaf_placemat.pdf (last accessed 31 March 2008).