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## Special Policy Brief

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# ***The role of the European Council in CSDP. A brief analysis with particular focus on defence issues***

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**TRACK** Teaching and Researching  
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## 1. Introduction

Much has been published on the emergence of a security and defence policy of the EU, on armaments cooperation of the member states, on PESCO and CSDP missions and operations<sup>1</sup>, and there are also valuable sources scrutinizing the development of the CSDP year per year<sup>2</sup>. There exists decent analysis of the role of EUCO in European integration as such<sup>3</sup> but in the specialized field of security and defence its role seems a bit under-researched. This policy brief will try to shed more light on this particular aspect and will discuss EUCOS role in CSDP as constructor, policy guider and strategy provider, promotor and reviewer.

## 2. EUCO in constructing CSDP

Whereas European defence was a non-issue of European integration after the failure of the European Defence Community (EDC) in 1954, there were attempts of the French government for establishing close security and foreign policy cooperation among the founding members in the form of the so called Fouchet plan of 1961, which had been sharpened by de Gaulle himself in its intergovernmental nature in early 1962.<sup>4</sup> But these initiatives had been rebuffed by most of the member states because of being too intergovernmental, too French oriented or too little linked to Atlantic security. After all, it resulted only in the Franco-German Elysée Treaty with very little in terms of true defence cooperation between the two involved countries.<sup>5</sup> Basically, defence remained to be an exclusive matter of NATO since most European allies were looking for security under strong American protection against the Soviet threat. However, there were more attempts in the détente period of the 1970s to establish at least some coordination on foreign policy between the member states. It was the birth of the European Political Cooperation (EPC) through 3 Reports (the Luxemburg, Copenhagen and London reports)<sup>6</sup> which then,

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<sup>1</sup> See among others: Mathias Jopp and George Tzogopoulos (eds.) (2019/2020), *Towards a European Defence*, Special issue, *L'Europe en formation*, no 389; Christian Deubner (2018), *Security and Defence Cooperation in the EU: a matter of utility and choice*, (Nomos) Baden-Baden; Jolyon Howorth (2014), *Security and Defence Policy in the European Union*, 2<sup>nd</sup> edition, London

<sup>2</sup> As examples: Daniel Göler and Lukas Zech (2017), *Gemeinsame Sicherheits- und Verteidigungspolitik*, in: *Jahrbuch der Europäischen Integration 2017*, edited by Werner Weidenfeld and Wolfgang Wessels, (Nomos) Baden-Baden, pp. 535 and following; the same in: *Jahrbuch der Europäischen Integration 2018* or: Daniel Göler und Florence Reiter (2020), *Gemeinsame Sicherheits- und Verteidigungspolitik*, in: *Jahrbuch der Europäischen Integration 2020*, pp. 363-366.

<sup>3</sup> Wolfgang Wessels (2015), *The European Council*, Paperback, Palgrave Macmillan.

<sup>4</sup> Antony Teasdale (2016), *The Fouchet Plan: De Gaulles Intergovernmental Design for Europe*, LSE 'Europe in Question' discussion Paper Series, LEQS Paper No 117/2016.

<sup>5</sup> Treaty between the Federal Republic of Germany and the French Republic on Franco-German cooperation and integration, concluded in Paris at the Élysée palace (Élysée Treaty), Paris 1963 (translation available on the homepage of Auswaertiges Amt).

<sup>6</sup> For e.g. the Davignon or Luxembourg Report see: Bulletin of the European Communities, Nov. 1970, no 11, Luxembourg: Office for the Publications of the European Communities, pp.9-14 and the London Report on EPC see: Bulletin of the European Communities, 1981, no 10. Supplement 3, pp. 14-17; and on the relevance of all



in the mid of the 1980s, led to the agreement of providing EPC with a treaty basis including the coordination of member states' policies on economic and political aspects of security, as agreed upon by the heads of state and government of the nine EC members in the form of the Single European Act coming into force in 1987.<sup>7</sup>

It was the first time that specific security aspects were included in the (amended) treaty. Defence aspects however remained explicitly excluded because the Atlanticists in the EC/EU insisted throughout the Cold War (CW) that American security guarantees should not be jeopardized and defence rest completely with NATO. This happened at a time when the American president Reagan and Soviet president Gorbachev opened up a new détente era with nuclear arms reduction talks. But the CW was still very much on the minds of European policy makers. This only started to change slowly after the end of the CW when Europeans felt less threatened, and a bit less dependent on American protection, notably after the resolution of the Warsaw Pact in March 1991 and the demise of the Soviet Union in December the same year. This process was influencing the negotiations of the IGC on the Maastricht Treaty in the whole year of 1991 even if the fear about a potential return of the "Russian threat" was still widely spread.

However, European leaders, in Maastricht, still seeking American protection, agreed for the first time in integration history that now "all questions related to the security of the Union" should be a matter of discussion and decisions in the newly established EU, including defence.<sup>8</sup> On the latter however they were still cautious in order not to alienate the Americans. Notably, the Atlanticists in the EU, spearheaded by the British, did not wish to undermine NATO. As a compromise, the Western European Union (WEU), established in 1954 after the failure of the EDC, was used as an interfaced between the EU and NATO. Defence policy, as an integral part of CFSP in the second pillar, was defined as operations outside the EU and NATO area, whereby for NATO members defence rested with the Atlantic Alliance and the security status of neutral and non-aligned EU countries remained fully respected (quasi opt-out from defence).<sup>9</sup>

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three reports for the development of EPC/CFSP see: Michael E. Smith (2004), *Europe's Foreign and security Policy: The Institutionalisation of Cooperation*, (Cambridge University Press) Cambridge.

<sup>7</sup> Elfriede Regelsberger and Mathias Jopp (2011), *The Common Foreign and security Policy of the EU – Fusion trends and future perspectives*, in: U. Diedrichs/A. Faber/F. Tekin/G.Umbach (eds.), *Europe reloaded. Differentiation or Fusion?*, (Nomos) Baden-Baden, pp. 396-416.

<sup>8</sup> Council of the European Communities/Commission of the European Communities: *Treaty on European Union* (signed in Feb. 1992 in Maastricht), Title V, Provisions on the Common Foreign and Security Policy, Art J an J1-J11, here J.4(1)

<sup>9</sup> Cf. Mathias Jopp (1994), *The Strategic Implications of European Integration*, IISS, Brassey's, Adelphi Paper 290, chapter on "The Twelve and Maastricht".



The treaty language was cautious by stipulating that the defence policy of the EU could lead to the “eventual framing of a common defence policy, which might in time lead to a common defence” (Maastricht Treaty, Art J.4/1). The reason for it was not only the red-line policy of the British being particularly skeptical on EU defence but also the fact that common defence at the time was much linked to the understanding of its exercise in NATO with an integrated defence structure, a mutual defence guaranty like Art. 5 of NATO, and a hierarchical single command chain with a supreme commander - something which for most member states, not only neutral and non-aligned, went too far or seemed not feasible in the EU. Hence, defence policy of the Maastricht Treaty was oriented towards crisis-management outside the EU. Should the EU assume crisis management tasks, the EU could “request” (Maastricht Treaty, Art. J.4/2) Western European Union (WEU) for taking action should NATO not become engaged as a whole. This construction was not only ridiculous because of its complex decision-making between EU and WEU and WEU and NATO and in reverse order. It also proved to be ineffective, notably when the Europeans tried to deal with the Yugoslav secession wars in the 1990s. EU leaders, learning from failure<sup>10</sup>, changed in the Amsterdam treaty the wording in a way that the EU could not request the WEU but “avail” itself of WEU.<sup>11</sup> Additionally, the post of a High Representative (HR) for the Common Foreign and Security Policy (CFSP) was established to give the foreign policy of the EU a face and greater visibility. Ex-NATO Secretary General Solana became the first HR. Finally, the European Council introduced the Petersberg tasks of WEU<sup>12</sup> into the treaty (Amsterdam Treaty, Art 17/2). It was in particular the new neutral and non-aligned member states which wanted to stress the crisis-management role of the EU in order to prevent ambitions of six member states under the lead of the French and the Germans to transform the EU into a “defence community” with a mutual assistance clause and a common headquarters.<sup>13</sup>

After the weakness of the Europeans in the Kosovo crisis and the war against Serbia, the French and the British agreed in St Malo in 1998 that the EU should be enabled to decide and act more

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<sup>10</sup> Udo Diedrichs and Mathias Jopp (2009), Learning from Failure: The Evolution of the EU’s Foreign Security and Defence Policy in Course of the Yugoslav Crisis, In: Ludger Kühnhardt (ed.), Crisis in European integration. Challenges and Responses, 1945-2005, New York) Oxford, pp. 95-107.

<sup>11</sup> Treaty of Amsterdam amending the treaty on European Union, the Treaties establishing the European Communities and certain related acts, as signed in Amsterdam on 2 October 1997, Luxembourg: Office for the Official Publications of the European Communities, 1997, Art 17, paragraph 3.

<sup>12</sup> These had been concluded in the framework of WEU in 1992 during German WEU presidency on the Petersberg near Bonn and concern humanitarian and rescue tasks, peacekeeping, peace-making and the use of combat forces in crisis management.

<sup>13</sup> Cf. Mathias Jopp and Elfriede Regelsberger (1998), Die Stärkung der Handlungsfähigkeit in der Gemeinsamen Außen- und Sicherheitspolitik, in: Mathias Jopp/Andreas Maurer/Otto Schmuck (eds.), Die Europäische Union nach Amsterdam. Analysen und Stellungnahmen zum neuen EU-Vertrag, (EUV) Bonn, pp. 155-170.



autonomously<sup>14</sup> without always using WEU as an interface between EU and NATO and without being too heavily dependent on the Americans. The European Council (EUCO) meetings in Cologne and Helsinki, under German and Finish presidencies in June and December 1999 paved the way for a stronger role of the EU in defence in the form of the European Security and Defence Policy (ESDP), the pre-cursor of the CSDP of today.<sup>15</sup> One year later, at the end of the IGC on the Nice Treaty the heads of state and government agreed under French presidency in December 2000 to set up a Political and Security Committee (PSC) of permanent ambassadors at the Permanent Representations of the member states in Brussels, as a mirror institution to the North Atlantic Council (NAC) of ambassadors in NATO, and responsible for the preparation of Council decisions on foreign, security and defence policy, including the responsibility for the strategic direction of crisis-management operations of the EU. In addition, EU leaders agreed on absorbing the military institutions of WEU such as the Military Committee (MC) of the CHODS (Chiefs of Defence of EU member states), the WEU Military Staff (MS), the Satellite Center in Torrejon and the WEU Institute for security Studies into the EU. WEU then was like an empty shell and later on, in 2011, completely dissolved.<sup>16</sup> This altogether formed the basis for the CSDP of the Lisbon treaty as agreed by the heads of state and government at the European Council meeting in Lisbon in December 2009.

The CSDP of the Lisbon treaty is to a large extent the result of the deliberations of the European Convention in 2002 and 2003 which designed a CSDP to be operated under the new EU Foreign Minister who would be responsible for CSFP and CSDP and, at the same time, for external relations of the Commission in order to achieve a greater synergy between Commission and Council activities in foreign affairs.<sup>17</sup> One of the reasons for the failure of the European constitutional treaty was the name “Foreign Minister”. It appeared for some in the EU as if a new super state would be set up. This was at least in the Netherlands one of the stumbling blocks for the constitutional treaty which failed in a referendum alongside the negative Referendum in France. Hence, in the Lisbon Treaty the name “Foreign Minister” had been deleted and replaced by the name High Representative of the Union for Foreign Affairs and Security Policy who is chairing Council and PSC meetings, directing the European Defence Agency (EDA) and implementing defence policy decisions of the Council.<sup>18</sup> The construction

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<sup>14</sup> For the text of the St Malo Declaration of the British-French Summit in December 1998 see: from St-Malo to Nice. European defence: core documents, WEU Institute for Security Studies, Chaillot Paper 47, May 2001, pp.8-9.

<sup>15</sup> For the Conclusions of the European Council meetings in Cologne and Helsinki see. *ibid*, Chaillot Paper 47, pp. 41-45 and 82-91.

<sup>16</sup> See for the whole process of establishing EU defence institutions and their relationship with NATO: Jolyon Howorth (2014), *op.cit.*

<sup>17</sup> Constitutional Treaty, Art. I-28 and Art III-296

<sup>18</sup> Treaty on European Union (TEU or Lisbon Treaty of 2009), title V, art. 27



of a double hatted responsibility by being, at the same time, Vice-president of the Commission for external affairs has been maintained (hence the abbreviation HR/VP when both competences are meant).<sup>19</sup> Almost all results of the convention were saved and transported into the Lisbon treaty with a mutual assistance clause (similar to art 5 of NATO) and with the possibility to enter into Permanent Structured Cooperation (PESCO) for strengthening European defence cooperation, provide better capabilities and conduct more demanding military missions.<sup>20</sup> This was to a large extent the merit of the German EU Council Presidency, achieved through many bilateral talks with member states behind closed doors in the first half of 2007 in Berlin.<sup>21</sup> The new treaty was then agreed upon after a brief IGC by the European Council in Lisbon in December the same year, coming into force after two years of ratification in December 2009. The new treaty also provided for the establishment of the post of a European Council President responsible for representing the EU's foreign policy at the presidential level and of an European External Action Service (EEAS) in support of the work of the HR/VP. Also included into EU primary law was the European Defence Agency (EDA) which had been established earlier by the Council through a joint action already in 2004 for better coordinating armaments projects.<sup>22</sup>

### **3. EUCO as strategy and guidance provider**

After 2009 foreign and security policy issues were for a while on the backburner. 2008-2012, EUCO was absolutely preoccupied with the management of the crisis in the euro zone. However, the EU started 6 civilian and military crisis management operations such as in 2008 the EULEX mission in Kosovo, the largest civilian mission with more than 6.000 officials in the beginning for supporting and controlling the administration in Kosovo; the EU Monitoring Mission (EUMM) in Georgia for securing peace between Abkhazia and South Ossetia and the rest of the country; the anti-piracy mission EU NAVFOR Atalanta at the Horn of Africa for securing the sea links to Asia and Arab oil fields; a training mission in Somalia in 2010 (EUTM Somalia); and in 2012 the missions EUCAP Somalia and EUCAP Sahel Niger for coordination and supervision of various EU and international involvement in crisis management in the respective regions. These missions demonstrate that the EU, during the sovereign debt crisis, was not absent at all from the international stage. Even today the EU runs 6 military

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<sup>19</sup> Lisbon Treaty, art 17, no 7 and no 8.

<sup>20</sup> See Lisbon Treaty. Art. 47, no 7 for mutual assistance and art. 42, no 6 in connection with art. 46 and protocol no. 10 on PESCO.

<sup>21</sup> Daniel Göler and Mathias Jopp (2021), Deutschlands konstitutionelle Europapolitik, in: Katrin Böttger/Mathias Jopp (eds.), Handbuch zur deutschen Europapolitik, (Nomos) Baden-Baden, pp. 55-73, particularly pp.67-69.

<sup>22</sup> For the relevant treaty provisions see: Lisbon Treaty, art 15, no 2 (President of the European Council); art. 27, no 3 (for the EEAS); art 42, no 3 (for EDA) and Council Joint Action 2004/551/CFSP of 12 July 2004 on the establishment of a European Defence Agency, Official Journal of the European Union, 17.7.2004, L245/17-28.





operations and 11 civilian missions among which are still some which had been launched in the above mentioned period.<sup>23</sup>

It is the Council which decides on missions and operations in the framework of the CSDP and not the European Council.<sup>24</sup> But EUCO is the one which gives guidelines on foreign and security policy<sup>25</sup> on specific issues or regions such as the Western Balkans, the South Caucasus, Palestine, Libya, Central Africa or Western Afrika, Mali or elsewhere in the conclusions of its summit meetings. Also, the European Council is frequently assigning specific tasks to the HR or the Commission. So, the HR had been 'invited' to work on an EU security strategy. This was the case with HR Solana in 2002/2003 when the Iraq war threatened to tear the EU into pieces between those who joined the American lead coalition of the willing in the Iraq war and those who refused to do so. Solana's work resulted after a year of consultations with member states and security experts in the European Security Strategy (ESS) adopted by EUCO in December 2003.<sup>26</sup>

The other example concerns the EU Global Strategy (EUGS) of 2016 drawn up by the HR Mogherini on behalf of EUCO and welcomed by EU leaders at the summit meeting in June 2016.<sup>27</sup> Why did EUCO ask for a new strategy which e.g. the German and other member states' governments wanted for long to be avoided in order not to end up in a Defence White Book of the EU with recommended interventions in Africa in support of French responsibilities there? The 2014 crisis in Ukraine with the Russian annexation of the Crimea peninsula and the military support of rebel groups in Eastern Ukraine was a wake-up call for the Europeans as did the refugee crisis in 2015/16. This changed the German attitude on the French ambitions for the strengthening of EU security and defence policy. For the German government it was now possible to agree on drawing-up at least a new strategy for the EU, matching the completely changed security environment and amending or replacing the ESS of 2003. The ESS was a response to the NSS (National Security Strategy) of the USA under President George W. Bush, which outlined a number of threats and stressed as responses, among others, the right of the US for unilateral action and even pre-emptive strikes.<sup>28</sup>

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<sup>23</sup> See for past and present CSDP missions and operations: European External Action Service, EEAS homepage, EEAS: Civilian Missions and Operations, published 5/3/2019.

<sup>24</sup> Lisbon Treaty, art. 42, no 4 and art. 43, no 2.

<sup>25</sup> Lisbon Treaty, art. 15, no 1.

<sup>26</sup> Council of the European Union (2009), European Security Strategy. A secure Europe in a better World.

<sup>27</sup> European Council meeting (25 and 26 June 2015) - Conclusions, EUCO 22/15, no 10, para b), Brussels 26 June 2015, and European Council meeting (28 June 2016) – Conclusions, EUCO 26/16, no 20; see on the making of the EUGS: Nathalie Tocci (2017), Framing the EU's Global Strategy, Springer-Palgrave-Macmillan.

<sup>28</sup> See also for the following: Simon Duke (2004), the European Security Strategy in a Comparative Framework: Does it Make for secure Alliances in a better World?, European Foreign Affairs Review, Volume 9, Issue 4, pp.459-481



The ESS of the Europeans analysed almost the same threats but came to different conclusions in comparison to the NSS of the US. The ESS stressed multilateralism with the UN at its center, preventive diplomacy instead of pre-emptive strikes and preferred a number of civilian crisis management measures before, as a last resort, military means could be used. The EU, at the time of the ESS in December 2003, was at its high in terms of the coming big bang enlargement for the “re-unification” of the European continent and the emergence of the European Neighbourhood Policy (ENP) for preventing new dividing lines in Europe through moving the external borders of the EU eastwards. At the time of the EUGS, in June 2016, the strategic environment had completely changed with a re-emerging threatening Russia, instabilities in the South East and South and, for the first time in EU history, a shrinking and not expanding Union through the obvious beginning of the UK-leave after the failed referendum on British membership in the EU. In this political and security environment, the EUGS provided not only risk and threat assessments but also guidelines for all EU institutions in the conduct of EU external policies.<sup>29</sup>

#### **4. Drivers and push factors for CSDP**

EUCO’s activities towards promoting and reviewing the development of CSDP started only three years after the coming into force of the Lisbon Treaty. Too much preoccupied was EUCO with the management of the sovereign bond crisis in the euro zone between 2008 and 2012. But from 2012/2013 onwards EUCO tried to follow the development of CSDP and implementation of the Lisbon treaty relatively regularly every year in June or December (with few exceptions only).

There were also external drivers and push factors which urged EUCO to pay more attention to defence issues over time. These factors had to do with mounting instabilities in the neighbourhood since 2011/12, with Libya failing as a state, the Syrian civil war, increasing migration pressure, up-coming problems with the difficult associate Turkey and, most notably, the crisis in Ukraine from 2014 onwards. It was in particular the latter which led to a final collapse of the European peace system, as established with the Charter of Paris of 1990, after the downing with a Russian air defence missile over Eastern Ukraine of MH-17, the civilian Malaysian airline flight. Other external push factors resulted from the strained transatlantic relations with the disputes over trade and defence spending in NATO during the whole presidential period of Trump. Within the EU, the arrival of Macron changed the debate on foreign and security policy. He promoted a clear agenda for a stronger European defence,

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<sup>29</sup> See from a bit more critical perspective: Karen E. Smith (2017), A European Union global strategy for a changing world?, published in International Politics (Macmillan) and available as LSE Research Paper at: <http://eprints.lse.ac.uk/75896>.





greater autonomy and sovereignty for Europe (see Macron speech in September 2017).<sup>30</sup> The British leave drama, on the one hand, bothered EUCO intensively time and again over 42 months and, on the other, it opened-up new doors for defence cooperation which had over years been blocked by the British with the argument of avoiding an undermining of NATO.

## **5. EUCO as promotor, reviewer and supervisor**

Already in December 2012 EUCO had started to dedicate a small part of its attention to defence and tasked the HR and the European Commission to present by the next EUCO meeting in December 2013 a package of options for strengthening defence cooperation in the three areas of ‘effectiveness’ and ‘visibility’ of the CSDP in international crisis management; the development of capabilities through e.g. pooling & sharing of defence assets; and the strengthening of the defence industrial basis of the EU for reducing fragmentation in times of constrained defence budgets after the “euro-crisis”.<sup>31</sup> The following December 2013 summit of EU leaders was the first more significant one on defence after the coming into force of the Lisbon Treaty. EUCO endorsed the work of the Commission, the HR and EDA along the three above mentioned axes, tasked the HR to work on cyber defence and report on changes in the global environment by 2014, asked for a maritime strategy by June 2014 from the HR and the Commission due to acts of piracy affecting shipments from Asia and the Gulf to Europe, “invited” HR and EDA to develop proposals for long-term defence cooperation and on pooling and sharing of defence assets.<sup>32</sup>

In June 2014, after the outbreak of the Ukrainian crisis, EUCO found that the EU had “emerged from years of economic crisis” in the aftermath of the Lehman Brothers bankrupt and that – still a bit cautiously because of hope to settle the Ukrainian issue with Russia - the instabilities at the EU’s borders required an EU as a “stronger global actor”.<sup>33</sup> In June 2015, when it was obviously no longer possible to hope for an easy settlement of the Ukraine crisis, EUCO tasked the HR with a “strategic reflection” on the changed security environment and the preparation of an EU global strategy to be submitted by June 2016.<sup>34</sup> This work had been swiftly conducted by HR Mogherini and presented in time in June 2016 but was only ‘welcomed’ by EUCO, partially because of a still cautious approach to security and defence in view of the negative British Referendum on EU membership, but also because

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<sup>30</sup> Emmanuel Macron, Initiative for Europe, Speech by the President of the French Republic, Sorbonne, 26 September 2017.

<sup>31</sup> European Council (13/14 December 2012) – Conclusions, EUCO 205/2012, Brussels, 14 December 2012, no. 20, 21 and 23.

<sup>32</sup> European Council (19/20 December 2013) – Conclusions, EUCO 217/13, Brussels 20 December 2013, pp.1-10.

<sup>33</sup> European Council meeting (26/27 June 2014) – Conclusions, EUCO 79/14, Brussels 27 June 2014, Annex I: Strategic Agenda For the Union in Times of Change, pp. 14 and 20.

<sup>34</sup> EUCO 22/15, no 10.



of the feeling that the strategy had been drawn-up under time pressure with little involvement and discussion of EU leaders. In spite of this, EU leaders obviously wished to set a positive sign for still ambitious EU integration. In September 2016, this intention became even stronger through the meeting of 27 EU leaders in reaction to the British leave referendum in the Slovak capital. The Bratislava Declaration and its Roadmap for strengthening the political cohesion of the 27 supported the EUGS. EU leaders even asked for an implementation plan of the EUGS in the field of security and defence and stressed the need for translating into practice the EU-NATO Declaration of July 2016.<sup>35</sup> Later this year, at its December 2016 meeting, EUCO tasked the HR to develop proposals for a Coordinated Annual Review of Defence (CARD)<sup>36</sup> and PESCO and asked the Commission for suggestions of a future European Defence Fund (EDF) for stimulating armaments cooperation in the EU.<sup>37</sup>

In June 2017, after the arrival of Macron and the beginning of negotiations on the British leave under art. 50 TEU from March of that year onwards, EUCO launched PESCO by expressing its agreement “on the need to launch an inclusive and ambitious Permanent Structured Cooperation”.<sup>38</sup> This was a compromise formula achieved between the Germans and the French, since the first favored an inclusive approach for reasons of uniting Europe as far as possible in defence affairs and also, as a side effect, for watering down intentions of the French who wanted an ambitious and exclusive PESCO restricted to the militarily most important EU members.<sup>39</sup>

In successive EUCO meetings EU leaders were just only discovering their role in piloting defence cooperation. First they started to use more frequently typical EUGS language by stressing the need for “strategic autonomy” of the EU, improved “resilience” and better ‘protection’ of citizens of the EU.<sup>40</sup> Secondly, EUCO started to focus on specific projects and mechanisms to strengthen EU defence policy, notably through CARD, PESCO, EDF and the attempt to improve EU-NATO relations. The latter was seen as a counter element to the irritating Alliance policy of US president Trump since, on an institutional level, NATO did not appear to be obsolete but very much a reliable actor for keeping the

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<sup>35</sup> See European Council and Council of the European Union, Bratislava Declaration and Roadmap, 16 September 2016, Bratislava, available at Consilium Homepage; EU-NATO joint Declaration by the President of the European Council, Donald Tusk, the President of the European Commission, Jean-Claude Juncker, and the Secretary General of NATO, Jens Stoltenberg, 8 July 2016, Brussels available at the Consilium Homepage.

<sup>36</sup> See in this connection: Daniel Fiott, The CARD on the EU defence table, EU Institute for Security Studies (EUISS), ISSUE Alert 10/2017.

<sup>37</sup> European Council meeting (15 December 2016) – Conclusions, EUCO 34/16, no. 12.

<sup>38</sup> European Council meeting (23 June 2017) – Conclusions, EUCO 8/17, no. 8.

<sup>39</sup> On a decent analysis of the emergence of PESCO see: Sven Biscop, European Defence: Give PESCO a Chance, in *Survival* 3/2018, pp. 161 and following.

<sup>40</sup> See the successive meetings of the European Council dealing with EU defence policy: EUCO 19/1/17 of 14 December 2017; European Council Conclusions, 28 June 2018, Press Release 29 June 2018, II Security and defence; European Council Conclusions, 13-14 December 2018, Consilium homepage, 14 December 2018; EUCO 9/19, 20 June 2019, Annex: A New Strategic Agenda, pp. 6,7,11.



transatlantic bond. This was also the reason for a second attempt to strengthen EU-NATO cooperation in spite of Trump's NATO bashing and the blocking policies of the Turks in NATO and the Cypriots in the EU for avoiding closer defence relations between the two organisations for political reasons.<sup>41</sup> The mentioned projects and EU-NATO relations were time and again in the last 3-4 years reviewed and promoted by EUCO whereby within PESCO the project on Military Mobility became a top priority of EUCO.<sup>42</sup> Military mobility is required when moving troops within the EU to its external borders for which standardization and harmonization of traffic and transport norms between member states is a classical EU task. On top of this, it has a very high inclusive character since from the 25 PESCO countries, all apart of Ireland, are involved, and the Commission with its proposals and the two legislators, Council and EP, play an important part in realizing it. It is also a project relevant to the defence of the NATO area (since the withdrawal of foreign troops from the re-united Germany) against an external threat or even attack, and a project which underlines the importance of the EU and the complementary nature of EU defence policy to NATO. By focusing on projects of this type EUCO seems to have found a viable way for developing EU defence policy without too strong cleavages between the Atlanticists and the Europeanists by aiming at a stronger Europe in a strengthened Alliance (without affecting the specific security status of neutral and non-aligned member states).

## **6. Complementing the EUGS and EUCO's future defence agenda**

EUCO also has marked strands of action for himself. One is the New Strategic Agenda 2019-2024 which replaces the previous one of 2014, and sets long-term goals for all policy fields of the EU including defence.<sup>43</sup> The 2019-2014 agenda reflects a significant change in EUCO's approach to international relations by underlining a strategic and geopolitical world view in moving the EU in its foreign and security policy closer to power and balancing concepts than ever before. EUCO states in the New Strategic Agenda that the EU "needs to pursue a strategic course of action and increase its capacity to act autonomously to safeguard its interests and shape the global future".<sup>44</sup> This means for the CSDP that it linked better to the other external policies of the EU and that more defence investments and operational readiness is needed in close cooperation with NATO and in full respect of the decision making autonomy of the EU.

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<sup>41</sup> See: Joint Declaration on EU-NATO Cooperation by the three presidents, Tusk, Juncker, Stoltenberg, Brussels, 10 July 2018.

<sup>42</sup> For the PESCO projects' overview see the Council Decisions (CFSP) 2018/1797, Annex II and Council Decision (CFSP) 2020/1746 of 20 November 2020 amending and updating decision (CFSP) 2018/340 establishing a list of projects to be developed under PESCO, Official Journal, 23.11.2020, L 393/12-16, including Annex II: consolidated list of the project members of each individual project.

<sup>43</sup> EUCO 9/19 of 20 June 2019, Annex: A New Strategic Agenda 2019-2014.

<sup>44</sup> Ibid



Fully in line with this thinking is a new important still running project on EUCO's agenda, the Strategic Compass of the EU.<sup>45</sup> This is an exercise of the HR tasked by the Council to elaborate a break-down of the Global Strategy for the full use of the EU's tool box. Hence, the Strategic Compass is a complement to the EU's Global Strategy in four areas: crisis management, resilience, capability development and partnerships (UN, NATO African Union etc.). This time, EUCO is deeper involved in developing the Strategic Compass from the outset. EUCO president Michel has presented the results of the first phase of the Compass project in February 2021, a threat assessment as the basis on which concrete measures or responses can be suggested, and EU leaders have then tasked the HR to continue the work for its conclusion in 2022.<sup>46</sup>

EU leaders also expressed their hope that closer cooperation with NATO and the new US-administration under president Biden will be possible, that a "strong and ambitious transatlantic agenda" can be realized and that relations with the US will benefit from a "stronger EU in the field of security and defence".<sup>47</sup> This new situation after Trump is tricky for CSDP development. Although EU leaders express their commitment to deepen defence cooperation, invest in civilian and military capabilities, improve force generation and develop more efficient planning and command, it is questionable whether the pace of defence cooperation can be maintained. Biden intends to strengthen the role and cohesion of NATO, which may in turn lessen the ambition of a number of member states regarding EU defence when trying again to rely more on NATO. Not by chance EUCO felt therefore inclined to encourage the Member states "to make better use of CARD and PESCO".<sup>48</sup>

Another reason for EUCO's encouragement may have been the meagre outcome of the PESCO Strategic Review of the HR, the Annual Report on the Status of PESCO Implementation and the deficiencies revealed by the first CARD trial run.<sup>49</sup> On the one hand, the documents show a positive trend in overall defence spending of the 27 in the period 2015-2019 towards the 2% goal of GDP expenditures on defence as agreed upon in EU and NATO to be achieved by 2024.<sup>50</sup> Also, procurement

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<sup>45</sup> For a first assessment see: Dick Zandee, Adája Stoetman, Bob Dean, The EU's Strategic Compass for Security and Defence. Squaring Ambition with Reality, Clingendael Report, May 2021.

<sup>46</sup> Cf. Outcome of the EUCO video-conference of 26 February 2021 as reported by European Parliament, EP Research Service, author: Suzana Anghel, PE 662.610, Brussels, March 2021.

<sup>47</sup> Ibid.

<sup>48</sup> Ibid.

<sup>49</sup> High Representative of the Union for Foreign Affairs and Security Policy, Annual Report on the Status of PESCO Implementation, Brussels, 15 April 2020, public version; Council of the European Union, Conclusions on the PESCO Strategic Review 2020, Brussels 20 November 2020; European Defence Agency (EDA), CARD: From Trial Run to First Cycle Starting in 2019 [https://eda.europa.eu/webzine/issue 16/in-the-spot-light/card from trial run to....](https://eda.europa.eu/webzine/issue%2016/in-the-spot-light/card%20from%20trial%20run%20to%20....)

<sup>50</sup> Council decision (CFSP) 2017/2315 and Annex (list of binding commitments of particip. Member States/pMS); for NATO: Wales Summit Declaration, issued by the Heads of State and Government participating in the North Atlantic Council meeting in Wales, NATO Press Release (2014)120, 5 September 2014, no 14.



has increased across member states and the 20% collective bench mark for defence investment, a further binding commitment of the 25 PESCO countries, was reached. On the other hand however, under the surface of across the board figures, 81% of total EU defence investment<sup>51</sup> are represented by twelve member states only, and research and development has decreased overall. And, still most of investments are allocated to national projects rather than EU collaborative ones' since member states "still carry out defence planning and acquisition mostly from a national perspective".<sup>52</sup> The Military Committee (MC) is reported to have commented the results of the CARD trial run in the following way: "EU does not have available all of the required military capabilities necessary for the implementation of the EU CSDP military level of ambition (LoA) derived from the EU Global Strategy".

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Such a statement should not be overestimates since the military is mostly asking for more than politicians are ready to spend on defence. But obviously for some EU members PESCO seems to be merely an "umbrella" for existing national projects<sup>54</sup> or a labelling exercise, and still there seem to be personnel lacking for EU operations, EU force headquarters and for the Military Planning and Conduct Capability (MPCC)<sup>55</sup>, the nucleus of an EU strategic headquarters. On top of this, transparency between member states, sometimes, seems to be a problematic issue<sup>56</sup> because quite a number of them tend to hide behind national security reasons for employment driven procurement practices in their country. Also, National Implementation Plans (NIPs) for the fulfillment of the EU defence commitments seem to be submitted occasionally with delay to the HR<sup>57</sup>, not facilitating the whole CARD exercise. On that background, and the new prospects for Atlantic relations, EUCO would need to be a driver behind CARD and PESCO without which there is the risk of EU defence cooperation slowing down.

## 7. Conclusions

EUCO is not only the founder and constructor of the CSDP as an integral part of CSFP, he has also become the driver behind the CSDP development through supervision and control, commissioning tasks to the HR or the Commission or both, and through the encouragement of member states to take part or make more use of new mechanisms like PESCO, CARD and EDF. Member states are still very

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<sup>51</sup> European Defence Agency (EDA), CARD: From Trial Run to first full cycle starting in 2019, p. 3, <https://eda.europa.eu/webzine/issue16/in-the-spotlight/card-from....>

<sup>52</sup> Ibid, p. 5.

<sup>53</sup> Ibid, p. 4 (as reported by EDA).

<sup>54</sup> Ibid, p. 7.

<sup>55</sup> This can be concluded from: Council of the European Union, Council Conclusions on the PESCO Strategic Review 2020, CFSP/PESC 1024, CSDP/PSDC 580, Brussels, 20 November 2020, Annex, p.7

<sup>56</sup> Ibid, Annex, p. 9.

<sup>57</sup> Council of the EU, High Representative of the Union for Foreign Affairs and Security Policy, Annual Report on the Status of PESCO Implementation, HR (2020) 54, Council doc. 7320/20, Brussels, 15 April 2020, public, p. 3.



much clinging to national perspectives and obviously most of them trust more in NATO rather than in the EU when it comes to classical defence affairs. As much as NATO may be back after some years of stagnation under Trump, the EU continues with its crisis management operations and missions (16 at present in total) and, in that regard, the strengthening of capabilities in line with the European Defence Action Plan (EDAP) and PESCO makes sense. In the field of low intensive crisis intervention, the EU is not only protecting e.g. shipments from Asia and the Gulf around the Horn of Afrika to Europe or partially running and controlling the administration in Ksovo. The EU is also able to fill a niche in international crisis management, and is in some cases even becoming the preferred option since the US and NATO are not directly involved.

The relationship between EUCO and Council, PSC, HR is occasionally a bit strained, which should however not be overestimated. EUCO is not always able to pay enough attention to defence issues because of its general role as crisis manager, whether it is the crisis in the euro zone, the refugee crisis, the tensions in Ukraine, the Brexit drama or the Covid pandemic. It is during these times when Council, PSC and HR have more leeway to deal with CSDP. They drew up swiftly under such circumstances the Global strategy which then only was “welcome(d)” by EUCO due to a certain lack of “ownership” on part of EU leaders. On the other hand, in the aftermath of the EUGS presentation, EU leaders used frequently in the conclusions of their summit meetings catchwords of the EUGS like “strategic autonomy”, “resilience” of a Union which “protects” its citizens. In December 2020, in the meeting at the end of the German presidency, which had strongly supported the threat analysis phase of the Strategic Compass project, EUCO was not able to deal with CSDP since the huge MFR and NGEU budget deal was still ranking high on the agenda and a general compromise was desperately needed for securing the financing of the EU for the years to come. In such a situation, little attention could be paid by EUCO to issues like sufficient budgetary means for the EDF, which was sought to make member states more interested in CSDP through money as an incentive for collaborative armaments projects. In the end, EUCO downsized the EDF to € 7 bn for the years 2021 to 2027. 1 bn per year is better than nothing. However, it might not be enough to set real incentives for armaments industries in the EU for working closer together since they hesitate anyway to wind their projects through bottlenecks of the Commission’s project-funding requirements.<sup>58</sup> Hence, EUCO would need to focus beyond his flagship project on ‘Military Mobility’ more on incentives such as the EDF and on facilitating access to it.

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<sup>58</sup> Cf. Mathias Jopp and Jana Schubert (2019), Level-II-GSVP: neue Dynamik durch intergouvernementale Integration, integration, 1/219, 43. Jg. 2019, pp. 37–54.





Certainly, at a glance, not much progress would have been achieved in CSDP development without the caretaking of EU leaders. Defence Policy is a sensitive area where from time to time a mission can be launched as the EU has been doing since 20 years or more. But the CSDP today is more than that. It is a project through which Europe can achieve some greater autonomy to decide about its own destiny. And the CSDP of today, has developed a much better profile through the EUGS, CARD, PESCO, the EDF and the Strategic Compass project. It has become a compromise between French European sovereignty and intervention-support ambitions and German integration policy by including always as many member states as possible in PESCO and foster EU political cohesion through intergovernmental integration mechanisms such as CARD, Strategic Reviews and Implementation Reports. Both countries seem not to support fully the Commission's ambition to build-up a European Defence Union.<sup>59</sup> But both have an interest in transforming the EU into a stronger global actor to defend Europe's interest in an unstable world as best as possible. This might also be the compromise avenue down which most Member States can go and join the Germans and the French in EUCO without British red lines and with a remaining little uncertainty (even under Biden) about the transatlantic future.

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<sup>59</sup> Cf. Suzana Anghel, Izabel Bacia, Ralf Dahrenberg, Annastiina Papunen, Key issues in the European Council. State of Play in October 2020, European Parliamentary Research Service, EPRS Study, PE 654.193, Brussels, October 2020, p. 74-75.

