COMMON SECURITY AND DEFENCE POLICY

The common security and defence policy (CSDP) sets the framework for EU political and military structures, and military and civilian missions and operations abroad. The 2016 EU Global Strategy lays out the strategy for the CSDP, while the Lisbon Treaty clarifies the institutional aspects and strengthens the role of the European Parliament. The CSDP has recently undergone major strategic and operational changes to meet security challenges and popular demand for increased EU responses.

LEGAL BASIS

The common security and defence policy (CSDP) is an integral part of the Union’s common foreign and security policy (CFSP).[1] The CSDP is framed by the Treaty on European Union (TEU). Article 41 outlines the funding of the CFSP and CSDP, and the policy is further described in Articles 42 to 46, in Chapter 2, Section 2 of Title V (‘Provisions on the Common Security and Defence Policy’), and in Protocols 1, 10 and 11 and Declarations 13 and 14. The specific role of the European Parliament in the CFSP and CSDP is described in Article 36 of the TEU.

TREATY PROVISIONS FOR THE CSDP

The European Council and the Council of the European Union (Article 42 TEU) take the decisions relating to the CSDP. These decisions are taken by unanimity, with some notable exceptions relating to the European Defence Agency (EDA, Article 45 TEU) and permanent structured cooperation (PESCO, Article 46 TEU), to which majority voting applies. The High Representative of the Union for Foreign Affairs and Security Policy, who also acts as Vice-President of the European Commission (the VP/HR) — currently Federica Mogherini — usually issues the proposals for decisions.

The Lisbon Treaty introduced the notion of a European capabilities and armaments policy (Article 42(3) TEU), and established a link between the CSDP and other Union policies by requiring that the EDA and the Commission work in liaison when necessary (Article 45(2) TEU). This concerns in particular the Union’s research, industrial and space policies, for which Parliament was empowered to seek to develop a much stronger role regarding the CSDP than it had in the past.

ROLE OF THE EUROPEAN PARLIAMENT

Parliament has the right to scrutinise the CSDP and to take the initiative of addressing the VP/HR and the Council about it (Article 36 TEU). It also exercises scrutiny over the policy’s budget (Article 41 TEU). Twice a year, Parliament holds debates on progress in implementing the CFSP and the CSDP, and adopts reports: one on the CFSP, drawn up by the Committee on Foreign Affairs (AFET) and including elements relating to the CSDP where necessary; and one on the CSDP, drawn up by the Subcommittee on Security and Defence (SEDE).

Since 2012, the European Parliament and the Member States’ national parliaments have organised two interparliamentary conferences per year to debate matters relating to the CFSP. Interparliamentary cooperation in these areas is provided for by Protocol 1 to the Lisbon Treaty, which describes the role of the national parliaments in the EU.

Innovations in the Lisbon Treaty have provided an opportunity to improve the political coherence of the CSDP. The VP/HR occupies the central institutional role, chairing the Foreign Affairs Council in its ‘Defence Ministers configuration’ (the EU’s CSDP decision-making body) and directing the EDA. The political framework for consultation and dialogue with Parliament is evolving in order to allow Parliament to play a full role in developing the CSDP. Under the Lisbon Treaty, Parliament is a partner in shaping the Union’s external relations and addressing the challenges described in the 2008 Report on the Implementation of the European Security Strategy: ‘In modern democracies, where media and public opinion are crucial to shaping policy, popular commitment is essential to sustaining our commitments abroad. We deploy police, judicial experts and soldiers in unstable zones around the world. There is an onus on governments, parliaments and EU institutions to communicate how this contributes to security at home.’

ISSUES OF INTEREST TO THE EUROPEAN PARLIAMENT

Parliament holds regular deliberations, hearings and workshops devoted to such topics as civilian and military CSDP missions, international crises with security and defence implications, multilateral frameworks for security, arms control and non-proliferation issues, the fight against terrorism and organised crime, good practices to improve the effectiveness of security and defence and EU legal and institutional developments in these fields.

Following the VP/HR’s 2010 declaration on political accountability, Parliament participates in Joint Consultation Meetings (JCMs) held on a regular basis to exchange information with the Council, the European External Action Service (EEAS) and the Commission. Given the key role that the North Atlantic Treaty Organisation (NATO) plays in underwriting European security, Parliament participates in the NATO Parliamentary Assembly with a view to developing the EU-NATO relationship while respecting the independent nature of both organisations.
CSDP: A RAPIDLY EVOLVING POLICY

While the CSDP did not change substantially in the first few years following the entry into force of the Lisbon Treaty in 2009, it had great potential to evolve, both politically and institutionally.

Recognising the need to provide a strategic impetus for heads of state or government, the European Council set a number of initial targets in December 2013 to move forward with the CSDP: increasing the effectiveness and impact of the CSDP, enhancing the development of defence capabilities and strengthening Europe’s defence industry. It also tasked the VP/HR and the Commission with assessing the impact of changes in the EU’s global environment. Based on this assessment, in June 2015 the VP/HR was tasked with drafting an ‘EU Global Strategy on Foreign and Security Policy’ (EUGS) for 2016, which VP/HR Mogherini presented to the European Council in June 2016. The EUGS identifies five priorities for EU foreign policy: the security of the Union; state and societal resilience to the East and South of the EU; the development of an integrated approach to conflicts; cooperative regional orders; and global governance for the 21st century. Member States welcomed the strategy in July 2016 and agreed to move to its implementation phase. This implementation has to be reviewed annually in consultation with the Council, the Commission and Parliament.

On 16 September 2016 in Bratislava, the EU Member States reiterated their intention to strengthen EU cooperation on external security and defence. The events of the following 12 months were testament to the capacity of all relevant EU institutions to deliver rapidly and coherently on Member States’ requests, as well as an expression of Member States’ political will to move ahead with the process.

In November 2016, the Council was presented with an ‘Implementation Plan on Security and Defence’, the intention of which was to operationalise the vision set out in the EUGS on defence and security issues. To match the new level of ambition, the plan sets out 13 proposals, including a coordinated annual review on defence (CARD), with an emphasis on spending; a better EU rapid response, including through the use of EU Battlegroups; and a new single Permanent Structured Cooperation (PESCO) arrangement for those Member States willing to take on greater commitments to security and defence. VP/HR Mogherini presented a European Defence Action Plan (EDAP) to the Member States on 30 November 2016, with key proposals relating to a European Defence Fund (EDF) focusing on defence research and capability development. The Council also adopted conclusions endorsing a plan to enforce the decisions on EU-NATO cooperation taken in Warsaw (42 proposals). Together these three plans — which some call the ‘winter package on defence’ — represent a major step towards implementing the Treaty of Lisbon in the fields of security and defence.

Parliament has consistently demonstrated a willingness to act and pursue political initiatives in this field. It proposed funding a pilot project on CSDP research from the EU’s 2015 budget, implying that, for the first time, EU funds would be transferred to the EDA to conduct research on military requirements. This is now being continued via a Preparatory Action on Defence Research, with a EUR 90-million budget for 2017-2019. The latest Commission proposals on funding a research and technology support
initiative for defence for the post-2020 period indicate that Parliament’s initiative did matter and was in the vanguard of an important process.

2017 AND 2018: CRUCIAL YEARS FOR CSDP IMPLEMENTATION

The European Council reviewed progress in March 2017 and highlighted the establishment of the Military Planning and Conduct Capability (MPCC), a new structure designed to improve the EU’s capacity to respond in a faster, more effective and seamless manner to the planning and carrying out of non-executive military missions. It also took note of progress in other areas. For instance, in November 2018, it highlighted the substantive progress made over the last two years in areas such as the civilian CSDP compact, strengthening the MPCC, implementing PESCO, CARD and the EDF, enhancing EU-NATO cooperation, making inroads on the European Peace Facility (EPF) proposal, and military mobility. In December 2018, EU leaders also acknowledged the progress achieved in the area of security and defence, underlining the evolution of PESCO, military mobility and the civilian CSDP compact.

On 7 June 2017, the Commission presented a communication entitled ‘Launching the European Defence Fund’, which outlined proposals for stimulating and structuring investment in defence in the EU. It proposed direct support for research, the co-financing of development, and support for the acquisition of defence products by EU Member States. Support for the industry is also expressed in the draft regulation on a European Defence Industrial Development Programme (EDIDP). For the first anniversary of the EUGS, VP/HR Mogherini published a report on its implementation, which praised the rapid progress made, including on cooperation with NATO, and the launch of the Commission’s European Defence Fund.

On the capability development aspect of the EDF, the European Defence Industrial Development Programme (EDIDP), Parliament’s Committee on Industry, Research and Energy (ITRE), together with AFET and SEDE as ‘associated’ committees, reviewed the proposal for a regulation put forward by the Commission in June 2017 to establish the EDIDP. On 23 May 2018, the Council and Parliament reached a provisional agreement on the legislation.

Much progress was also made towards the implementation of PESCO in 2018. On 6 March 2018, the Council adopted a roadmap for implementation. This provided strategic direction and guidance on how to structure further work on both processes and governance, including for projects and on how the fulfilment of commitments should be sequenced. On the same day, the decision formally establishing the initial list of 17 collaborative projects was adopted. On 19 November 2018, the Council adopted a list of 17 new projects.

As an avid supporter and initiator of these issues, Parliament, in its resolution on the annual report on the implementation of the CFSP (December 2018), underscored its conviction that the establishment of Permanent Structured Cooperation (PESCO) on defence projects and the Coordinated Annual Review on Defence (CARD) would help the Member States deepen their defence cooperation and spend their defence budgets more effectively.
In the same report, Parliament further called for adequate financial resources to be made available for the EU’s external action under the next multiannual financial framework (MFF) (2021-2027) and for the EU to focus its resources on strategic priorities. The report also stressed the need to adequately involve Parliament in the scrutiny and strategic steering of the instruments.

As far as EU-NATO relations are concerned, the VP/HR reported progress in the following areas: the fight against hybrid threats, human trafficking, defence capabilities, defence industry and research, and partnerships. In June 2018, the Council adopted conclusions on the third progress report on the implementation of the common 74 actions for EU-NATO cooperation. The next report will be published in June 2019. In July 2018, the EU and NATO signed a new joint declaration ahead of the NATO summit on 11 and 12 July 2018.

Parliament continues to act at its level and within its competences to prompt and help achieve the EU’s objectives as a security provider in an effective and visible manner, as requested by EU citizens.

Tuula Turunen
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