VIT CHENNAI MODEL UNITED NATIONS 2017

STUDY GUIDE

"Formation of a standing European Union army"

LETTER FROM THE EXECUTIVE BOARD

Dear Delegates,

It is indeed an honour and a privilege to welcome you to this academic simulation of the Organization for Security and Co-operation in Europe. In VITCMUN 2017.

The OSCE has a comprehensive approach to security that encompasses politico-military, economic and environmental, and human aspects. It therefore addresses a wide range of security-related concerns, including arms control, confidence- and security-building measures, human rights, national minorities, democratization, policing strategies, counter-terrorism and economic and environmental activities. All 57 participating States enjoy equal status, and decisions are taken by consensus on a politically, but not legally binding basis. The OSCE is very rarely simulated in MUN conferences around the nation. As the agenda being dealt with is of paramount importance and with you assuming the roles of the delegates representing the individual nations that you have been allotted to, it is expected of you to perform comprehensive research on the topic prior to the MUN to ensure a healthy quality of debate in council and direct the council towards practical tangible solutions. Moreover you're expected to use this background guide only as a starting point to your research. We further wish to clarify that you are not bound by the limits of issues discussed in the same. We welcome delegates to bring up other pertinent topics, if identified under the scope of the agenda needs to be discussed by the committee at large to arrive at a possible conclusive solution.

Furthermore, feel free to contact any of the EB members to clarify anything regarding the council or the agenda at hand.

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AGENDA: Formation of a European Union standing army.

European integration and defence

Defence - and even a European army - featured prominently at the very beginning of the European integration process. As early as 1950, in the Assembly of the Council of Europe, Sir Winston Churchill called for:

"[…] the immediate creation of a unified European army […] under a unified command, and which we should all bear a worthy and honourable part […]"

While this probably makes Winston Churchill the "father" or the modern idea of a European army, the concrete proposal was a French idea.

The European Defence Community

In 1952, following the establishment of the very first European Community, the European Community for Coal and Steel, the Plan Pléven envisaged a European Defence Community between six Member States: France, Italy, Germany, Belgium, the Netherlands, and Luxembourg. The European Defence Community Treaty envisaged nothing less than the merger of the armed forces of the Member States into a single European army called the "European Defence Forces". These forces were to be organised and supervised by a supranational (meaning independent) administration answerable to a European Assembly and reviewed by a Court of Justice. Units from the Member States were to be made available to the Community "with a view of their fusion" into the European Defence Forces. These were to be made up of conscripts and regular volunteers wearing a common (blue) uniform. No Member State could have recruited or maintained national armed forces. Hence the European Defence Force was to replace the armed forces of the Member States. Having been signed by all six Member States and ratified by four, in the end the French Parliament voted against ratification in 1954. After the failure of the European Defence Community, defence dropped completely off the European agenda for decades. The defence of Europe became the exclusive task of the Northern Atlantic Treaty Organisation (NATO). In their 2003 book Toward a European Army the political scientists Trevor Salmon and Alistair Shepherd therefore rightly called the second half of the 20th century "fifty years of failure".

The Common Foreign and Security Policy

38 years later, in 1992, in the first Maastricht version of the Treaty on European Union, the new Common Foreign and Security Policy (CFSP) was created. This put security, but not yet defence, back on the European agenda, as an intergovernmental framework, meaning that it was controlled by the Member States who retained a veto right on all decisions. On defence the new Treaty said in its Article 17 (1):

"The common foreign and security policy shall include all questions relating to the security of the Union, including the progressive framing of a common defence policy, which might lead to a common defence, should the European Council so decide."

This means that a common defence – which could and it is submitted would entail a common European army – is recognised as a possible future step.11 The Treaty of Lisbon contains a very similar provision in Article 42 (2). However, a common defence was of course not established with the Maastricht Treaty. That common defence is, as the author wrote in his book European Union Law and Defence Integration "vague, uncertain and set in the future".

The European Security and Defence Policy

It was not before the Treaty of Nice in 2000 that more flesh was put to the bone, with a new European Security and Defence Policy (ESDP) as part of the CFSP just mentioned. At the same time the so called 'Petersberg Tasks', essentially outlining the objectives for a common European Security and Defence Policy were inserted into the Treaty. They were listed in Article 17 (2) TEU: "humanitarian and rescue tasks, peacekeeping tasks and tasks of combat forces in crisis management, including peacemaking".

The Treaty of Lisbon contains a very similar provision in Article 43 (1). This defines what Marc Leonard, in his book Why Europe will run the 21st Century calls "the European way of war". Essentially for the EU the military is only part of a whole framework of instruments – together with police, lawyers, consultants, teachers, doctors, etc. – of peacekeeping (and when necessary peacemaking), crisis management, State building, and rescue. In contrast, the "American way of war" is more based on the military, a contrast which the US American Robert Kagan in his book Of Paradise and Power described as Americans being from Mars and Europeans being from Venus. Interestingly, however, the new US administration is about to add the "EU's Venus approach" to the "American war of war" by creating a 4,000 strong civil crisis reaction force by the end of 2010.

The ESDP had been a British initiative. During the Franco-British summit of Saint-Malo in December 1998 the President of France and the Prime Minister of the United Kingdom agreed on a Joint Declaration on European Defence. The declaration referred directly to the CFSP. In order for the EU "to be in a position to play its full role on the international stage", so Chirac and Blair: "[…] the Union must have the capacity for autonomous action, backed up by credible military forces, the means to decide to use them and a readiness to do so, in order to respond to international crises". Why did the United Kingdom change its traditionally reserved position on a common defence? Ultimately this was triggered by the results of a Ministry of 1998 Defence Strategic Review ordered by the Prime Minister. As summarised by Sandholtz and Sweet, the review concluded what is still the case today: " […] in an emergency situation the EU Member States could only mobilise a very limited force, heavily dependent on the support of the USA regarding transportation, logistics, and communications. Europe simply lacks the skills and equipment for independent military action: although the EU Member States spend about two-thirds of what the USA spend on defence, they can only deploy about 10 per cent of what the USA can deploy." Therefore the perceived necessity of the modernisation of the armed forces to equip them for new tasks is an important motive of the initiative. This modernisation will be expensive, too expensive for a purely national effort. The British Prime Minister understood that the relevant modern armed forces of the future, capable and equipped to be deployed worldwide without the help of the USA, are too expensive for any single Member State of the EU. The only alternative to a national military dependent on the USA is a European force. Saint-Malo "triggered" a number of corresponding decisions of the EU. The Cologne European Councils of June 199923 and Helsinki of December 1999 'Europeanised' the Franco-British Saint-Malo initiative. Helsinki stipulated the more tangible 'Helsinki Headline Goal'. This entails the current vision of common military structures. First, the EU was to be able, by 2003, to deploy within 60 days and to sustain for at least one year, military forces of up to 50,000-60,000 persons or up to 15 brigades, capable of the full range of the 'Petersberg tasks' – "the European way of war". The forces were to be militarily self-sustaining with the necessary command, control and intelligence capabilities, logistics and other combat support services and additionally, as appropriate air and navel elements. The French Presidency Report at the European Council at Nice speaks of a "pool of 100,000 persons, […] 400 combat aircraft and 100 vessels." The Helsinki Presidency Conclusions also stated: "The European Council underlines its determination to develop an autonomous capacity to take decisions and, where NATO as a whole is not engaged, to launch and conduct EU-led military operations in

response to international crises. This process will avoid unnecessary duplication and does not imply the creation of a European army." It is necessary to point this out in the second part of the last sentence of this citation, because what is proposed appears to be exactly that: a European army. The European Rapid Reaction Force envisaged in St-Malo and Helsinki was not established by 2003 as planned and was never been established as such. In 2005 the 'battle group concept' was developed and established in subsequent European Councils. It means that Member States earmark 'on call' battle groups of 1,500 men and women with the respective equipment. 15 of these groups have been established so far. They have never been called to action. Another important development occurred since the beginning of the century. The ESDP was increasingly put into action. This started with a small police force in Bosnia and Herzegovina, continued with a first military peacekeeping force in the Former Yugoslav Republic of Macedonia, another force in the Democratic Republic of the Congo and culminated in the at times 7,000 strong EUFOR peacekeeping force in Bosnia and Herzegovina to replace the UN force in place before that. Since then the EU carried out over 20 missions, using the military, police, and other law enforcement units for peacekeeping and law enforcement in various parts of Europe, Africa, and the Middle East. What needs to be said is that the EU missions so far have been mostly small (exception EUFOR Althea in Bosnia), second hand (taking over from NATO or the UN), and at the low end of security (when hostilities where mostly over and with an emphasis on non-military tasks). An intensive and large military conflict would be too much for the EU at this stage and perhaps it will never get there. However, the last decade has seen major moves towards the transformation of the EU from not much more than an internal market to also a security actor. While this development remains incomplete and many questions remain unanswered, the ESDP is taking shape. One of the questions that remain unanswered is what shape an EU military force would take. The question is if such a military force will be established has already been answered in the affirmative. Whether this force deserves the name "European army" remains yet to be seen.

Models for a 'European Army'

Based on the explanations made so far, three models for a 'European army' emerge. The first model is that of the 'European Defence Force' envisaged in the European Defence

Community of old, a true ‘European army’ to replace the national armed forces of the Member States. This model is currently the least likely in the short or medium term as it would involve a major restructuring of all aspects of defence policy and would represent a significant transfer of Member State sovereignty to the EU. However, it does offer considerable advantages which will be outlined below. Hence the ‘European Defence Force model’ should not be entirely dismissed.

The second model is that of the ‘European Rapid Reaction Force’ envisaged in St-Malo and Helsinki, a limited yet sizable common force made up of voluntary contributions of the Member States, with common command structures and budgetary arrangements. This European Rapid Reaction Force would, however, co-exist with the national armed forces of the Member States, gradually making peacekeeping exclusive to the European Rapid Reaction Force leaving homeland defence to the armed forces of the Member States and NATO. This model is a possibility in the medium term but not the short term. The third model is that of the ‘EU Battle Group Force’ whereby Member States voluntarily earmark specifically prepared battle groups of 1,500 men and women and put them at the disposal of the EU. This model is more or less already put in place. Member States already agreed on the establishment and could agree on the further development and use of this model. However, many of the considerable benefits outlined in the main part of the argument put forward I this paper have not and will not be realised if this model will continue to be used in the future. Hence, depending on what in the understanding of the reader constitutes a ‘European army’, such an army is either a distant possibility or already becoming a reality. It is not impossible that the EU Battle Group concept – which will be established in the short term - will develop into a more integrated and permanent European Rapid Reaction Force in the medium term (15 years) and will be further developed to a European Defence Force in the long term (25 years?). All this will depend on the political will of the Member States, also determined by the financial position and the military strategic situation, not least in response to US American demands.

Why a European Army?

The main argument of this article is that the principle of subsidiarity supports the allocation of defence policy to the EU level, including the establishment of European military structures. What is subsidiarity? Governance, to use a term coined by the political scientist Frits Scharf, can occur on different levels. In the context of the United Kingdom, it can occur

at the level of the central government and parliament in Westminster, the devolved governments in Edinburgh, Cardiff, and Belfast, or local governments in Birmingham, Stafford, or Lichfield. In the context of the EU it can occur at the EU level in Brussels or the national Member State level in Paris, Rome, or Westminster. The decision to which level the competence for a policy and decision making should be attributed, in a system of multi-level governance, is, as Joseph Weiler wrote in his seminal article The Transformation of Europe "the most explosive of "federal" battlegrounds".

In another article The Autonomy of the Community Legal Order Through the Looking Glas he called the principle of subsidiarity "deliciously vague". However, the essence of the principle of subsidiarity ultimately requires that the allocation of a particular competence is to be determined: if in doubt at the lowest possible level, but otherwise, at the level at which the policy will be the most effective.This notion of 'effectiveness' of a level should be determined by an evaluation. First, at what level do we get the best results? In the context of defence and the armed forces this has to be determined by financial considerations, but of course also by military-strategic and political considerations. Currently, the competence for defence and the armed forces lies firmly with the Member States. As a consequence Europe's 2 million soldiers, the USA has only 1.4 million, are divided between 28 armies, and Europe's £400 billion a year defence spending, the USA spends about £600 million, is divided into 27 separate national budgets. What are the financial, military-strategic, and political implications of this attribution of competence for defence to the Member States? Second, what would be the implications if this competence was conferred to the EU?

NATO is not enough, EU needs an army

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, EU Commission President Jean-Claude Juncker told a German newspaper yesterday (8 March).

Arguing that NATO was not enough because not all members of the transatlantic defence alliance are in the EU, Juncker said a common EU army would send important signals to the world.

“A joint EU army would show the world that there would never again be a war between EU countries,” Juncker told the Welt am Sonntag newspaper. “Such an army would also help us to form common foreign and security policies and allow Europe to take on responsibility in the world.”

Juncker said a common EU army could serve as a deterrent and would have been useful during the Ukraine crisis.

“With its own army, Europe could react more credibly to the threat to peace in a member state or in a neighbouring state,” he said.

“One wouldn’t have a European army to deploy it immediately. But a common European army would convey a clear message to Russia that we are serious about defending our European values.”

The 28-nation EU already has battle groups that are manned on a rotational basis and meant to be available as a rapid reaction force. But they have never been used in a crisis.

EU leaders have said they want to boost the common security policy by improving rapid response capabilities.

But Britain, along with France, the two main military powers in the bloc, has been wary of giving a bigger military role to the EU, fearing it could undermine NATO.

German Defence Minister Ursula von der Leyen welcomed Juncker’s proposal. “Our future as Europeans will at some point be with a European army,” she told German radio.

In the very long run, we will need a European army. Because we have to be credible when it comes to foreign policy #wahlarena #withJuncker

— Jean-Claude Juncker (@JunckerEU) May 20, 2014

EU Security and Defence package

To implement the EU Global Strategy, decisive steps have been taken on Security and Defence. The package consists of three major pillars: new political goals and ambitions for Europeans to take more responsibility for their own security and defence; new financial tools to help Member States and the European defence industry to develop defence capabilities ("European Defence Action Plan") and a set of concrete actions as follow up to the EU-

NATO Joint Declaration which identified areas of cooperation. Together the three elements constitute a comprehensive package to boost security of the Union and its citizens.

Terrorism, trafficking and smuggling, hybrid threats by state and non-state actors and other threats and challenges are directly affecting our internal security and often feed off the crises and instability in the regions surrounding Europe. "For most Europeans security is a top priority today" says High Representative/Vice President Federica Mogherini. The EU has taken action to respond. It will become a stronger actor on the international scene to promote peace and security in its neighbourhood and beyond. HR/VP Mogherini has set out how to achieve this in a strategy ("A Global Strategy for the European Union's Foreign and Security Policy") adopted in June 2016. The three interlinked decisions on security and defence are turning this vision into concrete actions.

Ministers on 14 November agreed on a new level of ambition in security and defence. It focuses on three priorities: enabling the European Union to respond more comprehensively, rapidly and effectively to crises, in particular in our neighbourhood; helping to make our partners stronger when it comes to their security and defence; and strengthening the European Union's capacity to protect European citizens, by working more closely together on security. To fulfil these goals, Ministers also agreed to a range of actions to strengthen civilian and military capabilities, as well as EU security and defence structures and tools.

The European Defence Action Plan was adopted by the European Commission on 30 November 2016. It comprises a European Defence Fund and other actions to help Member States boost research and spend more efficiently on joint defence capabilities, thus fostering a competitive and innovative defence industrial base and contributing to enhance European citizens' security.

The Council of the European Union and Foreign Ministers of NATO adopted in parallel on 6 December a common set of proposals for EU-NATO cooperation. This follows from the Joint Declaration signed by EU leaders and the NATO Secretary General last July. The set of actions comprises 42 concrete proposals for implementation in seven areas of cooperation. EU-NATO cooperation is thus taken to a new level, at a moment when facing common challenges together is more important than ever.

EU Army on way? EU cannot rely on NATO and needs new defence policy says Brussels chief

-TOM BATCHELOR

According to a new foreign policy document from the Brussels-based institution to be handed to EU leaders next week, a "credible European defence" is also essential to preserve good relations with the US.

EU foreign policy chief Federica Mogherini's Global Strategy document states that "as Europeans we must take greater responsibility for our security".

The white paper adds: "While NATO exists to defend its members — most of which are European — from external attack, Europeans must be better equipped, trained and organised to contribute decisively to such collective efforts, as well as to act autonomously if and when necessary.

"A more credible European defence is essential also for the sake of a healthy transatlantic partnership with the United States."

While it stresses that "NATO remains the primary framework for most member states", it goes on to urge EU members to "channel a sufficient level of expenditure to defence".

The document continues: “We live in times of existential crisis, within and beyond the European Union.

“Our Union is under threat. Our European project, which has brought unprecedented peace, prosperity and democracy, is being questioned.

“To the east, the European security order has been violated, while terrorism and violence plague North Africa and the Middle East, as well as Europe itself.

“A fragile world calls for a more confident and responsible European Union, it calls for an outward- and forward-looking European foreign and security policy.”

The white paper will be seized on by Eurosceptics as proof of a plot to set up an EU army - a notion that has been widely dismissed by diplomats in Brussels and London.

The warning of a European army was at the core of the Brexit campaign and became a hot topic with both sides trading blows over the truth of claims Brussels wanted to create a NATO-style organisation.

America subsidises European defence by vastly outspending all other NATO members and the EU believes a stronger continental force would take the pressure off the Pentagon.

But while the latest EU policy document calls for joint working on matters of defence, it stops short of explicitly calling for the creation of an EU army, which would require treaty change.

Should we have a European army?

Collectively, EU member states spent $281 billion on defence last year. On the face of it, that's a heck of a lot of money; particularly when you consider it's almost twice the EU's annual budget (and witness how bitterly governments have been squabbling over that right now). Nevertheless, European defence budgets are dwarfed by that of the United States, which spent over $711 billion on its military in 2011. This is, understandably, the cause of some friction within the NATO alliance.

Last year, outgoing US Secretary of Defence Robert Gates gave a speech in Brussels warning that the Cold War generation of US politicians was retiring, and their successors might be less misty-eyed about the importance of NATO. Speaking "bluntly", he argued that "if you told the American taxpayer [that the US bears] 75% of the financial burden in NATO, it would raise eyebrows."

Of course, not everybody agrees that Europeans should be spending more on defence. In the middle of the most serious economic crisis since the 1930s, there are those that would argue money would be better spent on education, infrastructure, research and innovation. An even more serious problem, though, is that Europe gets nowhere near the amount of "bang for its buck" as the US. Whilst European defence budgets amount to about 40% of total US spending, its effective deployment capabilities in terms of boots on the ground works out to just 25% of what the US can manage.

Organisation: one for all and all for one In this future,

A number of European governments agree that a supranational organisation of defence is the most rational and economic utilisation of their limited defence resources. Similar to the decision of several EU member states to form a permanent European Monetary Union (EMU) with a common currency, several European governments come together to form a European Defence Union (EDU) and integrate their defence personnel and equipment into a common

European defence force. The European Defence Force (EDF) is the military component of the EDU, and consists of the European army, European navy and European air force. The EDF is composed of national contingents placed at the disposal of the EDU in a single chain of command supported by a common budget and a common armaments programme. EDF troops wear a common uniform and are recruited according to common recruitment practices, service terms as well as a standard code of conduct. Basic units up to battalion size are based in and recruited by member states. BGs, brigade and higher level units, logistical and support units, as well as higher unit headquarters can be member state-based or composed of basic units of different national origins and located across Europe. The EDF follows common doctrine and standardised training methods. All military schools are integrated into a single European military education system.

Decision-making structure: Enter the HiCED

The EDU is based on an ad hoc legal arrangement among the participating member states, which is separate from the EU and NATO treaties, but compatible with both. Political control is exercised by a civilian High Commissioner for European Defence (HiCED) appointed for a period of three years, who operates under the control of a European Defence Council composed of the participating member states' defence ministers. The HiCED meets at the level of defence ministers and chairs European Defence Council meetings. The highest ranking military officer in the EDF is the Supreme Commander, a general nominated by EDU member states for a three-year period who is supported by a joint and combined HQ and dedicated staff. The EDF Supreme Commander has a deputy in each of the participating EDU member states who is responsible for relations with that particular government. Following approval by the European Defence Council, the EDF could act on the basis of a mandate or request from the EU, NATO or the UN, or as a part of a coalition of the willing. Once an EDU is formed, the participating member states would be expected to coordinate and support joint positions on relevant subjects in other multilateral defence organisations, such as NATO and the EDA.

Financing:

Dedicated budget In this future, an integrated EDU is financed by a common budget based on a gross national income (GNI) formula. A joint European defence budget generates major savings by eliminating national duplication and realising economies of scale. An integrated EDU is also able to use European Commission funding for defence research, first introduced

in the multiannual financial framework (2021-2027), as well as European Investment Bank (EIB) funds for capability investments. The EDF is also supported by a joint European armaments and equipment programme. Given that more than 80% of all equipment procurement in Europe has traditionally taken place at the national level, the significant savings resulting from supranational collaboration's economies of scale are used for much needed capital investment and operations in the field. Moreover, the current lack of interoperability between some 30 national defence forces, which have diminished Europe's collective military capabilities to date, is largely eliminated.

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8. Article 42 (2) Treaty on European Union (Lisbon) reads: "The [CFSP] shall include the progressive framing of a common defence policy. This will lead to a common defence, when the European Council, acting unanimously, so decides. It shall in that case recommend to the Member States the adoption of such a decision in accordance with their respective constitutional requirements. The policy of the Union in accordance with this Article shall not prejudice the specific character of the security and defence policy of certain Member States and shall respect the obligations of certain Member States, which see their common defence realised in [NATO], under the North Atlantic Treaty and be compatible with the common security and defence policy established within that framework."
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11. Article 43 (1) TEU (Lisbon) reads: "The tasks referred to in Article 42 (1), in the course of which the Union may use civilian and military means, shall include joint disarmament operations, humanitarian and rescue tasks, military advice and assistance tasks, conflict prevention and peace-keeping tasks, tasks of combat forces in crisis management, including peace-making and post-conflict stabilisation. All these tasks may contribute to the fight against terrorism, including by supporting third countries in combating terrorism in their territories."
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