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EUROPEAN ARMY: REALITY OR FICTION?

Abstract.....	1	IV. Military integration on the ground	
I. Introduction.....	2		11
II. Theoretical approaches	3	V. Conclusion	13
III. Historical overview: The Evolution of the Common EU Foreign, Security and Defence Policy.....	5		

Abstract

Several years after the end of the Second World War an agreement was made for regulating all details of the future European army. The plan was formatting European army with soldiers from France, Germany, Italy and the Benelux countries, having unique uniforms and a strict command structure. It was planned creation of a Commission composed from nine representatives from the member-states. One of the competencies of the Commission was planned to be bringing decisions about sending an army to the front. The work of this Commission should have been controlled by a European Parliament composed of MPs from the member states. The agreement was the military units at a lower level to be purely nationally organized, and the officers who would command them to be from different member states. Many things were ready for this ambitious project of the post-war Europe which in the summer of 1954 collapsed due to resistance from the French parliament. Since this European defence community was not brought into light, the European Army's plans have ``ad acta`` for decades. Today they are back on the table. The reasons for that are numerous: the US Government under Donald Trump lack of interest for Europe, the growing Russian threat to the continent and the withdrawal of the UK from the EU in 2019 have sparked a new momentum in this European Union's project.

The aim of this research is through a retrospective analysis of the last 20 years, or more concrete from the Treaty of Nice, through the Treaty for Establishing the Constitution and the Lisbon Treaty to determine the development of the idea for creating a common European army and what are the reasons why this project didn't work in the past. All this is necessary in order to be able to give predictions how the idea for common European army will develop in the future.

Keywords: *European Army, Founding Treaties, European defence community*

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I. INTRODUCTION

The predecessors of the today's EU were created in the aftermath of the Second World War, with the aim of ending the frequent and bloody conflicts which culminated in the global war, largest and deadliest in the human history. As of 1950, the European Coal and Steel Community begins to unite European countries economically and politically in order to secure lasting peace. The initial motives for starting the process of European integration had a strong political-security character with the main goal of creating and maintaining peace and security between member states, but the project was designed to be started by merging of economic interests rather than creating another military alliance. In the words of the Schuman Declaration, it was thought – correctly, that the pooling of coal and steel production will make the war “not merely unthinkable, but materially impossible”.

However, the need to unite the European countries in the field of defence as well was always present. European Defence Community emerged from the idea of creating united European army having unique uniforms and a strict command structure, that Jean Monnet turned into an action based on the so-called Pleven's plan. Many things were ready for this ambitious project of the post-war Europe which in the summer of 1954 collapsed due to resistance from the French parliament. Since the European Defence Community was not brought into light, plans for a European army were put on the back burner for decades. Indeed, EU's “defence pillar” has remained a sensitive issue for a long time and the European Union has been criticised for its apathy over defence, notably for the reluctance of its Member States to intervene militarily in times of crisis and for its low military expenditure.¹

Likewise, NATO has taken the lead in conducting the security and defence policy and Europe has comfortably sheltered behind the “American umbrella”. But recent events revived the idea. The reasons for that are numerous: the US Government under Donald Trump lack of interest for Europe clarifying his "America First" programme, the growing Russian threat to the continent and the UK's looming withdrawal from the EU have given the military project new impetus. French Prime Minister Emmanuel Macron in his recent interview for *The Economist*² said “what we are currently experiencing is the brain death of NATO” aiming at the collapse of US-EU strategic cooperation within NATO. He warned Europe that the Continent was standing "on the edge of a precipice" and must ensure its autonomy in defense and security matters. This idea is also supported by the EU citizens as June 2017 Eurobarometer opinion poll showed that 75% of Europeans encouraged common European security and defence policy and 55% even favoured a European army.

The aim of this research is through a retrospective analysis of the last 20 years, or more concrete from the Treaty of Nice, through the Treaty for Establishing the Constitution and the Lisbon Treaty to determine the development of the idea for creating a common European army and what are the reasons why this project didn't

¹ See more at European Issue n°474: *Defence: Europe's Awakening*, Robert Schuman Foundation, available at: <https://www.robert-schuman.eu/en/european-issues/0474-defence-europe-s-awakening>.

² ‘The future of the EU - Emmanuel Macron warns Europe: NATO is becoming brain-dead’, *The Economist*, 7 Nov 2019, available at: <https://www.economist.com/europe/2019/11/07/emmanuel-macron-warns-europe-nato-is-becoming-brain-dead> (accessed 07.04.2020).

work in the past. All this is necessary in order to be able to give predictions how the idea for common European army will develop in the future.

II. THEORETICAL APPROACHES

The majority of the current literature on ESDP has not been driven by a desire to clarify theoretical frameworks. Hence, certain underlying and controversial assumptions about the nature of the European security order have been taken for granted. Here for the need of this research two opposite theories regarding the ESDP will be taken into account. The neo-realist theories emphasizes that the development in the EC (now EU) could not be understood without taking into account the changed structure of the international system. Kenneth Waltz was one of the key exponents of this view. He reinterpreted classical realists' propositions on the working of the balance of power as a factor in determining states' behavior in international relations. For Waltz the balance of power was the overarching determinant of a states' behavior on the international scene. From this approach defence and security matters belonged to the realm of 'high politics' and were not susceptible to integrationist dynamics. EC politics were driven by nation states' search for maximizing 'relative gains'.³ Neo-functionalists, in contrast, conceptualized integration as a result of an institutionalized pattern of interest politics, played out within international organizations. There was a 'spill-over' effect - a process whereby members of an integration scheme attempted to resolve their dissatisfaction with their attainment of the agreed collective goal, by resorting to collaboration in another sector. From the neo-functionalist perspective, a tendency was created that was favorable to the establishment of a common foreign policy.⁴ There is third theory that should be taken into account when discussing this matter and that is Moravcsik's work on 'intergovernmental institutionalism'. Moravcsik's writing in the early 1990s was an attempt to demonstrate how a revised 'realist' perspective could account for EU bargaining. His approach reaffirmed the centrality of power and interest, which had been a central tenet of realist explanations of the international system in the early-post war period.⁵ But he argued that interest is determined not simply by the balance of power, as neo-realists argued, but also by the preferences of domestic political actors, which are the outcome of political processes in the domestic policy. His approach was based on three principles: 1) intergovernmentalism, 2) lowest common-denominator bargaining, and 3) strict limits on future transfers of sovereignty. From this perspective, the key shapers of EU policy-making were located at the national level, though there were transnational dynamics in operation. (Interestingly later, Moravcsik revised his approach to assign an important role to institutions as facilitators of positive sum bargaining).

To summarize the dominant approaches outlined so far, let us draw out schematically some of the key assumptions and discuss their unique contributions to and potential pitfalls for future research: Neo-realism would argue that to understand ESDP we will need to look at the changing nature of the balance of power and how Member States search for relative gains influenced the bargaining process at the EU/NATO level.

³G. Bono, 'European Security and Defence Policy: Theoretical Approaches, the Nice Summit and Hot Issues', *ESDP and Democracy Project*, February 2002, pg.6; <https://bits.de/CESD-PA/esdp02.pdf> (accessed 13.08.2018).

⁴Bono, 'European Security and Defence Policy: Theoretical Approaches, the Nice Summit and Hot Issues'.

⁵ A. Moravcsik, 'Negotiating the Single European Act: National Interests and Conventional Statecraft in the European Community', *International Organization*, Vol 45, No 1, 1992, pages 651 - 688.

The problem in adopting such hypotheses is that we will treat states as unitary actors in pursuit of self-help and by so doing we create a black box around any role that domestic politics can have on the dynamics of the international system. We would also have to take for granted the neo-realist assumption that the international system is anarchic, driven by self-help. This definition of the anarchic nature of the system is highly questionable, as many commentators have pointed out.⁶

From neo-functionalists' writings, the hypothesis could be derived that ESDP is the result of 'the spill-over' effect from economic integration. The increased level of co-operation in the economic and monetary union, exemplified by the EMU project, influenced the emergence of ESDP. Neo-functionalists would therefore give a primary role to an analysis of how economic and monetary decisions shaped the debate about military/security issues. The weakness of this hypothesis is that it does not explain why a more marked level of integration in the military security field did not develop under the Maastricht/Amsterdam Treaties and why it is only at the end of the 1990s that the integration has taken place.⁷

From this brief overview it seems that whilst we need to take into account the current approaches used to explain ESDP, there are some limitations to the explanations provided by the neo-realist, neo-functionalist and neo-institutionalist approaches. These approaches fail to successfully conceptualize the interrelationships between domestic factors, international institutions and external factors. The methodology adopted excludes *a priori* the possibility that there might be transnational and transgovernmental factors in operation and seems to underplay the role of domestic influences.

It is important to be pointed out that there are a number of alternative approaches available both within International Relations and Integration Theory that could help us bridge the gap between the different levels of analysis and overcome such dichotomies. These approaches range from transgovernmental coalitions, policy-networks and multi-level governance, to constructivism and historical/sociological institutionalism. The advantages of these approaches over neo-institutionalism, intergovernmental liberalism and neo-functionalism are that they allow us to conceptualize the evolution of ESDP by looking at the roles of a variety of actors located at the national, supranational and transgovernmental levels without assuming *a priori* that there is hierarchy among the different levels of analyses. The validity of these approaches has already been demonstrated by a number of studies on European defence covering other historical periods.⁸

⁶ For a critique of neo-realism, see: R.K. Ashley, 'The Poverty of Neorealism' in R.O. Keohane, *Neorealism and its critics*, Columbia: Columbia University Press, 1986; A. Wendt, 'Anarchy is what make it', *International Organisation*, vol. 46, No. 2, 1992, pages 391-425; P. Schroeder, 'Historical reality versus neorealist theory', *International Security*, vol. 19, No. 1, Summer 1994, pages 108-148.; H. Milner, 'The assumption of anarchy in International Relations Theory: a critique' in D.A. Baldwin, *Neorealism and neoliberalism: the contemporary debate*, Columbia University Press, New York, 1993, pages 145-148.

⁷ For an overview of critiques of neo-functionalisms from different school of thoughts see: B. Rosamond, 'Theories of European Integration', *New York Palgrave*, Basingstoke, 2000, pages 74 – 88.

⁸ P.Katzenstein, 'The Culture of national security; norms and identity in world politics', *Columbia University Press*, New York, 1996; E.Kier, 'Imagining war: French and British military doctrine between the wars', *Princeton University Press*, 1997; G. Bono, 'NATO's 'peace-enforcement' tasks and 'policy communities', *Ashgate*, 2002.

III. HISTORICAL OVERVIEW: THE EVOLUTION OF THE COMMON EU FOREIGN, SECURITY AND DEFENCE POLICY

The Western European Union (WEU), established in 1954 out of the Brussels Treaty of 1948⁹, was the result of a compromise, on the one hand, between the aspirations of some European Member States for a European Defence Community (EDC), and on the other US and British desires to ensure that Germany rearmed itself in a manner that could be accepted by France. Brussels Treaty was the first multilateral regional agreement for the purpose of wider European integration, mostly in the sphere of security and defence, concluded between two of the members with permanent seat in the UN Security Council – France and the United Kingdom together with the three Benelux countries. Western European Union was meant to provide economic, social and cultural collaboration, but mostly for collective defence – if any of the contracting parties should be the object of an armed attack in Europe, the other parties will, in accordance with the provisions of Article 51 of the Charter of the United Nations, afford the Party so attacked all the military and other aid and assistance in their power.¹⁰ Fulfillment of this purpose assumes possession of military power. In 1954 it was amended by the Paris Agreement, which was additionally accessed by Germany and Italy. In fact, the main unofficial purpose of the WEU in the early post-war period had been to ensure Germany's rearmament. Although the WEU was entrusted with providing a forum for discussion of defence issues, it was not given the resources to develop command and control capabilities and thus became subordinate to NATO.

As a result of a revival of the Franco-German security relationship in the late 1980s, the end of the Cold War and other domestic factors, during the Maastricht¹¹ and Amsterdam negotiations, in 1991/2 and in 1996/7, French and German politicians lobbied hard to have the WEU merged into the EU.¹² Hence, it was in 1984 when WEU foreign and defence ministers agreed to meet regularly and their attempts to reinvigorate the WEU resulted with the Petersberg Declaration adopted in June 1992 Bonn¹³. On the other hand, EU Common Foreign and Security Policy was firstly introduced in February 1992 by the Maastricht Treaty, replacing the European Political Cooperation, as the European Community was transformed into the European Union composed of three pillars of policy cooperation. CFSP activities with common positions and joint actions as main instruments can be financed by the EC budget, while EU can request the WEU to implement decisions that have defence implications. In that regard, Petersberg Declaration provided the basis for future military and civilian operations known as *Petersberg tasks* including humanitarian and rescue tasks, peacekeeping tasks and tasks of combat forces in crisis

⁹ Treaty of Economic, Social, Cultural Collaboration and Collective Self-Defence, Brussels, 17 March 1948.

¹⁰ Article 5 of the Brussels Treaty, in accordance with the Article 51 from the UN Charter.

¹¹ The Maastricht Treaty stated that "the Union requests the Western European Union (WEU), which is an integral part of the development of the Union, to elaborate and implement decisions and actions of the Union which have defence implications." See Title V, Article J.4 paragraph 2 of the Maastricht Treaty. The use of the term 'request', rather than instruct, demonstrates how hesitant EU leaders were in bringing the WEU and the EU closer together at the time. The Amsterdam Treaty stated reaffirmed that the WEU would remain an autonomous organisation.

¹² Bono, 'European Security and Defence Policy: Theoretical Approaches, the Nice Summit and Hot Issues', pg.16.

¹³ Petersberg Declaration, WEU, Council of Ministers, Bonn, 19 June 1992.

management, including peacemaking, carried out by the military units of WEU Member States, acting under the authority of WEU.¹⁴

Amsterdam Treaty prescribed that the Union shall accordingly foster closer institutional relations with the WEU with a view to the possibility of the integration of the WEU into the Union, should the European Council so decide.¹⁵ In that manner, some of the WEU functions were integrated into the common foreign and security policy of the EU (the Community then) and provided wider platform for planning and decision making – the EU can launch the Petersberg Tasks, which are to be implemented by the WEU. WEU was recognized as an integral part of the Union; however it retained its character of a separate organization. Moreover, Amsterdam Treaty established the European Security and Defence Policy (ESDP) as an integral part of CFSP, but the most important change was the creation of the post of High Representative for CFSP. The aim of the ESDP was to provide the EU with an autonomous military capability for crisis management outside the EU's borders, but territorial defence was left to NATO, as most EU countries were already members of it.

Although the integrationists did not succeed in merging the two organisations, between 1992 and 1997, the WEU underwent a rapid revamp. On the other hand until the end of 1997, the EU was still more a 'civilian power' rather than a military actor. It exercised its weight in the world through the use of foreign economic policies and development aid (Pillar I). Although the EU had a role in European Security and Defence through Pillar II and the WEU, NATO retained a leading role in European security. The crisis in Yugoslavia in the early 1990s showed that CFSP lacked the instruments to deal with such conflict situations, even if they took place in the vicinity of the EU. The fact that the war in Bosnia could only be stopped in 1995 after the US and NATO had intervened was a strong signal to European leaders that more was needed.¹⁶ Because of dissatisfaction with the existing division of labour between NATO and the WEU and in order to have more room for maneuver, some EU Member States had developed ad-hoc military and political arrangements to deal with external crises.¹⁷

Here it is important to be said that in the 1990s despite the numerous attempts, the WEU only played a limited role in European defence and NATO remained the dominant European defence organization. But WEU was truly the first European organization with comprehensive collective defence mechanism¹⁸, although under the auspices of NATO in fact. Still, WEU achieved certain results through participation in several missions with NATO, for example in the enforcement of the arms embargo in the Combined WEU/NATO Operation SHARP GUARD in the Adriatic, as well as with other defence and security organizations that have become relevant in the meantime such as OSCE and providing support to the EU administration. Limited possibilities were due to the lack of enough military means needed in order EU to

¹⁴ See more at B. Moller, 'The EU as a Security Actor: Security by Being and Security by Doing', *Danish Institute for International Studies*, Copenhagen, 2005.

¹⁵ Article J.7 of the Treaty of Amsterdam, *OJ C 340*, 10.11.1997.

¹⁶ M. Matthiessen, 'The EU's comprehensive approach towards security: the Lisbon Treaty and "smart power"', *EU Centre Policy Brief, No. 6*, May 2013, pg.2, available at: <http://aei.pitt.edu/47405/1/PB06-Issue6-May13.pdf> (accessed 05.04.2020).

¹⁷ Bono, 'European Security and Defence Policy: Theoretical Approaches, the Nice Summit and Hot Issues'.

¹⁸ See more at R.G.H., 'Western Union - Political Origins', *T.W.T.*, Vol. I, No. 4, 1949, pages 170-183.

practice its own military force¹⁹ and the fact that strengthening of the security and military power of the EU – in terms of its Member States, also provides inevitable reinforcements to NATO²⁰.

Amsterdam's unfinished job remained in the focus. When the US and NATO had to intervene once more in lieu of European action, this time in Kosovo in 1998-1999, European leaders acknowledged the need for an ESDP with greater capabilities.²¹ British Government led by Toni Blair launched initiative by making clear that it would like to see an enhancement of the European Union's capacity to have recourse to military forces and should assume a defence capability.²² Relationship between EU and WEU was at the heart of these proposals and actually re-opened the debate on this issue, varying from proposals for scrapping the WEU, merger of the EU and WEU, merging some elements of the WEU into the EU and associating more closely with NATO, to reinforcing and reinvigorating the WEU. The decisions were brought in 1999: in June 1999, the Cologne European Council agrees that the EU should be able to undertake the Petersberg Tasks, replacing the WEU and in December 1999 the Helsinki European Council sets the headline goal for the common European security and defence policy. In December 2000, the Nice European Council formalised these decisions, as this Treaty focused on reforming EU institutions, in preparation for the biggest enlargement in its history with the countries from Southeast Europe.

i. The Nice Treaty and the European Security and Defence Policy

First, the defence aspects of Europe's common foreign and security policy will no longer be framed by the EU's former defence arm, the Western European Union, but by the EU itself.²³ In the Treaty of Nice it was agreed that most of the functions of the WEU would be transferred to the EU. This has meant the setting up of new military and political structures in the EU. The military structures are: the European Union Military Committee (EUMC) and the European Union Military Staff (EUMS). The new political body is the Political Security Committee (PSC).²⁴ These new EU structures were developed in order to support the CFSP and ESDP, thereby moving

¹⁹ P. Ham, 'Europe's New Defence Ambitions: Implications for NATO, the US and Russia', *G. C. Marshall European Center for Security Studies*, Garmisch-Partenkirchen, Germany, 2000.

²⁰ See more at N.Gnesotto, 'ESDP a European View', Prepared for the IISS/CEPS European Security Forum, Brussels, 8 July 2001.

²¹ Matthiessen, 'The EU's comprehensive approach towards security: the Lisbon Treaty and "smart power"', pg.2. The EU leaders' decision in 1999 to appoint former NATO Secretary General Javier Solana as the first High Representative for CFSP were both highly instrumental in developing the ESDP.

²² It was stated in few interviews given by Prime Minister Blair in October 1998 for Financial Times, The Times, Corriere Della Sera Frankfurter Allegemeine Zeitung, Le Monde and other relevant European press services. See more at R.G. Whitman, 'Amsterdam's Unfinished Business: The Blair Government's Initiative and the Future of the Western European Union', *Institute for Security Studies-Western European Union*, Paris, January 1999.

²³ This point can be found in Title V: Provision on a Common Foreign and Security Policy in Article 17 of the Nice Treaty that replaces Article 17 of the Amsterdam Treaty, available on <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12001C%2FTXT>. (accessed 19.07.2019).

²⁴ See Presidency Report on ESDP, Part II. https://ec.europa.eu/regional_policy/sources/docoffic/official/reports/pdf/sum_en.pdf (accessed 21.07.2019), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12001C%2FTXT>. (accessed 21.07.2019).

more responsibility from the capitals of Member States to Brussels while maintaining the intergovernmental nature of the policy.²⁵

Secondly, the EU has decided to develop an EU military force of up to 60,000 troops able to be deployed at 60 days notice and with the ability to sustain itself for at least one year. This force has to be able to undertake a large spectrum of tasks ranging from peace-keeping to peace-making.²⁶

Thirdly, arrangements have been agreed for EU-NATO consultation and for involvement of non-EU NATO members and candidate countries and other partners in EU-led crisis management operations.²⁷

Fourthly, the EU is to take full responsibility in the area of conflict prevention and policies were agreed to strengthen EU capabilities for civilian aspects of crisis management. These include the establishment of a police force of 5,000 police officers to be operational by 2003, measures to strengthen the rule of law, civilian administration and civil protection.²⁸

Political and Security Committee was established within the Treaty of Nice²⁹. The main competencies of this Committee were to monitor the international situation in the areas covered by the common foreign and security policy and contribute to the definition of policies by delivering opinions to the Council at the request of the Council or on its own initiative. The Political and Security Committee deals with crisis situations. Under such circumstances, the PSC will examine all the options available and will exercise “political control and strategic direction of the EU’s military response to the crisis”. This means that whilst it will take into account the opinions of COREPER and the Commission, it will have overall political authority. It will also evaluate the opinions and recommendations of the Military Committee and in particular “the essential elements” (strategic military options including the chain of command, operation concept, operation plan) to be submitted to the Council.

EUMC is the highest military body established within the Council. It is composed of the Chiefs of Defence (CHODs) represented by their military representatives (MILREPs). It exercises military direction of all military activities within the EU framework. The EUMC meets at the level of CHODs as and when necessary. This body provides military advice and recommendations to the Political and Security Committee on all military matters within the EU as and when requested. The EUMC develops the overall concept of crisis management in its military aspects, assesses the risk of potential crises and makes a financial estimate for the cost of operations and exercises. In crisis management situations it acts as follows: “Upon the Political and Security Committee request, it issues an Initiating Directive to the Director General of the EUMS (DGEUMS) to draw up and present strategic military options. It evaluates the strategic military options developed by the EUMS and forwards them to the PSC together with its evaluation and military advice. On the basis of the military option selected by the Council, it authorises an Initial Planning Directive for the Operation Commander. Based upon the EUMS evaluation, it provides advice and recommendations to the PSC: on the Concept of Operations (CONOPS) developed by the Operation Commander - on the draft.

²⁵ Matthiessen, ‘The EU’s comprehensive approach towards security: the Lisbon Treaty and “smart power”’, pg.3.

²⁶ *Ibid.*

²⁷ Presidency Report on ESDP, Part IV, VI and Annex VI and VII to the Report. Op.cit.

²⁸ Bono, ‘European Security and Defence Policy: Theoretical Approaches, the Nice Summit and Hot Issues’.

²⁹ Article 25 in Title V of the Nice Treaty.

Some Member States have decided to send the same military representative to the EU Committee as to the NATO Military Committee. Through this form of ‘double-hatting’, it is hoped to foster EU-NATO co-operation.³⁰

At the end we can conclude that although the Nice Treaty incorporated a number of key decisions taken by the EU/WEU and NATO Councils, the agreement reached did not provide political guidelines for the development of the EU military role. In fact, the military and political doctrines that are shaping the evolution of ESDP are being defined in a piece meal manner by the EU/NATO Chiefs of staff and military experts rather than being formulated by political institutions such as the European Council, the EP and national parliamentary structures. Strengthened cooperation provided with the Nice Treaty did not apply to military and defence issues, but only to joint actions and common positions in other areas covered with CFSP. But it is worth to mention that EU still managed to launch the first *peacekeeping operation* our country – mission *Concordia* implemented in the period 31.03-15.12.2003 and replaced by *Proxima* that ended in December 2005.³¹ European Security Strategy (ESS) named as ‘A Secure Europe in a Better World’³² has become a landmark in the further development of the EU’s foreign and security policy.

ii. The Lisbon Treaty: The road is paved for increased momentum

Prior we examine the developments under the Lisbon Treaty, it should be noted that the Constitutional Treaty has broadened the definition of a common defence and security policy that has led to the spread of its application in five directions: 1.Civil and military assets whose use was regulated in accordance with the UN definition; 2.Detailed content of the missions (in addition to the Petersburg missions, the list of missions also included military actions undertaken to maintain peace); 3.Other missions from the field of CSDP (for example the fight against terrorism); 4.The introduction of a so-called solidarity clause which implies the mobilization of police and civil structures when a Member State is affected by natural disasters; 5. The EU constitution included provisions imposing an obligation on EU Member States to provide assistance and support with all available power in case some of them is subject to aggression.³³ Through the wider definition of European defence and security it aimed to cover the peacekeeping missions installed through the UN mechanisms, the so-called Petersburg missions/tasks with military natures, as well as missions established within the CFSP to deal with the most dangerous terrorist attacks that require disposition of the national military and civilian forces which should be fused into multinational forces.

Unlike the Treaty establishing a Constitution for Europe, which brought together the different aspects of the Union’s external action, the Lisbon Treaty formally separates CFSP and CSDP from other areas of EU external relations. Lisbon Treaty of 2009 constitutes a new cornerstone in the development of the CSDP³⁴ and brought

³⁰ Bono, ‘European Security and Defence Policy: Theoretical Approaches, the Nice Summit and Hot Issues’, pg.24.

³¹ More information on these missions: www.eeas.europa.eu/archives/csdp/missions-and-operations/Concordia; <http://data.europa.eu/eli/dec/2005/230/oj>.

³² Presidency Conclusions, European Security Strategy - A Secure Europe in a Better World, European Council Meeting in Brussels, 12-13 December 2003, proposed by Javier Solana as Secretary-General of the Council of the EU / High Representative for the Common Foreign and Security Policy.

³³ V. Kambovski, T. Jovanovska-Karakamisheva, V.Efremova, *The EU Law: from Paris to Lisbon*, Vinsent Grafica, Skopje; 2012, pg.652.

³⁴ Lisbon Treaty introduced term Common Security and Defence Policy instead of the previous European Security and Defence Policy, in order to strengthen the identity element.

important institutional developments to increase coherence and efficiency of the policy, but for the purposes of this paper will dwell on the most relevant. The Lisbon Treaty adopts the solidarity clause at treaty level, and extends its scope to natural and man-made disasters and introduces a mutual assistance clause in case of an armed aggression. The clauses reflect the importance of Member States' contributions in order to activate EU security provisions and gives rise to the question of whether the EU is in fact becoming a defence organization and that includes at least military security. One of the main obstacles in this regard is the lack of a common stance among EU Member States regarding the necessity and appropriateness of developing common EU defence machinery. Coexistence of a European and NATO defence clause highlights the importance of EU-NATO cooperation in order to prevent duplications and contradictions between both policies.³⁵ Divergence exists between the countries that promote an EU common defence (inter alia France and Germany), the neutral states (Austria, Finland, Ireland and Sweden) and the NATO-minded states (inter alia the UK before Brexit, Poland, Spain), as not all EU Member States are members of NATO and some want to maintain a neutral position. On the other hand, WEU Permanent Council decided to terminate the Modified Brussels Treaty and to close down the WEU as 'with the entry into force of the Lisbon Treaty the WEU accomplished its historical role'.³⁶ The introduction of the mutual assistance and solidarity clauses allows the EU to respond to security threats independently of the initiatives of existing defence organizations. However, political will of Member States, compromises and cooperation among EU Member States (with diverging views on security policy), as well as coordination between the different international security organizations, are necessary prerequisites for a coherent and effective implementation of the new security clauses.³⁷

The scope of enhanced cooperation is extended to the entire CSDP. The Lisbon Treaty establishes a new and flexible form of cooperation for CSDP - 'Permanent Structured Cooperation' (PESCO). According to Article 42(6) TEU, Member States 'whose military capabilities fulfill higher criteria and which have made more binding commitments to one another in this area with a view to the most demanding missions shall establish permanent structured cooperation within the Union framework'. This novelty is seen as very promising and much needed, as European defence is suffering from a lack of efficient use of its capabilities.³⁸ Lisbon Treaty elevates the European Defence Agency (EDA) to treaty level, incorporating it in the legal framework of CSDP. The cooperation of the EDA and EU Member States in the framework of PESCO might boost the EDA's initiatives to strengthen European military capabilities. Yet, the EU has an alternative, temporary military instrument at its disposal for rapid response in view of military crisis management operations: the EU

³⁵ J.Wouters S.Bijlmakers and K.Meuwissen, 'The EU as a Multilateral Security Actor after Lisbon: Constitutional and Institutional Aspects', Working Paper No. 80, *Leuven Centre for Global Governance Studies*, February 2012, pg.10.

³⁶ Western European Union, Statement of the Presidency of the Permanent Council of the WEU on behalf of the High Contracting Parties to the Modified Brussels Treaty- Belgium, France, Germany, Greece, Italy, Luxembourg, The Netherlands, Portugal, Spain and the United Kingdom, Brussels, 31 March 2010.

³⁷ Wouters, Bijlmakers and Meuwissen, 'The EU as a Multilateral Security Actor after Lisbon: Constitutional and Institutional Aspects', pg.11.

³⁸ See more at B.Angelet and I. Vrailas, 'European Defence in the wake of the Lisbon Treaty', *EGMONT Paper 21*, 2008; S.Biscop and J.Coelmont, 'A strategy for CSDP: Europe's ambitions as a global security provider', *EGMONT Paper 37*, 2010.

Battlegroups - national or multinational, with supporting elements that would be capable of starting a military operation within ten days.

Lisbon Treaty also gives more attention to the structures established within Nice Treaty, as the Political Security Committee as a preparatory body. The PSC is authorized to take a number of decisions, such as to amend the planning documents, including the operation plan, the chain of command and the rules of engagement, as well as decisions to appoint the EU Operation Commander and EU Force Commander. The PSC receives military advice and recommendations on military matters from the EU Military Committee (EUMC).

It can be concluded that the Lisbon Treaty provides significant novelties regarding the security and defence policy. The solidarity and mutual assistance clauses entails an intergovernmental obligation for all member states to come to the aid of the victim of an armed attack, but it does not have any implications for EU institutional and military structures nor for common capabilities, and therefore, does not create any obligation for the EU. Common EU defence policy may be an EU policy goal, although today the EU is not (yet) a defence union, but it must provide military security. PESCO can be useful tool to achieve progress in reinforcing European capabilities.

IV. MILITARY INTEGRATION ON THE GROUND

The integration and coherence of EU policy-making, especially in such politically sensitive areas like security and defence, is a long-term process. EU Common Security and Defence Policy was being carefully developed through the years and the Union has undeniably developed its capacities in the area of foreign and defence policy, notably through the creation of multiple operations. The motivation for increased military integration extends beyond strengthening political ties. EU countries want to save costs and share access to military capabilities other states may lack. Situation on the ground reveals rudiments of military integration.

Launched in 1989, the Franco-German Brigade is considered an early example of European defence integration. It is the only bi-national military organization in the world. Its roughly 6,000 soldiers are stationed in four locations in Germany and three in France. Jägerbataillon 291 (291st Light Infantry Battalion) in Alsace is the only combat unit of Germany's military, the Bundeswehr, permanently stationed outside the country. Soldiers of both nations serve together, but only in the supply and support company and on command levels — all other units are divided by nation.

The German/Netherlands Corps is just one example of military integration between the two countries. In 1995, only a few years after the Franco-German Brigade was founded, Germany and the Netherlands established the German/Netherlands Corps, which commands a Dutch and German division of just over 40,000 soldiers. At the beginning, only leadership positions were filled by soldiers from both countries, but now Germany and the Netherlands are linking the units of both armed forces further down the chain of command. For example, Dutch support ship HNLMS Karel Doorman, which is used for amphibious operations, is part of this cooperation. The Dutch Navy had been running the vessel with a reduced crew due to budget constraints, and Germany provided a partner to help operate it.

This is the first time that German and Dutch units have integrated forces from the company to the divisional level, similar to the kind of integration envisioned by ECG planners in 1950s. Ursula von der Leyen as German Defence Minister then called it a "prime example of how to build a European defence union."

Meanwhile Germany is noticing just how much the cost-cutting measures of recent decades have restricted the operational capability of its armed forces. Last year it was reported that Germany's navy had no submarines at the ready, because they were either undergoing maintenance or had been dry docked, forcing crews to train on shore. The country's military, the third-largest in the EU, is not expected to have an operational submarine at its disposal again in near future.

Also, during France's Mali intervention in 2013, military leaders in Paris were shocked to discover that the country lacked the resources to run such extensive combat operations on its own for long periods of time. French military partners had to help with transport and reconnaissance missions shortly after the operation was launched and relied on help from its military partners.

Regardless of the motivations, EU countries are increasingly recognizing the need to accelerate closer military cooperation within the bloc. This not only applies to smaller nations like the Netherlands, but also to EU heavyweights like France and Germany.

On the EU ground, due to a series of factors a certain amount of progress has been made in terms of defence over the last few years. The attacks on Paris on 13th November 2015 led France to invoke the "defence clause" of the Lisbon Treaty (Article 42.7) for the very first time. In 2016, EU Global Strategy was presented at the European Council June Summit³⁹, as a review of the European Security Strategy (ESS) in light of the dramatic changes in the EU's security environment since 2003, alongside the substantial institutional and legal developments caused by enlargement and the Lisbon Treaty. While the ESS stated that a military option can never on its own provide solutions, the Global Strategy stressed that all sustainable solutions have a *military dimension*⁴⁰ and introduced the need for the Union to target Europe's "strategic autonomy". From then on initiatives gathered pace and for the very first time, Council of the European Union created the Permanent Structured Cooperation in December 2017.⁴¹ 25 Member States agreed to the Permanent Structured Cooperation (PESCO) on the integration of national militaries into an EU force, in line with the measures included in the Lisbon Treaty. This cooperation strives for joint armaments projects and a closer cooperation between the armed forces themselves. Going by the wishes of EU defence ministers, PESCO could set the groundwork for a European military.⁴²

At the same time, the willingness to cooperate is on the rise at the bilateral level. The Franco-German Defence and Security Council of 13th July 2017 announced that they wanted to build the future 5th generation jet fighter together, an intention that became a reality on 26th April 2018 at the Berlin Air Show, via the two Defence Ministers, who made their commitment official with the signature of an agreement. MALE, the

³⁹Shared Vision, Common Action: A Stronger Europe-Global Strategy for the European Union's Foreign and Security Policy: http://eeas.europa.eu/archives/docs/top_stories/pdf/eugs_review_web.pdf (accessed 06.04.2020).

⁴⁰ L.Grip, 'The EU common defence: Deeper integration on the horizon?', *Stockholm International Peace Research Institute, Commentary/ WritePeace blog*, July 2017; <https://www.sipri.org/commentary/blog/2017/eu-common-defence-deeper-integration-horizon> (accessed 06.04.2020).

⁴¹ Council Decision establishing Permanent Structured Cooperation (PESCO) and determining the list of Participating Member States No.14866/17, Brussels, 8 December 2017; <https://www.consilium.europa.eu/media/32000/st14866en17.pdf> (accessed 06.04.2020).

⁴² By joining PESCO the participating States promise to respect 20 "ambitious and more binding common commitments" in three areas: defence expenditure, capability development and participation in the Union's military operations. The States have also committed to cooperate in 17 "capability projects" in the areas of inter alia training, armed forces' mobility, the establishment of crises response forces and the development of arms systems.

European drone which the armies lack, was also presented at the same show. By this project, links between the most credible representatives of the European defence industry were formed. These projects are the result of the political will of both governments, who are using European progress as their support, which will help and finance them in part.⁴³ European Defence Fund was established in order to contribute the financing of the development of defence capabilities through two "windows", one covering research, and the other capability development.

Other significant initiatives have also taken shape. In June 2016 a Military Planning and Conduct Capability was created within the EEAS to ensure the strategic command of the three EU training missions of local armed forces (EU Training Missions in Somalia, Mali and Central African Republic).⁴⁴ In this context, it is also worth to mention that since 2007, the EU has fully operational Battlegroups of about 1,500 troops able to undertake two rapid-response deployments of limited duration that are put at the EU's disposal by Member States for early and rapid military responses. The Council decided to review the *Athena mechanism*⁴⁵ for the Battlegroups, to ensure their rapid financing and ultimately deployment.

V. CONCLUSION

It can be concluded that European army is still not a reality, but definitely it is not a fiction anymore. There has been an undeniable acceleration in the organisation of European Defence. The context seems favourable given the bad news regarding the international threats and to a worsening security situation in Europe, together with the changed circumstances regarding the US-EU strategic cooperation within NATO. Europe's self-sufficiency in terms of security and defence must be build and fulfillment of this purpose assumes possession of military power. It is the only way towards much needed greater unity and it will contribute in strengthening the European identity. PESCO thus may have the potential to enhance the coherence and encourage all EU Member States to engage in further cooperation and integration in the field of EU security and defence. Nonetheless, its practical implementation still depends on the willingness of Member States to make it work. The Franco-German relation is decisive, but there remains true strategic divergence between the Member States. The cooperation of the EDA and EU Member States in the framework of PESCO might boost the EDA's initiatives to strengthen European military capabilities. Introduction of the European Defence Fund is also a great step forward. Finally, with the introduction of the Battlegroup concept the Union actually formed a real (further) military instrument for early and rapid responses when necessary and Battlegroups have been described as a new "standing army" for Europe.

⁴³ F.Grossetête, 'Europe taking back Control of its Defence', in *European Issue n°474 Defence: Europe's Awakening*, Robert Schuman Foundation, May 2018.

⁴⁴ See more at https://eeas.europa.eu/headquarters/headquarters-homepage/54031/factsheet-military-planning-and-conduct-capability_en (accessed 06.04.2020).

⁴⁵ Council Decision (CFSP) 2015/528 of 27 March 2015 establishing a mechanism to administer the financing of the common costs of European Union operations having military or defence implications (Athena) and repealing Decision 2011/871/CFSP: https://eur-lex.europa.eu/legal-content/en/TXT/PDF/?uri=OJ:JOL_2015_084_R_0006&qid=1427824153272&from=EN.

Athena is a mechanism which handles the financing of common costs relating to EU military operations under the EU's common security and defence policy (CSDP).

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