



THE EU-NATO RELATIONSHIP AND THE DEVELOPMENT OF CSDP

Bachelor Thesis

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Summary

For this Bachelor thesis, I will perform a longitudinal study on the development of the European Union's Common Security and Defence Policy (CSDP) in relation to the existing relation of another organisation with similar objectives: the North Atlantic Treaty Organisation (NATO). Specifically, I will study the impact NATO has had on the progress of the development of the EU's CSDP. This study will be performed on the basis of a mixture of descriptive and empirical questions. The data underlying this research will mainly be policy documents, treaty texts and academic analyses.

The leading research question is the following:

'To what extent has the development of the EU's Common Security and Defence Policy been facilitated or hampered by the existence of NATO?'

1. Introduction

The EU's CSDP was initiated by the 1992 Maastricht Treaty and was further developed on the basis of further treaty modifications and policy initiatives. Both the treaty texts and many policy documents reveal the Union's ambitions to establish its own security and defence policy and in 2003 the European Union finally launched its first military mission. Yet, the ambitions laid down in the treaty text and the policy documents have not been fully materialised. One of the underlying hypotheses is that this is partly due to the presence of NATO, which has also been active in the same area and of which almost all EU member states are also a member.

For instance: why doesn't the EU have an army? In many other areas of economy, trade, law and travel, the EU has been able to achieve a supranational level of integration. Is it then not the logical step to integrate security and defence to EU level as well? There are many obvious advantages of developing a European Defence Union (EDU). In its twenty-five years as an international security actor, the EU's various security missions have been fraught with fragmentation which has often lead to a NATO takeover (e.g. the Balkan crisis in the 1990's) or has resulted in MS's acting alone and outside the EU framework (e.g. France's Libyan missions in 2011). The President of the European Commission stated in March, 2015, in response to the Ukrainian crisis, that "The European Union needs its own army to face up to Russia and other threats, as well as to restore the bloc's standing around the world" (Euractiv, 2015). Furthermore, the ongoing Eurocrisis has forced almost all MS's to cut back on military expenditure (Blockmans, 2013). Pooling military resources would create a scale effect and would cut down on waste created by duplication, enabling the EU and its MS's to effectively do 'more with less' (Biscop, 2012).

The idea of a common European defence is not new, dating back to the early days of the European Coal and Steel Community in the 1950's. More than half a century on, the EU still does not have a common defence union. Although other areas of EU integration have been a lengthy process, foreign and defence policies have proven to be a much more difficult area with MS's less willing to give up their autonomy to the EU institutions. The preference of Member States for non-binding mechanisms in the field of capabilities improvements is a key factor explaining slow progress (Reynolds, 2006; Witney, 2008). However, this paper will explore another factor that has contributed to the EU not yet being able to achieve a common defence: NATO.

Throughout its existence, NATO has had a defining role in European security. The EU-NATO relationship has changed over time. Most notably, NATO can be described as playing a role as key inhibitor of autonomous European defence during the Cold War, to becoming a key enabler with the construction of the Berlin Plus arrangement in 2003. Since the creation of CFSP in 1992, NATO has remained in and been protected by the EU Treaties. "As soon as the EU decided to develop the institutions necessary for its European Defence and Security Policy, NATO officials had a decisive input in the creation of these institutions" (Blockmans, 2013, p.250,. Howorth, 2007, p. 165,. Biermann, 2008). Critics even describe the Treaties as 'ring-fencing' NATO agreements. Furthermore, once the EU created an autonomous defence institution, known as European Security and Defence Policy (ESDP), it was modelled on NATO and even included key NATO personnel.

1.1. Methodology

This thesis is based completely on the review of scientific literature from qualified authors. I make no use of data and do not make any use of my own opinion except how I interpret the literature. Before I started work on this thesis, I completed an introductory assignment. During the course of the thesis I have met and discussed the work with my supervisor. Taking this into consideration, my research question is:

1.2. Research Question

'To what extent has the development of the EU's Common Security and Defence Policy been facilitated or hampered by the existence of NATO?'

To answer this question, I will answer four sub-questions. On the basis of the answers to these sub-questions I will be able to answer my main research question. The first two sub-questions are descriptive question, aiming at clarifying the different roles and competences of the EU and NATO in relation to European security.

1. *Which roles and competences does the EU have in relation to the defence and security of its Member States?*

2. *How does the security and defence policies and assets of the NATO compare to that which is supplied by the EU?*

The third sub-question will analyse the way in which the EU has been able to make use of NATO's existence, for instance by making use of its infrastructure and by taking over military missions.

3. *In which way has NATO's presence facilitated the development of the EU's CSDP?*

The fourth sub-question is an explanatory question, explaining how the existence of NATO and the partly overlapping tasks have hampered the development of EU security and defence policies:

4. *'To what extent has the presence of NATO hampered the EU's development of security and defence policies?'*

These four sub-questions will subsequently be dealt with in different chapters, allowing me to draw an overall conclusion in a final chapter.

1.2.1. *Sub-question 1) Which roles and competences do the EU and NATO have in relation to European security?*

The goal of answering this first sub-question is to clarify the role that the EU has in EU defence matters and whether the organisation in-fact has a place in EU security and defence. Foreign policy, defence and security in the EU MSs is still a sensitive subject, therefore the MSs have felt they needed to preserve autonomy when it comes to decision-making in this area, leading to complex decision-making process, requiring consensus between the MSs (Bickerton, Irondelle & Menon, 2011). The specific roles and competences of the EU have been set out in their relevant treaties. The EU's place in security and defence is set out in article 24(1) TEU: *"The Union's competence in matters of common foreign and security policy shall cover all areas of foreign policy and all questions relating to the Union's security, including the progressive framing of a common defence policy that might lead to a common defence."*

There are many more Treaty articles that confirm the EU's role in foreign policy as well as defence and security matters. However, competences of the EU as a security actor can also be seen by the creation of institutions at EU level, designed to implement security and defence operations. These institutions would enable the EU to benefit from, in the words of the Saint-Malo declaration, 'the appropriate structures and a capacity for situation analysis, sources of intelligence and capability for relevant strategic planning' (Grevi, 2007). Initial steps towards the construction of this infrastructure were

taken with the creation of the Political and Security Committee, the EU Military Staff and the EU Military Committee (Howorth, 2007).

1.2.2. Sub-Question 2) How does the security and defence policies and assets of the NATO compare to that which is supplied by the EU?

The story of NATO and its role and competences in European security are quite different to that of the EU. With the end of the Cold War and thus dissolution of the 'Soviet Enemy', NATO was forced to rethink its *raison d'être* and justify its existence in Europe (Blockmans, 2013). However, while the EU was just taking its first steps towards a common defence in 1992, with the signing of the treaty of Maastricht, NATO already had the institutional set-up and military infrastructure as a result of half a century of defending Europe from the threat posed by the Soviet Union. However, unlike the EU, NATO has never striven for anything more than intergovernmental decision making and its Treaty has remained relatively untouched since its signing in 1949. The role of NATO is best described by Article 5 of the NATO treaty on collective defence of the NATO member states, stating that "[t]he parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all..."

1.2.3. Sub-question 3) In which way has NATO's presence facilitated the development of the EU's CSDP?

Although the EU has continued to strive for autonomous security and defence, it has proven to be incapable without NATO "not only for its military and intelligence capabilities, but also for its role in smoothing relations among its members" (Duffield, 1994, p. 764). In many ways, the very existence of NATO created 'intra-alliance reassurance', much in the same way as the European community was used to prevent conflict between the European powers. Conflict that arises from mistrust of other MSs and misinformation were minimized due to the transparency created by NATO. Instead, 'mutual confidence' was promoted through NATO-facilitated meetings between members at varying levels and about a wide range of subjects, giving members a chance to discuss intentions, activities and concerns (Duffield, 1994, p. 772-5).

At NATO's ministerial meeting in Berlin in 1996, a compromise and new, albeit temporary, institutional post-Cold War balance was struck. According to the agreement, the West European Union (military arm of the EU), would gain access to NATO's military assets and planning capabilities for the launch of missions 'where NATO as a whole is not engaged' (Varwick & Koops, 2009, p. 104). "This 'Berlin agreement' thereby reinforced NATO's political pre-eminence, whilst indirectly enhancing the EU's military capabilities and operational options"(Blockmans, 2013, p. 253).

While the EU continued its efforts to create autonomous defence institutions, it lacked the resources and will of the individual MSs to pay for and commit to such resources. The Berlin Plus agreement consolidated the EU-NATO 'strategic partnership' even further by allowing the EU access to NATO's military assets and capabilities (Varwick & Koops, 2009). The implementation of the permanent agreements between the two organizations, namely the confidentiality agreement, finalized on 11 March 2003, allowed the EU to take over the operation Allied Harmony in Macedonia on 31 March 2003 (Haine, 2007). This European military revolution sparked a change for the EU as an international military actor and become the EU's first ever military mission, *Concordia* (Varwick & Koops, 2009). Concordia also served as an important preparation for the EU's second, more complex mission, *EUFOR Althea* in Bosnia, which would also operate under the Berlin Plus mechanism, taking over NATO's Stabilization Force (idem).

1.2.4. Sub-question 4) To what extent has the presence of NATO hampered the EU's development of security and defence policies?

The objective of answering this third sub-question, is to explain the various ways NATO has inhibited the development of European security and defence, either directly or indirectly. It was not until the end of the Cold War that the EU was faced for the first time, an external environment which gave it the legitimacy to create a Common Foreign and Security Policy (Varwick & Koops, 2009, p. 110). Such a major development had been unattainable during the Cold War, when security was already guaranteed by the dominant US military in Europe. There was little incentive for European leaders to organise their own defence, beyond or separate from the existing NATO arrangement (Varwick & Koops, 2009, p. 110). For this reason, critics label NATO as an inhibitor of European security and defence development during this period (Blockmans, 2013,. Varwick & Koops, 2009).

During the Cold War, most MSs failed to reach the agreed NATO target of 3% of GDP on defence (Howorth, 2012). In 1990, the US was responsible for 60% of NATO funding, increasing to 75% by 2011 (idem). With 21 of the European NATO member states only reaching an average of 1.3% of GDP on defence budgets, and with the financial crisis leading to fresh budget cuts, it was only a matter of time before the US would take drastic action. US defence Secretary, Robert Gates, warned in June of 2011, that the US would abandon NATO if current trends the shrinkage of defence capabilities were not reversed (Traynor, 2011). At the same time however, Washington has also remained adamant that initiatives of the EU should not be undertaken outside the NATO framework (Blockmans, p. 252). NATO has had a defining role in European defence in many ways including influencing the process of decision making through political muscle and has been able to influence the Treaties in such a way as to protect its level of influence. "Crucially, these provisions have always sought to ring-fence the commitments

made between allies in the context of NATO” (Blockmans, 2015, p. 246). “This has led commentators to characterise several stages of the relationship as either a “beauty contest” or even a “frozen conflict” (Blockmans, 2013, p. 244).

2. The role of the EU and its competences in defence and security matters

The goal this section is to clarify the function of the EU, in EU defence matters and whether the organisation in-fact has a place in EU security. To do this, I will attempt to answer the sub-question: *Which roles and competences does the EU have in relation to the defence and security of its Member States?*

The specific roles and competences of the EU have been set out in the relevant treaties and can also be seen by its existing institutions. First I will discuss the treaty provisions of the EU and what they mean for European defence. Second I will briefly discuss how CFSP differs from other areas of the EU. Finally, I will discuss the relevant EU institutions. In the following chapter, I will discuss briefly the existence of NATO, and how it differs from EU security and defence. I will conclude with how these two security and defence providers compare to one another. While it is not the goal of this chapter to explain in detail the decision-making procedure of CFSP, it is important to describe the most important bodies and institutions of CFSP. By illustrating the level of integration and substance of EU foreign, security and defence policies, I hope to explain the competences the EU has in the security and defence of its MSs. In doing so, we can see the extent that MSs have replaced their national foreign and security policies with EU policies (Wessel, 2015). Although CFSP has become ‘more’ supranational since its birth at Maastricht in 1992, it can be concluded that this integration process is not intended to develop in a linear way as other EU policies and will not result in the convergence of all national policies into one single EU policy (Wessel, 2015).

2.1. CFSP/CSDP Treaty provisions

The EU’s Common Foreign and Security Policy (CFSP) is based on a set of compromises, and came to exist through its strong links with other policies and the creation of a single institutional structure with the Treaty of the European Union in 1992 (Wessel, 2015). Unlike NATO, which was created to defend against the ‘Red Threat’, CFSP was created during post-war times and thus, without the emergence of an imminent threat. MSs were and are still rather reluctant to hand over powers. There have been developments since then, in the form of new treaties, directives and protocols which have ultimately seen a move from NATO dominance, to giving the EU more competences while still having access to NATO assets. Former NATO chief Javier Solana is quoted saying that “in the past the EU was intended to secure peace in Europe; today, it is about being a peace-builder in the rest of the world” (Solana,

2007). Legitimization is not only necessary for galvanizing support for EU defence policy, the international role of the EU has been seen as the most appropriate vehicle for legitimizing the EU project as a whole in the 21st century and driving integration forward (Andréani and Ruyt, 2006). However, foreign policy, defence and security in the EU MSs remains a sensitive subject and the MSs have felt they needed to preserve autonomy when it comes to decision-making in this area, leading to complex decision-making process, requiring consensus between the MSs (Bickerton, Irondelle & Menon, 2011). While it remains different to other areas of the EU, CFSP is now accepted as being an important part of EU external relations (Wessel, 2015).

The negotiations on the transformation of the European Community into the European Union in 1991, at Maastricht, brought with them 'newly found ambitions in the security realm' (Blockmans, 2013, p. 245). With the continued integration of the Member States of the European Community's economic and trade policies, it became increasingly difficult to leave out the area of foreign and security policy. The treaty of Maastricht incorporated a new intergovernmental pillar known as the Common Foreign and Security Policy (CFSP). The objectives of CFSP remain today and are set out in Article 2 (ex Article B) of the Common Provisions, which states that the EU is to: *"assert its identity on the international scene, in particular through implementation of a common foreign and security policy, including the eventual framing of a common defence policy, which might lead in time lead to a common defence"*. In this article, the EU MSs have agreed that despite their different languages, culture and history, they share enough values to form an EU identity, in relations with the international scene. They have agreed that, to be an international actor an EU identity is more important and more effective, than identifying with the Italian, British, French etc nationality. Furthermore, it was also agreed at Maastricht and every subsequent treaty change since, that there is the intention to create a common defence.

The objectives as a global actor and the identity the EU wanted to *assert*, are further set out in Article 3(5) TEU: *"In its relations with the wider world, the Union shall uphold and promote its values and interests"*. The building and development of the EU has contributed to the longest ever period of peace in the history of the continent. Recognising that the peaceful coexistence of the MSs can be attributed to the EU's core values of democracy, rule of law, human rights and freedom of speech, the leaders of the EU not only see it as their duty to promote these values on the international scene, but also feel that the best way to do this, is through the EU. Article 3(5) also states the importance of observing international law, as well as respecting the principles of the United Nations Charter.

CSDP

At the Cologne summit in June 1999, the 15 EU Member States officially launched the 'common European policy on security and defence'. Soon thereafter, it acquired the label the 'European security

and defence policy' (ESDP). Under the Lisbon Treaty, ESDP was converted into the 'common security and defence policy' (CSDP) (Bickerton, Irondelle & Menon, 2011). The new name shows the greater emphasis that the EU institutions and MSs have placed on security and defence at the Treaty of Lisbon (Koutrakos, 2013, p. 30). The 'Provisions on the Common Security and Defence Policy' are laid down in Section 2 of Chapter 2 TEU called 'Specific Provisions on the Common, Foreign and Security Policy'. This underlines that CSDP can be seen as forming part of CFSP. (Wessel, 2015, p. 400). Article 42(1) TEU: *"The common security and defence policy shall be an integral part of the common foreign and security policy."*

Since both CFSP and CSDP deal with 'security' and that concept is not defined by the Treaty, it has always been unclear where to draw the line. (Wessel, 2015, p. 401). Due to the vague definition in the treaties, practice shows that CFSP is mostly linked to the practise of 'Foreign Affairs Ministries' which includes diplomacy and political dialogues, while CSDP is the responsibility of the Defence Ministries (Wessel, 2015). A clear line can then be drawn between 'military security' (CSDP) and other forms of security (CFSP) (Wessel, 2015). The provisions for CSDP are set out together under Title V TEU, entitled 'General Provisions on the Union's External Action and Specific Provisions on the Common Foreign and Security Policy' (Koutrakos, 2013, p. 30). There are two chapters making up Title V, the first (Art 21-22 TEU) deals with general provisions on the EU's external action, and the second (Art 23- 46 TEU) deals with the specific provisions on CFSP, including CSDP (Art 42- 46) (idem).

2.2. How CFSP/CSDP differ from other areas of the EU

More than twenty years since CFSP was created, a common defence still does not exist however, and full integration of CFSP has not been achieved. This is largely due to the competences and decisions making processes which are specifically bound and unique to CFSP. The differing legal nature of CFSP is clearly set out in Article 24(1) TEU: *"The common foreign and security policy is subject to specific rules and procedures"*. Until the Treaty of Lisbon came into force in December, 2009, the EU had formed a pillar structure of rules, separating European Community policy areas, from CFSP and the third pillar: Justice and Home Affairs (which at the Treaty of Amsterdam, became Police and Judicial Cooperation in Criminal Matters) (Koutrakos, 2013, p. 25). The Treaty of Lisbon unified all areas of the EU, by abolishing the previous three-pillar structure (idem). In doing so, CFSP was granted legal personality as is set out in Article 47, which had previously only been enjoyed by the European Community (EC) pillar (idem). However, CFSP still does, in many ways, differ from other areas and policies of the EU (Wessel, 2015). This is because of the way it operates and its inter-governmental nature distinguish it from the traditional community areas such as the single market and trade policy (EUR-Lex CFSP, 2016). The main difference lies in the decision-making procedures, which require MS

consensus instead of the majority voting procedure which is used in other EU areas. Other differences can be seen in the way that the Commission, the European Parliament (EP) and the Court of Justice (CoJ) play much smaller roles than matters outside of Title V.

However, Article 2(4) TFEU illustrates a shift from being completely intergovernmental, to competences being conferred upon the Union (Wessel, 2015): *“The Union shall have competence, in accordance with the provisions of the Treaty on European Union, to define and implement a common foreign and security policy”*. However, the nature of the competence remains unclear. For example, the foreign, security and defence policy is the only policy area that finds its legal basis in the TEU and not in the TFEU (Wessel, 2015). Furthermore, CFSP does not enjoy exclusive competences, shared competences or supporting, coordinating or supplementing competences, as stated in Article 3-6 TFEU, where there is no mention of CFSP (Wessel, 2015). The foreign, security and defence policy is the only policy area that finds its legal basis in the TEU and not in the TFEU (Wessel, 2015).

2.3. CFSP/CSDP institutions

Competences of the EU as a security actor can also be seen by the creation of institutions at EU level, designed to implement security and defence operations, separate from the individual MSs. These institutions would enable the EU to benefit from, in the words of the Saint-Malo declaration, *‘the appropriate structures and a capacity for situation analysis, sources of intelligence and capability for relevant strategic planning’* (Grevi, 2007). Initial steps towards the construction of this infrastructure were taken with the creation of the Political and Security Committee, the EU Military Staff and the EU Military Committee (Howorth, 2007). The main institutions responsible for CFSP are the same institutions responsible for other EU policy areas. This is due to the EU’s ‘single institutional framework’ which includes all policy areas. However, the institutions’ functions and the relationship between institutions differ and some organs are specifically relevant to CFSP (Wessel, 2014).

The European Council:

The European Council has the leading role in the formation of CFSP, however its competences are indirect as they merely facilitate the decision-making by the Council of Ministers (Wessel, 2014). Article 22 TEU sets out that: *the European Council shall identify the strategic interests and objectives of the Union*. This provision entitles the European Council to decision-making powers, allowing for the adoption of ‘decisions’ as interpreted by EU law, which is neither legislative nor an implementing act, however (Koutrakos, 2013, p. 38). The European Council non-the-less plays a crucial role CFSP/CSDP matters by, as identified in Article 26 TEU, identifying the Union’s strategic interests and determine the objectives of CFSP (idem).

The Council:

Due to the indirect competences of the European Council, The Council can be regarded as the main decision-making institution of CFSP. This is stated in Article 26(2) TEU: *“The Council shall frame the common foreign and security policy and take the decisions necessary for defining and implementing it on the basis of the general guidelines and strategic lines defined by the European Council.”*

The Council also decides on voting procedures, however, unanimous voting still forms the basis of CFSP decisions ‘except where the Treaties provide otherwise’ (Article 24(1) TEU). Furthermore, The Council can adopt decisions as well as review the principles and objectives of decisions (Wessel, 2015).

The High Representative (HR):

The Lisbon Treaty established the position of the High Representative of the Union’s foreign and security policy. The HR is the Vice President of the European Commission as well as president over the Foreign Affairs Council (Art 18(3) TEU). The role of the HR is to ensure effectiveness and visibility of CFSP and to create cohesion among the varying types of initiatives in EU foreign policy as well ensuring unity in activities at international level (Diplomatie, 2016). This dual role reflects the dual institutional status of the position (Koutrakos, 2013, p. 41). On the one hand the HR is to ‘conduct the EU’s common foreign and security policy’ (Art 18(2) TEU), on the other, is responsible within the Commission for ‘external relations and for coordinating other aspects of the Union’s external action’ (Art 18(4)). The introduction of the position of HR provides the EU’s international role with a face (Koutrakos, 2013, p. 41). Currently, the HR post is held by Frederica Mogherini. Her responsibilities include the following: first, she has the right of initiative, where she may submit initiatives or proposals to the Council, significantly shaping its agenda (idem). Second, she enjoys executive powers, with the responsibility of implementing CFSP (idem). Third, as already stated, the HR represents the EU on the international level, carrying out political dialogue with third countries and international organisations, including the United Nations Security Council (Art 34(2) TEU). Fourth, the HR manages CFSP, which includes the power to convene an extraordinary Council meeting when necessary (Art 30(2) TEU), manage CSDP contribution funds and search for solutions when decisions by QMV are prevented by one or more MSs (Art 41(3) TEU). Finally, the HR is entrusted with the management of MSs who are willing and have the capabilities to perform tasks under CSDP crisis management Art 44(1) TEU), together with the Council and the Political and Security Committee (Art 38(2) TEU). She interacts and regularly consults with the European Parliament, ensuring consistency of viewpoints (Art 36 TEU). In carrying out these responsibilities, the HR is assisted by the European External Action Service (Art 27(3) TEU).

The European External Action Service (EEAS):

The EEAS was established with the Treaty of Lisbon. Its primary task is to assist the HR by working together with the diplomatic services of the MSs (Koutrakos, 2013, p. 47). The EEAS is made up of officials from the Commission and the Council, as well as diplomats seconded from the MSs (Art 27(3) TEU). The intentions behind EEAS are to provide a focal point for the EU as an international actor, to help facilitate coordination and to create a culture of cooperation between officials from MSs and the EU institutions (Koutrakos, 2013, p. 48). The creation of EEAS was not without controversy however, as some MSs such as the UK viewed it as an EU power grab, but also because of the lack of specifics about the functions of EEAS written into the Treaties (idem).

Other institutions, specific to CFSP and CSDP are the Political and Security Committee (PSC), which can be described as the central body of CFSP. PSC keeps up with current affairs and helps to decide on policies by giving its opinion to the EC as well as monitoring the implementation of policies agreed by the EU (Diplomatie, 2016). European Correspondents act as points of contact between MSs and help facilitate the pursuit of common positions on CFSP issues (Diplomatie, 2016). As with other EU policy areas, CFSP has its own specific working groups, communication networks and other types of advisors.

2.4. Conclusions and answering of sub-question 1

Since the EU introduced CFSP at the Treaty of Maastricht in 1992, development of security and defence policies has continued forward and become more complex. The EU has gained more competences in this area with individual MSs giving up an increasing amount of autonomy. Evidence of this can be seen in the decision making structure of CFSP and CDSP which has experienced an increased amount of QMV, replacing unanimous voting. Furthermore, institutions and positions specific to CDSP have increased in number, such as EEAS and the position of HR. Critics may say that progress has been slow and that the EU may never achieve a common defence. However, few can argue against the importance CSDP has gained, not only to the EU as an organisation, but to its MSs and their individual security and defence policies. Although uncomprehensive, in this section I have illustrated the competences the EU has gained in the area of security and defence policies and the ever increasing complexity of institutions involved, which can be described as no less than significant and far reaching. The in-depth treaty provisions and complex institutional structure are sufficient enough to conclude that the EU plays a significant role in security and defence matters of the EU MSs and that it will continue to do so for the foreseeable future.

3. Comparing security and defence providers: NATO vs EU

In this next section, I will compare the NATO to the EU in the realm of security and defence providers. To do so, I will answer the second sub-question of this thesis: *How does the security and defence policies and assets of NATO compare to that which is supplied by the EU?*

In the previous section I have given a short overview of the policies and institutions of the EU which make up its CFSP and CSDP. Therefore I will begin this section with a similar look at NATO. I will start with a short history of NATO, explaining how an American-lead organisation could come to being a principle supplier of security in Europe. Second, I will discuss the institutional set-up of NATO as well as the assets and capabilities it has at its disposal. I will conclude this section by comparing the EU to NATO as security and defence organisation in the EU.

3.1. A brief history of NATO

The North Atlantic Treaty Organisation, created in 1949, between the U.S. and the European powers, was to act as a deterrent to communism, which threatened the stability and security of Europe until the collapse of the Iron Curtain in 1989 (Daalder & Goldgeier, 2006). The founding NATO treaty is essentially a collective defence clause set out in Article 5. In this article the *“Parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all”* and that in the event of such an attack, each of them, in accordance with Article 51 of the Charter of the United Nations on the right of individual or collective self-defence, will assist the victim of the attack, using necessary action, including armed force. While the treaty represented the commitment by the U.S. to defend Europe from the military advancements of the Soviet Union, it was also a way to persuade the governments of the European capitals to resist the spread of the communist ideology at home (Daalder & Goldgeier, 2006).

The treaty's European focus was underscored by Article 10, which opened the door to future NATO membership only to European countries, and Article 6, which limited the alliance's geographic reach to being "on the territory of any of the Parties in Europe or North America" but would not extend to any colonial possessions or other affiliated territories (Daalder & Goldgeier, 2006). During the Cold War, the alliance expanded from 12 to 16 members -- with Greece, Turkey, and West Germany joining in the 1950s and Spain in 1982 (Daalder & Goldgeier, 2006).

With the collapse of the Soviet Union “many observers expected that NATO's demise would soon follow” (Duffield, 1994, p. 763). It's primary purpose of addressing the threat posed by the Soviet Union was now gone.(Duffield, 1994). Furthermore, once the Cold War had reached its end, the principle force that bound the US to Europe was removed (Posen, 2006, p. 159). European leaders could no longer count on or even be content with an ongoing US military presence in Europe (Varwick & Koops,

2009, p. 110). NATO would have to find new goals and even a new reason to exist if it were to survive, let alone to remain as a legitimate presence in Europe. More than a quarter of a century on and NATO exists, albeit with different objectives. NATO assets built up during the Cold War are still very much present in Europe too. Senior Fellow for Europe at the Council on Foreign Relations in Washington, Celeste A. Wallander, wrote in 2000,

"I expect that NATO has persisted after the Cold War not merely because it already exists (the sunk-costs argument), but because its Cold War institutional form included specific assets for achieving transparency, integration, and negotiation among its members, and because it developed general assets that could be mobilized to deal with new security missions." (p. 711)

In other words, the alliance differs from traditional mutual aid or guarantee pacts in several respects important for understanding its institutional form (Wallander, 2000, p. 712) NATO's function was much more than just to defeat the Soviet threat alone. Since the signing of the treaty in 1949, NATO grew from a political commitment to an elaborate political-military institution (Wallander, 2000, p. 713).

3.2. NATO's organisational structure and military assets

To achieve these various purposes, the Alliance had developed the appropriate assets (Wallander, 2000). Organisational assets were developed to enable the Alliance to discuss and address problems and implement decisions once they had been made (Wallander, 2000). The only institutional structure established by the treaty (Article 9) was the North Atlantic Council (NAC), which is the principle decision-making body. High-level representatives of each member country come together to discuss policy or operational questions that require collective decisions. Decisions are made based on unanimity and therefore express the will of all members. The NAC is chaired by the Secretary General, currently Jens Stoltenberg of Norway. Its decisions have the same status and validity at all levels. The decision making process is similar to that of the CFSP or other political groups. Working groups work with national military delegations and the International Military Staff (IMS), to trouble shoot possible issues. The IMS acts as the executive agent of the Military Committee (MC), which provides consensus-based military advice for the NAC. The MC has the important role of translating political guidance from the NAC, into military direction. The MC also works the Political Committee, which is the political advisory arm of the NAC.

NATO has a vast array of assets across Europe which are used in the defence of Europe, as well as for crisis management around the world¹. To allow military and civilian personnel from the different member states to operate together, a permanent, integrated military command structure has been

¹ Unless otherwise stated, all information from this paragraph comes from the NATO website www.NATO.int

established. At the top-level of the Strategic Command, is the Allied Command Operations, in Mons, Belgium (A second Strategic Command is the Allied Command Transformation, in Norfolk, in the US). There are two Joint Force Commands under the Strategic Commands, situated in Brunssum, Netherlands and in Naples, Italy). These two Joint Force Commands can be used to deploy and run military operations. Additional to the Command Structure, there is an air command in Ramstein, Germany, a land command in Izmir, Turkey as well as a maritime command in Northwood, United Kingdom. Almost all of NATO's troops and equipment are drawn from its member states. In fact, the only military equipment belonging to the Alliance itself, is a fleet of AWACS (Airborne Warning and Control) aircraft. However, in 2018, five Global Hawk surveillance drones will be added to its permanent operating assets. Once the members of the Alliance unanimously agree to an operation, troops and equipment from its member states will be put under NATO command. Military capabilities and expertise drawn from member states includes tanks, submarines and fighter jets. In the same way, multinational troops will be added to be known collectively as 'NATO forces'. However, there are a number of standing forces on active duty which form the permanent collective defence, including four standing maritime group fleets. On a 24/7 basis, NATO allied fighter jets patrol the airspace over Albania, Estonia, Latvia, Lithuania, and Slovenia, all of which do not have their own fighter jets but are members of the Alliance. For the member states who do, NATO has an integrated air defence system which links national air defence capabilities and includes the Alliance's ballistic missile defence capabilities.

3.3. Conclusions and answering of sub-question 2

Both the EU and NATO are involved in the defence of EU Member States (MS), which at times has been a cause of conflict due to overlapping functions and inter-organisational rivalry. NATO has often been less controversial than CSDP, in part because it has remained an agreement of collective defence and has not attempted to remove its member's sovereignty. But also in part because of the role it played during the Cold War, where the threat of nuclear war legitimized NATO's presence. The development of the EU as a security actor possibly trespassing on the perceived prerogatives of NATO remains a contentious issue (Blockmans, 2013, p. 244). However, the existence of the EU's dense institutionalized framework may give a misleading impression that the EU has a fully developed operational structure, giving it the capability to handle every military mission in an automated matter of course (Koutrakos, 2013, p. 101-2). As will be discussed in chapter four and five however, this is not true. Compared to NATO, for example, the EU has no permanent military headquarters where the execution of operations could be planned and overseen (*idem*). Instead, once the EU decides on a military mission, the location of the headquarters is decided on an ad hoc basis (*idem*). For missions which make use of NATO assets and/or capabilities, the headquarters is located at the NATO Allied Command Operations, in Mons,

Belgium (idem). The fact that the EU lacks such a headquarters in Brussels along with the other main EU institutions, verifies an extent of EU integration in an area some MSs are not prepared to go (idem). Furthermore, “the establishment of autonomous EU headquarters may be seen as antagonistic to, and potentially undermining, NATO” (idem).

4. NATO as facilitator of CSDP

Since the birth of CFSP the EU has continued to strive for autonomous security and defence, but has proven to be incapable without input from NATO. From the development of institutions, to the launching of independent military operations, the EU needed NATO “not only for its military and intelligence capabilities, but also for its role in smoothing relations among its members” (Duffield, 1994, p. 764). Therefore, this section will be dedicated to explaining the ways NATO has assisted the development of the EU’s CSDP. I attempt to answer the third sub-question: *In which ways has NATO’s presence facilitated the development of the EU’s CSDP?*

“[...]The end of the bipolar world has reversed NATO’s role and impact into becoming a key enabler and facilitator of the EU’s militarisation” (Blockmans, 2013, p. 244). This is not to say that NATO has ever been in support of a European security and defence programme that was independent of NATO. However, whether it was for their own gain or to genuinely assist the EU in the spirit of cooperation, the U.S. lead Alliance has directly and indirectly facilitated the development of CSDP in many ways. In this section of the paper I will discuss the ways in which NATO has facilitated the development of the EU’s security and defence policies. These include 1) NATO’s role in harmonizing relations between EU MSs during the Cold War, which would facilitate cooperation that would help the EU design its CFSP, 2) The use of the NATO institutional model and NATO personnel to create the EU’s security and defence institutions, 3) Berlin Plus and the accessibility of NATO assets, 4) Lisbon mechanisms: ‘enhanced cooperation’ and ‘permanent structured cooperation’, 5) the Libyan example: US leading from behind and finally 6) Smart defence.

4.1. NATO’s role in harmonizing relations between EU MSs during the Cold War

During the Cold War, NATO was not just important to European defence for its military and intelligence capabilities, but also for its role in smoothing relations among its members (Duffield, 1994, p. 764). In many ways, the very existence of NATO created ‘intra-alliance reassurance’, much in the same way as the European community was used to prevent conflict between the European powers. Conflict that arises from mistrust of other MSs and misinformation were minimized due to the transparency created by NATO. Instead, ‘mutual confidence’ was promoted through NATO-facilitated meetings between members at varying levels and about a wide range of subjects, giving members a chance to discuss

intentions, activities and concerns (Duffield, 1994, p. 772-5). Finally and possibly most importantly, suspicions and possible conflicts between alliance members were inhibited because NATO was able to legitimately denationalise its members security policies by integrating them into NATO institutions. The chance of a member acting alone and without consultation of other alliance members was then minimalized. NATO had indirectly facilitated cooperation between its members, many of which would form the EU. Conflict that arises from mistrust of other MSs and misinformation were minimized due to the transparency created by NATO.

As well as playing an important internal function, NATO had an external role as well. First, the Soviet Union may have disintegrated, however the 'residual threat posed by Russian military power' still remained. NATO's presence helped to preserve the 'strategic balance' by neutralizing this threat (Duffield, 1994, p. 767). Second, new threats soon began to emerge with the rise of conflicts and unrest in Europe's central and Eastern regions (idem). Although the heads of the European Union may have liked to have shown the world that it was capable of handling its own affairs, they would later realise that their newly centralised foreign policies were less common than some would have hoped. CFSP would prove ineffective in resolving the problems arising in the former Soviet bloc. Instead, NATO stepped in to address these issues and also prevented many threats from arising at all by contributing to the process of fostering stability (Duffield, 1994, p. 768). The first post-Cold War years would leave many critics to believe that

"Europe would not appear to need another military security provider, and the EU would seem an improbable candidate for such a project." (Posen, 2006, p. 150)

4.2. NATO acting as a model for ESDP institutions

"The Kosovo crisis, following so hard on the Bosnia experience, provided the primary impetus to action" (Howorth, 2003, p. 219). While many EU MS's had been divided by the Balkan crisis, some had been brought together by it. Britain and France, as the only two European powers with the significant capabilities and will to commit military force to the UN peacekeeping operation in Bosnia, may have been pulled closer together by the experience (Posen, 2006). The St-Malo declaration of 1998, signified the beginning of the EU's development of autonomous military capabilities, formalized by the development of the European Security and Defence Policy (ESDP). At the same time, it also marked the beginning of a direct EU-NATO relationship at political and operational level (Varwick & Koops, 2009).

NATO helped to facilitate the development of EU security and defence institutions by inadvertently posing as a model for ESDP. While the EU set out to build defence institutions that were autonomous from NATO, that didn't mean that they would be completely different from NATO. If ESDP were to be

effective and successful, it was clear within EU circles that its institutional design would have to be modelled on NATO (Blockmans, 2013, p. 250). Steven Blockmans (2013) claims that an instrumental factor in advancing ESDP as well as further strengthening the voice of the EU as an international actor, was the decision to appoint former NATO Secretary General Javier Solana as the EU's first High Representative (HR) for Common Foreign and Security Policy. Furthermore, the signing of the Treaty of Amsterdam in 1999 established the EU's Political and Security Committee as the equivalent of the North Atlantic Council and the EU Military Committee was a close replication of NATO's Military Committee, and the EU Military Staff a replication of NATO's International Military Staff (Blockmans, 2013).

Building autonomous defence institutions was a bold and necessary step for the EU if it were to become an international security actor. However, by separating itself from NATO, the EU would need to set up institutions that would allow for a working relationship between the two organisations. Institutionalised relations started with the establishment of joint meetings, up to and including the level of foreign ministers and ambassadors (Blockmans, 2013). At the NATO Washington Summit, in April 1999, it was agreed in the Strategic Concept of the Alliance, that NATO should

"(...) on a case by case basis and by consensus (...) make its assets and capabilities available for operations in which the Alliance is not engaged militarily under the political control and strategic direction either of the WEU or as otherwise agreed, taking into account the full participation of all European Allies if they were so to choose" (NATO, The Alliance Strategic Concept, 1999).

Yet, despite ESDP's institutional advances, by 2002, the European Union still lacked the operational capabilities for conducting its own crisis management mission (Varwick & Koops, 2009, p. 105).

4.3. Berlin Plus and the use of NATO military assets and capabilities.

A lack of operational capabilities continually hampered the development of the EU's security and defence policies from the outset of CFSP. Over the next decade, NATO would be called upon to assist the EU, even while the EU was trying to become an autonomous security actor. This would lead to the Berlin Plus arrangement of 2003.

The newly found ambitions in the security realm set out in the treaty of Maastricht (1992) turned quickly to disappointment as the EU failed to solve the Balkan crisis, resulting in the subsequent handing over of responsibility to NATO in the Dayton Peace agreement of 1995. This agreement "not only underlined that solely a US-led NATO was capable of an intervention decisive enough to bring the warring parties to the negotiation table, but also woefully exposed the European Union's marginal role and its 'capability-expectation gap' in the wider security realm" (Varwick & Koops, 2009, p. 103). A

possible solution came with the proposal of the Combined Joint Task Force Concept (CJTFC), which would allow for the use of some NATO assets by willing coalitions within the Alliance (Posen, 2006). At NATO's ministerial meeting in Berlin in 1996, "a compromise and new, albeit temporary, institutional post-Cold War balance was struck. According to the agreement, the West European Union (military arm of the EU), would gain access to NATO's military assets and planning capabilities for the launch of missions 'where NATO as a whole is not engaged' (Varwick & Koops, 2009, p. 104). "This 'Berlin agreement' thereby reinforced NATO's political pre-eminence, whilst indirectly enhancing the EU's military capabilities and operational options"(Blockmans, 2013, p. 253).

However, the Berlin agreement would prove insufficient to fill the EU's capabilities gap. While the EU continued its efforts to create autonomous defence institutions, it lacked the resources and will of the individual MSs to pay for and commit to such resources. As long as the EU's military capacities remained incomplete, the use of NATO assets would remain essential (Varwick & Koops, 2009). Once again, NATO would be called upon to help the EU, leading to the so called 'Berlin Plus' agreement of December 2002. The Berlin Plus agreement consolidated the EU-NATO 'strategic partnership' even further by allowing the EU access to NATO's military assets and capabilities (Varwick & Koops, 2009).

The implementation of the permanent agreements between the two organizations, namely the confidentiality agreement, were finalized on 11 March 2003. This European military revolution sparked a change for the EU as an international military actor. The Berlin Plus agreement was first put into practice in the field only two weeks after the signing of the agreement, with the launch of operation Concordia in Macedonia (Varwick & Koops, 2009). A seemingly modest mission, lasting from March until December 2003 and involving 357 troops, the aim was to take over NATO's Operation Allied Harmony and continue stabilization efforts in the region (Varwick & Koops, 2009). Concordia also served as an important preparation for the EU's second, more complex mission, *EUFOR Althea* in Bosnia, in December 2004, which would also operate under the Berlin Plus mechanism, taking over NATO's Stabilization Force (idim). Concordia and Althea both demonstrated a successful and promising implementation of the Berlin Plus arrangement in practice (Kupferschmidt, 2006). Furthermore, as a result of these missions, a rich network of frequent and effective interactions has been forged between EU and NATO military staff, contributing to stronger bonds and greater understanding between the two organisations in crisis management (Crisis Group, 2005).

4.4. Lisbon mechanisms, back to NATO.

In spite of its lengthy inception process and quick launch, "Berlin Plus" has not been used again since (Blockmans, 2013, p. 259). Nonetheless, the EU was keen to stress its political and operational autonomy by conducting military missions, independent of, and without recourse to NATO's

capabilities and assets (Varwick & Koops, 2009). However, as was seen with the US invasion of Iraq, it was often impossible for all EU MSs to agree on foreign policy and therefore difficult to conduct crisis management missions. A new attempt at creating effective EU security and defence cooperation, which would have an impact on NATO-EU relations, came with the two new mechanisms introduced in the Treaty of Lisbon the 'enhanced cooperation mechanism' (Articles 42(5) and 44 TEU) and the 'permanent structured cooperation' mechanism (Articles 42(6) and 46 TEU) (Blockmans, 2013). 'Enhanced cooperation' is not a new mechanism, having been established by the Amsterdam and Nice treaties. In the Lisbon treaties however, it has for the first time been extended to cover common foreign and security situations where the EU as a whole cannot achieve cooperation goals within a reasonable timeframe, and whenever at least nine MS participate in the proposed action (Blockmans, 2013). The 'permanent structured cooperation' mechanism, allows for closer cooperation between MS that show a capacity and willingness to develop efforts in the security domain further, without being held back by MS who do not show the same capacity or willingness (Blockmans, 2013). With this mechanism, a political framework was created to allow for the development EU military capabilities, by encouraging the interested MS to pool current resources already used for defence and thereby focus on the collective interest and promote defence research (Blockmans, 2013). "In a Schengen-like way, NATO members could be tied into the Union's enhanced and permanent structured cooperation mechanisms through the conclusion of bilateral or multilateral agreements pursuant to Articles 8, 21 and 37 TEU" (Blockmans, 2013, p. 249). Both mechanisms appear to be free from NATO involvement, however, the voluntary nature allows for members of both NATO and the EU to step up, giving NATO allies the EU primary law vehicle to influence the development of CSDP, consolidating a process which has been going on for many years below the radar (Blockmans, 2013). This may give a negative tone of dishonest inception, however, many have identified that CSDP will only gain operational effectiveness and possible autonomy, if conducted through the NATO framework (Howorth, 2012).

4.5. US leading from behind, the example of Libya.

Although it cannot be considered a military success by either NATO or the EU, the Libyan mission *Operation Unified Protector* (OUP) in 2011, introduced a concept that may be considered in the future of CSDP security missions: United States 'leading from behind', giving European leadership, (or in the case of Libya, at least being *perceived* as taking the lead) while the US provided military support (Howorth, 2012). Unfortunately, in the case of OUP, this was technically a misnomer as the mission was only brought to a somewhat successful conclusion, with the use of massive US military inputs (Howorth, 2012). When the Libyan crisis broke out in the spring of 2011, the EU was handed its first serious crisis since the birth of CSDP, to test its political solidarity and military muscle (idem). A regional operation of medium intensity, it was a moment to redeem itself since the failure in the Balkans.

Instead, political division and military inadequacy prevailed and the Union seemed incapable of action, leaving their willingness and ability to handle the situation severely wanting (*idem*).

The concept of EU lead missions with the backing of NATO is not merely to be interpreted as sign of inter-organisational cooperation. The military operation in Libya, came at a time when the attention of the US was turning away from Europe and towards Asia and that it was time that Europe learned to take care of its own neighbourhood. Globalisation and the subsequent economic growth in China and East Asia, although not going unnoticed in Europe, have not had an effect on European policy as much as it has in the US, causing yet another point of disagreement between the two continents as to what the central challenges were and how to tackle them (Rasmussen, M. V., Struwe, L. B., Hoffmann, R., Pradhan-Blach, F., Kidmose, J., Breitenbach, H. Ø., ... & Dahl, A. S. L., 2014). The January 2012 US 'Strategic Guidance' paper set out that America's focus will from then on, be set on the Asia-Pacific region and the Middle East (Howorth, 2012). The assumption that the US began to expect Europe to take care of its own crisis management became increasingly clear (Howorth, 2012). Asian 'rebalancing' as Asian countries increase military spending and try to increase global influence. Europe is becoming insignificant (CEPS REPORT, 2015, p. 4). This re-orientation of US strategic interests was yet another reason for EU MSs to refocus their approach towards security in and surrounding Europe and puts even more pressure to upgrade defence assets in an affordable and sustainable way (Biscop & Coelmont, 2011, Faleg & Giovanni, 2012). Defence matters were also becoming increasingly important as destabilisation loomed around Europe's entire periphery: From the Arctic Circle the latest 'new frontier', to the Baltic Sea and down to the Black Sea, from the Bosphorus to the Straits of Gibraltar, conflicts threatened to burst over onto European borders (Howorth, 2012).

4.6. Smart defence.

Commenting on the insufficient European NATO member's average spending of 1.3% of GDP on defence budgets, US defence Secretary, Robert Gates, warned in June of 2011, that the US would abandon NATO if current trends the shrinkage of defence capabilities were not reversed (Traynor, 2011). This left EU MSs with a dilemma: either increase the size of military capabilities in compliance with NATO commitments, or cede to the pressure of austerity and continue to cut military spending (Faleg & Giovanni, 2012). Two months later, responding to the US defence Secretary General's threats, NATO secretary General, Anders Fogh Rasmussen called for more cooperation between EU MSs in buying defence equipment, training and specialisation of military tasks (*idem*). 'Smart Defence Agenda' would be presented at the 2012 NATO Summit in Chicago. The underlying logic of the new agenda would be to seek more cost-effective solutions by pooling & sharing (P&S) resources as opposed to pursuing costly and inefficient national programmes (*idem*). This would link the idea of fairer and more

significant European contribution to NATO, but in a 'smart' way that handles defence in an age of austerity through multilateral cooperation (Giegerich, 2006 and Valasek, 2011). "The aim is for Europeans to pay for a European capacity, not simply to "do more stuff together", but to acquire their own enablers, thus allowing US capacity to be diverted elsewhere – that would be true burden-sharing." (Biscop, 2012, p. 2-3).

"As the Americans pushed for a more global European commitment, it was also based to a great extent on the slogan that 'Europe was finished' in the sense that the expansion of the EU and NATO after the Cold War had resulted in a stable security environment on the Continent. However, this argument no longer held water on 28 February 2014" (Rasmussen, Struwe, Hoffmann, Pradhan-Blach, Kidmose, Breitenbauch & Dahl, 2014, p. 1). However eminent the threat seemed to be, NATO members remained divided as to the primary task of the Alliance. On the one hand some of the member states wanted to continue the expansion of a global NATO that would find partners in Asia and Pacific, train soldiers in Africa and gradually commit itself to the Arctic (idem). On the other hand, other member states wanted NATO to return its attention to Europe and focus on the defence against Russia (idem). While NATO has deployed forces in eastern NATO countries such as Poland and Estonia, the threat has also drawn attention to the need for these countries to invest in their own defence, from both old NATO member states and the Eastern European countries themselves (idem). The Russian annexation of Crimea and subsequent destabilisation of Ukraine have had far reaching consequences and forced the EU and NATO to rethink their partnerships, policies and overall strategy (idem). For the time being it looks like NATO is here to stay.

4.7. Conclusions and answering sub-question 3.

Since the birth of CFSP, NATO has helped facilitate the EU's security and defence policies. The reasons behind NATO's actions are for another study. However, in this section, I have put forward six ways in which NATO has had a positive effect on the development of the EU's CSDP. The 'facilitation' has come in different forms. NATO indirectly helped CSDP before CFSP had been created. The complex institutional structure that NATO formed during the Cold War, helped build mutual trust and assisted communication and consolidation between its members, many of which would form the EU. Furthermore, the very existence of NATO would help the EU create ESDP, by acting as an institutional model to which ESDP would copy, as well as supplying key personnel such as Javier Solana. NATO would also assist CSDP directly, as can be seen in the Berlin Plus arrangement, where NATO supplied military assets and capabilities to be used during EU-led operations. Furthermore, NATO directly facilitated the first ever EU-led military operations, Concordia and EUFOR Althea, both of which were take-overs from NATO missions. NATO also set out to assist the EU operation in Libya, in 2011, by

'leading from behind', a method which may be used in the future, if CSDP continues to be lacking in military capabilities. NATO also set out to help CSDP through policy proposals, such as Smart Defence, put forward at the NATO summit in Chicago, 2012. Smart Defence proposed ways in which the CSDP could become more efficient and effective, while the EU MSs varied in capabilities and were experiencing military spending cuts.

5. NATO as inhibitor of CSDP

In the preceding section I have discussed the ways in which NATO has facilitated the development of the EU's CSDP. Often described as rivals in a beauty contest, NATO has in a number of ways, also inhibited this development which I will discuss in this next section. To do so, I will attempt to answer the final sub-question of this thesis: *To what extent has the presence of NATO hampered the development of the EU's CSDP?*

Specifically, I will discuss five ways in which NATO has hindered the Development of CSDP: 1) The inhibiting relationship of NATO during the Cold War, 2) Direct policy actions to prevent CSDP from becoming autonomous, 3) Ring-fencing of NATO competences in the EU treaties, 4) The influence of NATO members who are not members of the EU. Example: Turkey. The purpose of this section is not to blame NATO for the EU's failures in the realm of defence and crisis management, but to illustrate the ambiguous relationship between the EU and NATO.

5.1. Inhibiting relationship during the Cold war

The inhibiting nature of NATO on CSDP stems back to the Cold War, even before CSDP and the EU existed. Although the EU did not muster a foreign policy until 1992, it is important to look at the institutional set up and balance of power prior to this. The very existence of NATO, throughout the Cold War represented a constraint on the European Community's development as an international actor in the military sphere (Blockmans, 2013, p. 244). The point I'd like to make in this section, is that this inhibiting relationship continued even after the Soviet threat was gone. While it cannot be said that NATO is to blame for the failure of early attempts at a common European defence, it can be said that the very existence of NATO, has hindered the development of CSDP. The dependence on US military and defence capabilities began from the outset of NATO in 1949. The European Community essentially remained a nested organization that was in practice protected by NATO, and by states' own defence regimes (Deighton, 2002, p. 722). Between 1950 and 1954, development of the European Defence Community ceased due to the disagreement over the future of Western Germany, until a resolution was found through the enlargement of the Brussels Treaty into the WEU and the entry of Western Germany into NATO (Duke, 2000; Deighton 2002, p. 721). For the following forty years, a

European 'foreign policy' involving military assets was considered out of bounds for the Community (Deighton, 2002, p. 721). While the US did not express their explicit consent to the relationship and even argued for more burden sharing (Howorth, 2012), the institutional framework remained firmly in place until the end of the Cold War (Deighton, 2002, p. 721).

From the outset of NATO, the Western European powers became accustomed to free-riding and depending on the US through the Alliance (Howorth, 2012, p. 1). During the Cold War, most MSs failed to reach the agreed NATO target of 3% of GDP on defence (Howorth, 2012). In 1990, the US was responsible for 60% of NATO funding, increasing to 75% by 2011 (idem). Most of the spending (75%) is concentrated in four countries, and nearly half (45%) is concentrated in two—Britain and France (Posen, 2006, p. 152). With 21 of the European NATO member states only reaching an average of 1.3% of GDP on defence budgets, and with the financial crisis leading to fresh budget cuts, it was only a matter of time before the US would take drastic action. US defence Secretary, Robert Gates, warned in June of 2011, that the US would abandon NATO if current trends the shrinkage of defence capabilities were not reversed (Traynor, 2011). In 2006, Barry R. Posen wrote about the subject of bandwagoning, stating that, although it may seem the reasonable choice for small and medium sized EU MSs, it comes with the price tag of entrusting their fates to the policies of the US. Posen also warned that these states may be left in a vulnerable position if the 'bandwagon' leaves (Posen, 2006, p. 158). His warning rings ever true with the US inexplicitly (and sometimes explicitly) turning its attention to Asia-Pacific and away from Europe (Howorth, 2012, p. 1).

5.2. US policy efforts to deter CSDP from becoming autonomous

Throughout the history of NATO, an internal struggle has existed to encourage and insure that the EU shares some of the burden and increases military budgets, while not becoming autonomous and acting without NATO. Successive US administrations have welcomed and even called for European moves towards greater burden sharing in the realm of security in greater Europe, however, Washington has also remained adamant that these initiatives should not be undertaken outside the NATO framework (Blockmans, 2013, p.252). "This has led commentators to characterise several stages of the relationship as either a "beauty contest" or even a "frozen conflict" (Blockmans, 2013, p. 244). The Berlin Communiqué of 1996 appeared to solidify the relationship, allowing EU MSs access to NATO assets. Yet only two years later the agreement was overshadowed by the Franco-British Saint-Malo Declaration in 1998, which stated that the Union must have the capacity for autonomous action, capable military forces, a decision making structure that can decide to use them and readiness to do so, when confronted with international crises (Blockmans, 2013, p. 253). The St-Malo Summit took place at the same time as negotiations were taking place for the creation of the European Security

and Defence Policy (ESDP). It would appear that the EU and the US had differing opinions as to the function of ESDP. Secretary of State at the time, Madelaine Albright responded stating that “the development of ESDP should neither lead to the decoupling of North American and European security, nor to the duplication of NATO assets, nor to the discrimination against non-EU NATO members” (Albright 1998). The fact that the US administration felt the need to create conditions to ESDP, is evidence of the perceived EU-NATO hierarchy and assumed balance of power between the two organisations (Varwick & Koops, 2009, p. 104). Albright’s words were reiterated at the following NATO summit in Washington. While it looked like the EU would take over the responsibility of the WEU and therefore taking real steps towards the development of an autonomous EU defence, at the summit NATO would effectively disagree with this idea and instead expressed the importance of NATO’s involvement (Blockmans, 2013, p. 254). According to NATO, involvement would include the involvement of non-EU NATO partners in EU-led crisis response operations as well as the further development of the use of separable, but not separate NATO assets and capabilities (Blockmans, 2013, p. 254).

The mistrust of ESDP would continue with the change from Clinton to Bush administrations (Posen, 2006, p. 182). The EU and NATO were able to come to an agreement on their partnership in crisis management, concluding the declaration of ESDP in December, 2002. The Berlin Plus agreement followed three months afterwards, consolidating this partnership even further, providing the EU with access to NATO’s military assets and planning capabilities (Varwick & Koops, 2009, p. 101). However, the relationship between the ESDP institutions and NATO would remain tense with mistrust, jealousy and information sharing blockages (Posen, 2006, p. 183). In the 2003, the efforts of France, Germany, Belgium and Luxembourg to set forward plans of setting up a nucleus of standing operational headquarters that would plan and coordinate EU military operations, were met with total opposition by the US (Posen, 2006, p. 183). The Pentagon stated at the time that the very purpose of NATO cooperation through Berlin Plus procedures, was to prevent the creation of an EU counterpart to Supreme Headquarters Allied Powers Europe (SHAPE) and a common EU army. NATO continually commends the EU on its efforts towards strengthening its military capabilities, but simultaneously is concerned about the EU taking independent actions that could possibly weaken NATO or not be in line with US interests (Posen, 2006, p. 183).

5.3. Ring fencing

Since the creation of the Treaty on European Union (TEU), references to NATO and the North Atlantic Treaty are to be found within, most notably in Title V on the CFSP, which covers security and defence arrangements, but also in various declarations and protocols attached to the treaties (Blockmans,

2013, p. 245). On its own, this is not surprising. As has been repeated throughout this paper, NATO forms an integral part of EU's security and defence. However, the point of this section is to illustrate that the NATO provisions in the treaties have always sought to ring-fence the commitments made by EU NATO members and therefore protect NATO primacy (*idem*). For example, Article J.4(4) stated that CFSP must respect the obligations of EU NATO members and must be compatible with the NATO security and defence framework (*idem*). Paragraph 5 goes on to state that none of the provisions of Article J.4 TEU would be allowed to prevent the development of closer cooperation between MSs within the NATO framework, as long as such cooperation did not run against or hinder that provided for in Title V (Blockmans, 2023, p. 246). Put another way, the references of NATO in the Treaty of Maastricht, protected the NATO obligations of EU MSs and prevented the creation of a collective defence mechanism that was not already provided for by NATO (*idem*).

Another example of NATO influencing EU security and defence policies was through the Western European Union (WEU). Officially discontinued in 2011, WEU consisted of Belgium, Germany, Spain, France, Italy, Luxembourg, the Netherlands, Portugal and the UK and for many years, acted as a bridge between NATO and the EU. What is notable for this particular section of the paper, is the Declaration on the relationship between the WEU and the EU and NATO, which agreed that WEU would form an integral part of the development process of the EU's security and defence identity and would enhance the solidarity within NATO (Blockmans, 2013, p. 246). Furthermore, it was also agreed in the declaration that the WEU would ensure the compatibility of the EU's common defence policy, should it come to exist (*idem*). WEU would be developed to form the EU pillar of NATO, and while assisting cooperation between the EU and NATO, it also helped NATO keep a foot-hold on the development of EU security and defence policies. Members of the WEU were expected to conform with positions having already been adopted by NATO (*idem*). It is no wonder the US viewed ESDP with suspicion, as it removed the significance of WEU, creating a direct relationship between the EU and NATO for the first time (Varwick & Koops, 2009, p. 102). The Treaty of Amsterdam introduced fundamental changes in the institutional design of CFSP, however, it failed to make any substantial changes to the primary law references to the Atlantic Alliance (Blockmans, 2013, p. 247). The Treaty of Nice, also did not amend any references to NATO or the North Atlantic Treaty, however it did foresee the gradual phasing out of the WEU (*idem*). This came largely from the European Council Summit at Cologne in 1999, where a majority of the WEU's structures and functions were transferred to the EU, effectively putting an end to the EU-WEU-NATO triangular relationship (Blockmans, 2013, p. 248).

The Treaty of Lisbon was brought into force in 2009 and brought with it some changes to ESDP, renamed Common Security and Defence Policy (from henceforth I will refer to only as CSDP), that would significantly alter defence arrangements in the EU and directly affect NATO and the EU-NATO

relationship. Similar to previous references to the primacy of the forms of closer cooperation between allied MSs, Article 42(7) TEU makes a new reference to the designation of NATO's system and forum for implementation as the ultimate 'foundation' of those states' collective defence (Blockmans, 2013).

5.4. Turkey

Being a member of NATO, but not a member of the EU has at times been a cause for diplomatic friction between affected capitals. A major cause for this friction occurred during the negotiations for ESDP, where the EU made proposals for the exclusion of non-EU members for the purpose of non-NATO EU missions. In this section, I will use the example of how Turkey, a member of NATO but not the EU, was able to hinder the negotiation process leading up to the conclusion of the Berlin Plus arrangements, between 1999 and 2003. During this time, Turkey was able to project a significant amount of influence on the EU, in order to protect its own interests (This section, unless stated otherwise, uses Blockmans, 2013, p. 254-8).

The origins of Turkey's disgruntlement can be found at the Cologne European Council in June, 1999, where the issue of non-EU MS's participation in the ESDP framework was taken forward. It was stated that "all the participants in an EU-led operation [would] have equal rights in respect of the conduct of that operation, without prejudice to the principle of the EU's decision-making autonomy, notably the right of the Council to discuss and decide matters of principle and policy" (Blockmans, 2013, p. 255). Any views expressed by non-members, up to and including the point when a decision to launch an operation, would not be binding on the EU. (Blockmans, 2013, p. 256). Turkey felt that this new arrangement did not live up to the way NATO had envisaged and fell short of the status Ankara had held in the WEU (Blockmans, 2013, p. 256). A large concern for Turkey was that an EU-led operation, including Greece, might occur in the neighbouring area of Turkey and therefore have consequences for Ankara's strategic interests, without Ankara being able to exercise veto power (*idem*). Of special concern was Cyprus, which remains a controversial area between Turkey and Greece. Further areas of concern were the loss of participation at Council meetings where European security and defence policies were decided, as well as the delays and problems Turkey experienced in its EU accession process.

Unhappy with losing influence in its sphere of interest, Turkey has continually set out to block cooperation between the EU and NATO. The institutional set up of NATO structurally prevents the EU from 'speaking with one voice' within the NATO Council (Varwick & Koops, 2009, p. 124). Starting in 2000, Turkey started to use its decision-making powers in NATO, to disrupt the conclusion of NATO-EU Berlin Plus arrangements, until it had the assurance that it had a favourable position in the ESDP structure (Blockmans, 2013, p. 257). Specifically, Turkey refused to agree to EU's access of NATO

assets, following a literal interpretation of NATO's Washington Summit where it was stated that arrangements "building on" those existing in WEU (idem). Ankara was looking for assurances on its participation in the planning of EU-led military operations, and upheld this blockade for three years (idem). A major difficulty lay in finding a diplomatic solution that suited both Ankara and Athens, while still respecting the formal principles of NATO and the EU (idem).

Although a diplomatic solution was found, Turkey continues to block further NATO-EU cooperation. Turkey has been able to use its veto power "in an attempt to put pressure on the European Union to make concessions on the Cyprus issue, its EU membership bid, and Turkey's standing in CSDP" (Blockmans, 2013, p.251). "In the absence of the Union's own army, this candidate country holds significant sway over EU security and defence policy-making and decision-making, even without being formally part of it" (Blockmans, 2013, p. 264).

5.5. Conclusions and answering of sub-question 4.

In the previous section, I set out ways in which NATO facilitated the development of CSDP, both indirectly and directly. In this section I have put forward ways in which NATO has hampered CSDP's development. Similarly, this has been both indirectly and directly. By dominating European defence during the Cold War, and continuing to provide most of the funding and military capabilities, US-led NATO has indirectly stifled the development of CSDP. By allowing EU MSs to 'free-ride' on the defence and security already provided by NATO, namely the US, EU MSs continue to cut military spending and reduce military assets, which reduces the EU's capabilities as a security and defence provider. However, NATO is more known for its direct efforts to disrupt the EU's course for autonomous military capabilities. Numerous scholarly articles and books have been written on NATO's quest for continuing dominance and influence in the EU's security and defence matters. This is probably because, at a time when the EU was making moves towards autonomy from NATO, through the creation of ESDP, NATO was the most vocal about the fact that EU security and defence should remain within the NATO framework. Through diplomatic means, from ring-fencing of EU treaty articles, to information blocking as well as blocking proposals, NATO has been able to retard the development of the EU's CSDP. However, not only the US was behind the blockages. Turkey is an example of how a non-EU NATO member was able to disrupt negotiations and force influence onto EU policies, for its own political gain.

6. Conclusions and final remarks

In this thesis, I have illustrated how both the EU and NATO are involved in the security and defence of the EU and its MSs. While NATO remains an intergovernmental organisation based on collective

defence, the EU continues to strive towards becoming a supranational security and defence provider, with the goal of creating a common defence. I have mentioned how the prerogatives of both organisations at times overlaps, which has been a cause of friction. The main source of friction arises from the EU's moves towards greater independence from NATO and NATO's actions to retain dominance. This has provided me with the information set out in section five, where I have described ways in which NATO has hampered the development of the EU's CSDP. While only giving four examples, it can be concluded that extent to which NATO has disrupted and negatively influenced the development of CSDP has been extensive and even fundamental. However, the research question of this thesis is *'To what extent has the development of the EU's Common Security and Defence Policy been facilitated or hampered by the existence of NATO?'*. The extent to which NATO has facilitated CDSP is much less studied, but is also extensive and fundamental. It can therefore be concluded that NATO has significantly influenced the development of CSDP, both indirectly and directly in such a way that will continue to be seen for the near and distant future.

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