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**REVISING THE EUROPEAN SECURITY STRATEGY:
ARGUMENTS FOR DISCUSSION**

by Stefano Silvestri

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Summary:

1. Questions of Principle; 2. A Security Actor: Hard and/or Soft Power; 3. A Regional and/or Global Player; 4. How Should the EU Deal with the Military Nuclear Dimension?; 5. Failed States: Fighting Criminals and Terrorists; 6. Energy Security Issues; 7. New Global Actors; 8. Europe, USA and NATO; 9. Some Regional Perspectives: Southward...; 10. ...and Eastward; 11. EU and Global Governance; 12. Questions of Capabilities and Resources; 13. What to Do? A Set of Different Documents; 14. Who Shall Revise the ESS?

Dealing with the changing international scenario requires a complex strategy, integrating many different actions: economic, political, military, humanitarian, environmental, etcetera. No common and coherent European approach yet exists. The present ESS² is a very useful document, indicative of the European consensus on a long-term approach to international cooperation and crisis management, but it is neither a sufficient diplomatic and political guide to deal with the many contingencies confronting the EU, nor an operational concept defining the criteria and rules of security engagements.

European external policies have been largely disconnected from each other. Trade, Development Aid, the international dimension of policies such as Energy, Internal Market, Justice and Internal Affairs, have followed their own logic, with minimal attempts to ensure real coherence and to place them in a single integrated international strategy. This situation will be challenged by the institutional modifications brought about by the Lisbon Treaty, once ratified. Yet, institutional reform is not a panacea: in order to produce the best results, a clear understanding of what it takes to make it work is required. A revision and a completion of the ESS should not be seen only as the consequence of an “examination of *(its) implementation*” in order to “*improve*”³ it, but as a basic requirement to allow the new institutional setting of the Union function at its best.

A revised ESS should systematize the lessons learned by the EU and at the same time convey to the world the strategic design and the political ambitions of the renewed and strengthened institutions. Thus it should be both an adjournment of the existing ESS, and a more ambitious full-fledged strategy, including general principles, priorities, operational concepts and blueprints for action.

¹ This paper reflects only the opinions of the author, and does not represent in any way the positions of the ISS or of the Italian Government.

² “A Secure Europe in a Better World: European Security Strategy”, Brussels, 12 December 2003.

³ Conclusions of the European Council, December 2007.

1. Questions of Principle

The ESS points out that the present international environment “*is one of increasingly open borders in which the internal and external aspects of security are indissolubly linked (...and that has...) increased the scope for non-state groups to play a part in international affairs. (These developments) have... increased European dependence – and so vulnerability- ...45 million (people) die every year of hunger... AIDS... contributes to the breakdown of societies...security is pre-condition of development.* These and other observations suggest a larger set of interrelated policy questions.

Foreign policy and security are heavily influenced by “immaterial” factors such as culture, religion, ideas. The “soft power” dimension of international policy will be of crucial importance in the fight for hearts and minds as well as in the field of international governance and security engagements. To gain the “upper ground” in morals and ideals could be a decisive factor for the future of Europe. The EU fosters the rule of law and multilateral approaches, but these two important principles may not be comprehensive enough to deal with the ambitions and problems of the new emerging powers and to confront new threats.

It is all very well to affirm the importance of “humanitarian interventions”, but to make them credible, and to counter the accusation of illegal interference, it is necessary to spell out the basic rules underpinning them in European eyes: is it only about human lives or does it encompass civil and/or political rights, equal opportunities, and the like? Are health and welfare an element of evaluation? Is economic development considered? Cultural considerations are important: is education a basic right of all people? How should religion be taken into account? Tolerance and ecumenism are part of the European cultural heritage, but is the concept of the neutrality of the state fully understood and accepted by our interlocutors? What kind of message should be emphasized? It should in any case be stressed that any “humanitarian” intervention is first of all an “intervention”, thus requiring a clear and unambiguous international legitimacy.

The ESS observes that “*the quality of international society depends on the quality of the governments that are its foundation*”, and indicates democracy, good governance, social and political reforms, fighting corruption and the abuse of power, the rule of law and the protection of human rights as “*the best means of strengthening the international order*”. Yet it stops well before endorsing any policy of regime change. According to the ESS, the price that would be paid by the countries that “*have placed themselves outside the bounds of international society*” is to be measured in terms of their relations with the EU. In addition, the ESS recognizes that “*preventive engagement can avoid more serious problems in the future*”, but does not endorse explicitly any kind of preventive or pre-emptive military strategy. In fact it says nothing on the matter.

This silent ambiguity may be interpreted in various ways. Some may think that it leaves open the option of a more assertive policy. Others may believe that it reflects the European unwillingness to take up new responsibilities. In reality, the EU is involved in various State and democracy building operations, from Bosnia to Kosovo and, before participating in the rebuilding of Afghanistan, had certainly approved the decision to

force a regime change there. Preventive engagement may be military as well as civilian: the European military presence in Chad is attempting to prevent the worsening of the situation in the region. Many Europeans have opposed the so-called “preventive war” against Saddam Hussein, but others have joined it. A degree of ambiguity may be unavoidable. Yet the absence of a clearer common doctrine could greatly damage the future of European crisis management.

The new ESS could, at a minimum, say that the operations of State building, obviously aimed at establishing democratic regimes, will be tried only when a major breakdown of the State has already taken place and the responsibility of the international community for the future of the country has been clearly recognized and called for. In other cases, the EU could favour and promote measures of modernisation and social development, as well as the better integration of a country within the international community. These actions could require significant political reforms and economic liberalisation measures, but would not necessarily imply a change of regime, and certainly not a change forced from the outside.

Preventive actions generally take the form of economic, cultural and other policies. When military preventive action is discussed, the EU will abide by the established principles of international law and conceive the possibility of a preventive use of force only when a clear and present danger is ascertained and all other alternatives appear impossible or ineffective.

The question of democracy is of great importance. The idea of a League of Democracies has been voiced, sometimes as an alternative to the United Nations. Yet there are many different levels of democratic development and of overall credibility of “democratic” regimes. Can Europe or the United States impose their own brand of democracy? Is it wise (or indeed possible) to enter a process of certification of democracy, worldwide?

A League of Democracies would divide the world of the United Nations. Among the countries excluded would be China. Some propose that Russia and Iran should be excluded too, despite their electoral regimes. The refusal to include two permanent members of the UN Security Council out of five would lead to a complete paralysis of the United Nations and of its Agencies. Global governance would split in two or maybe three groups (with a possible revival of the Non-Aligned one). Western countries would very likely experience a worsening of their relations with the Islamic world. Troubles may develop in Latin America, should the US attempt to exclude some of its foes (from Cuba to Venezuela). It is a conflictual scenario, similar to the one of the Cold War. This time, however, the new (democratic) West could not claim that it is defending itself from an aggressive and powerful enemy. Its internal solidarity would not have the same strength. Its cohesion would be fragile. The EU in particular would undergo a difficult deterioration of its relations with Russia and many Mediterranean countries. Its security would worsen. The new ESS should express a very clear refusal of any attempt to weaken global governance and the UN, and to divide the world into opposing blocs.

The strategy of globally promoting democracy raises many unanswered questions. The how, when and the where remain unsolved problems. Some have democracy in mind, others, the modernisation of the State, both perspectives lacking in clear implementation strategies. Also, it is very difficult to conceive an overall policy to be implemented equally towards everyone. Yet it is a risky illusion to believe that universal principles can be tactically amended to obey the command of Realpolitik.

The present ESS underlines the relationship between national good governance and international security. The reverse also applies. The promotion of democracy and/or good governance should not follow a double standard, domestic and international. It would be contradictory and counterproductive to promote democracy in one country if the methods employed violate international law or diminish global governance.

Principles should be linked with criteria. Intervention should not bring about more damage than benefits. Legality should be observed both *ad bellum* and *in bello*. The legitimate use of force should carefully comply with proportionality and with the prior identification of well defined and reasonably attainable objectives. The latter point is of particular relevance for two reasons: because it helps the definition of an “exit strategy” and because it favours communication with the people interfered with. Clarity, moderation of purpose and the use of justifiable means are a necessary part of the European message. Equally important would be the principle of personal responsibility, to be accepted and enforced at all levels.

Privatisation and the development of the so-called “market state” are strongly related to globalisation. These developments challenge some basic tenets of the modern European State. It is not clear if the growing political importance of the market, and the increasing power and wealth of non-state actors, will bring about a new kind of post-modern State or the return of many features of the pre-modern ones. Is it possible to uphold the democratic principle of the responsibility of governments in front of their citizens, and the criteria of transparency and social responsibility, while losing equality and other “constitutional” principles? Certainly the European Union, as a new model of international and “post modern” governance, should confront these questions and propose its own responses⁴.

The world is full of nation states designed, more or less realistically, on the European XIX century model, a model which has brought about two major world wars. The foundation of the European Coal and Steel Community, sixty years ago, had the declared intent of changing international relations within Europe to make a new war impossible, at least among the European nations. Notwithstanding this European precedent, the world is now experiencing a growth of nationalistic claims and a reinforcement of the tendency to identify individuals through the language they speak, the religion they worship or the customs they abide with. To counter this nationalist tendency with a new culture of globalisation is not easy, but it is certainly part of the European message to the world.

2. A Security Actor: Hard and/or Soft Power

Initially, however, the new ESS should confront the question of the nature of the European “security culture”. Often the EU has been defined an international “civilian actor”. The ESS aims to transform the EU into a conscious “security actor”, more in

⁴ A lively debate developed a few years ago after the publication by Robert F. Cooper of his ideas about the EU as a first model of “post-modern” State (see R. Cooper, “The Post-Modern State”, in Mark Leonard (ed.), “Reordering the World: the Long-term Implications of September 11”, London 2002). In fact this theory has been accused of setting up a kind of “double standard” policy: peaceful and respectful of reciprocal rights among the post-moderns, and “neo-imperialist” (or “post-imperialist”) towards the other modern or pre-modern States.

line with the reality of the European engagements and actions on the field. However, one question has not yet been answered: should the EU be considered a “civilian only” security actor, using mainly “soft power” means, or is it capable and ready to use also its “hard power”, commencing with the military. The ESS says that “*with the new threats, the first line of defence will often be abroad*”, then it goes on to note that “*none of the new threats is purely military; nor can any be tackled by purely military means*”. The stress placed on multi-dimensional approaches has contributed to reinforce the image of the EU as a civilian and “soft” security actor. The reality however is somewhat different.

Experience suggests the need to better clarify the “hard power” dimension of crisis management. In many cases, the EU has promoted the use of and engaged the military and constabulary forces. Thus it cannot be considered to be only civilian, and the questions related to the use of force (military and other) are a necessary part of its nature as a “security actor”, and not in a minor or subsidiary way.

These considerations do not exclude the possibility that the future ESS will appear at variance with many other strategic documents produced by national authorities worldwide, which are concerned first and foremost with the military dimension of policies. This difference is explained by the different powers and competencies exercised by a national State and by the EU (underlined by the principle of subsidiarity). The EU has only limited competencies and, while its strategy should consider the overall aspects of the problems to be confronted, its actions will be necessarily more circumscribed.

Moreover, there may be political differences (or differences in perceptions) related to the personality of the EU as a multilateral body, open by nature to international cooperation and to the implementation and strengthening of the international rule of law. The development of the European Security and Defence Policy (ESDP) has to be seen as an integral and necessary part of the Common Foreign and Security Policy (CFSP), and the new ESS should deal extensively with this.

Some ambiguities need to be dispelled. There is the tendency today to emphasize the importance of “human security” as a guiding principle of ESDP⁵. The reality appears more complex. While human security is certainly an important criterion, it should not be the only one. It is important to avoid limiting the possible scope of European actions unnaturally. Positioning the EU outside the military dimension of security would greatly diminish its freedom of action and its global role. Also, the European priority cannot simply be one of “doing good” but of securing its vital interests, which could require the use of force.

The new Treaty will eliminate the present distinctions among the three “pillars” of the EU on conflict prevention and on crisis management⁶. The present coordination is mainly intergovernmental, directed from the Committee of Permanent Representatives (COREPER), which must ensure the pursuit of “*coherent and comprehensive*

⁵ Mary Kaldor, “Human Security: Reflection on Globalization and Intervention”, Cambridge 2007. Kaldor stresses the role of civilian society in fostering what she calls “global conversation” as a new kind of non-violent intervention.

⁶ Pillar I: EC instruments, predominantly economics and civilian; Pillar II: EU instruments, predominantly political, could incorporate both civilian and military personnel; Pillar III: Justice and Home Affairs Instrument, mainly civilian and constabulary.

preventive strategies”⁷. The perspective of the increasing importance of military and civilian-military missions, as well as the multiplication of the European commitments, demand much more than an intergovernmental coordination of efforts. The new ESS should point out that the new Treaty will give to the EU the option of managing a single, integrated strategy, both civilian and military, hard and soft, countering the perception that the EU is basically only a civilian power.

Important international political perspectives should be clarified. Many American analysts and officials observe that Europe and the United States do not share the same view of 21st century threats. The end of the Cold War has left us without a clearly identifiable common enemy to be confronted or deterred jointly. International terrorism is certainly a common enemy, but there can be different views on the nature of the threats and on the right tactics to address them. An important reason to clarify these issues in the new ESS is that these differences should not block international cooperation and solidarity, but only change the way of managing them.

Moreover, a growing number of international actors will influence the world’s security decisions. Thus the new ESS should not only be about the threats and the priorities as seen from Europe, but also about European international relations and alliances, what Europe will expect from its partners and interlocutors and what it will be prepared to give in exchange.

3. A Regional and/or Global Player

The ESS states that “*the European Union is inevitably a global player*” and that it “*should be ready to share in the responsibility for global security*”. Yet, the most important international policies of the Union, from enlargement to the neighbourhood policy, have a regional dimension.

A valid question is whether the EU is mainly interested in its surrounding region or whether it wants to play a wider global security role. The surrounding region of Europe is already very important globally: the North Atlantic area, Russia, the Caucasus, the Mediterranean, Africa and the Gulf are Europe’s “near abroad” and are complicated and important enough to absorb its limited resources. The EU is keenly aware of the fact that the problems and crises developing in these regions are strictly related to the wider world, and most of them are in fact global. Moreover, Europe’s economic and financial interests, energy security, environmental protection, etc., need a global approach. Finally, the EU itself and various member countries are at the centre of the system of global governance and wish to maintain such a role. The EU international role is clearly global.

However, returning to the question of the EU as a security actor, a further distinction should be made. We can easily demonstrate that the EU is a civilian global actor, but can we say the same of it in the military field? Threats and risks to be confronted are

⁷ Up to now the coordination among these instruments has been based on three different decisions: a) the Council Resolution on Coherence (section on Peace-building, Conflict Prevention and Resolution); b) the Council Guidelines intended to strengthen the cooperation between the Commission and the Member States in the field of external assistance; c) the Goteborg Programme for the prevention of violent conflict.

clearly global, but the political will and the military capabilities of the EU are more limited. While the will may rapidly change, and the EU may want to confront global issues becoming abruptly more threatening, its capabilities will adjust at a much slower pace. A credible global security strategy should therefore be assessed not only in terms of intentions but of capabilities as well.

Two considerations could support the EU role as a global security actor. The first is that most of the crises and threats to be confronted require a very specialized use of force, coupled with very strong civilian capabilities, different from those designed to make all-out wars (and even less global wars). The EU has a limited amount of the capabilities needed in this new strategic setting (and shall increase them urgently) but its assets are significant and very comparable to those of the other global actors. In fact, without the European contribution, many ongoing crises would be much more difficult to manage and the United States forces would be stretched too thin.

The second is that European nations are deeply committed in many far away crises and problems of global security, unilaterally, multilaterally with the UN, bilaterally with the USA, through ad hoc coalitions or through NATO (which has decided not to become a “global Alliance” but to be an Alliance globally concerned). The EU is frequently brought in, directly or indirectly, on a side, as a supporting or complementing agency. It would be difficult to change this situation, even though it may have a negative effect on the internal EU cohesion and solidarity, because foreign and security policies are not (and will not become for the time being) an exclusive competence of the Union. Yet it is clear that the EU needs to better understand the position in which it finds itself, not the least to increase the effectiveness of its contribution.

Finally, however, some selective criteria should be taken into consideration, because the EU will never have the capacity to deal effectively with all crises, everywhere and at the same time. A qualitative criterion could be more useful and coherent with the established principles of the ESS than a geographic one. The EU should intervene first of all where (or when) its intervention could make a real difference, and not simply where (or when) it may be easier and/or nearer. The EU should develop a pragmatic/functionalist approach to crisis management, stressing its qualitative difference (multilateral, civilian and military, stability oriented, etcetera), more than its geographic location.

4. How Should the EU Deal with the Military Nuclear Dimension?

The ESS considers the proliferation of Weapons of Mass Destruction one of the “*key threats*” facing Europe. Accordingly, the EU has developed a number of non-proliferation initiatives and an Action Plan, to cooperate with the International Atomic Energy Agency. The question is whether it should go a step further and consider some major strategic features of the nuclear question.

The EU includes two nuclear powers, but has no competence in the field of military nuclear strategy, with the exception of its obvious interest in supporting the non-proliferation regime. Yet the situation is evolving.

To express it with the words of the Nobel laureate Thomas C. Schelling “*the most spectacular event of the past half century is one that did not occur. We have enjoyed*

sixty years without nuclear weapons exploded in anger"⁸. According to this great scientist (and revered scholar of nuclear strategy) this unexpected success, which has fortunately contradicted all mathematical calculations, has been achieved mostly thanks to a psychological unwillingness to consider the application of these weapons as equal to all the others, and thanks to the perception and acceptance of mutual deterrence by the nuclear powers. It is impossible to know how long this inhibition will last and if new nuclear powers (or terrorist groups) will come to the same conclusion, reached independently by all the established nuclear powers, that the most effective use of the bomb lies in it being one of the options a State may resort to, an option so terrible that a credible threat to use it is sufficient to convince. This is not a self-evident truth: many political and military leaders have pleaded for the use of nuclear explosive devices (albeit in a "reduced" or circumscribed way). The strategic documents produced by President George W. Bush are very dubious of the value and effectiveness of nuclear deterrence in controlling or limiting the threats that may come from rogue States and terrorists. To confront these threats, the American government favours defence (ABM) over deterrence, and the possibility of preventive or pre-emptive warfare. These choices could weaken the nuclear taboo.

It is impossible to predict in what kind of world this well established taboo would be broken. However, a rich, densely populated and peaceful power has a clear and paramount interest of keeping the concept of "nuclear threshold" alive, by maintaining and strengthening a policy of deterrence and supporting the psychological inhibition to "downgrade" the nuclear weapons to the "conventional" level. Schelling remembers that already in the past, when there was a definite possibility of the American government using its nuclear capacity, during the Korean War, the British government did use its special relationship with Washington to press President Truman to not authorize the use of nuclear weapons. The EU should not forget this precedent and should design appropriate security policies to strengthen deterrence as well as security, in addition to non-proliferation and arms control.

The EU could remember that maintaining the nuclear threshold and a nuclear deterrence posture has various consequences. For instance, it could oblige us to make a difficult choice, either of accepting the existence of a new military nuclear power or of endorsing a preventive warfare operation (that may downgrade deterrence and possibly cross the nuclear threshold). The answer will depend on a number of collateral considerations, such as the possibility of enforcing a credible containment plus deterrence policy toward the new nuclear power, the reactions of the other major powers to a preventive attack, the regional consequences of either decisions, the legal arguments, the moral justification, etcetera.

It will also depend on the means to be used, the credibility of the military plan and the number of escalation ladders that would be crossed. In fact, one important consequence of a choice to defend deterrence is that the power supporting this policy should also maintain a credible "conventional" capacity, capable of avoiding the stark dilemma between failure or going nuclear. The new ESS should stress these points when explaining the political and strategic rationale, and the ambitions, of ESDP.

⁸ Thomas C. Schelling, "An Astonishing Sixty Years: the Legacy of Hiroshima", Nobel Prize Lecture, December 8, 2005.

5. Failed States: Fighting Criminals and Terrorists

When considering the key threats to Europe, the ESS includes State failure, noting that *“collapse of the State can be associated with obvious threats, such as organised crime or terrorism”*. The ESS also considers both terrorism and organised crime as specific threats to be confronted individually. This is correct, yet the many difficulties and failures experienced recently by State building and Peace enforcement operations suggest that greater attention should be given to the interconnection between the two threats.

While terrorists and criminals pose diverse kind of threats, and follow a basically different strategic logic, they are also strictly interrelated and so is the fight against them. No terrorist can avoid committing crimes in the preparation of his attacks and to keep his organisation alive; in parallel, organised crime is structurally interested in the weakening of State ability to control the territory and to act.

The USA generally believes that they are at war against terrorists, while the Europeans generally prefer to think that they are fighting a threat from particularly dangerous criminals. Solid arguments support either point of view (even if in my opinion the European one has a stringent logic⁹). In either case, it is clear that the fight against terrorists poses a number of questions. Among them is the dilemma that, should they be considered only as “criminals”, the provisions of criminal law should then be applied, making much more difficult, if not impossible, the development of a coherent overall strategy employing military forces. Should they on the contrary be considered “enemy combatants” all the provisions of the Geneva Conventions must be applied, thus implicitly recognizing their right to fight.

The latter objection, however, should be carefully weighed. The recognition of the status of “combatant” does not condone the illegal behaviour and violation of the laws of war on the part of the fighters, and terrorist actions are certainly crimes, in war as in peace. Thus, conferring the status of combatant on terrorists does not necessarily exclude the recourse to criminal law (as in the case of the International Court for former Yugoslavia) nor does it legitimise terrorism. Obviously, when dealing with international terrorism, the recognition of a specific competence of the International Criminal Court would be useful (even if it may underline the different European and American approaches).

In any case, the ESS should recognise that these threats require a mix of military, Intelligence, police, judiciary and political actions that easily blur the distinction between the two approaches.

Particularly telling is the experience made by Western forces when confronting the traumatic so-called “Golden Hour” experience of many military interventions. This was recognised by the ESS in 2003 when it said that *“in almost every major intervention, military efficiency has been followed by civilian chaos. We need greater capacity to bring all necessary civilian resources to bear in crisis and post crisis situation”*.

⁹ Michael Howard, “What’s in a Name: How to fight Terrorism?” *Foreign Affairs* 81, no.1 January-February 2002, and the rebuttal by Philip Bobbit, “Terror and Consent: the Wars for the Twenty-first Century”, New York 2008, pages 128-134.

The term “Golden Hour” is taken from medical jargon. It indicates a brief window of time in which the lives of a majority of critically injured trauma patients can be saved or lost. In crisis management, it refers to the moment in which the major military operation has reached its main objectives, the enemy has surrendered, retreated or disbanded, and the main priority becomes the administration and control of the occupied territory. In Iraq, the American troops in Baghdad probably lost their patient during the few days of free looting and destructions following the loss of the city’s control by Saddam’s forces, when the Americans were not ready or able to take up security roles. Something similar happened to NATO forces in Sarajevo. This is a crucial period when the limits of the intervening forces are tested and when new forms of “illegal” territorial control are born, leading to unholy alliances among criminals, terrorists and “freedom fighters”. It is also the period when the intervening forces may lose their “positive” image locally.

The impact of organised crime on the security of the Balkans, as well as of the Middle East, Southern Mediterranean and Central Asian States cannot be underestimated¹⁰. The control of the production and trade of drugs, as well as the smuggling of weapons, persons and other goods, give these criminals enormous resources and the potential to control large territories as well as to wage asymmetric warfare and profoundly disrupt the rule of law. Terrorists profit from this situation, not the least to finance and arm themselves, to improve their logistics, to find and to maintain safe heavens.

It is clear that the importance given to these threats by the existing ESS should be confirmed and expanded in the next one. In addition, a direct link should be made, not only between failed States, organised crime and terrorism, but between the risk of the collapse of various State-building operations and the parallel failure of the fight against criminals and terrorists. The perspective of a failure in Afghanistan is daunting NATO, while a similar risk in Kosovo could discourage the EU. In both cases the key variable is the international ability to effectively fight international crime. The Taliban would not thrive without opium and the new Balkan States must not become new kleptocracies.

Similar problems are experienced by the international community in many crises, from Colombia to Nigeria, Chad, Sudan, Somalia etcetera. It is certainly a question of better means, but probably also of better strategy and doctrine. From the “Golden Hour” to the “War on Drugs”, Western policies have not been very successful. Sometimes a less confrontational approach (experimented by many UN-led crisis management operations) has been more effective. In other cases, some basic tenets of the strategy have not been seriously criticised and revised. The ESS should stress the need for general and profound reappraisal of the experiences that have been made.

6. Energy Security Issues

The ESS notes that *“energy dependence is a special concern for Europe. Europe is the world’s largest importer of oil and gas. Imports account for about 50% of energy consumption today. This will rise to 70% in 2030. Most energy imports come*

¹⁰ Moses Naïm, “Illicit”, New York 2005

from the Gulf, Russia and North Africa". And that is all it says. This is not surprising given that the EU has no concrete energy security policy, if we exclude a largely theoretical and ineffective claim for liberalisation of the energy markets that the Commission tries to enforce on the internal market, and that has little to do with the realities of the global market.

Since 2003, when the ESS was made public, the question of energy security has increased its visibility. This issue is directly linked to international trade policies (the growth in number of preferential agreements and the crisis of the Doha Round), environmental policies and, of course, more general security policies. Europe-Russia relations are heavily influenced by energy export policies (especially of natural gas) and by the increasing importance of the State-controlled Russian energy sector in the production, transportation and distribution of energy. The claim made by the Commission that multiplying the gas pipelines would favour competition and increase the security of supplies is rather surprising, given that all these pipelines will bring gas to Europe from the same three countries: Russia, Algeria and Libya. The probability that Russia will sign the European Energy Charter is so low that an alternative course of action is urgently needed: a question of foreign and security policy as much as of trade, energy and economic policies.

Energy security requires both international actions and domestic decisions. No self-evident solution is available. It is more likely that a combination of different policies should be pursued, in an attempt to increase the redundancy of the system and to diminish the criticality of each single exporter. A realistic approach is required, one taking into account a market where the exporter can be at the same time the monopolist and the monopsonic actor (as is the case of Russia: the only buyer of Central Asian oil and gas and the only exporter of these to Europe), where the biggest oil companies are now the national producers (and are State owned) and where their enormous profits instead of financing research and development efforts are channelled into the financial market through Sovereign Funds. All that has nothing to do with free trade or free market theories and is strictly related to foreign and security policies.

Energy security is multifaceted. The security of supply depends on the amount of raw materials extracted, on the availability of an adequate transformation capacity and on the security of the transportation routes. The latter point has been particularly emphasized¹¹. Yet it is impossible and too expensive to protect everything everywhere. Redundancy and flexibility are a clear European priority, which may not coincide with the interests of the main exporters.

Another aspect of energy security is the impact on the environment. Both the Kyoto protocol and the so called 20-20-20¹² approach are well intentioned but scarcely

¹¹ Piracy, terrorism and vandalism are on the rise. Attacks against the Russian pipelines have risen from 84 in 1999 to over a thousand in 2006 (and Gazprom has formed its own private Army to counter them). Saudi Arabia spends about 8 billion dollars each year for the security of its infrastructures and is considering an additional budget of \$bill 4-5. Moreover, the Saudis are offsetting some of the American expenditures in the Gulf. NATO is studying the possibility of employing its naval forces to protect major sea lanes and choke points.

¹² A European program aiming at increasing the percentage of renewable energy to 20% of the total consumption, reducing the growth of energy consumption by 20% and reducing the production of carbon dioxide by 20%.

significant, given the global growth of energy consumption. Should the price of oil and gas continue to grow, the likelihood that alternative forms of energy will be exploited, with little or no regard for their environmental effects, will also grow. A global and coherent approach to energy security should be the starting point of a renewed common energy policy of the EU.

7. New Global Actors

The ESS notes almost in passing that *“we should look to develop strategic partnerships with Japan, China, Canada and India, as well as with all those who share our goals and values”*. This point needs developing, especially as far as Asia is concerned.

China and India, both nuclear powers, are the two new Asian emerging “tigers”, rising rapidly to meet Japanese economic, industrial and technological strength. All three are much more than regional interlocutors, having (or rapidly acquiring) the capacities to challenge Europe and the United States in many fields. The future of international stability will largely depend on their ability and willingness to manage their respective growth without major conflicts and on their decision to share or to challenge the benefits of global governance. The EU has important and increasing relations with all of them, including in the high technology field (such as outer space). While the ESS, in 2003, was simply noting the existence of these new realities, today it is necessary to proceed forward, also considering global governance issues like the future of the UN, of the IMF, of the World Bank and of the G-8.

The EU should explore the possibility of establishing structured political and security dialogues both with China and with India. The two are rather different however. While India is a democracy (albeit imperfect), China remains a communist authoritarian State. While no free concessions should be made (for instance to India on nuclear technology, or to China on some advanced technologies of high military relevance), the EU should work out a concrete blueprint for partnership with both.

The EU cooperates indirectly with China and India through ASEAN, which is an important political and economic reality in its own right. ASEAN-EU relations should be strengthened. The positive European commitment after the Tsunami, especially in the Aceh region, could be the foundation for joint initiatives of human security and environment protection, but other venues could be explored in the ESDP field (anti-terrorism, Intelligence, training etcetera)

Relations with Japan are on a different footing altogether, since Tokyo is a strong and stable democracy, an ally of the United States, a “pacifist” power and a long-term member of the G-8, clearly willing to support international stability and security. The relationship between the EU and Japan could be further developed and strengthened on the security policy level as well, reinforcing the Japanese willingness to cooperate fully in peace operations and crisis management. Moreover, it might be counterproductive (and politically absurd) to develop the European relations with the other Asian powers without parallel advances in the Euro-Japanese relationship, at least as strong.

8. Europe, USA and NATO

The ESS says that *“the transatlantic partnership is irreplaceable. Acting together, the European Union and the United States can be a formidable force for good in the world”*. It also notes that the EU-NATO arrangement *“reflects our common determination to tackle the challenges of the new century”*.

Clearly, the USA is the most important international partner of the EU. A mechanism of periodical Summits has been established, but the development of the ESDP requires a deeper understanding and a more agile permanent system of consultations. Differences of perception and of interest should not make us forget the basic fact that Europe and the United States form an indivisible economic and security space. The fall of one would bring about the fall of the other. The relationship has changed mainly because Europe is wealthier than it was, and less dependent from the US for its defence. Greater equality complicates the management of reciprocal relations, but could make them healthier and equally strong. To do that, however, it would be useful to compare notes and clarify ambitions on various areas such as Africa, the Gulf, the Caucasus and Central Asia, etcetera.

The EU-NATO relationship has improved. The recent Bucharest NATO Summit has underlined the importance of a *“stronger and more capable European defence”* and has confirmed the Alliance’s support of *“mutually reinforcing efforts”*. Yet further progress is possible and should be defined. Of important relevance is the cooperation organized according to the Berlin-plus agreement, particularly in the Balkans. The EU should give greater attention to the means at its disposal, both European and NATO, to increase their effectiveness (this point is discussed later in this paper). In addition, the decision of the Alliance to be ready to *“act globally”* puts a burden on the EU as well, if it wishes to maintain the pace with its security partner.

The main problem of US-European relations is that the USA are convinced that Europe is not doing enough, and should do more to help America to fight common enemies, while the Europeans think that they are already doing a lot, possibly even too much, given the unwillingness of the USA to accept the perspective of a joint management. It is a modern international version of the principle of *“no taxation without representation”*, or even of the more banal fact that if you want to decide alone, most likely you will fight alone, irrespective of the benefits that your actions may bring to the others.

Yet, the risk exists that the absence (or the perceived absence) of a more equitable burden sharing may not simply justify and promote American unilateralism, but may instead reawaken American isolationism.

The new ESS should make the point that a more effective CFSP and ESDP would take up a larger burden, and at the same time transform the EU into a less junior partner of the USA. Equal partnership is certainly a long-term European aim that, however, should be backed by equivalent capabilities. A junior partnership is only a first step towards equality, but should not be translated simply as dependence. The European autonomy will be amply justified by a greater political and strategic coherence and by the significant capabilities already available. A more balanced transatlantic partnership is possible and could be beneficial for all.

9. Some Regional Perspectives: Southward...

While the ESS rightly observes that *“in an era of globalisation, distant threats may be as much a concern as those near at hand”*, it dedicates an entire chapter to *“building security in our neighbourhood”*, speaking of the Mediterranean, the Middle East, the Balkans, Russia and the Caucasus.

The entire northern Mediterranean shore is now united inside the EU and NATO. Meanwhile, the definition of a Mediterranean region has strategically expanded to include Saharan Africa, the Black and the Red Sea, as well as the Gulf; the Middle East can be either broader or greater, encompassing not only Iran, but Afghanistan, Pakistan and the former Soviet Central Asian republics.

The EU has no coherent strategy or approach towards these new realities. The main stability and security policy of the EU has been its own enlargement which could have reached now its final phase: it may include several more Balkan countries and Turkey, but it is highly unlikely to proceed much further. Thus, the EU is obliged to envision a new foreign and security policy approach, towards countries and regions that will remain external to it.

Too many policy instruments have been established to deal with the Mediterranean, from the Euro-Med partnership of Barcelona to various Association Agreements, the Neighbourhood Policy, and others. Today the EU is adding a new one to them; the Union for the Mediterranean. Yet the impression persists that the establishment of new initiatives is a substitute for, or a concealment of, the absence of policy. The EU ambitions seem to be diminishing: the new initiatives try to avoid completely the security dimension of the original Euro-Mediterranean policy. On the contrary however, a new ESS should have a hard look at European vulnerabilities and interests, and identify a limited number of regional priorities with clear security content.

For instance, the Western Mediterranean Arab countries are the obvious partners in the control of illegal migration, various forms of crime and terrorist threats to Europe, and should represent a clear policy priority. The strategic value of Turkey for the EU is obvious also. While Turkey will confront its domestic problems autonomously, it is important to signal a more generous and open European position towards it.

On a more general security level, it should be possible to increase cooperation in the Mediterranean, conceiving and implementing a number of regional projects, particularly in the area of scarce natural resources and of the environment.

The new ESS should underline the need for a better transatlantic understanding, on Mediterranean policies in general and on a strategy for Africa in particular (especially considering the “Saharan” region and the Horn of Africa). The growing international presence of China and other Asian powers in this continent, as well as a widening of international terrorism and criminal organisations, demand a strong and effective collective response. It would be of paramount importance to avoid misunderstanding and a clash of priorities. Africa should become a new area to experiment with a common transatlantic approach, after the Balkans and Eastern Europe.

In the security area, many other questions remain unanswered. The Palestinian-Israeli conflict, in particular, does not seem ripe for new international peace initiatives, as yet. However, the Europeans should confront the problem of Iran and of the possible worsening of the strategic situation in the Gulf due to the failure in Iraq and the intensification of intra-religious conflicts among and inside Islamic countries. While

the Europeans should maintain political and economic pressures on Iran, through a combination of sanctions and continuing diplomatic dialogue, it is clear that only direct USA-Iran negotiations will be capable of opening new positive perspectives. It is not very likely, however, that such a development will take place soon. Meanwhile other initiatives could be conceived in parallel, based on a combination of containment and deterrence, in an attempt to reduce Iran's freedom of action by reinforcing a group of allied countries in the region.

For example, the ESS could suggest a joint initiative by the USA, NATO, the EU and possibly Russia, to extend guarantees to certain Arab (particularly Gulf) States against the use or threat to use weapons of mass destruction in exchange for a greater economic and political regional solidarity, to aid development, reinforce good and modern governance and foster peace.

Other initiatives could favour the strengthening of the nuclear non-proliferation regime. A number of confidence building measures could be proposed to all the States in the region (including Israel) such as the internationalization of uranium enrichment plants, a general test ban agreement, the inventory and possibly the establishment of an upper limit on the number of longer range missiles, etc. Even if no agreement will probably be reached in the short or medium term, taking the initiative with these proposals or similar measures could increase the reciprocal confidence among Arab and Western countries¹³.

10. ... and Eastward

The ESS says that "*we should continue to work for closer relations with Russia, a major factor in our security and prosperity. Respect for common values will reinforce progress towards a strategic partnership*". The new ESS should probably say more.

The enlarged EU shares about 2.200 km. of borders in common with Russia, and buys 67% of Russian gas exports (to cover 44% of the European consumption). Russia is certainly a major partner of Europe, but also a very difficult one. Yet to speak of a common European policy towards Russia is almost a joke. Countries like Poland or Lithuania have a very different idea of what has to be done than Germany or Italy. Similar blockages and oscillations have plagued the US policy toward Russia, despite the good personal relations between George W. Bush and Vladimir Putin. The net result is that, as of today, it would be quite difficult to identify a credible and coherent Western strategy, or any kind of strategy at all.

In a first period of his Presidency, Putin choose to pursue a pro-European and pro-Western path, in line with its inclusion in the G-8, accepting a new partnership with the Atlantic Alliance and signing a partnership and cooperation agreement with the EU, now open for revision (a process practically stalled). The Russian President may have had excessive and wrong expectations. It appears he thought that his new partners would have condoned almost everything, from the war in Chechnya to the authoritarian strengthening of the central control of the Kremlin over Russian democracy. He may

¹³ More options are carefully explored in the Strategic Dossier published by the International Institute for Strategic Studies (IISS), "Nuclear Programmes in the Middle East: In the Shadow of Iran", London 2008, pages 151-164.

have believed that EU and NATO would limit their Eastern enlargement, to accommodate Russian ambitions regarding the former Warsaw Pact and Soviet countries. In addition, Putin has had to confront a very assertive and revisionist American policy, from the scrapping of the ABM Treaty to the invasion of Iraq. The second period of the Putin presidency was characterized by a more confrontational approach, bringing about the various energy crises with Ukraine and Byelorussia, the indefinite suspension of the CFE Treaty, a more assertive policy in the Caucasus, the rapid increase of the Defence budget, the contrast with the West on the independence of Kosovo, etc. In this same period, Russia joined the Shanghai Cooperation Organisation, with China and other Asian powers, strengthening the option of an alternative Asian alliance.

While neither NATO nor the EU are ready to enlarge towards Ukraine or Georgia, the European interests and commitments towards these countries and towards the former Soviet republics of Central Asia are increasing.

Something is better than nothing. Thus, even without a complete agreement among the EU members on all aspects of a common policy towards Russia, a revised ESS should underline the objective relevance of Russia for the EU and the importance of establishing some realistic policy guidelines.

The EU should build on the structural differences of its relationship with Russia, as the USA has done. The US-Russia relationship has only a marginal economic component, while EU and Russia are linked by very substantial economic exchanges and investments (even if they are sometimes at odds). Moreover, Russia for the USA is a distant, if important, strategic theatre, while for the EU is its immediate neighbourhood. The establishment of a “*predictable neighbourhood*” is part of the strategic interests of the EU, according to the ESS. This would be impossible if it had to manage an unpredictable or hostile Russia. A partnership with Russia is an unavoidable necessity, even if the EU does not need to pay any price, or abide by “red lines” or other unjustified security pretences established by Moscow.

The ESS should make the case for a significant balancing act. On one side the EU should reaffirm and make more credible the built-in principle of European common solidarity that can be found in the Treaty, committing itself unambiguously and collectively to the security and defence of all the Members, in addition to the Atlantic Pact guarantee, extending its solidarity also to the economy and to energy security. On the other side, it should take Moscow at its word, when it upholds international law, non-interference or the authority of the United Nations Security Council (UNSC), making it clear that the EU-Russia partnership can have a positive future only if Russia fully implements these same rules when dealing with the countries of the former Soviet Union.

The question of the future enlargement of the EU should be seen in the correct and realistic perspective. It cannot be vetoed, but nor should it be forced or accelerated beyond reason. Economic and political open questions (both domestic and international) make a short term enlargement to Ukraine, Byelorussia or Georgia only a forlorn hope. The situation may change, but not in the short-medium term. Moreover, concentrating on this most unlikely perspective could hamper the perspective of very concrete, possible and beneficial cooperation agreements with these countries. In this situation, great ambitions should go hand-in-hand with even greater caution. It is

certainly not wrong to think ahead but it would be a disaster to speak about it before its time¹⁴.

11. EU and Global Governance

The ESS confirms the EU commitment to uphold and develop International Law, in the framework of the United Nations Charter, and adds that “*strengthening the United Nations, equipping it to fulfil its responsibilities and to act effectively, is a European priority*”. Also, it makes the point that the membership of the WTO and of the International Financial Institutions should be widened.

The EU cooperates with the United Nations but has no status in the Security Council. European countries control the larger amount of shares in the IMF, but have no common representation there. The same can be said for the World Bank and for the other UN Agencies. The EU ghost is daunting the corridors of global governance institutions, but has no material presence there, with the notable exceptions of the G-8 (albeit in a junior position) and of the WTO (thanks to its exclusive competencies). Even when dealing with Iran the permanent members of the UNSC have opted for the ad hoc formula of 5+1, albeit with the involvement of the EU High Representative.

This is certainly untrue when policy implementation is on the table. The effective implementation of economic sanctions, for instance, will largely depend on the EU Commission. Also, the CFSP includes a general agreement to carry out consultations among the Members and with the EU institutions on the most important matters to be discussed in the other multilateral organisations. Yet, no provision makes such consultations mandatory, nor it is explicitly stated that the position to be taken by the European countries shall conform to a European consensus reached beforehand.

This situation stems from the fact that the CFSP remains an intergovernmental responsibility. Yet the Lisbon Treaty, once ratified, will increase the capacity of the EU institutions to manage these policies as well. The international status of the Union (its legal personality) and the principle of common solidarity go in the same direction. The point could be made, therefore, that a greater presence and visibility of the EU in the international multilateral organisations, commencing with the UNSC and the IMF, would be appropriate and could be useful, as well as a strengthening of the system of prior consultations, possibly to be managed by representatives of the European institutions.

12. Questions of Capabilities and Resources

Among other things, the ESS calls for a more capable Europe and indicates that the Europeans should “*transform our militaries into more flexible, mobile forces (...) to enable them to address the new threats*” and considers that “*more resources for defence and more effective use of resources are necessary*”.

¹⁴ “Y penser toujours, n’en parler jamais”! provided that it will be possible to avoid the chauvinistic element...

Thus, a revised ESS should consider the problem of resources, financial, technical and human. Crisis management, peace-enforcing, state-building and other similar operations can go on for years, consuming increasing amounts of funds and materials and employing a very large manpower. The last point can become crucial. As of today, Europe and NATO have demonstrated their capacity of deploying “overseas”, at any given time, 50,000 to 80,000 men, the UN have effectively deployed over 90,000 more men (and are considering the possibility of an additional deployment of 25-30,000 soldiers in Somalia) while the USA alone can probably maintain an average of 150,000 soldiers deployed continuously. These figures only marginally include personnel from the Navy and Air Force and do not take into account the supporting deployments in overseas military bases, deployed military fleets, armed private contractors, other civilian personnel and police forces.

These numbers are important, but not very impressive if compared with the amount of soldiers serving in the armies of the contributing countries. The comparison changes, however, when budgets and materials are taken into account. Relatively tight and rigid budgets accommodate with great difficulty the important and rising expenditures required. At the same time, the quality of the forces employed has rarely been designed to perform the necessary tasks. On the positive side, EU and NATO are striving to increase the expeditionary capability of their forces and their “staying capacity” over longer periods. Yet other efforts are needed to train and equip a greater number of specialised forces. The European Defence Agency (EDA) and a strengthened Planning Cell are tasked with assessing the experience to date and the changes necessary. They should be encouraged to do so.

The new ESS should take into account the lessons learned to date, to suggest a better organisation of military forces. The decision to form the EU Battle Groups (EUBG) was aimed at increasing the EU expeditionary capacity. In reality, however, no EUBG has ever been employed, even when it would have been technically possible. Similar doubts arise when considering the NRF, the expeditionary force of the Atlantic Alliance. In contrast to the EUBG, the NRF (or elements of it) has been deployed four times: in protection services at the Olympic Games in Athens, to support the presidential elections in Afghanistan, in carrying out disaster relief after Hurricane Katrina in the USA, and the same after the 2005 earthquake in Pakistan. Considering that the NRF had the ambitious aim of becoming the most modern and effective fighting force of NATO, to be the “first in, first out” entry force in high intensity combat scenarios, its actual interventions have been somewhat more modest and anti-climax.

Political reasons have hampered the development of these forces and the decision to deploy them. Technical reasons have also been mentioned: the EUBG are probably too specialised and relatively small, while the NRF, after the retreat of part of the American contingent, has been somewhat downgraded and is now in a status of “graduated readiness” (that is: not ready), waiting for the end of the ongoing NATO operations to recover some of its capabilities.

On the contrary, the European civilian response capability has been employed extensively, mobilizing its five priority areas: Police (5,000 men available when needed, up to 1,400 in less than 30 days), Rule of law (about 600 judges, prosecutors and prison officers), Civilian administration (a pool of about 550 experts deployable at short notice), Civil protection (about 600 experts plus a staff of about 4,500 deployable

in two intervention teams within several hours to one week), Monitoring (about 500 people).

An integrated and effective strategy could use the civilian capabilities to greatly reduce the risk of new “Golden Hour” failures, provided that it could apply an integrated military-civilian strategy, well suited for peace-making, state-building and other complex crisis management operations. No artificial division between a military and a civilian crisis management phase should be anticipated, however, as proposed by those that think that NATO, or other ad hoc coalitions, could do the military, warlike part, and the EU the civilian, reconstruction and governance part. First, there is no clear temporal or territorial division between these two phases: they generally proceed in parallel. A division between two separate commands and political responsibilities simply increases confusion and inefficiency. Second, it is clear that military decision will condition civilian actions and vice versa, and that only a single strategic plan can avoid multiplying negative interferences.

No useful European military capacity can be developed or employed without an effective command and control system, a complete Headquarter, fully interfaced and in continuous communication with the projected headquarters of the various missions. The “non-duplication” principle should be applied more equitably to NATO, the EU and the member states with the relevant capacities. A complete reassessment of all the existing command structures in Europe could easily identify a number of national and allied structures that could be modified, completed and Europeanized. It is important that the European Command structure become permanently operational, and not “on call”, to be fully activated only when it is deemed necessary.

Intelligence is a growing priority, but the existing EU structures (from the Satellite Centre to the Joint Situation Centre, the Policy Planning and Early Warning Unit, etc.) cannot satisfy the demand. One problem is that Intelligence remains basically in the hands of national Agencies that prefer to keep it outside the common framework or to trade it bilaterally. A second problem is that “crisis intelligence” is different from the traditional military intelligence, much more fragmented and at the same time much less “exclusive”. In many cases, open sources have been more rapid and effective than sophisticated Technical Intelligence or the “official” Human Intelligence capacities. A careful cost-effectiveness analysis may demonstrate that the people (about 47.000) working for the Echelon tapping network, established by the Members of the UK-USA Treaty, financially exceed their worth. The new dimensions of the organised crime and of terrorism and proliferation of weapons of mass destruction may be better served by developing a new kind of international “security Intelligence”. The ESS may recognise that these limitations could open a window of opportunity for the development of new EU Intelligence capabilities, which could be gathered directly through a European Agency and then work in cooperation with the national Agencies on a more equal footing.

Because CFSP and ESDP are largely intergovernmental still, the bulk of the expenditure falls on the shoulders of the countries sending their forces. Thus, those countries take both greater risks and greater financial burdens. Is this a way to show European solidarity? There have been some attempts to modify this situation, as in the case of the Althea operation. More should be done, going beyond the current Althea mechanism. A common budget should be established, to pay for the common structures and to finance a significant part if not all the mission.

Other schemes for the financing in common should be studied for the payment of the required force modifications and improvements, possibly leading to common European capacities (especially for specific sectors like strategic and theatre transportation, Space communications and Intelligence, etc.).

Logistics should also be modified, to make them less burdensome. Today Europe (just as NATO does) mobilises practically as many logistical chains as the number of national forces that are projected. This is partly a consequence of the low level of standardization and interoperability (a problem that is already being studied by EDA. However, the EDA, as of today, has very limited means to correct it). The principle of a common logistical chain for expeditionary forces should be agreed upon, to reinforce the aim of effective standardization as well.

The question of additional resources for Defence, present in the 2003 ESS, has not been solved. The EU members spend for Defence about 180 billion Euros each year. However, out of this respectable sum only about 22% goes for investment and acquisitions. The amount needed for the necessary modernisation and reinforcements, and to attain the Helsinki Goals, is greater (the investment budget should reach about 30% of the total expenditure, about 15 billion Euros more each year). The possibility of increasing the various national defence budgets to cover this gap is very limited and certainly insufficient. Thus a different path is required, one which diminishes duplication and increases the effectiveness of expenditures. The more logical way would be to increase commonalities and integrate a large part of the acquisitions at the European level.

Should a Structured Permanent Cooperation (SPC) be established among a few able and willing EU members, the prospect of common defence expenditure standards would arise, and of fixing targets and conditions, similar to what has been done for the European “core” in the monetary field. All the relevant decisions would have to be taken by the members of the SPC, and the Protocol No. 4 (on the SPC established by Art. 27 of the Treaty) already fixes a number of objectives such as a stronger development of defence capabilities, harmonisation of armaments programs, the fielding of new forces, attaining agreed-upon budgetary objectives, identifying common military requirements, etcetera. Thus it would be useful if the EU institutions prepared a common position on these matters, indicating the best criteria and objectives, to ensure a higher degree of understanding and solidarity among those inside and those outside the ESDP core.

All this is inextricably linked with industrial and market policies. EDA and the European Commission have proposed some initial positive measures (a Code of Conduct, a Directive for public procurement, etc.), but a single European defence market remains a very distant objective. It is not simply a question of market liberalisation, but of public policies. Defence, industrial and research policies are closely interconnected. The EDA has neither the power nor the funds to replace the existing national agencies. This means, however, that the European defence policy and market remain the uncomfortable patchwork of the national markets (and policies). The ESS should note that the development of a stronger European common defence policy, or the establishment of the SPC, would require a strong industrial and market chapter.

13. What to Do? A Set of Different Documents

With the Lisbon Treaty the EU will have the opportunity to become a full-fledged international actor, capable of making a common (single?) foreign and security policy, in contrast to its past and present reality, where the EU is regularly engaged in specific negotiations and crises, largely disjointed from each other. The EU will increase its proactive ability to deal with the international environment. Thus, the ESS will be transformed from a holistic document, one which simply expresses the general consensus of the Union, into a politico-strategic document, indicating the priorities of its policy, and opening the way to assess their means, costs and ways.

That requires more than a single document. The new ESS should be seen as **a set of different but related documents**, not necessarily to be approved all at the same time. It is possible to conceive a gradual approach, defining, completing or modifying the various documents according to their effective requirement and the level of consensus reached among the Members.

The various documents would be differently classified: while the more general and political ones would be conceived for a general audience, those which are more operational shall have an appropriate classification degree. An indicative and provisional list is the following:

- a. the first document could be largely drawn from the present ESS, with additions and modifications, to express **the general political consensus of the Union** on the main principles and criteria of the CFSP
- b. another document could look at the **long-term perspectives** of the international situation (5 to 10 years) in order to identify and define the main strategic priorities of the Union, clarifying the common perception of threats, risks and opportunities
- c. a specific document should consider the **institutional and operational ways and means** to increase the coherence, effectiveness and timeliness of the European external actions (building upon the work already done by the European Commission on institutional coherence)
- d. a document, to be followed and completed by specific instructions, would serve as a general **guide for action, and language standard**, for the European diplomatic agents and for the other European representatives acting internationally
- e. an **operational concept** to detail the means and the strategies to be applied where security and defence operations are engaged (ESDP), taking into consideration the basic rules of engagement, the chain of command, elements of a field manual etcetera
- f. the previous document should be related to another one, a kind of **crisis management handbook**, taking into account the various lessons learned in the field in terms of peace-keeping, humanitarian interventions, peace-enforcing, State building and similar, and drawing the necessary operational conclusions

While most of these documents could be revised whenever the need arose, a periodical upgrade of the first one (the ESS general document) would be useful to take stock of what has been done, and to identify the necessary modifications, confirmation or change of priorities, becoming a European global political guidance.

The first step of such a complex process could be the current revision of the ESS, which should include the provisions necessary to continue and complete the process needed to form a complete, coherent and effective CFSP/ESDP.

14. Who Must Revise the ESS?

The present ESS has been presented by the High Representative to the European Council and endorsed by its consensus. **It would be certainly better to continue this way, avoiding the clumsiness and delays inevitable in any intergovernmental approach.** The question remains, however, of deciding which institution would be best suited for the task.

Given the fact that the new President of the Union will also be its external representative, the task of identifying the general consensus of the Union should probably fall on him. However the new High Representative/Vice-President of the Commission will be better suited to conceive and present the more operational aspects of the European doctrine and strategy. A division of labour could be conceived between these two institutions, allowing for a high degree of reciprocal fertilization. All the other European institutions should of course be consulted and be allowed to make their own contribution and propose modifications.

A small **permanent strategic and inter-institutional task force** could be created, under the chairmanship of the President of the Union or, where appropriate, of the High Representative, to produce these documents and to consider their adjournments and modifications. The relationship between this task force, the future European External Action Service, the existing Policy Unit and the staff working for the High Representative should be considered.

Specialized European agencies, such as the Institute of Security Studies and EDA, should work for the task force, preparing ideas, provisional drafts and similar, requesting and gathering the contributions of national agencies, independent think-tanks and other experts and practitioners.

Should a Structured Permanent Cooperation be launched by a group of willing and able countries, the future ESS must take into account the existence of this smaller and tighter defence core, a core which is capable of breaking ground for the general EU consensus. The European institutions in charge of CFSP would be responsible for maintaining the overall political coherence of the two approaches and for keeping open the possibility of enlarging the original group.

The European Parliament (EP) should be brought in the process, for a number of reasons. The new Treaty increases the Parliament's visibility in the overall EU governance. Among the most relevant provisions, there is the fact the new High Representative, being also a Vice-President of the Commission will need to undergo the parliamentary confirmation process. Moreover, the new President of the Union will provide the EP with a report after each meeting of the European Council. The High Representative will also *'regularly consult'* with the EP on the *"main aspects and basic choices of CFSP and CSDP"* and *"inform it of how those policies evolve"*, ensuring that its views *"are duly taken into consideration"*. On its part, the EP may ask questions of the Council or make recommendations to it and to the High Representative and, twice a year, it shall hold a debate on progress in implementing the CFSP, including the common security and defence policy.

An important evolution could take place if the further development of CFSP and ESDP has budgetary consequences, increasing the part of common expenditures. Even if it is not clear as yet how much will be spent from the "obligatory" part of the EU budget,

and how much from the intergovernmental part, it would be more convenient to involve the Parliament in the overall process.

Finally, the high political relevance of many CFSP and ESDP actions and their delicate constitutional nature (involving decisions of war and peace) require the backing of the highest possible political legitimacy, not only at the national levels but at the European one as well.