

# 'Views on the progress of CSDP'

ESDC 1<sup>ST</sup> SUMMER  
UNIVERSITY BOOK

SN 10327/20

Edited by Fotini Bellou  
and Daniel Fiott



We inspire, we train, we challenge!

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# 1 Introduction

**Daniel Fiott<sup>1</sup> and Fotini Bellou**

The European Union's (EU) Common Security and Defence Policy (CSDP) is just a little over twenty years old. During this time, the Union has deployed several military and civilian missions and operations in its neighbourhood with a view to enhancing the EU's security in an autonomous manner. While CSDP emerged as a policy mechanism to deal with crisis in the Western Balkans, the Policy has evolved into a multifaceted capacity engaged in Africa, the Mediterranean, the Middle East and Eastern Europe. When thinking about the CSDP we are used to hearing about the 'comprehensive approach' of combining civil and military capacities, and more recently about an 'integrated approach' that focuses on the CSDP as a key component of the EU's broader diplomatic efforts. Furthermore, we should also acknowledge that over the past two decades the CSDP has evolved beyond just crisis management to include partnerships and the protection of Europe, especially since the publication of the EU Global Strategy (EUGS) in 2016.

1 Daniel Fiott writes here in a personal capacity and the views in this introduction and the book overall do not reflect those of the EU Institute for Security Studies or the European Union.

The CSDP can be critically analysed. It is clear that the bold expectations set down in the early 2000s by EU governments have not entirely been met. For example, the EU never met its target of being able to deploy up to 50,000-60,000 personnel in a military crisis and neither has it ever deployed the smaller-sized EU Battlegroups. To be clear, there is certainly a gap between expectations and the capabilities. EU member states are a diverse group: some are neutral, others non-aligned, some military powers, other military pygmies, whereas some focus on NATO and their relationship with the US rather than the EU. Divergences of opinion and national interest are core reasons behind the sluggishness in meeting expectations.

Nevertheless, today the EU and the CSDP has to be placed in a shifting international context. The United States' position towards Europe has shifted and it may never return to a pre-Trump position given Washington's need to deal with the rise of China. For the EU, any US retraction from Europe places a larger burden on EU member states to see to their own security and defence. This is already clear in places such as Libya and Syria. China's rise is also a concern for the EU as Beijing's geopolitical influence in Europe and the neighbourhood is increasing. The Union also has to conceive of its role in dealing with Russia and Turkey, as these revisionist states complicate and threaten Europe's security as well as exposing differences of strategy and threat perceptions between EU member states.

There has been somewhat of a renaissance in EU security and defence policy over the past few years, with the EUGS giving way onto the development of the EU's first autonomous military command and control apparatus (the MPCC), funding for defence research and capabilities (the EDF), budgetary and cooperative assessments (the CARD) and deeper cooperation (PESCO). Undergirding these initiatives is a new level of ambition for the CSDP that widens the scope beyond crisis management to European security. In the coming years, a Strategic Compass is being developed to give the Union greater clarity over the steps needed to enhance crisis management capacities, partnerships, resilience and defence capabilities. The Compass will not magically fill the EU's capacity gaps, but it is a needed step in prioritising and



focusing energies under the CSDP. The EU has no time to waste on this front.

One of the key components of the Strategic Compass is to also try and stimulate a common strategic culture in the EU. This has so far been an elusive element in EU strategy and one of the other reasons why it has been difficult to make use of the full potential of the CSDP. There is, of course, some debate on how best to create the strategic culture. It could be argued that governments have a key role in compromising on red lines and showing strategic solidarity with one another. Others could argue that this is to expect too much from governments and leaders, and the best way is to instead build from the bottom up a strategic community. CSDP has certainly missed this type of community, although EU actors such as the European Security and Defence College (ESDC) and the EU Institute for Security Studies have as their respective mandates the goal of promoting strategic reflection.

In this sense, this book is an attempt to further create this common strategic culture by bringing together doctoral students from across the EU to share their thoughts on diverse elements of the CSDP. The seven contributions included in this book look at a different facet of the Policy and we believe they provide a good overview of where CSDP stands today and what more could be achieved in the future. It is important to note that while this book provides the thoughts of EU doctoral students that focus on CSDP, it is but a part of a broader effort to launch and build an 'army' of fellows through the European Doctoral School on CSDP. This is an initiative of the ESDC and this is the first book that contains the research of the first ever batch of doctoral students.

Chapter one by Sylvain Paile-Calvo focuses on the rationale behind the European Doctoral School on the CSDP, and he takes us through its first early steps and the challenges of setting up a high-level education programme for the CSDP. Becoming operational in 2018, Paile-Calvo shows how the doctoral school aims to fill a strategic gap in the CSDP by bringing together academics to focus on the Policy and to ensure that the field is not overly dominated by policy work. If, as he argues, CSDP is to take on a more strategic dimension and the EU is to develop a strategic

culture for its security and defence, then bringing together doctoral researchers on CSDP is an important and hitherto unexplored element of the field.

In chapter two, Fotini Bellou puts the CSDP in the context of the COVID-19 crisis and the broader geopolitical challenges currently facing the EU. Bellou takes us through the United States' shifting strategy towards Europe and the rise of China, as well as the actions of so-called revisionist powers such as Russia and Turkey. The chapter makes clear that while the EU has developed a range of policy mechanisms to enhance its security and defence, member states need to engage in a form of transformative leadership in order to manage differences between governments and to capitalise on the lessons learnt from the pandemic as to continue working on building the EU solidarity.

Chapter three then takes more of a sectoral look at the CSDP and the environment. Dimitrios Kantemnidis shows how environmental security has become a crucial element in the CSDP and focuses on the evolution of the interface between developments at the United Nations (UN) and the EU. Drawing on the examples of key EU capabilities such as Copernicus and other early warning systems, Kantemnidis shows that the Union has developed important capacities but that it should continue to integrate environmental security in the CSDP in the context of climate change.

The fourth chapter takes another sectoral look. Eleni Kapsokoli focuses on cybersecurity and the chapter shows how cybersecurity governance is an increasingly important factor for CSDP. Kapsokoli outlines the technological developments and malicious usages of cyber technologies and how the EU has developed policy to secure cyberspace. Looking specifically at the EU Cyber Defence Policy Framework, Kapsokoli outlines the key feature of EU cyberdefence and she makes the case that the Union is still developing its response in an age of rapid digitalisation.

Chapter five, written by Mariann Vecsey, analyses the issue of migration from Africa and the CSDP. Vecsey shows how CSDP missions and operations have been used to address the root causes of migration, but CSDP should be seen in the broader

context of the Union's overall policies of engagement with Africa. Vecsey stresses the importance of the EU's integrated approach and she analyses how the approach can take stock of and address the internal-external security nexus.

The sixth chapter looks at counter-terrorism and it provides a comparative study of how member states share information and intelligence in the EU. Nathalie Marcus gives the reader an overview of her research on counter-terrorism to date and shows how counter-terrorism strategies are critical for the EU's CSDP and its engagement in areas such as the Sahel.

The final chapter by Quentin Loiez focuses on Permanent Structured Cooperation and the European Defence Fund and the respective importance of these initiatives for the CSDP. Loiez looks at the interaction between supranational and intergovernmental institutions in the development of these EU defence initiatives, and he outlines the growing importance of ensuring that PESCO and the EDF work closely together in order to stimulate collaborative defence research and capability development.

The hope is that these chapters make a modest contribution to the debate on CSDP and that it stimulates debate and thinking on an EU-wide basis. The authors have had the chance to reflect together on the main themes of their work and the chapters are a result of feedback received during residential courses organised by the ESDC, as well as from the editors of this book. We wish the doctoral fellows the best of luck in the future and we are pleased that doctoral reflection on CSDP on an EU basis has begun.

The editors of the collection of essays would like to thank the following individuals for their assistance in putting the book together. We would like to warmly thank Ilias Katsagounos at the European Security and Defence College for his support and guidance. We should also like to thank Anastasia Papadopoulou and Diona Tsolaki for their assistance during the editing process of the book.





# 2

## 2. The European Doctoral School on the CSDP: Researchers on Europe, researchers for Europe

Sylvain Paile-Calvo

In 2017, for the first time, a working party was invited to explore the possibilities for enhancing the study of European integration as part of the doctoral curricula of scientific researchers working on the EU's CSDP. Having taken stock of the existing resources within the European Higher Education Area (EHEA) and examined the needs of its institutions and those of the EU in terms of expertise, the Working Group, meeting in the framework of the ESDC, decided to create a virtual topic-based doctoral school which would concentrate specifically on the CSDP and be supported by the resources of voluntary academic, scientific and implementing institutions meeting as a network of partners: the European Doctoral School on the CSDP. Since the Doctoral School became operational in 2018, the aim of this contribution is to provide the background to its establishment and to reflect on the school's potential for enhancing doctoral studies on the CSDP within an adequate European research environment.

## Scientific reflections in support of European security and defence

The starting point for the idea of a European and topic-based 'doctoral school' was the question of how to support the CSDP through a common security and defence culture that is sustained by scientific reflections at the highest level. The question itself was based on observations and analysis of European security and defence in general, and the CSDP in particular, but also of the EHEA and its institutions as the framework and main tools for scientific excellence. These ideas and concepts were formulated and put forward for the first time in 2015<sup>2</sup> and 2016<sup>3</sup>, as a continuation of efforts to promote further integration of education and training in Europe focusing on the fields of security and defence.

- 2 Sylvain Paile-Calvo, 'Une école doctorale européenne au service de la PSDC?', *La Lettre de la RMFUE*, no. 63, (Nov. 2015), 8.
- 3 Sylvain Paile-Calvo, *From European Mobility to Military Interoperability – Exchanging Young Officers, Knowledge and Know-How* (Luxembourg: Publications Office of the European Union, 2016), 113.

The idea of sustaining a common security and defence culture with high-level – doctoral – research is based on scientifically observable factors associated with the state of play of the CSDP. The policy is rapidly developing towards an ideal of integration, *i.e.* the pooling of the interests and mechanisms of security and defence policies within the EU with the aim of projecting them outside the borders of the Union. The repeated expressions of political ambition in this respect, in the context of the United States' (US) disengagement from the security of the old continent, tend to support the idea that security and defence remain challenges for integration, notwithstanding the various eurosceptic tendencies found in many EU Member States. The CSDP is also comprehensive and multidimensional in the sense that the policy uses both military and civilian instruments, but also in view of the fact that expertise at both strategic and operational levels is needed to fully understand its complexity. The CSDP does not only require policy-oriented skills, but also a profound mastery of the mechanisms and resources that implement it. In this respect, analysis of the CSDP is not a single science: policy does not necessarily mean political.

As a result, the scientific study of the CSDP in its entirety necessarily requires a multidisciplinary approach that is as open to the technical sciences as it is to the social sciences, for instance. Furthermore, the CSDP needs to have access to increasingly internationalised resources, not only in terms of contingents able to act in an interoperable way on the ground but also in terms of the brainpower needed to support and steer these resources. This knowledge is, undoubtedly, not easy to acquire, but is a way of thinking which should be common to the policy and its leaders and actors. Generally speaking, it was observed that the CSDP was in need of greater integration, more scientific engagement with what the policy should be and a reflection on how a more inter-disciplinary approach could be developed, using more internationally-oriented scientific resources. It is precisely this spirit of enhancing the European security and defence culture and fostering the excellence of its human resources that gave rise to initiatives such as 'Military Erasmus'.

However, it also became apparent that scientific research at the doctoral level was not driven by topic-oriented objectives. The EHEA, as the foundation on which scientific doctoral research is growing, has also, over the past couple of decades, shown encouraging trends suggesting broad pooling of resources. As an overall objective, the EHEA highlights the importance of education, training and quality assurance as a means of achieving excellence. It facilitates the development of joint degrees between institutions across the EU. It encourages the mobility of knowledge, skills and attitudes for stimulating and supporting the mobility of learners, researchers and teachers. It pays particular attention to the employability of graduates as the outcome of the education and training process. However, this can only be based on the assumption that the output of education and training – also at the doctoral level – meets the needs of the employment market. In this same spirit, it endeavours to bridge the gap between academic and non-academic resources in order to anchor theoretical learning in practice-oriented activities, which is also one of the CSDP's primary ambitions. In addition, with regard to doctoral studies, it allows the EU Member States and their higher education institutions room for manoeuvre in how they organise doctoral curricula in practical terms.

In practice, and at the level of the EU's higher education institutions, several obstacles regarding the efforts to support the CSDP through high-quality doctoral research were encountered when the Doctoral School was first mapped out. Firstly, it was noted that very few doctoral researchers had been focusing or placing a strong emphasis on the Common Foreign and Security Policy (CFSP) in their doctoral research. In technical sciences, where the CSDP might only represent a field of application of the techniques developed through research, this lack of visibility can be easily explained. The fact is that researchers could only receive limited support because of the lack of academic resources available. Indeed, only very few professors in Europe have acquired specific expertise in the CSDP or have given their research a CSDP focus. As a result, the supply of CSDP-related training for an audience of doctoral researchers was very limited. The doctoral schools created within universities or groups of universities that were designed to create a critical mass of academic resources



tended to focus on generic areas, such as the fields of political sciences or international relations. This gave the CSDP little or no visibility at all and it did not allow for specific scientific reflections on the topic. However, it is equally possible to conclude from these observations that the EHEA has witnessed a proliferation of research with CSDP-potential as a number of the sciences are, as stated earlier, possible sources of expertise on the development of the policy. The difficulties, therefore, lie as much in stimulating doctoral research on CSDP as in channelling doctoral research towards the CSDP. Looking ahead, and from an organisational point of view, coordinated efforts could be made to overcome these difficulties which, in principle, arise from the differences that undoubtedly exist between the rules and practices associated with doctoral study programmes at each university. On a more positive note, it was observed that the institutions in the EHEA had made considerable efforts to develop a culture and specific mechanisms for enhancing the European mobility of students, researchers and teachers.

Based on the conclusion from these observations, doctoral reflections on the CSDP had to be encouraged and the objective of constructing an adequate research environment was set. Consequently, consideration was given to a series of quantitative and qualitative efforts to this end. It became clear, for instance, that an initiative in this area should create bridges between all sources and forms of expertise that can be found in the CSDP: academic, scientific but also practical – whether military or civilian, public or private. Since being a graduate is the standard requirement for sitting on a doctoral research follow-up committee, graduates are found in all these sectors and can provide input not only on the implementation of the CSDP but also on the professional prospects for future graduates. The assumption was also made that considerable masses of doctoral researchers and CSDP experts had to be found or created in order to meet the conditions of an environment where research could flourish. Finally, the CSDP, in its scientific diversity, had to be appropriately presented as a doctoral subject with due consideration of both the expertise available and the objective of promoting inter-disciplinary approaches to research.

The ESDC offered the appropriate umbrella under which such an initiative could develop. As the reflection on the initiative matured, the idea of a common doctoral programme shared by higher education and other non-academic institutions, including the ESDC, proved to be inadequate. In spite of the efforts made by the EHEA, too many divergences remained in terms of the requirements and the recognition of the present curricula, e.g. a minimum and maximum number of years of study and enrolment requirements, to name just a few. In view of the fact that accreditation can be given only to higher education institutions, the lack of recognition of the role of non-academic contributors, such as European institutions with a direct interest in the programme, was an additional obstacle. The idea that subsequently emerged was to create a research training programme that was complementary to the training modules offered by the participating institutions in the framework of the PhD curricula. This programme, which would be coordinated at the ESDC level and accompanied by a certificate, is aimed at providing trainees with scientific support for those parts of their research that deal with the CSDP. The certificate of the Doctoral School, issued on behalf of the ESDC and all the member institutions, would be awarded to researchers who successfully completed both the Doctoral School's programme, in accordance with its internal governing principles, and the PhD curriculum, in accordance with the terms set by their home institution(s).

## Networking CSDP expertise at the service of doctoral research

In 2016, the concept of an initiative for the creation of a European Doctoral School on the CSDP was presented to the Executive Academic Board (EAB) of the ESDC, which decided to establish, as part of its structure, a topic-oriented Working Group with this mandate. The relevant ESDC network and EHEA institutions were invited to meet, for the first time, in June 2017 in Brussels and, as the Working Group, started to design the tools needed to meet the

European Doctoral School's objectives. It drafted a Charter<sup>4</sup>, which contains the rules and mechanisms of the Doctoral School, as well as its Internal Procedures for steering the implementation of its decision-making process. Both were approved by the EAB and the Steering Committee in 2018.

Accordingly, the tasks of the Doctoral School are defined as:

- Allowing offers of and demands for scientific expertise to be matched;
- Taking stock and promoting the existing education and training possibilities on CSDP which are suited to research at doctoral level;
- Creating additional education and training possibilities for CSDP Doctoral School students;
- Identifying support opportunities from non-academic or scientific institution members, or non-members, of the Doctoral School; and
- Facilitating the full recognition of the qualifications acquired by the doctoral graduate through active participation in the CSDP Doctoral School's programme, with a view to pursuing a career in the field.

The contribution of the Doctoral School's network institutions - which can be research centres, military academies, other accredited universities or European institutions - consists notably of:

- Providing expertise for the follow-up of doctoral theses within the framework of doctoral committees or juries;
- Providing access to their own doctorate-level education and training offers;
- Joint identification of additional education and training opportunities; and

4 'European Doctoral School on the Common Security and Defence Policy Charter', European Union External Action Service, accessed June, 2019, [https://eeas.europa.eu/sites/eeas/files/2018-100\\_docsch\\_charter\\_-\\_final.pdf](https://eeas.europa.eu/sites/eeas/files/2018-100_docsch_charter_-_final.pdf).

- Facilitating privileged access to any fellowships or financial support they may offer.

All participating institutions meet and steer the Doctoral School from within the Working Group. Entities that contribute in a non-scientific form, *e.g.* by bringing external support to the organisation of the Doctoral School's activities, can be recognised as associate members and are represented in the Working Group. A self-appointed representative of the CSDP doctoral Fellows is also invited to the meetings<sup>5</sup>. All decisions relating to the implementation of the initiative are taken by the Working Group and must be approved by the EAB, where all network institutions of the ESDC are represented, and by the ESDC Steering Committee, where all the EU Member States are invited to be represented. As of July 2019, 40 institutions from 16 Member States had committed themselves to the initiative, including EU agencies such as the European Defence Agency (EDA), the EU Institute for Security Studies (EUISS), the EU Satellite Centre (EU SATCEN), universities and research centres. Most of the above were institutions in the EHEA – in the majority of cases accredited for doctoral level curricula - and many were institutions accredited for the EU Programme to Support Education, Training, Youth and Sport in Europe (ERASMUS +) programme.

The Doctoral School's programme is aimed at students of all disciplines as long as their research relates to one or more of the seven chapters<sup>6</sup> defined by the Working Group as the scope of the initiative. Under the statutory conditions for applying to the Doctoral School programme, prospective students must:

- Be enrolled, or about to be enrolled, as a regular doctoral student or researcher at one or more – in the case of joint diplomas

5 This invitation to contribute to the discussions of the Working Group, without voting rights, has been effective since July 2019.

6 These 7 chapters are: Cyber, new technologies and security in the CSDP context; Critical infrastructure, personnel and logistics in CSDP; Defence industry and capabilities for the CSDP; Partner capacity-building and external relations in the CSDP context; History, conflict studies, concepts, values, and ethics of the CSDP; Defence economics, financing, education, training and leadership in the CSDP context; CSDP governance, management, decision-making and deployment.

between several universities - of the Doctoral School's PhD-accredited institution(s);

- have completed a scientific higher education degree worth at least 300 European Credit Transfer and Accumulation System (ECTS), or have proven professional experience in a relevant topic recognised as equivalent to this level of degree within the EHEA; and
- have proven knowledge of English equivalent to the Common European Framework of Reference for Languages (CEFR) C1.

In view of the possible participation of the Doctoral School student in specific courses, such as the ESDC High-Level Course, meeting the requirements for security clearance - at 'EU Confidential' level - is an asset.

The operation of the CSDP European Doctoral School is based on the relevant rules and mechanisms of the EHEA institutions that are accredited - in accordance with their respective national regulations – for offering doctoral programmes and awarding doctoral degrees to researchers. The management and organisation of the curriculum for doctoral candidates and the award of the diploma remain entirely in the hands of the accredited institutions. However, institutions participating in the Doctoral School also commit, in principle, to opening the programme to other – accredited or non-accredited – institutions of the Doctoral School network as and when appropriate, for the purpose of training doctoral candidates on CSDP-related issues and supporting their doctoral research. In exchange, the contribution made by these participating institutions will be duly acknowledged and reflected in the candidate's academic curriculum, possibly in the form of ECTS credits and a mention in the Diploma Supplement.

After the objectives, rules, and mechanisms had been clearly defined and its first CSDP PhD Fellows selected, the initiative was formally inaugurated in November 2018 during the CSDP Annual Education and Training Conference organised by the European External Action Service (EEAS).

## The first achievements of a young initiative

In order to meet its objectives and consolidate a CSDP-oriented research environment for the Fellows of the Doctoral School, the Working Group has launched or, in some cases already completed, a number of actions following its first meeting.

First, in order to match offers of and demands for scientific expertise for the benefit of doctoral research, a database of potential supervisors and mentors has been created and is being continuously populated. The supporting experts made available by the member institutions<sup>7</sup> of the Doctoral School, either accredited or non-accredited, can guide the Fellows in their work and make use of the database, which exists in electronic form, to outline the expertise they can provide.

Second, a catalogue of the education, training and research opportunities - mostly offered by the member institutions - has been developed as a living document. It presents the academic courses, vocational training modules, publication possibilities and scientific events that Fellows can participate in during their doctoral curriculum and research. The member institutions are invited to feed the catalogue with their inputs, possibly by mentioning the number of ECTS they were designed for, in order to facilitate their future recognition by the doctoral committees. The first courses that were included were those proposed by the ESDC from its educational offerings that are suitable for high-level scientific researchers. Specific procedures have been established, in this regard, which will allow two CSDP PhD Fellows to take part, every year, in the ESDC's high-level course as faculty members. As such, they will have a unique opportunity to attend the course and demonstrate their professional and scientific capacities before a strategic CSDP-level audience. As the initiative was created because of an observed lack of CSDP training offers for doctorate students, additional education and training offers will be regularly created and made available to the Fellows.

7 As of July 2019, the database presented the expertise of 107 PhD graduate experts.

Third, the Working Group has undertaken to develop and generate new education, training and research opportunities. Although the initiative is still in its infancy, after just two years it has managed to give birth to a summer university on the CSDP. This flagship initiative within the initiative, the first version of which took place in July 2019, is intended as an annual *rendez-vous* for the CSDP PhD Fellows and should include, as far as possible, the experts involved in the initiative and the relevant expertise of the policy key stakeholders. The intention is to combine a variety of teaching and research tools which will allow Fellows to increase and share their scientific expertise in their respective areas, as well as their research skills. It will make use of the ESDC's internet-distance learning modules during a preparatory phase, which will be followed by a residential phase in which the Fellows will reflect on the security and defence of the EU from a scientific and critical perspective. In particular, they will be asked to plan and produce a joint publication, such as this one, under the supervision of high-level researchers, as an output of each summer school. Further joint activities involving the doctoral students are under discussion in the Working Group or are already being elaborated so that the range of activities available to doctoral curricula and research on CSDP can be enhanced quantitatively and qualitatively.

Fourth, a major effort has also been made to identify opportunities complementary to the Doctoral School's activities from scientific or other non-academic institutions that are, or are not, full members of the Doctoral School. In this respect, inquiries have been made about possible financial (e.g. grants, mobility support) and non-financial (e.g. fellowships) support from public or private sector entities with an interest in the development of scientific expertise in CSDP-related topics. After only two years and thanks to the relevance of its objectives, structure and early achievements, the Doctoral School has been able to form a partnership with the EDA which will allow interested Fellows to benefit from specific internship opportunities focused on scientific areas of mutual benefit for the researcher and the institutions. The plan is to increase the number of partner agencies and bodies of the EU and to develop collaboration of this kind with the private sector on specific issues.

Fifth, with a view to enhancing collaborative networking, the Working Group has undertaken to enhance its communication about the Doctoral School. The initiative is presented on the website of the ESDC<sup>8</sup> and social media<sup>9</sup>, with comprehensive information on the procedures, forms and membership opportunities. In addition, its members are encouraged to actively promote the Doctoral School in their activities to potential applicants and contributors. It also emerged that information sharing was needed within the Doctoral School network, in particular on the conditions required by the accredited member institutions for becoming a doctoral candidate, a member of a doctoral committee or a thesis jury, in order to identify opportunities for enhancing European integration on the related doctoral curricula. Following the same philosophy, but in a less formal manner, the Working Group members are seeking to discuss and facilitate the practices of recognition of the qualifications acquired by the PhD candidates through participation in the CSDP Doctoral School's programme in the interests of their career. In this regard, the objective is to promote the full recognition by all members, without exception, of the *acquis* gained by Fellows through their doctoral curriculum, as expressed in terms of ECTS.

Finally, during these initial two years of the initiative's existence and in accordance with the procedures set forth in the Charter, the Working Group has selected the first 12 CSDP PhD Fellows, applying as the sole criterion the quality of their scientific projects. All in all, these first 12 Fellows form an accurate – though largely accidental - picture of the original intentions on the basis of which the Doctoral School was built: seven are military students, five are civilians; two are researchers in the technical sciences, ten in the human sciences: six are female, six male.

8 'European Doctoral School on CSDP', European Security and Defence College, accessed June, 2019, <https://esdc.europa.eu/doctoral-school/>.

9 'European Doctoral School on CSDP', LinkedIn Account, accessed June, 2019, <https://www.linkedin.com/showcase/european-doctoral-school-on-csdp/>.



## To be sustained, to be repeated, to be developed

Although it is still a young initiative, much has been achieved in two years towards building an environment for research on the CSDP. However, the Doctoral School will also face unpredictable or unforeseen challenges. It has already identified a number of important challenges and is preparing the way forward.

For many of these challenges, the ongoing efforts and the actions already undertaken will be sustained. These include, of course, the model of partnership with EU agencies or bodies or with the private sector. The Fellowship Agreement model which is currently being finalised by the Working Group in cooperation with some of these actors will soon become standard practice. Given that the initiative is still in the early stages of implementation, these agreements rely on the partners placing their trust in the ability of the Working Group to identify suitable Fellows and create mutual benefits: for the partner by gaining scientific expertise and for the Doctoral School by offering its Fellows concrete profession-oriented opportunities. This trust can only grow if the Doctoral School shows itself to be continuously creative in relation to its *raison d'être*. The efforts to multiply and implement these agreements must, therefore, be sustained as a priority action of the Working Group and its members. The anticipated effects of the Doctoral School's action on the CSDP (*i.e.* the enhancement of scientific expertise) must also be sustained through actions aimed at networking with the new doctoral graduates. The *esprit de corps* that is fostered by participation in the Doctoral School's programme should, therefore, be extended through the ESDC alumni scheme, for instance.

Some of the actions undertaken or planned will most certainly be repeated. It is fundamental to the success of the initiative in the eyes of all its stakeholders that the *rendez-vous* of the Fellows, with each other and with the experts on CSDP, are multiplied. The catalogue, therefore, must be permanently updated and populated by the Working Group, its members, its associate members, and even relevant third parties. Although it is impossible to make it

exhaustive, the catalogue shall try to be as complete as possible, notably by including opportunities arising in areas of technical sciences, for which the CSDP is only a field of technical application.

The initiative should continuously address the question of its development, in particular, the development of its membership. Although it can legitimately be assumed that the Doctoral School has already achieved its objective of creating a critical mass of CSDP expertise, it is also legitimate to ask whether there would not be a ceiling number above which its foundations would be challenged. The origins of its membership, too, are a factor in the future direction taken by the initiative. Should it focus on EU members? Should it be extended to the participation of non-EU actors? If so, to which ones and under which terms?

Another question will arise about the limitations of the School. How many CSDP PhD Fellows can the Doctoral School efficiently accept, now and in view of the timelines for the PhD curricula of today's Fellows? Enlargement to new member institutions, in particular to the EHEA institutions, will, without doubt, be followed by – legitimate – requests by newcomers to select Fellows from their institutions, which will eventually force the Working Group back to the question pertaining to their maximum number and to a careful consideration of the qualitative criteria. Another factor that will have to be taken into consideration is the representation of technical sciences. Even if the present limitations can be explained by the fact that CSDP is of lesser importance for technical sciences from a scientific point of view, in principle its representation should be enhanced. This imbalance will to some extent be offset by the forthcoming implementation of the Fellowship Agreements with partners from the EU and the private sector, which, as reflected by the current state of discussions, will mainly deal with aspects relating to technical sciences.

The development of the resources of the Doctoral School will also be a very important subject on the agenda of the Working Group in the short, medium and long-term. In particular, the issue of the financial resources needed to support the planned activities will be a focus. The partnerships with EU institutions and with the private sector, for instance, have financial implications that drive and will

continue to drive discussions with these partners. Their support is in the form of sponsorship for specific events, fellowships, internship or, as anticipated if the partnership satisfies the needs of all parties, doctoral research grants for the CSDP PhD Fellows. The more strategic continuation of the talks with the relevant EU institutional actors on providing the Doctoral School with support under the European Defence Fund will also be duly organised, as this specific support is likely to enhance the initiative's financial autonomy. Non-financial support is also crucial and will be sought too. By way of example, partnerships could be established with scientific institutions on facilitating or providing free access to facilities or online libraries for the CSDP PhD Fellows.

Finally, as emerged recently from the discussions of the Working Group, it is likely that the question of the scope of the initiative itself will be raised. Proposals have been formulated for extending the initiative to post-doctoral researchers. Although the current structure of the Doctoral School – as set forth by the Charter – does not cater for this possibility, the outcome will depend on the Working Group, on the other ESDC decision-making bodies and on the first achievements that will become visible after the first CSDP PhD Fellows graduate.

## Conclusion

The CSDP is an inter-disciplinary, complex and fast-moving scientific area, and only the most qualified researchers can adequately reflect on and critically address the issues and challenges it faces or could face in the future. The initiative, which is aimed at establishing a European Doctoral School on the CSDP, is the product of scientific observations on the state o -play of European security and defence and of looking ahead to the future of the CSDP. It aims to anticipate the future of the policy, of Europe and the qualifications needed by their actors and leaders on the basis of an analysis of the current gaps between the existing capacities and future needs.

Notwithstanding its young age, the European Doctoral School has already made the CSDP a discipline cultivated at the doctoral level. It has achieved this by gathering a critical mass of scientific and academic resources from relevant theoretical and practical sources, by pooling and sharing the most relevant expertise and experience for the benefit of PhD researchers and those institutions taking part in the scientific reflections.

While aware of the challenges that lie ahead, the member institutions are committed to working with all relevant stakeholders on consolidating the first achievements, enhancing the resources of the Doctoral School, building new training and research opportunities for the CSDP PhD Fellows, and on welcoming, in the future, more scientific researchers in the field of the EU's security and defence policy.

## Notes on contributor

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# 3

## 3. CSDP: Breaking the mould in search of the optimum

**Fotini Bellou**

The recent global health crisis triggered by COVID-19 also had repercussions for policies and considerations related to the future of European security and defence. On the positive side (perhaps the only positive repercussion), European governments have realised how wide a spectrum contemporary security threats can cover. EU governments have even hesitantly started to demonstrate their determination to respond to the current multidimensional uncertainties and risks to their security and defence in a more coherent fashion. On 17 June 2020, they decided to intensify their efforts to produce, by 2022, a *Strategic Compass* that could specify the strategic goals envisaged in the EUGS in 2016 and thus establish the objectives and processes through which those goals would realistically materialise.<sup>10</sup> This is a critical point at which EU governments have manifested their determination to move towards building a reliable European Security and Defence Policy while at the same time projecting a reliable global agency conducive to its collective identity.

This analysis argues that the CSDP has now reached a critical point at which the foundational steps that have been adopted since 2016 have established a particularly important momentum. It certainly reflects the challenge to which the EU will have to respond to evolve into a transformative international security actor, while serving its principles, norms and values and being prepared to sustain its European identity paradigm within a global system that is currently in flux. Such a vision, which has already been highlighted in the EUGS, requires the EU and its Member States to follow the necessary policy directions and to build those capability credentials that would enable the EU to offer the optimum responses to the multidimensional threats and challenges facing the EU and its Member States on the ground.

Certainly, the goal for the EU is twofold: a European Union ready to respond effectively in terms of the security of its citizens and capable of responding globally as a reliable peace and security actor. Certainly, reliability rests on its ability to formulate its policy independently and to orchestrate its instruments and mechanisms to implement it. The framework through which reliability would

10 Council of the European Union, Council Conclusions on Security and Defence, 8910/20, 17 June 2020

be achieved and properly function, internally and externally, remains to be seen in the coming years. This analysis comments on the current momentum of the CSDP, the challenges and the options available to the EU governments to develop a reliable common security and defence policy. It also touches upon some prospective dynamics that could have an impact on the CSDP vision. It argues that, despite the major steps that have been taken since 2016 in the context of empowering the CFSP, the most important decisions and directions for effective implementation of all its aspects remain to be taken in the coming years. Yet, in responding to the COVID-19 health crisis and its negative effects on the EU territory and societies, the EU and its Member States have demonstrated, notwithstanding their usual initial oscillations, a profound readiness to choose the right direction in order to protect the European project and its identity by agreeing to bolster the EU economy by launching the recovery fund, which challenged an established canon of financial orthodoxies. It is the strongest indicator of the EU's determination to overcome existential crises. For this reason, the prospects of the EU and its governments adopting optimum decisions regarding the evolution of European security and defence architecture should be regarded as promising. Given the current global strategic conjuncture, the EU has little leeway to do otherwise.

As the strategic global setting becomes more competitive and the threats more multifaceted, the EU will have to embrace this logic. In the words of Josep Borrell, the EU Special Representative for European Foreign and Security Policy and Vice-President of the European Commission (HR/VP), in February 2020, *[w]e have to be clear about our political goals and the full range of our capacities*.<sup>11</sup> It is perhaps one of the rare occasions since the CSDP's establishment in 1999 that high-ranking EU officials, including the current President of the European Commission, Ursula von der Leyen, are in agreement with the position that the EU should become more geopolitical, speak the language of power and, in practice, assert its global position by addressing competition between the great powers.

11 Josep Borrell, 'Embracing Europe's Power', 8 February 2020, Project Syndicate, <https://www.project-syndicate.org/commentary/embracing-europe-s-power-by-josep-borrell-2020-02>, accessed 2 August 2020.

The purpose of this analysis is to briefly map the situation facing the EU in the context of European security and defence, and to highlight the areas engaged in ongoing research and academic deliberations so as to make visible to wider audiences this important thematic area for the EU and its prospects for global political agency. For it remains an ever-evolving multidimensional project in practice and, certainly, an area of immense academic interest inviting multidisciplinary analyses, since it points to a project unprecedented in the history of International Relations. The analysis proceeds with some brief comments on the evolving strategic conjuncture in which the EU is called upon to function; it continues with a discussion on the current evolution of the CSDP, which reflects a promising momentum; and it comments on the prospects for the EU of materialising its vision, not only of its own survival, but also importantly of its role as a global transformative agency.

## A deteriorating strategic background

The COVID-19 pandemic seems to have aggravated an already overloaded strategic environment, which has become more uncertain for the EU and more difficult than before at the systemic level. The mismanagement of the health crisis by the US, both domestically and internationally, has diminished US influence and has evaporated its leadership image in the eyes of foes and allies, leaving a perilous power void. By failing to lead a global collaboration with its allies and other great powers to address the effects and consequences of the coronavirus pandemic, Washington has revealed its potential for an abandoned global reliability. Concerns over US unreliability compound an already observed ambiguity within EU governments regarding the role of the US and its leadership within NATO, which serves by and large European defence.

In addition, the harsh fashion in which the US has criticised China for its initial management of COVID-19, or even its origin, has prompted China to adopt in turn a more outspoken posture. Its



response has taken not only the form of *wolf warrior* diplomacy<sup>12</sup> but, in practice, it has unleashed an assertive dynamic seeking increased strategic influence in areas in which the US used to have strong strategic leverage. This applies to the Middle East, Africa and specific regions within the EU.

A more assertive China, prepared to assume segments of an abandoned US influence, is a development that the EU has to take seriously into account, adjusting its policies accordingly. Although China remains a strategic trade partner for the EU, its global dynamic and geopolitical assertiveness, including mounting competition with the United States, are strategic concerns about which the EU has to adopt clear positions.<sup>13</sup> Other revisionist powers in the region, including Russia and Turkey, are wrestling to assume greater influence in the EU neighbourhood by capitalising on different regional power voids. Both powers often challenge regional stability in Northern and Eastern Europe, the Aegean and the Eastern Mediterranean with the aim of establishing new power equations from which they had been absent for several decades.<sup>14</sup>

Security challenges stemming from the European Neighbourhood territory are taking different forms and affecting different

- 12 'Wolf Warrior Diplomacy' has come to characterise in recent months the sharp and assertive way in which high-ranked Chinese diplomats and government officers respond publicly in global media and fora against accusations of mismanaging the initial spread of COVID-19. They also respond harshly to conspiracy theories concerning not only COVID-19, but also other general foreign criticisms of China's foreign policy. Often, Chinese responses involve specific policy counter-measures. See Zhiqun Zhu, 'Interpreting China's "Wolf Warrior Diplomacy"', *The Diplomat*, 15 May 2020 <https://thediplomat.com/2020/05/interpreting-chinas-wolf-warrior-diplomacy/>
- 13 Foreign Policy Consequences of Coronavirus, At A Glance, Plenary, European Parliamentary Research Service, June 2020 [https://www.europarl.europa.eu/RegData/etudes/ATAG/2020/651960/EPRS\\_ATA\\_\(2020\)651960\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/ATAG/2020/651960/EPRS_ATA_(2020)651960_EN.pdf); Bob Deen, Tobias von Lossow, Jos Meester, Louise van Schaik and Dick Zandee, 'Five crises around Europe not to be forgotten despite Covid-19', Clingendael Alert, July 2020, [https://www.clingendael.org/sites/default/files/2020-08/CA\\_Five\\_crises\\_despite\\_COVID-19.pdf](https://www.clingendael.org/sites/default/files/2020-08/CA_Five_crises_despite_COVID-19.pdf) (accessed 4 August 2020)
- 14 Flanagan, Stephen J., Jan Osburg, Anika Binnendijk, Marta Kepe, and Andrew Radin, 'Deterring Russian Aggression in the Baltic States Through Resilience and Resistance'. Santa Monica, CA: RAND Corporation, 2019. [https://www.rand.org/pubs/research\\_reports/RR2779.html](https://www.rand.org/pubs/research_reports/RR2779.html); Niko Popescu and Stanislav Secieru, 'Russia's Return to the Middle East. Building Sandcastles?', *Chaillet Papers*, 146, July 2018, EUISS; Asli Aydintaşbaş, 'The Turkish Sonderweg: The New Turkey's role in the global order', *Commentary*, ECFR, 2 April 2020, [https://www.ecfr.eu/article/commentary\\_the\\_turkish\\_sonderweg\\_the\\_new\\_turkeys\\_role\\_in\\_the\\_global\\_order](https://www.ecfr.eu/article/commentary_the_turkish_sonderweg_the_new_turkeys_role_in_the_global_order) (accessed, 3 August 2020).

thematic areas, while the CSDP's capacities and instruments seem unprepared to respond. Unpreparedness concerns not only military capabilities *per se*, including niche technological innovation that increases military relevance in the context of contemporary military operations but also, importantly, the issue of the aggregate political will of EU governments to prepare themselves for unified autonomous strategic postures, an aspect which is still pending. Beyond the systemic strategic concerns, the protection of EU citizens has already moved to the critical developments stage.

## The didactic orbit of the CSDP

Perhaps one of most important triggering elements in the evolution of the CSDP is that its progress is susceptible to (strategic) events on the ground. It is specific events on the ground that have prompted EU governments, as well as the EU services, including the European Commission, to respond by drawing up policies, procedures and instruments, thus building CSDP visibility, if not reliability. The birth of the CSDP has its origins in the San Malo announcement made by the leaders of France and the United Kingdom in December 1998 in the midst of US diplomatic efforts at the time to manage the crisis in Kosovo. The San Malo announcement, which was adopted by the European Council in June 1999, highlighted the need for the EU to build reliable autonomous military capabilities in order to be able to make independent decisions, if necessary outside the framework of NATO, so as to implement *inter alia* peacekeeping and peacebuilding operations outside EU territory in the interests of regional stability. Although both EU powers committed to the idea of forming a military capacity with 60,000 personnel ready to be deployed in a post-conflict terrain for one year (that is, preparation for a minimum of 120,000 military personnel for one year), their diverse departure rationales quickly obscured the vision. The absence of strong leadership within the EU to address the concerns of certain EU governments about the potential duplication of, or challenge to, NATO defence commitments rendered that very vision a development that could be materialised

only in theory rather than a commitment for all members to follow. In other words, responses to events on the ground require coherent leadership and a definite sense of common purpose to fully materialise.

Nevertheless, for almost a decade afterwards, the CSDP managed to establish itself in both institutional and political terms. From 2001 until 2010, all major services, agencies and capacities were established, including the creation of the EEAS,<sup>15</sup> to enable the CSDP to be prepared to launch (on land and at sea) military and civilian operations outside the EU territory, notwithstanding frequent reservations from EU governments.<sup>16</sup> The logic of the CSDP at the time was based, by and large, on the two strategic documents that the EU had launched - the European Security Strategy (ESS) in 2003 and its elaborative document known as the Report on ESS in 2008. Those documents envisioned CSDP operations and other related policies in the context of the wider CFSP framework as the response to external threats, while mentioning the growing importance of merging policies of internal and external security.

Surprisingly enough, it was a Commission document in 2010 that emphasised the importance of the need for a comprehensive approach that could serve the 'European Security Model', acknowledging the inter-sectoral and cross-border nature of threats to EU citizens.<sup>17</sup> The Commission was calling at the time for EU services and governments to unite efforts *'in fighting and preventing serious and organised crime, terrorism and cybercrime, in strengthening the management of our external borders and in building resilience to natural and man-made disasters'*.<sup>18</sup> It was

15 Fotini Bellou, 'The European External Action Service: An Encompassing and Adaptive Agency at the Service of the EU Global Security Strategy?' in G.Voskopoulos (eds), *European Union Security and Defence*, Springer Publishers: Germany, 2020.

16 A superb analysis of the embedded difficulties in those processes is offered by Pedro Serrano, 'Truth and dare - A Personal reflection on 20 years of CSDP', in Daniel Flott, (ed) *The CSDP in 2020, The EU's legacy and ambition in security and defence*, EUISS, 2020, pp. 16-37.

17 European Commission Communication, 'The EU Internal Security Strategy in Action: Five steps towards a more secure Europe', COM (2010) 673 final, 22 November 2010, available at: <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0673:FIN:EN:PDF>

18 *Ibid*, p.2

perhaps one of the few documents at the time that alerted the EU to the inevitability of intertwining EU policies of internal and external security. Although the Lisbon Treaty had been in force since December 2009, EU governments were unwilling to optimise its provisions, aimed at facilitating more integration on European security and defence.

As the strategic environment within which the EU found itself in the mid 2000s started to deteriorate, EU governments became more amenable to seeking further cooperation on security and defence. Such a stance also served the vision for a more credible global role for the EU. The strategic conjuncture required the EU to develop such a vision. At the time, the Arab Spring and its regional repercussions had a serious destabilising effect on the MENA region, bringing immense vulnerabilities closer to the EU borders. Moreover, Crimea's annexation by Russia in 2014 and its uncertain role in the destabilisation of eastern Ukraine, coupled with a series of terrorist attacks in major EU capitals and cities that commenced in 2015, followed by the culmination of the migration crisis in the summer of 2015, created substantial uncertainty for the EU. Brexit and the Trump administration increased the uncertainty for EU allies and partners within NATO. At the same time, it was becoming clear to the EU that it had to move forward in establishing its own conditions and instruments *to protect* its citizens, *to defend* its territory, *to manage* its neighbourhood, as well as *to project* its declared global agency.<sup>19</sup>

Thus, the European Union Global Security Strategy announced in June 2016 was the strategic response of the EU to events on the ground that required the EU governments to establish the direction of EU policies on security and defence while setting the stage for their respective levels of ambition. The document is very inclusive, general and all-encompassing. However, it establishes five priorities, the implementation of which requires, in practice, the EU and its governments to re-evaluate the boundaries between security and defence, and internal and external policies. In addition, it sets the tone in its fifth priority for the EU to become prepared to pursue a transformative agenda in the international system

19 Fotini Bellou, 'The Strategic Context of the European Security and Defence Policy' in G.Voskopoulos (eds) *op.cit.*

conducive to its collective identity. It calls on the EU to establish *strategic autonomy* in its actions, while it highlights the importance of working with other organisations such as NATO, which is considered its strategic partner.

## Breaking the mould

With EUGS as the catalyst in June 2016, a series of initiatives followed, indicating an unprecedented integrative trend on European security and defence policy. In this context, an important strategic development took place a month later - the NATO-EU Declaration, establishing seven areas for operational cooperation between the two organisations. It aimed at enhancing and maximising the effectiveness of both organisations in areas of common interest such as building resilience in security and defence for their members, sharing capacities wherever possible, and responding to the fears of the pro-Atlantic camp in the EU regarding whether the objective of the EU's strategic autonomy would serve the transatlantic relationship. This was brought about by strengthening the capabilities of the members of both organisations so as to respond to the new multiple security and defence threats rather than by de-coupling the two organisations. As regards EU-NATO cooperation, another document signed in June 2018 increased the areas of cooperation. Arguably, with the exception perhaps of nuclear deterrence, there is hardly an area in which the two organisations do not collaborate today.<sup>20</sup>

A key development stemming from the EUGS and, specifically, from the Implementation Action Plan that followed in November 2016 concerns the objective established for the EU, in contrast to its previous stance, 'to protect the EU and its citizens'.<sup>21</sup> This is an innovation for the EU and in practice it calls for strategic and operational preparations of the EU so as to move its

20 Gustav Lindstrom and Thierry Tardy (eds), 'The EU and NATO. The essential partners.' EUISS, 2019.

21 Council of the EU, Council Conclusions on implementing the EU Global Strategy in the area of security and defence, 14149/16, Brussels, 14 November 2016.

policy directions accordingly. Although it remains an issue that raises more questions than it provides answers, this declared objective has set the stage for greater and more important policy innovations, especially in the context of developing policies which combine internal and external security aspects. It points not only to the EU governments' ability to respond to threats that extend beyond the EU's borders, such as terrorism or cybersecurity, but also to assumptions related to the invocation of the 'solidarity clause' (Article 222 of the Treaty on the Functioning of the EU) or the mutual assistance clause (Article 42(7) of the Treaty on European Union (TEU)). The former operationalises the EU structures and Member States' capabilities to help and assist other EU Member States faced with man-made or natural catastrophes, while the latter requires Member States, on a governmental basis, to provide assistance to a Member State that has been the victim of armed aggression.

Although the mutual assistance clause has been invoked once by France, in 2015, its scope, mechanisms and conditions should be further refined in order to increase its credibility as a potential policy tool for Member States. While the mutual assistance clause is considered at this stage to involve solely intergovernmental responses outside EU structures, the solidarity clause remains ambiguous as regards the possibility of using CSDP assets and capabilities. On this issue, some analysts advocate the need for elaboration through a new Treaty so as to provide guidance on this and other relevant issues.<sup>22</sup> In addition, this priority also concerns internal security policies, which have been constantly promoted in recent years, including the substantial role that Frontex and Europol have acquired. In particular, the authority that Frontex has acquired to operate in certain conditions outside EU territory is a manifestation of the fact that internal security issues have a clear external dimension that could collide with the responsibilities entailed in a CSDP mission.

22 Annegret Bendiek, 'A Paradigm Shift in the EU's Common Foreign and Security Policy: From Transformation to Resilience', SWP Research Paper, Berlin, October 2017, [https://www.swp-berlin.org/fileadmin/contents/products/research\\_papers/2017RP11\\_bdk.pdf](https://www.swp-berlin.org/fileadmin/contents/products/research_papers/2017RP11_bdk.pdf)

Thus, the margins of authorisation and activity between agencies such as Frontex and a CSDP military or hybrid (civilian and military) operation could become difficult to discern. In effect, although the protection of the EU and its citizens is a positive development, which contributes to the integration logic of European security and defence, it remains an area in need of further institutional clarification. It certainly needs to be addressed in the process of producing the Strategic Compass. The same applies to counter-terrorism policy, which seems to discard internal and external policy boundaries and calls for unified responses.

One of the most important developments since 2016 concerns the advancement of EU military cooperation. The establishment of Permanent Structured Cooperation, a binding commitment by 25 Member States that was agreed by the Council in December 2017, has been an important tool in empowering EU military capabilities. A number of academics and experts have expressed doubts as regards the level of practical commitment on the part of a number of Member States.<sup>23</sup> However, the very materialisation of this provision of the Treaty of Lisbon indicates the determination of EU Member States to at least share the process of building military capabilities to the degree necessary to carry out the kind of operations in the context of the CSDP that were provided for in the EUGS Implementation Action Plan in November 2016. Indeed, until the end of 2019, PESCO had attracted 47 projects, involving all 25 Member States, on capacities and tasks that not only serve military purposes but also civilian aspects, including internal security projects. In this regard, PESCO, along with the initiative by the European Commission to establish the European Defence Fund, ready to finance both research and capability development projects as well as the establishment of the Coordinated Annual Review on Defence, as the agency that will assist Member States' collaboration in identifying their individual defence needs and objectives, were important developments in the context of EU military cooperation.

23 Steven Blockmans and Dylan Macchiarini Crosson, 'Differentiated integration within PESCO-clusters and convergence in EU defence', CEPS, *Research Report*, 2019/04, December 2019, [https://www.ceps.eu/wp-content/uploads/2019/12/RR2019\\_04\\_Differentiated-integration-within-PESCO.pdf](https://www.ceps.eu/wp-content/uploads/2019/12/RR2019_04_Differentiated-integration-within-PESCO.pdf)

The establishment of binding defence cooperation can be considered as one step, albeit a fundamental one, for the EU in building what the former President of the European Commission Jean Claude Juncker called the European Defence Union. A Defence Union may never materialise in a concrete federal form. It may be as flexible as reality on the ground permits. Nevertheless, fundamental developments in the context of CSDP, with mould-breaking innovations to take place primarily in the military sphere rather than in the civilian sphere, notwithstanding the launch of the Civilian Capability Pact, ready for implementation in the coming years, have established a key dynamic in enabling the EU to play a fundamentally effective global role conducive to its principles. The way in which it evolves will depend on the readiness and determination of its Member States and, to a large degree, on the transformative leadership that can be exercised internally. Without strong leadership from either a group of States, an institutional governmental scheme or one leading State, efforts to achieve a reliable global role for the EU are unlikely to be successful. For the time being, incompatible visions regarding their conceptions of their national role between the two leading powers within the EU, France and Germany, indicate that more time is needed to work on a legitimate compound decision-making framework.

## A form of organic leadership within the EU that produces reliable policy outcomes is necessary as a next step

Looking at the prospects for CSDP evolution as 2020 comes to a close, one could easily discern that fundamental decisions by EU governments remain in limbo as regards the EU's implementation of the role envisaged in the EUGS. Although the June 2020 document calling for a *Strategic Compass* enumerates the issues and areas, political or institutional, on which the EU has to take concrete decisions, the way or the forms through which decisions will be taken remains to be established.



Institutional experience from other intergovernmental organisations or frameworks of federal governance simply indicates that a functional move forward by the EU towards building a reliable independent posture serving strategic autonomy, either flexible or emancipatory,<sup>24</sup> while at the same time sustaining and cultivating its European identity, requires strong transformative leadership. However, for effective leadership to work, its indispensable prerequisite has to be available. According to leadership theory, this involves the legitimacy that the leader acquires from the followers. This means that the leader, or the leading governmental scheme in the form of a European Security Council, as some scenarios and ideas indicate,<sup>25</sup> must be prepared to work in a constant process of managing and cultivating the legitimacy of the followers, namely smaller EU Member States. This is not an easy task given that Member States, irrespective of whether they are large or small, have diverse security and defence priorities. In practice, they have already fashioned a diversification of their defence and security cooperation outside the EU framework. The Weimar Triangle between France, Germany and Poland, the Visegrad 4 between the Czech Republic, Hungary, Poland and Slovakia, the Lancaster House Treaties (2010) (between London and Paris), and the similar Aachen Treaty (2019) between Germany and France, as well as the Paris-led European Intervention Initiative, underline the reality that a comprehensive CSDP closer to the idea of a European Security and Defence Union is currently a far-fetched vision. Instead, more flexible schemes might be more functional.

In any case, as 2020 draws to a close, it has become evident that certain types of threat are no longer theoretical or topical. Covid-19 has demonstrated that underestimated topical risks can turn into existential threats, with catastrophic consequences at global level.

24 Daniel Flott, *Strategic Autonomy: Towards 'European Sovereignty' in Defence?*, EUISS, November 2018, [https://www.iss.europa.eu/sites/default/files/EUISSFiles/Brief%2012\\_\\_Strategic%20Autonomy.pdf](https://www.iss.europa.eu/sites/default/files/EUISSFiles/Brief%2012__Strategic%20Autonomy.pdf)

25 Jo Coelmont, 'An EU Security Council and a European Commissioner of Security and Defence: The Final Pieces of the Union's Common Security and Defence Policy Puzzle?' *Security Policy Brief*, 112, Egmont Royal Institute for International Relations, July 2019, <http://www.egmontinstitute.be/an-eu-security-council-and-a-european-commissioner-for-security-and-defence/> and Barbara Lippert, Nicolai von Ondarza and Volker Perthes (eds) *European Strategic Autonomy, SWP Research Paper*, March 2019, pp. 9-14, <https://www.swp-berlin.org/10.18449/2019RP04/>

Similarly, underestimated power shifts at the regional strategic level, if they are not addressed, can produce deleterious effects on regional stability and beyond. For some, the pandemic has roused the Sleeping Giant.<sup>26</sup> Yet, the quest for transformative leadership will define the direction that the giant will take in order to survive in a very competitive environment.

## Notes on contributor

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26 Max Bergmann, 'Europe's Geopolitical Awakening', *Foreign Affairs*, 20 August 2020, on line <https://www.foreignaffairs.com/articles/europe/2020-08-20/europes-geopolitical-awakening>

# 4

## 4. The Common Security and Defence policy of Europe: The environmental factor

**Dimitrios Kantemnidis**

'First get the strategy right. Then get the right organisation for the strategy. Then get the right men into the organisation. Then get the right spirit into the men.'<sup>27</sup> With this statement, the High Commissioner in Malaya, Sir Gerald Templer, captures how he defeated the guerrillas in Malaya in 1952 and emphasises how to effectively implement a strategy. We may confirm the validity of the assessments among the European strategies and we might assume that we 'get the strategy right'. However, this research addresses the concerns for the next steps that are related to implementation.

The adoption of the ESS in 2003 was a turning point for Europe as it consolidated the security debate between the Member States at the strategic level. However, environmental issues were absent from the ESS, even if they were added in a review in 2008 and remain central in the 2016 EUGS. The former Secretary-General of NATO and first EU foreign policy chief, Javier Solana, who was also tasked with producing the draft ESS for the European Council in June 2003, raised political awareness of the security implications of climate change. In 2008, Solana and the European Commission jointly published the paper 'Climate Change and International Security', which theorises climate change as a threat to the EU. The Union has fully adopted the environmental security principles of the UN and has become a proponent of the concept.

In this chapter, I present an overview of the environmental security origins of the CSDP through an analytical and evaluative approach. First, I present a brief history of environmental security concepts and how they influenced the strategies of major international organisations. Afterwards, I analyse the incorporation of the environmental security concept into the EU's own security strategies and how it evolved after the Treaty of Maastricht. Finally, I analyse the CSDP outcomes in relation to the environmental changes. To evaluate the EU's effectiveness in turning strategies into policies with tangible results, I use Faleg's framework of how ideas turn into policy<sup>28</sup> and Dabelko's concept of the four

27 Robert Cooper, 'The EU's Global Strategy: Three Quotations', *European Council on Foreign Relations (ECFR)*, July 15, 2016, [https://www.ecfr.eu/article/commentary\\_the\\_eus\\_global\\_strategy\\_three\\_quotations\\_7077#](https://www.ecfr.eu/article/commentary_the_eus_global_strategy_three_quotations_7077#).

28 Giovanni Faleg, *The EU's Common Security and Defence Policy: Learning Communities in International Organizations*, 2017, vii.

reasons that prevent practitioners from integrating environmental parameters into their everyday work<sup>29</sup>.

## The Three Major Discourses of Environmental Security

Before answering how the EU integrates environmental security issues into its policies, it is necessary to present the evolution of the three major discourses of environmental security that dominate scholarly debates and that have shaped European security strategies concerning environmental issues. The literature on environmental issues and security started in the early 1980s, though many academics opine that the first unconscious securitisation of the environment came from Thomas Malthus in 1798 via his *Essay on the Principle of Population*. Malthus contends:

I say, that the power of population is indefinitely greater than the power in the earth to produce subsistence for man. Population, when unchecked, increases in a geometrical ratio. Subsistence increases only in an arithmetical ratio. A slight acquaintance with numbers will shew the immensity of the first power in comparison of the second... This implies a strong and constantly operating check on population from the difficulty of subsistence. This difficulty must fall somewhere and must necessarily be severely felt by a large portion of mankind.<sup>30</sup>

His claim, while outdated, is a documented environmental security reference. The link among humans (population), the environment (earth) and the potential for conflict is a 'securitisation' according to the Copenhagen School's securitisation theory. In the same vein, Fairfield Osborn restated the Malthusian argument in 1948

29 Geoffrey D. Dabelko, 'The Periphery Isn't Peripheral: Addressing Future Trends Through Integrated Analysis and Development', in *The Future Can't Wait: Over-the-Horizon Views on Development*, ed. Steven Gale and Sarah Jackson (Washington DC: U.S. Department of State, U.S. Agency for International Development, National Defense University, Woodrow Wilson International Center for Scholars, 2013), 88–96.

30 Thomas Malthus, *An Essay on the Principle of Population* (London: Palgrave Macmillan, 1798), 2–5.

by relating aggressive attitudes, diminishing productive lands and increasing population pressures.<sup>31</sup> These early warnings were followed by the dynamic environment movements of the 1960s. With the book *Silent Spring* in 1962, Rachel Carson expressed her basic argument that environmental change by anthropogenic activities needs to be viewed with extreme caution as we destroy the systems that support us. Carson's book contributed to the growth of the 'deep ecology' movement that expressed the relationship between all living things and systems<sup>32</sup>. In the year 1989, we see the UN General Assembly (UNGA) authorise the Norwegian Prime Minister, Brundtland Gro Harlem, to produce the report *Our Common Future* (known as the Brundtland Report). This report introduced the notion of sustainable development and changed the meaning of security. The message is unequivocal: 'environmental stress is both a cause and an effect of political tension and military conflict.'<sup>33</sup> For the first time, an international institution affirms the linkage between environmental issues and human security.

From an early configuration of the term 'environment' instead of 'nature', we imply human agency. The early development of the agricultural societies made Clarence Glacken distinguish 'primary nature' from the 'second nature.'<sup>34</sup> His statement points to the taming of nature and the rise of the environment. Similarly, the scholars of environmental history Sörlin and Warde argue that, as we move to agriculture and beyond, we have *Nature's End*. With the term environment, we move from the uncontrolled nature to the observable environment as we develop the ability to recognise

- 31 Richard Anthony Matthew et al., eds., *Global Environmental Change and Human Security* (Cambridge, Massachusetts: MIT Press, 2010), 11.
- 32 Jon Barnett, 'Environmental Security', in *Contemporary Security Studies*, ed. Alan Collins, third (Oxford: Oxford University Press, 2013), 184.
- 33 Gro Harlem Brundtland, ed., *Our Common Future: The World Commission on Environment and Development* (Oxford: Oxford University Press, 1987), 239–40.
- 34 Neil Roberts, *The Holocene: An Environmental History*, 2nd ed. (Malden, MA, USA; Oxford, UK; Victoria, Australia: Blackwell, 1989), 160

environmental patterns and analyse climate feedback.<sup>35</sup> This ability, on the one hand, gives us the potential to control nature for our safety and sustainable development.<sup>36</sup> On the other hand, it can create environmental changes such as ozone depletion, climate change, resource depletion, deforestation and pollution. The 1987 Brundtland Report officially identifies the substantive difference between environment and nature. Sustainability refers to the environment because nature cannot be unsustainable. Sörlin and Warde confirm that 'it is when we in societies transform nature and create an environment that we create the possibility of unsustainability.'<sup>37</sup> To talk of the environmental security concept is, therefore, to talk of the human purposes and uses of nature that can create instability and insecurity across three different levels: 1) the national security of a state; 2) human security at an individual and community level; and 3) global security from a global perspective.

From its inception, the environmental security concept was thought of as a challenge to the dominance of the traditional insights offered by security studies. In 1990, Daniel Deudney suggested that 'before harnessing the old horse of national security to pull the heavy new environmental wagon, prudence demands a closer look at its temperament.'<sup>38</sup> Deudney rejects any relation between environmental degradation and national security and argues that environmental issues are not security issues.<sup>39</sup> In the same vein, Stephen M. Walt narrows the scope of security studies to 'the phenomenon of war' and claims that 'security

35 Climate feedback: An interaction in which a perturbation in one climate quantity causes a change in a second and the change in the second quantity ultimately leads to an additional change in the first. A negative feedback is one in which the initial perturbation is weakened by the changes it causes; a positive feedback is one in which the initial perturbation is enhanced. The initial perturbation can either be externally forced or arise as part of internal variability.

IPCC, *Global Warming of 1.5°C*, 2018, 545, <http://www.ipcc.ch/report/sr15/>.

36 Sustainable Development: Development that meets the needs of the present without compromising the ability of future generations to meet their own needs (Glossary p. 128 in IPCC, 'Climate Change 2014: Synthesis Report', Assessment Report (Geneva; Copenhagen: IPCC, December 2014), 128.)

37 Sverker Sörlin and Paul Warde, eds., *Nature's End: History and the Environment* (Basingstoke, Hampshire: Palgrave Macmillan, 2009), 4.2009

38 Daniel Deudney, 'The Case against Linking Environmental Degradation and National Security', *Millennium* 19 (1990): 465.

39 *Ibid.*, 475.

studies may be defined as the study of the threat, use, and control of military force'.<sup>40</sup> However, many researchers consider this a narrow military-centric outlook.

There are no visible actors behind extreme weather events, natural disasters, or pandemics; however, thousands of people die every day from such environmental disasters and that drove scholars to redefine the concept of security. The fact that people perish from non-military threats made some analysts in the late 1990s suggest an ideational widening and deepening of the concept of security.<sup>41</sup> The initial focus on the state system, and the US's awareness of the political instability of poorer states as a result of their environmental degradation, generates new security discourses and new security referent objects. Barry Buzan, Ole Waever and Jaap de Wilde argue that an 'existential threat' - even if it has no military dimensions - can be a security issue and the security actors handle it beyond the realm of normal politics. Going one step further, the deepeners - Pluralists, Critical Theorists and Social Constructivists - replace the state with human beings as the main referent object of analysis and endorse an individual-centric approach.<sup>42</sup>

Initially, environmental issues were examined through the national security lenses; however, they were quickly incorporated into the human security concept. In 1993, five years after the 1987 Brundtland Report, the United Nations Development Programme (UNDP) proposed an alteration of the security mindset:

The concept of security must change from an exclusive stress on national security to a much greater stress on people's security, from security through armaments to security through human development, from territorial security to food, employment, and environmental security.<sup>43</sup>

The UN set the tone to start many sophisticated initiatives that consider environmental changes as a human security issue.

40 Stephen M. Walt, 'The Renaissance of Security Studies', *International Studies Quarterly* 35, no. 2 (June 1991): 212, <https://doi.org/10.2307/2600471>.

41 Richard Jackson, 'Regime Security', in *Contemporary Security Studies*, ed. Alan Collins, third (Oxford: Oxford University Press, 2013), 162.

42 Peter Hough, *Environmental Security: An Introduction* (London ; New York: Routledge, 2014), 23–24.

43 UNDP, 'Human Development Report 1993-United Nations Development Programme' (New York Oxford: Oxford University Press, 1993), 2.



Such a conception is the Norwegian government-funded Global Environmental Change and Human Security (GECHS) project. The scholars of the project admit that the widening of security studies with 'unconventional security issues' –availability of energy resources, changes in global markets, drug trafficking, environmental changes – is often used to securitise institutions of the state, instead of human beings.<sup>44</sup> The vague reorientation of security around the wellbeing of people rather than states has fallen short in offering clear insights about how to respond. The major defect in the human security discourse is that it entails ambiguities and gives space again to states and militaries to confirm themselves as dominant security providers.<sup>45</sup>

The UNDP's early definition of human security indicates another important weakness - environmental changes cannot challenge human security in isolation from other social factors. The environment is one among seven sectors identified in the UNDP's 1993 report, which indicates that we cannot ignore where people live, how vulnerable they are to damage and their capacity to adapt to environmental changes. Jon Barnett compares the farmers in the mountains of East Timor with Australian farmers and claims that environmental changes will create insecurity for the Timorese which 'is more socially created than naturally determined'.<sup>46</sup> In this case, the occupation of East Timor by the Indonesian armed forces is the predominant factor concerning the environmental conditions. Such cases have shown that the environmental security concept must necessarily be considered on a global scale since we cannot exclude some distinct features of nation-states.

Environmental changes as an international security threat combine components from both national and human security issues. The referent object of security is international society, as environmental changes such as climate change and ozone depletion have an international nature and affect many countries. Major global actors such as think tanks, NGOs, the UN, NATO, the Organisation for Security and Cooperation in Europe (OSCE), the US/Pentagon and

44 Matthew et al., *Global Environmental Change and Human Security*, 6.

45 Matt McDonald, 'Discourses of Climate Security', *Political Geography* 33 (March 2013): 46–47, <https://doi.org/10.1016/j.polgeo.2013.01.002>.

46 Barnett, 'Environmental Security', 201–3.

the EU attempt to generate international responses for groups of countries with similar environmental problems. While most of these institutions belong to the Global North, environmental changes will enormously affect the Global South.<sup>47</sup> The environmental problems are not limited to borders and the issues are global; however, all countries are neither equally responsible for environmental issues nor equally threatened from them. The US, Europe and the UN, as key international security agents, try to mitigate insecurity worldwide through transnational agreements that improve the environmental conditions - sometimes they succeed, other times they do not.

All three discourses accept as true that environmental changes will pose catalytic risks which security analysts cannot ignore. Today, it is impossible to write a security studies textbook or a strategic document without mentioning the implications of environmental changes. Vogler notes that after the 1972 UN Conference on the Human Environment in Stockholm, 'environmental issues are firmly implanted on the actual agenda of international politics.'<sup>48</sup> Environmental security is a new non-traditional concept that deepens and broadens the concept of security. The security referents may differ among different analysts – nation-states, human beings, the international system - however it is beyond the scope of this paper to examine which of the different meanings of environmental security is better. We present the different discourses only to analyse how they affected the EU's strategies and policies.

## Environmental security and the EU's strategy

Over the last two decades, the environmental security conceptual debate focuses primarily on climate change. However, in the early

47 Rita Floyd, 'Global Climate Security Governance: A Case of Institutional and Ideational Fragmentation', *Conflict, Security & Development* 15, no. 2 (March 15, 2015): 120–22, <https://doi.org/10.1080/14678802.2015.1034452>.

48 John Vogler, 'International Relations Theory and the Environment', in *Global Environmental Politics: Concepts, Theories and Case Studies*, ed. Gabriela Kutting (New York: Routledge, Taylor & Francis Group, 2011), 12.

1980s, security scholars linked the concepts of security with environmental stresses such as deforestation, land degradation, resource scarcity (resources from forests, water, and energy), coastal and marine degradation (coastal erosion, sea pollution, overfishing).<sup>49</sup> Climate security as a subsection of environmental security has become the new discourse which is also analysed through the lenses of the three frames of security. The different interpretations of climate change among international institutions promote and legitimise numerous actions. Each international institution raises concerns for the climate change impacts on natural and human systems with the UN to set the tone and directly influence European strategies on environmental security issues.

The UN climate security framework encompasses all three different scales of security, which regard the ways climate change threatens individuals, nation-states and global security. The main bodies of the UN that formulate the climate security agenda are the UN Framework Convention on Climate Change (UNFCCC), the UN Security Council (UNSC), the UN Environment Programme (UNEP) and the UNDP.

The Member States play a key role in the decisions of the first two and there is a lack of agreement regarding the security referent objects of the climate change impacts. Floyd notes that 'within the UNSC debates on the subject in 2007, all three of the climate security frames were present and no consensus could be reached, while the UNFCCC negotiations are notoriously protracted processes.'<sup>50</sup> However, the mandates of the UNEP and UNDP follow the human security approach and operate in environmentally stressed regions all around the world to improve the wellbeing of people.<sup>51</sup> Depending on the circumstances, such policies inspire many other international actors to include analogously the environmental issues in their security agenda.

The UN has partnered with international organisations to create initiatives that approach climate security from a global

49 Matthew et al., *Global Environmental Change and Human Security*, 119–20.

50 Floyd, 'Global Climate Security Governance', 127.

51 *Ibid.*, 127–28.

scope but also in terms of national security. In 1988 the World Meteorological Organization (WMO) and the UNEP established the Intergovernmental Panel on Climate Change (IPCC) to present every five years the state of knowledge of the science of climate change. The IPCC's reports underline 'the importance of climate change as a challenge with global consequences and requiring international cooperation.'<sup>52</sup> Such an institution promotes the concept of climate change as a global threat where all countries are threatened and thus implying necessary global action to address the risks. A more regional and state-centred initiative is the Environmental Security Initiative (ENVSE) established in 2003 by the UNDP, UNEP, OSCE and NATO as an associated partner, while in 2006 the United Nations Economic Commission for Europe (UNECE) and the Regional Environmental Center (REC) were added. The ENVSEC is composed of representatives from the national Ministries of Environment and Foreign Affairs of each beneficiary country to work on regional environmental projects and mitigate instability. The OSCE is the organisation that runs the ENVSEC projects, but it has no legal authority to impose a global security agenda. So it reiterates the political intent of the ENVSEC-member states and handles the environmental security issues 'as a tool for confidence-building and regional stability.'<sup>53</sup> Overall, we can safely argue that UN policy in the field of environmental security is shared in all three frames of security, but over the last decade, its rhetoric primarily focuses on human security with a regional approach.<sup>54</sup>

The EU has played a leading role in environmental politics over time, though it was not until 2008 that the EU incorporated environmental issues on a strategic security level and synchronised with the UN. The lack of a common strategy caused environmental issues to be absent from the security actors' rhetoric, while traditionally European values and principles are

52 IPCC, 'History of the IPCC', October 4, 2019, <https://www.ipcc.ch/about/history/>

53 Alexander Carius et al., 'Environment and Security: Transforming Risks into Cooperation: The Case of Central Asia and South Eastern Europe' (Place of publication not identified: OSCE, UNEP, UNDP, 2003), 5.

54 Neil Adger et al., 'Human Security', in *Climate Change 2014: Impacts, Adaptation and Vulnerability. Part A: Global and Sectoral Aspects Contribution of Working Group II to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change*, ed. Field, C.B., et al. (Cambridge, United Kingdom and New York, NY, USA: Cambridge University Press, 2014), 755–91.

environmentally friendly and in accordance with the UN. With the Baveno Manifesto in 1998, the EU launched the Global Monitoring for Environment and Security (GMES) programme, what later became the well-known space programme 'Copernicus'. In a joint document between the European Commission and the European Space Agency (ESA), the EU announced that 'the Union's policymakers must ensure Europe has access in a continuous fashion to high-quality information services on critical issues relating to environment and security.'<sup>55</sup> During the same year, the European Parliament initiated the debate on environmental security with the *Report on the Environment, Security and Foreign Policy* but political scepticism prevented a follow-on.<sup>56</sup> Such initiatives may not openly correlate the environment with security.<sup>57</sup> However, technically the EU meets the UN environmental security demands.<sup>58</sup>

The EU's security apparatus and its desire for a common strategic vision started to develop in Maastricht on 7 February 1992. A few months after the fall of the Berlin Wall, the TEU declared: 'The common foreign and security policy shall include all questions related to secure the Union, including the eventual framing of a common defence policy, which might in time lead to a common defence.'<sup>59</sup> The treaty established the CFSP as the second pillar of the new three-pillar structure of the EU.<sup>60</sup> The European Security and Defence Identity (ESDI) expressed the security dimensions of CFSP; by assuming 'greater control over its own security fate'

- 55 'A European Approach to Global Monitoring for Environment and Security (GMES): Towards Meeting Users' Needs', Joint Working Document (European Commission and the European Space Agency, June 6, 2001), 5.
- 56 'Report on the Environment, Security and Foreign Policy' (Brussels: European Parliament, Committee on Foreign Affairs, Security and Defence Policy, 1999).
- 57 Delilah Al-Khudhairi, Stefan Schneiderbauer, and Hans-Joachim Lotz-Iwen, 'The Security Dimension of GMES', in *Remote Sensing from Space: Supporting International Peace and Security*, ed. Bhupendra Jasani et al. (Luxembourg: Springer, 2009), 49–50.
- 58 Alexander Carius, founder and Managing Director of the Berlin-based think tank *adelphi research*, Interview on Environmental Security and the European Union, Skype, August 21, 2019.
- 59 Commission of the European Communities and Council of the European Communities, eds., *Treaty on European Union (Maastricht)* (Luxembourg: Lanham, MD: Office for Official Publications of the European Communities; UNIPUB [distributor], 1992), 126.
- 60 The three pillars were: the European Communities, the Common Foreign and Security Policy (CFSP), and Police and Judicial Cooperation in Criminal Matters (PJCCM)

the EU operationalised how to be protected where the US or NATO had no interest.<sup>61</sup> This common defence concept went into hibernation until the initiative from the UK and France to announce on 4 December 1998 the *Saint-Malo Joint Declaration on European Defence*. Jacques Chirac and Tony Blair agreed to outline a common defence policy by prompting: 'It will be important to achieve full and rapid implementation of the Amsterdam provisions on CFSP.'<sup>62</sup> The main idea behind this movement was the rapid reaction to the *new risks*.<sup>63</sup> In 1999, the Franco-British initiative transformed ESDI into the European Security and Defence Policy (ESDP). The ESDP lasted for ten years until the Treaty of Lisbon in 2009 and its rebranding as the CSDP. The Lisbon Treaty, apart from the CSDP, established the basis for the 2016 EUGS and introduced new actors—the HR-VP, the President of the European Council, and the EEAS—to address the CFSP's objectives.

Europe moved from the unconscious to the conscious in its security policy.<sup>64</sup> To deal with the 'new dangers' and the new opportunities, the security actors developed the ESS. In 2003, the ESS emphasised that nobody alone can tackle complex security problems.<sup>65</sup> Without giving it a special highlight, the ESS confirmed threats by global warming, such as migratory movements and further turbulence, as a result of water scarcity.<sup>66</sup> Five years later, the 2008 ESS revision consolidated the environmental security concept in EU policies. The ESS revision established climate change as one of five global challenges and vital threats.<sup>67</sup> The same year the EC and the High Representative Javier Solana published the first EU paper on *Climate Change and International Security* and asserted a relationship between all appeals for

61 Jolyon Howorth, *Security and Defence Policy in the European Union*, second, The European Union Series (London: Palgrave Macmillan, 2014), 4.

62 In Amsterdam on 2 October 1997 the *Treaty of Amsterdam* was signed, amending the *Treaty on European Union* by creating the common strategy, a new office, the 'Secretary General of the Council responsible for the CFSP', and a new structure, the 'Policy Planning and Early Warning Unit'.

63 'Franco-British St. Malo Declaration', December 4, 1998.

64 Howorth, *Security and Defence Policy in the EU*, 8–10.

65 'European Security Strategy (ESS): A Secure Europe in a Better World' (Brussels, December 12, 2003), 1.

66 *Ibid.*, 3.

67 'Report on the Implementation of the European Security Strategy (ESS) - Providing Security in a Changing World' (Brussels, December 11, 2008), 5.

humanitarian aid and climate change. The threats that the EU theorised in 2008 as climate-related were:

- Conflict over resources;
- Economic damage and risk to coastal cities and critical infrastructure;
- Loss of territory and border disputes;
- Environmentally induced migration;
- Situations of fragility and radicalisation;
- Tension over energy supply; and
- Pressure on international governance.<sup>68</sup>

These threats were in line with the 11 UN key future impacts and vulnerabilities that the 2007 IPPC report encompassed.<sup>69</sup> Thus, the EU acknowledged the environmental risks for all three aspects of security. The ideational consolidation of environmental security into its strategic planning rendered the EU a pioneer in this regard. The 2016 EUGS highlighted environmental issues and considered the EU a crucial actor for tackling climate change.<sup>70</sup> The environmental security dimensions among the strategic documents of the EU make the Union a global proponent of the relationship between security and the environment.

Except for the EU's strategic documents, the environmental security dimensions were heavily embedded in its political rhetoric. In April 2018, during his visit to the United States, the French President Emmanuel Macron urged stronger action on climate change and conveyed the message 'There is no planet B'.<sup>71</sup> Two months later, at the high-level event *Climate, peace and security*,

68 EU-High Representative and EC, 'Climate Change and International Security' (Brussels: High Representative and the European Commission, March 14, 2008), 3–5.

69 Klaus Fischer, 'Environmental Protection: Global Challenges for the EU', in *The European Union - A Global Actor?*, ed. Sven Gareis, Gunther Hauser, and Franz Kernic (Opladen, Berlin and Toronto: Barbara Budrich Publishers, 2013), 366.

70 EU, 'European Union Global Strategy (EUGS)', 2016, 9.

71 Adam Wentworth, 'Macron Tells Trump and US Congress: "There Is No Planet B"', *Climate Action* (blog), April 26, 2018, <http://www.climateaction.org/news/macron-tells-trump-and-us-congress-there-is-no-planet-b>.

the HR/VP Federica Mogherini stated: ‘Last year, natural disasters have displaced almost 19 million people all around the world, and for the second year in a row, climate impacts have displaced more people than war, I think this is an untold story which must be heard and on which we must act’.<sup>72</sup> The correlation between climate change and security issues reached a crescendo in February 2019 during the Munich Security Conference, with the German Chancellor Angela Merkel stating: ‘the Security Conference isn’t just about military issues and traditional security questions, but also sustainable development in regard to climate change’.<sup>73</sup> European leaders, as fully-fledged strategic actors, do not limit themselves to reacting to events; they try to proactively identify the most significant threats and environmental issues are high on their security agenda. But what happens when the high-level political discourses of environment and security need to be translated into action?

## Environmental security: From strategy to policy

Ideationally, environmental issues are firmly embedded in the CSDP; however, there is a mismatch between conceptual arguments and factual results. From the previous section, we can count numerous strategic initiatives that introduce environmental dimensions into the EU’s security debate. However, environmental security seems to be a challenging domain for the Member States and Brussels-based policymakers. Mogherini’s inducement ‘we must act’ necessitates proactive actions to ensure the strategic vision of EU’s security but it seems unachievable for most of the national governments to implement the environmental

72 EU-EEAS, Speech by High Representative/Vice-President Federica Mogherini at the High-Level Event ‘Climate, Peace and Security: The Time for Action’, June 22, 2018

73 Julian Wettengel, ‘Climate Change Important Security Policy Issue – Chancellor Merkel,’ *Clean Energy Wire* (blog), February 11, 2019, <https://www.cleanenergywire.org/news/climate-change-important-security-policy-issue-chancellor-merkel>.



dimensions. The political rhetoric in the EU advocates the environmental security concept, but the Member States focus on the next electoral campaign.<sup>74</sup>

Along similar lines are many academics' arguments. In 2015, in his book *Climate Change and European Security*, Richard Youngs analysed the EU's conceptualisation of climate security through the lense of 'concrete policy adaptation' and argued that the 'EU's foreign policies have started to reform but they do not yet accord climate security unequivocal or sufficient priority'.<sup>75</sup> One year later, researchers at Stockholm University published a report that explains why the climate-related security risks are difficult to address.<sup>76</sup> Their main argument was that the inability to achieve policy consistency on climate security results from three factors: conceptual confusion, institutional barriers and lack of resources. The EU's actions regarding environmental changes and the EU's security are not only influenced by conceptual uncertainty but may also include challenging normative questions.<sup>77</sup> In 2019, by interviewing practitioners on climate security issues at the EEAS and the European Commission, Bremberg et al addressed the gap between discourse and policy outcomes and the focus on factors internal to EU policymaking; their key finding was that 'a community of practice is emerging on climate in the EU, but it is characterised by overlapping and conflicting practices'.<sup>78</sup>

To analyse the CSDP's outcomes in relation to the environmental security concept, this article adopts three lines of thought: first, the framework of how ideas turn into policy as developed by Faleg, to show how the EU has been a security provider on account

74 EU-EEAS, Speech by HR/VP Federica Mogherini 'Climate, Peace and Security: The Time for Action!'

75 Richard Youngs, *Climate Change and European Security*, 1st ed. (Oxon, UK and New York, US: Routledge, 2015), 2.

76 The report was based on interviews with staff at the European External Action Service (EEAS). The EEAS supports the work of the High Representative Federica Mogherini in implementing EU foreign and security policy.

77 Hannes Sonnsjö and Niklas Bremberg, 'Climate Change in an EU Security Context', Research (Stockholm: Stockholm University, Stockholm International Peace Research Institute and The Swedish Institute of International Affairs, 2016), vii, 2

78 Niklas Bremberg, Hannes Sonnsjö, and Malin Mobjörk, 'The EU and Climate-Related Security Risks: A Community of Practice in the Making?', *Journal of European Integration* 41, no. 5 (July 4, 2019): 623, <https://doi.org/10.1080/07036337.2018.1546301>.

of communities of experts, who engage in learning by doing;<sup>79</sup> second, Geoffrey Dabelko's concept of the four tyrannies, which prevent practitioners from conducting integrated long-term programmes in relation to environmental challenges;<sup>80</sup> and finally, the EU's comprehensive approach concept with regard to foreign and security policies, as a framework through which environmental security may be better addressed.

## The interest-based role of the power constituencies and the tyranny of the inbox

The environmental security strategic vision turns into observable policy progress when a 'power constituency' firmly establishes the new ideas and develops a long-term design and response. The power constituency could be either a domestic alliance for combined action or a network of governments.<sup>81</sup> An example is, in the early 1990s, the case of Thomas Homer-Dixon – with the so-call *Toronto Group* – who by selecting cases in the developing world observed a causal path from the scarcity of cropland, forest, fish stocks and water to violent conflict.<sup>82</sup> While many academics claim that this narrative is both theoretically and empirically problematic, the journalist Robert Kaplan supported the Toronto Group's research agenda in his book *The Coming Anarchy*.<sup>83</sup> President Clinton personally studied Kaplan's dramatized illustration and invited Homer-Dixon to work on environmental change and its security implications.<sup>84</sup> The US security establishment was the power constituency that advocated

79 Giovanni Faleg, *The EU's Common Security and Defence Policy: Learning Communities in International Organizations*, 2017, vii.

80 Geoffrey D. Dabelko, 'The Periphery Isn't Peripheral: Addressing Future Trends Through Integrated Analysis and Development', in *The Future Can't Wait: Over-the-Horizon Views on Development*, ed. Steven Gale and Sarah Jackson (Washington DC: U.S. Department of State, U.S. Agency for International Development, National Defense University, Woodrow Wilson International Center for Scholars, 2013), 88–96.

81 Faleg, *The EU's Common Security and Defence Policy*, 29.

82 Carsten F. Rønnfeldt, 'Three Generations of Environment and Security Research', *Journal of Peace Research* 34, no. 4 (November 1997): 475, <https://doi.org/10.1177/0022343397034004009>.

83 Robert D. Kaplan, *The Coming Anarchy: Shattering the Dreams of the Post-Cold War*, 1st ed (New York: Random House, 2000), 20.

84 Rita Floyd, *Security and the Environment: Securitisation Theory and US Environmental Security Policy* (Cambridge, New York: Cambridge University Press, 2010), 75.

environmental security as a national security issue and the 'military environmental security complex' was born.<sup>85</sup>

In Europe, the power constituency is a network of governments and an epistemic community; however, the interest-based logic of action and the different political priorities block policy effectiveness<sup>86</sup>. The epistemic community that rationalises the environmental dimensions of the CSDP supports the causal belief that climate change occurs, is human-induced and, if overlooked, will directly affect European security.<sup>87</sup> Theoretically, the Member States should guide their day-to-day decision-making according to this claim. However, the European states have many different approaches; Germany promotes an expanded climate security agenda and stresses that the issue should be regarded as of the utmost importance; thus, through many regional initiatives, it promotes wider cooperation and demands that other governments be more active. France and the UK combine climate security with energy security, with the former comparing climate change with terrorism in terms of importance, and the latter focusing on the African continent. Italy and Spain treat the issue as a subcategory

85 Rita Floyd, 'The Environmental Security Debate and Its Significance for Climate Change', *The International Spectator* 43, no. 3 (September 2008): 53, <https://doi.org/10.1080/03932720802280602>.

86 Peter M. Haas, 'Introduction: Epistemic Communities and International Policy Coordination', *International Organization* 46, no. 1 (1992): 3, <https://doi.org/10.1017/S0020818300001442>.

87 According to Haas, four variables establish an epistemic community: 1. a common causal belief 2. a common principled belief 3. a common notion of validity 4. a common policy enterprise. The 'common causal belief' refers to the set of analytical cause-and-effect beliefs which the group shares. An epistemic community, unlike interest groups, would withdraw from the debate if confronted with new evidence undermining their original beliefs. The 'common principled belief' distinguishes an epistemic community from a discipline. Those involved in a discipline can hardly ever limit their activities to those which are consistent with their principled values, but the members of an epistemic community spend most of the time doing what they deeply believe in and associate themselves with likeminded groups. The 'common notion of validity', means that an epistemic community has its own internally defined criteria for weighing and validating knowledge in the domain of their expertise. This variable helps to distinguish epistemic communities from interest groups, social movements and bureaucratic coalitions, where the knowledge base is absent or disputed. Finally, an epistemic community has a 'common policy enterprise' which means that the members of this group share interests and have a common agenda. This variable helps to distinguish it from the members of professions and disciplines. Kamil Zwolski and Christian Kaunert, 'The EU and Climate Security: A Case of Successful Norm Entrepreneurship?', *European Security* 20, no. 1 (March 2011): 25, <https://doi.org/10.1080/09662839.2010.526108>.

and combine climate change – and its risks – either with renewable energy or the ministry of industry. Denmark argues that climate change threatens international peace and security, Sweden emphasises the geopolitical dimension in the Arctic, while the Netherlands associate climate change with agriculture and food security.<sup>88</sup> All of these different tactics result from the diverse interests of the states.

A ‘power constituency,’ such as the Member States, with such a divergence in approach to security issues prevents the diffusion and institutionalisation of the environmental security concept.<sup>89</sup> Each Member State promotes different political and economic agendas. This constitutes a lack of policy consensus and a ranking of priorities that creates a foggy landscape of acting and being responsible. Young’s claim on the subject is noteworthy: ‘... there is no apparent listing of which current and actual high-security risks are indeed climate-related. There is still no single institutional source taking charge of a grand strategy for climate security.’<sup>90</sup> This lack of a consensual basis among states for the environmental security cause-effect links leads to an ill-defined division of competences between EEAS and the Commission’s Directorates-General (DGs). Moreover, such conceptual confusion makes the practitioners, who are already guided by different principles and mandates, unable to include environmental issues in their agenda.

To these challenges, we should add what Dabelko describes as the ‘tyranny of inbox’ and the necessity of responding to urgent political priorities. The decisions of the European Council and the Council of the European Union reflect the main political positions of the Member States. While such decisions produce documents such as the 2016 EUGS, which grant the bureaucratic power to the European Commission and the EEAS to include environmental security imperatives, the long-term design is in conflict with immediate responses. As an example, practitioners in the DG for International Cooperation and Development (DG DEVCO) described talking in terms of fragility and development - and

88 Richard Youngs, *Climate Change and European Security*, 42–50.

89 Faleg, *The EU’s Common Security and Defence Policy*, 3.

90 Richard Youngs, *Climate Change and European Security*, 49.

including environmental issues – instead of state-based security as a 'tough pedagogical task' because it prevents swift action.<sup>91</sup> An in-depth analysis that illuminates the intricate nature of the environmental challenges is an unrealistic expectation for an issue that demands immediate attention from practitioners.<sup>92</sup>

## The role of identity-based cohesiveness among practitioners and the tyranny of the single sector

Among a group of practitioners, a crucial factor in evaluating its influence in turning ideas into policy outcomes is cohesiveness. In 2010, Zwolski and Kaunert argued that an epistemic community, consisting of a group of EU officials and a small number of EU Member States, built climate security capabilities and policies within the EU and globally. They claimed that the climate security concept had developed in parallel with the general climate change policy, within the negotiations of the UNFCCC.<sup>93</sup> However, in 2015 Youngs noted that 'DG Climate and Member States' environment ministries insist that they kept security issues out of UNFCCC process, as they fear this would be a distraction from emissions targets', and he also confirmed that 'where coordination has improved it has been in tightly delineated sectors of environmental policy'.<sup>94</sup> Over five years, the epistemic community that passionately introduced the concept of climate security has started to loosen and, despite the growing rhetoric for a comprehensive approach, Dabelko's 'tyranny of single sector' is present.

The initial enthusiasm and the EU's compliance with the standards of the UN's report *Climate change and its possible security implications* metamorphosed into the prevalence of sceptical voices.<sup>95</sup> In 2011 the Council of the European Union

91 Bremberg, Sonnsjö, and Mobjörk, 'The EU and Climate-Related Security Risks', 631.

92 Sarah Jackson et al., *The Future Can't Wait: Over-the-Horizon Views on Development*, ed. Steven Gale and Sarah Jackson (Washington DC: U.S. Department of State, U.S. Agency for International Development, National Defense University, Woodrow Wilson International Center for Scholars, 2013), 7.

93 Zwolski and Kaunert, 'The EU and Climate Security', 23.

94 Richard Youngs, *Climate Change and European Security*, 49.

95 UN-SG, 'Climate Change and Its Possible Security Implications', Report of the Secretary-General (New York: UN, September 11, 2009).

neglected climate change as a factor in conflict prevention while it emphasised that the EU should operate in long-term structural conflict prevention.<sup>96</sup> In 2014, the EU Conflict Early Warning System (EWS) was the second attempt at an early warning system after the Gothenburg Programme in 2001.<sup>97</sup> Three years before the formation of EWS, the executive director of the European Peacebuilding Liaison Office (EPLO), with the Gothenburg Review, stressed that the EU should improve policy tools and the evaluation of prevention mechanisms and emphasised the importance of climate change as a cause of conflict.<sup>98</sup> She explained that there was an imbalance between crisis response and conflict prevention which creates a lack of coherence. For the EPLO, the Commission attempted to keep key staff outside the EEAS and undermined the role of the latter.<sup>99</sup> Nevertheless, the EWS contained no reference to climate or environmental change and, among 25 indicators for its *Global Conflict Risk Index*, only Water Stress was an environmentally-oriented indicator.<sup>100</sup> Similar conclusions were reached by Stockholm University in 2016 when a group of Swedish researchers studied how development and defence EU actors frame and integrate climate security risks. They identified that there was 'a need to take into account the implications of climate change at an early stage of analysis and policy work'.<sup>101</sup> Experts within the EEAS confirmed the EU's failure to link development, security and climate change in a coherent manner.<sup>102</sup>

96 EU, 'Conflict Prevention-Council Conclusions' (Brussels: Council of the European Union, June 20, 2011), 4.

97 EU-EEAS, 'FACTSHEET EU-Conflict Early Warning System' (Brussels: European External Action Service, September 2014).

98 Catherine Woollard, 'EPLO Review of the Gothenburg Programme' (Budapest: European Peacebuilding Liaison Office (EPLO), 2011), 1,10.2011

99 Ibid., 6,"publisher-place":"Budapest","page":"18","source":"Zotero","event-place":"Budapest","abstract":"This discussion paper was prepared at the request of the Hungarian EU Presidency as part of the review of the Gothenburg Programme 2010-2011. It was presented at an academic retreat in Budapest 27-28 January 2011. In the paper, EPLO reviews the implementation of the European Union's Programme for the Prevention of Violent Conflict (2001

100 EU-EC, 'EU Conflict Early Warning System: Objectives, Process and Guidance for Implementation', Joint Staff Working Document (Brussels: European Commission, January 14, 2016), 8.

101 Sonnsjö and Bremberg, 'Climate Change in an EU Security Context', vii.  
102 Ibid., 12.

The formation of a cohesive whole of practitioners around the climate security concept has not been viable. The security issues attributable to environmental concerns did not have a unifying impact, but rather triggered a conceptual polemic.<sup>103</sup> The absence of an environmental security identity and the lack of a sense of belonging among practitioners reflect Youngs' assertion that 'climate security means very different things to different stakeholders'.<sup>104</sup> The strategic documents provide integrated security assessments, yet the integrated action is a challenging exercise. The security consensus among the EU's security actors on environmental issues is not enough to lead to policy change. Moreover, the single-sector approach, which causes a bureaucratic homogeneity, does not indicate the interrelated and complex nature of the environmental security challenges. There is a common feature across policymakers pertaining to their difficulty to launch new initiatives or introduce new parameters to the equation because of the complexity of the relevant issues.<sup>105</sup> The agreement on a common causal belief is the basic element to establish a community of policymakers; however, it does not guarantee long-term cohesiveness and viability.

## **The role of a shared epistemic enterprise and the tyranny of unidimensional measurement of success**

At a policymaking level, to achieve the comprehensive vision of the CSDP, we need a common understanding of the ties between failure and effectiveness. The shared epistemic enterprise on environmental security issues is a key condition to generate policy innovation with tangible results. This shared enterprise contains true learning, which is defined by Faleg as the 'complex and integrated understanding of an issue accompanied by a new formulation of the problem-solving'.<sup>106</sup> For example, in the case of Iran, Europe's nuclear proliferation sanctions created environmental degradation which, in the long run, undermines

103 Floyd, 'The Environmental Security Debate and Its Significance for Climate Change', 61.

104 Richard Youngs, *Climate Change and European Security*, 53.

105 Geoffrey D. Dabelko, 'The Periphery Isn't Peripheral', 90.

106 Faleg, *The EU's Common Security and Defence Policy*, 20.

the European peacebuilding efforts. As a result of Iran's efforts to preserve its self-sufficiency, Lake Urmia in North-Western Iran has disappeared because of unsustainable water use to irrigate agricultural production. It is also estimated that the case of Urmia cost Italy 11 billion euros as a result of not selling agricultural machinery to Iran.<sup>107</sup> The policymakers that proposed the sanctions did not measure the impact of their policy at ecosystem scales. This is what Dabelko describes as 'the tyranny of unidimensional measurement of success'; it describes the lack of an integrated evaluation assessment of policymaking and the need for measurement that allows for different time frames and multiple indicators.

To produce policy innovation on environmental security issues, the CSDP policymakers need situated knowledge; a combination of consensual knowledge and background knowledge. Haas argues that organisations, by recognising cause-effect links, create the consensual basis that transforms scientific knowledge into consensual knowledge and create epistemic communities.<sup>108</sup> The consensual knowledge differs from the background knowledge, as the latter results from the repeating of shared practices among communities of practice.<sup>109</sup> Bremberg et al. note a gap between these two forms of knowledge in the EU's environmental security apparatus: 'although there might be an EU epistemic community on climate security, this does not mean this community has been successful at shaping EU policies in practice'. An example would be the EEAS geographical desks, which do not implement in practice the strategic recommendations by the thematic experts as they are overloaded with urgent issues. While the EEAS thematic experts on climate change are supposed to contribute with long-term analysis and strategic thinking, they mainly provide general support.<sup>110</sup>

107 Simon Dalby and Zahra Moussavi, 'Environmental Security, Geopolitics and the Case of Lake Urmia's Disappearance', *Global Change, Peace & Security* 29, no. 1 (January 2, 2017): 39–55, <https://doi.org/10.1080/14781158.2016.1228623.no.1> (January 2, 2017)

108 Haas, 'Introduction', 29–30.

109 Faleg, *The EU's Common Security and Defence Policy*, 21. *Communities of practice* are defined as 'like-minded groups of practitioners who are informally as well as contextually bound by a shared interest in learning and applying a common practice' (Adler 2008, 196).

110 Bremberg, Sonnsjö, and Mobjörk, 'The EU and Climate-Related Security Risks', 632–35.



Among international organisations, the lack of true learning inhibits the development of shared epistemic enterprise, which in turn prevents policy innovation. While deep learning involves belief changes that can produce tangible policy results, it is common to recognise simple organisational adaptation that engenders minimal changes.<sup>111</sup> Such an adaptation from an international actor occurred in the US during Clinton's administration; it served different purposes other than including the impact of environmental changes on the American people's security.<sup>112</sup> The Toronto Group's thesis that 'environmental scarcity contributes to diffuse, persistent, subnational violence, such as ethnic clashes and insurgencies' led to policy failure as it made the US security actors simply adapt to Homer-Dixon's new narrative.<sup>113</sup> The environmental security concept was a pleasing connection of research findings that ensured federal funding for the US security apparatus, but it did not change the norms and beliefs of the policymakers at all. Thus, in the US we did not find shared interests in learning and applying common practices by like-minded groups that created policy innovation. While this inadequacy of successful policy implementation affects European policymakers as they cannot imitate such policy failures, they can benefit by identifying the links between failure and effectiveness.

## **The role of emulation of a successful model of policy implementation and the tyranny of immediate results**

The experiences of international organisations relative to environmental security issues can produce knowledge. With the appropriate additions, this knowledge could be emulated and applied to CSDP policies. It incorporates the reciprocity among organisations of the appropriate and most effective procedures.<sup>114</sup> A serious limitation to environmental security policies is that they are treated, either as emergent and constructed – constructionist approach – or as existential and transferable – positivist

111 Faleg, *The EU's Common Security and Defence Policy*, 20.

112 Floyd, *Security and the Environment*, 119.

113 Thomas F. Homer-Dixon, *Environment, Scarcity, and Violence* (Princeton: Princeton University Press, 1999), 179.

114 Faleg, *The EU's Common Security and Defence Policy*, 32–33

approach.<sup>115</sup> The latter is associated with the traditional concerns of Strategic Studies and International Relations in determining how environmental changes can create security issues, while the former deals with scholars who encompass the environmental problematic to reconsider security.<sup>116</sup> These deviations have led to institutional and ideational fragmentation on environmental security governance that creates the need for what Floyd names 'a universal definition by an authoritative source'.<sup>117</sup> At the CSDP level, the ideational fragmentation is interpreted as a 'multivariate nature' which justifies why there is no single institutional site for designing and executing an integrated environmental security strategy.<sup>118</sup>

Another constraint that inhibits imitation of effective policies is the different timetable approaches to achieving results. While the EU's comprehensive approach assesses the environmental issues as important in the long run, the short timelines create projects that do not have time to produce meaningful results. The practices of the UN, OSCE and NATO, in confronting future trends on environmental security, are driven by institutions that develop and maintain capacities with a long-standing horizon. The ENVSEC Initiative, which was founded in 2003 and brings together the OSCE, the UN and NATO, is one such example.<sup>119</sup> UNDP and UNEP also have clear long-term operational mandates and their policies

115 Richard Freeman, 'Learning in Public Policy', in *The Oxford Handbooks of Political Science*, ed. Michael Moran, Martin Rein, and Robert E. Goodin (Oxford; New York: Oxford University Press, 2006), 379.

116 John Vogler, 'International Relations Theory and the Environment', 19.

117 Floyd, 'Global Climate Security Governance', 140.

118 Richard Youngs, *Climate Change and European Security*, 55.

119 ENVSEC Initiative, 'The ENVSEC Initiative: Opportunities for Regional Cooperation' (UNEP, UNDP, UNECE, OSCE, REC, NATO, 2012).

are not affected by the need to report to the Member States.<sup>120</sup> Hence, regardless of whether the EU reproduces practices by imitating other international organisations, the 'tyranny of immediate results' will distort the expected policy outcomes.

Apart from normative challenges, the diffusion of effective policies also contains cultural characteristics of organisations that avert action via imitation. The strategic divide between NATO and the EU, as a result of the US's governing influence over NATO, generates different policy experiences. Internationally, NATO's position as an organisation is purely a military alliance that has its origins in the Cold War era. Its policymakers are well informed to manage politico-military issues, though less suitable for coping with multidimensional environmental security issues.<sup>121</sup> NATO's policies

120 Laurence D. Mee, 'The Role of UNEP and UNDP in Multilateral Environmental Agreements', *International Environmental Agreements: Politics, Law and Economics* 5, no. 3 (September 2005): 228–34, <https://doi.org/10.1007/s10784-005-3805-8>.from 'environment' at the Stockholm Conference in 1972, to 'environment and development' at Rio in 1992, and 'sustainable development' in Johannesburg in 2002. UNDP is a development organisation strongly rooted in its country office network. Its role is becoming increasingly normative however, particularly since 2002 when UNDP opted to root most of its activities on the Millennium Development Goals. UNEP, as an environmental organisation has been successful at catalysing MEAs at the global and regional level; but without a significant increase in its budget over 30 years, its capacity has been spread very thinly. Many of the institutional arrangements for MEAs have effectively become independent of UNEP resulting in a very loosely and sometimes poorly coordinated network. Two case studies are used to illustrate the current institutional arrangements: UNEP's Regional Seas Conventions and Protocols, and the Convention for Biological Diversity. These illustrate the fragmentation of current institutions, the need for strengthened technical and scientific support, the importance of addressing problems at their root causes and the need to increase the devolution of global governance to the regional level. Satisfying the identified needs requires actions within the remit of both UNEP and UNDP. It is argued that current institutional arrangements have not kept pace with the requirements of evolving policy. As part of a reform process, one option may be to merge the two programmes into a single structure that conserves and strengthens vital technical functions but enables a balanced and integrated approach to sustainable development.", "URL": "http://link.springer.com/10.1007/s10784-005-3805-8", "DOI": "10.1007/s10784-005-3805-8", "ISSN": "1567-9764, 1573-1553", "journalAbbreviation": "Int Environ Agreements", "language": "en", "author": [{"family": "Mee", "given": "Laurence D."}], "issued": {"date-parts": [{"2005, 9}]}, "accessed": {"date-parts": [{"2019, 11, 10}]}, "locator": "228-34", "label": "page"}, "schema": "https://github.com/citation-style-language/schema/raw/master/csl-citation.json"}>

121 Sven Biscop, 'European Security in the 21st Century: An Institutional Perspective', in *Globalization and Environmental Challenges: Reconceptualizing Security in the 21st Century*, ed. Hans Günter Brauch et al., Hexagon Series on Human and Environmental Security and Peace (HESP), vol. 3 (Berlin, Heidelberg, New York, Hong Kong, London, Milan, Paris and Tokyo: Springer, 2008), 718–59.

concerning environmental issues are linked to the military readiness of the alliance.<sup>122</sup> Unlike NATO, the OSCE has well-established policy experience in the area of early warning and conflict prevention that fits in with the EU's comprehensive approach.<sup>123</sup> The Office of the Co-ordinator of OSCE Economic and Environmental Activities (OCEEA) works jointly on numerous ENVSEC projects.<sup>124</sup> Despite OSCE's project-experience, the EU seems reluctant to adopt its implementation experiences and creates policies and capabilities that overlap with OSCE. In the Brussels-based policymaking debate, OSCE is rarely present and, as Biscop notes: 'the question is whether by ignoring the OSCE, the EU does not overlook that in a number of fields the OSCE has invaluable expertise that could help the EU achieving its own objectives'.<sup>125</sup>

## Conclusion

The evolution of the CSDP, as an integral part of the CFSP, coincided with a global redefinition of the concept of security. In the past 15 years, the EU and its Member States have been trying to incorporate in different ways the major environmental security discourses, with significant successes at a strategic level, but questionable policymaking outcomes. The so-called comprehensive approach is defined by Catherine Ashton, the former HR/VP, as 'the use of the many instruments at the EU's disposal in a strategically coherent and effective manner'.<sup>126</sup> However, the impression among policymakers is that EU is still reluctant 'to move beyond the traditional CFSP agenda' and is not ready to deal with new security challenges.<sup>127</sup>

122 Floyd, 'Global Climate Security Governance', 129.

123 Alice Ackermann, 'The OSCE and Transnational Security Challenges', *Security and Human Rights* 20, no. 3 (2009): 238–43, <https://doi.org/10.1163/187502309789192432>.

124 ENVSEC Initiative, 'ENVSEC Newsletter: Highlights from the Environment and Security Initiative' (UNEP, UNDP, UNECE, OSCE, REC, NATO, 2014).

125 Sven Biscop, 'European Security in the 21st Century', 757.

126 Bremberg, Sonnsjö, and Mobjörk, 'The EU and Climate-Related Security Risks', 630.

127 Richard Youngs, *Climate Change and European Security*, 48.

The EU's *sui generis* security policies are not effective *ipso facto*. To ensure the Union's security needs, the EU should move beyond setting emission reduction targets. The lack of a 'common international policy culture' on environmental security issues means that the environmental integration in EU's security policies may have to be policy - innovation results. While the 'power politics' concept still formulates the day-to-day decisions, this article proposes that the EU's policymaking system should avoid a linear causal logic on security affairs, while also avoiding hyperbole and oversimplifications on security issues in relation to the environment.<sup>128</sup> The environmental studies and the EU's holistic approach to security issues can contribute to enabling CSDP missions and operations to adapt effectively to global environmental challenges. The non-traditional concept of environmental security will improve the CSDP's effectiveness and efficiency.

## Notes on contributor

**Dimitrios Kantemnidis** is a Lieutenant Commander in the Hellenic Navy and graduated from the Hellenic Naval Academy in 2004. He is a career surface warfare officer and served at sea in frigates, gunboats, and patrol ships. He served as commander of the patrol ship TOXOTIS for 3 years, completing patrols to Greek-Turkish borders from 2009-2012. His base was at Lesbos Island in the North Aegean Sea, where he was also born and raised. Currently, Lieutenant Commander Kantemnidis is conducting research on 'Environmental Security issues and the CSDP' as a PhD candidate of the Environmental Department of Aegean University (Greece) and the European Security and Defence College (Belgium). He completed a dual degree program at Naval Postgraduate School at Monterey of California; a Master of Science Degree in Physics and a Master of Arts Degree in Security Studies (Civil-Military Relations). His research interests are Environmental Security, Climate Change, Common Security and Defence Policy, Intelligence, International Relations.

128 Geoffrey D Dabelko, 'Avoid Hyperbole, Oversimplification When Climate and Security Meet', *Bulletin of the Atomic Scientists*, August 24, 2009.



# 5

## 5. EU cybersecurity governance: A work in progress

Eleni Kapsokoli

Cyberspace is a complex and multidimensional domain with technological and socio-political characteristics.<sup>129</sup> Trying to understand this domain is challenging since there is no common and widely accepted definition that reflects its characteristics, its multidimensional nature and the concept of security within that field.<sup>130</sup> The rapid development of Information and Communication Technologies (ICTs) in the early 21<sup>st</sup> century has offered countless possibilities for the collection, processing, dissemination and exchange of information. ICTs have transformed every aspect of our society, but they have also caused the emergence of new security challenges. The rise of big data, the development of internet censorship techniques, cyberattacks such as Wanna Cry and Not Petya, securing the electoral process and, finally, the controversy about Huawei's role in supplying 5G technology all demonstrate the complex security tasks that international actors are facing.

It is in this context that the EU is called upon to develop an effective and consistent cybersecurity policy. Starting from 2007, and due to the large-scale cyberattacks on Estonia, the EU has recognised the growing threats that arise from the digital domain and has developed strategies and institutions that aim to promote cybersecurity and cyber resilience. Acting as a credible security provider in a domain that involves private and public, as well as civilian and military, aspects is indeed a challenging task. Adding to that, the fact that the Member States have developed their own (often diverse national cybersecurity strategies) and the dominant role of the private sector, it is no wonder that the EU is still lacking a coherent and operative cybersecurity policy.

In order to review the EU's policy on cybersecurity, we will apply the concept of security governance. The latter will serve as an analytical framework in order to address a number of fundamental questions: How has the EU approached and defined cybersecurity? What are the strategies, policies and institutions that have been developed over the past decade? Can the EU

129 Dan Craigen, Nadia Diakun-Thibault, and Randy Purse, 'Defining Cybersecurity', *Technology Innovation Management Review*, 4, no. 10 (October 2014): 1.

130 Eric Luijff, Kim Besseling, and Patrick de Graaf, 'Nineteen National Cyber Security Strategies', *International Journal of Critical Infrastructure protection*, no. 1 (January 2013): 5-7.



function as an effective security actor independent of its Member States?

In terms of structure, the paper will first address the idea of security governance and highlight the lack of conceptual clarity regarding the notion of cybersecurity. The following section will critically outline the strategies and institutions that refer to cybersecurity in the context of the EU. The analysis will end with a discussion on the policy gaps and the institutional shortcomings of EU cybersecurity governance. Thus, the chapter will not only map the present strategies, institutions and stakeholders that are involved with cybersecurity, but also document why the EU has not established a proper cybersecurity governance mechanism.

## EU security governance

The term 'governance' has been widely used when referring to the absence of a world government. The need to regulate international politics and the management of global disorder have been viewed through the prism of governance.<sup>131</sup> The concept of governance implies the presence of multiple actors - meaning institutions, states, international organisations and non-governmental organisations - that aim to regulate chaos. The strategy adopted and the chosen institutions to manage the desired goal (e.g. security) may diverge, due to the multiplicity and fragmentation of authority.<sup>132</sup> Therefore, a governance approach to security is a suitable way to identify the vertical and horizontal interactions among the various actors within the European context.

In particular, a security governance approach will enable us to analyse how security (in our case cybersecurity) is produced, and highlight the fragmentation of authority and overlapping multiple networks that the EU is applying.<sup>133</sup> Security governance will function as an analytical framework that will examine the role of all the stakeholders and the division of labour between them.

131 Emil Kirchner and James Sperling, *EU security governance* (Manchester: Manchester University Press, 2007), 15.

132 Michela Geccorulli, et al. 'EU Security Governance', EU-GRASP Working Papers, no.2, (February 2010), 4.

133 Mark Webber et al, 'The governance of European security', *Review of International Studies*, 30 (2004), 3-26.

After all, there is sufficient evidence that Member States have subcontracted some of their security needs to the EU, especially those that do not involve territorial defence.<sup>134</sup>

The EU security governance is based on common goals and shared norms, hegemonic interests, hidden agendas and contested principles.<sup>135</sup> The security governance is not necessarily motivated by a common interest to resolve problems. The Member States often adopt national policies and legitimise their decisions, which lead EU security strategy agreements to a dead end. The EU has adopted the projection of norms and rules, which are part of the model of liberal governance and demands the harmonisation of rules and standards through the crafting and the introduction of related security legislation. Moreover, the EU generally adopts an inclusive approach that takes various stakeholders on board. The EU is involved in a complex network of partnerships set up to cope with security challenges. Despite its general usefulness, the inclusion of numerous actors and the plurality of coordination may be an obstacle. The absence of a clear and accepted consensus regarding goals may lead to uncontrolled competition.<sup>136</sup>

In order to provide cybersecurity, one needs first to define the essence of the term. One of the obstacles when approaching this concept is the abundance of security-related terms such as cybercrime, cyber terrorism, cyber resilience, cyber deterrence, cyber defence and information security.<sup>137</sup> Although many of these terms are addressed by the EU cybersecurity strategies, the lack of definitional boundaries poses a conceptual challenge for all the parties involved. Furthermore, one should not ignore the fact that the Member States enjoy different levels of maturity in terms

134 Kirchner and Sperling, EU security governance, 17-18.

135 Hans-Georg Ehrhart, Hendrik Hegemann and Martin Kahl, 'Towards security governance as a critical tool: a conceptual outline', Institute for Peace Research and Security Policy at the University of Hamburg, Hamburg, Germany, 2013, p.153-154

136 Hans-Georg Ehrhart, Hendrik Hegemann and Martin Kahl, 'Towards security governance as a critical tool: a conceptual outline', Institute for Peace Research and Security Policy at the University of Hamburg, Hamburg, Germany, 2013, p.156

137 George Christou, 'The Collective securitization of cyberspace in the European Union', *West European Politics*, 42, 2 (2019).

of ICTs, and therefore stress different needs and priorities in their national cybersecurity strategies.<sup>138</sup>

A working definition is offered by the Cybersecurity Act that was adopted in 2019 and defines cybersecurity as 'all activities necessary to protect network and information systems, their users, and affected persons from cyber threats'. This is an important definition since it marks a shift from previous definitions that ignored the protection of the cyberspace users<sup>139</sup>. This definition serves as a healthy reminder that security is associated with the absence of threats to scarce values. Addressing the needs of the individual in the cyber realm points to a much-needed anthropocentric approach to cybersecurity, which was until recently absent from the political debate<sup>140</sup>.

## The EU cybersecurity strategies

The cyberattacks in Estonia (2007) and Georgia (2008) marked the start of a collective effort within the EU to secure cyberspace.<sup>141</sup>

The case of Estonia in 2007 involved a series of denial of service attacks against public and private sector organisations in response to the government's removal of a Soviet war monument. The attacks lasted for three weeks and targeted, among others, the Presidency, the Parliament and the ministries as well as the banking and telecommunications sectors.<sup>142</sup> A year later, in August 2008, Georgia's critical infrastructure received a series of cyberattacks in the context of a military confrontation with Russia. As a result, government websites could not be accessed and their content was replaced. Georgia was unable to shape the narrative

138 Agnes Kasper, 'EU Cybersecurity Governance - Stakeholders and Normative Intentions towards Integration', in Mark Harwood, Stefano Moncada, Roderick Pace (eds), *The Future of the European Union. Demisting the Debate* (Malta: Institute for European Studies, 2020), 167-8.

139 Kasper, 'EU Cybersecurity Governance', 169.

140 Andrew Liaropoulos, 'Reconceptualising Cyber Security: Safeguarding Human Rights in the Era of Cyber Surveillance', *International Journal of Cyber Warfare and Terrorism*, 6, 2 (2016).

141 Eneken Tikk, Kadri Kaska, and Liis Vihul, 'International Cyber Incidents: Legal Considerations' (Cooperative Cyber Defence Centre of Excellence (CCDCOE), 2010), 14-35; 66-90.

142 Haataja S., 'The 2007 cyberattacks against Estonia and international law on the use of force: an informational approach', *Law, Innovation and Technology*, 2017, 160.

and therefore unsuccessful in affecting the national and global public opinion<sup>143</sup>. The early EU policies in the field of cybersecurity had three main considerations: protection of privacy, cybercrime and harmonisation in specific, electronic data-related fields.<sup>144</sup>

## The cyber security strategy of the EU: An open, safe and secure cyberspace-2013

The first coherent text of the EU strategy on cybersecurity was announced in 2013, and was entitled 'Cyber Security Strategy of the European Union: An Open, Safe and Secure Cyberspace' (EUCSS)<sup>145</sup>. This strategy reflected two main aspects of cyberspace: its role in political and social inclusion, and its importance as a critical resource and backbone of economic growth. Also, it identified four categories of potential harm associated with cybersecurity incidents: the loss of a user's trust and confidence in participating in the digital single market, the disruption of essential services that rely on ICTs, the negative effects of cybercrime on the EU economy manifested in stealing data and economic damage, and the restriction of fundamental rights by actors outside the EU. It mentioned that 'threats can have different origins, including criminal, politically motivated, terrorist or state-sponsored attacks as well as natural disasters and unintentional mistakes'.<sup>146</sup> Additionally, some concerns were raised about essential services, which could be targeted by terrorists and state-sponsored groups, suggesting that some threats could be perceived as being crucial to national security.

The development of this strategy demonstrated that the EU has realised the importance of cybersecurity and the significance of resilience in addressing cyber threats. It included six strategic

143 Pernik,P. (2018, October). Chapter 5, The early days of cyberattacks: the cases of Estonia, Georgia and Ukraine, from 'Hacks, leaks and disruptions - Russian cyber strategies', European Union Institute for Security Studies

144 Commission Communication, Network and Information Security: Proposal for a European Policy Approach, 2001.

145 Jochen Rehr ed., Handbook on Cybersecurity: the Common Security and Defence Policy of the European Union (Federal Ministry Republic of Austria, Vienna, 2019), 18.

146 European Council, 'Joint Communication to the European Parliament, the Council, the European Economic And Social Committee and the Committee of the Regions Cybersecurity Strategy of the European Union: An Open, Safe and Secure Cyberspace' (February 7, 2013): 3.

priorities: 1) to achieve cyber resilience; 2) to reduce cybercrime; 3) to develop a cyber defence policy and capabilities related to the CSDP; 4) to develop industrial and technical resources to prevent and deter cyber incidents; 5) to develop international cyberspace policy and 6) to promote the EU's core values both in the digital and the physical world.

## Cyber Defence Policy Framework- 2014

According to the Cyber Defence Policy Framework<sup>147</sup>, which was adopted in 2014, the EEAS is responsible for cyber defence and has the following objectives: 1) to support the development of CSDP-related cyber defence capabilities; 2) to enhance the protection of CSDP communication networks; 3) to promote political and military cooperation and synergies with broader EU policies, EU institutions, and services and the private sector; 4) to improve training, education and joint exercises and 5) to enhance cooperation with relevant international partners, in particular with NATO. In addition, the above policy framework identifies three key pillars to tackle cyber threats: 1) network and information security by developing public-private partnerships (PPPs) at the international level, 2) law enforcement by adopting a directive to tackle information systems attacks through strengthening the national legislation of the Member States on cybercrime and 3) developing cyber defence as a key objective of the CSDP in cooperation with the EDA and the Member States. The EEAS concept paper on cybersecurity in civilian missions suggested creating a focal point for cyber issues in the Civilian Planning and Conduct Capability (CPCC) to ensure and enhance the security and defence. In line with this, the CPCC appointed a new officer in September 2017 who deals mainly with cyber defence capability enforcement and cybersecurity coordination for civilian missions.<sup>148</sup>

147 The NATO Cooperative Cyber Defence Centre of Excellence, EU Cyber Defence Policy Framework Presents More Than 40 Action Measures, 2014; European Defence Agency, Cyber Defence, 5 November 2018, p.1

148 Jochen Rehr, ed., Handbook on Cybersecurity: the Common Security and Defence Policy of the European Union (Federal Ministry Republic of Austria, Vienna, 2019), 93.

In November 2018, the European Council presented an updated version of the 2014 framework entitled the EU Cyber Defence Policy Framework.<sup>149</sup> This updated version responds to new challenges and threats by strengthening cyber resilience and developing security and defence capabilities through cyberspace. The main objective of this framework is a further evolution in the cyber domain and to clarify the roles of each European actor in cyberspace. It also highlights the importance of defence policy for the European Member States in order to efficiently tackle the threats and to develop an autonomous decision-making mechanism.

### The revised EU Cybersecurity Strategy- 2017<sup>150</sup>

The revised EU Cybersecurity Strategy was adopted in September 2017<sup>151</sup> and represents a significant shift from a comprehensive to an integrated approach, which refers to threats in the economic, political and military spheres. The core of this strategy is 'a Europe that is resilient, which can protect its people effectively by anticipating possible cybersecurity incidents, by building strong protection in its structures and behaviour, by recovering quickly from any cyberattacks, and by deterring those responsible'.<sup>152</sup> The priorities are similar to the previous strategies, but the revised Strategy also states that 'while Member States remain responsible for national security, the scale and cross-border nature of the threat make a powerful case for EU action providing incentives and support for Member States to develop and maintain more and better national cybersecurity capabilities, while at the same time building EU-level capacity'.<sup>153</sup> This Strategy included the following key priorities: strengthening of the European Network and Information Security Agency; adopting EU-level standards and an EU cybersecurity certification framework; limiting foreign

149 Council of European Union, EU Cyber Defence Policy Framework (2018 update), Brussels, 19 November 2018

150 The full title of the revised strategy is 'Joint Communication to the European Parliament and the Council. Resilience, deterrence and defence: building strong cybersecurity for the EU'.

151 European Commission, Joint Communication to the European Parliament and the Council Resilience, Deterrence and Defence: Building strong cybersecurity for the EU, European Commission (Brussels, September 2017): 2.

152 Ibid., 20.

153 Ibid., 3

acquisitions of critical technologies; integrating cybersecurity into EU crisis management mechanisms; establishing the Cybersecurity Emergency Response Fund; adopting technological and normative measures against cybercrime; adopting a joint EU diplomatic response to malicious cyber activities; participating in international cybersecurity processes.

All the above strategies and policy papers aim to provide better cyber resilience, deterrence, and strategic autonomy, enhance cyber capabilities and build a strong single market<sup>154</sup>. Evidently, the strategies signified a deepening of EU integration in a matter of a few years, moving from uncoordinated isolated policies to a horizontal policy with significant political implications for both the EU and its Member States.

## The EU cybersecurity institutions

EU cybersecurity policy functions within several sectors and involves various stakeholders and institutions. Over the past decade, the EU has established several institutions that aim to provide its Member States with the necessary cybersecurity and cyber defence capabilities. The main institutions that are responsible for this task include the EDA, the European Network and Information Security Agency (ENISA), the Network and Information Systems (NIS) Directive, the EC3 at Europol, the CERT-EU and the European Cybersecurity Competence Centre, which will be presented below.

### European Defence Agency (EDA)

The EDA was established in 2004 by the European Council in order to improve the defence capabilities of the EU and it has become the hub of European cooperation on cyber issues.<sup>155</sup> The EU

154 Annegret Bendiek, Raphael Bossong, and Matthias Schulze, *The EU's Revised Cybersecurity Strategy*, SWP Comments (November 2017): 2.

155 Rehr, *Handbook on Cybersecurity: the Common Security and Defence Policy of the European Union*, 92.

Cybersecurity Strategy of 2013 required cyber defence capabilities and technologies to address all aspects of capability development, including doctrine, leadership, organisation, personnel, training, technology, infrastructure, logistics and interoperability. Over the past years, the EDA has been given responsibilities in: 1) supporting the development of EU cyber defence capabilities related to the CSDP; 2) promoting civil-military cooperation and synergies between EU institutions and the private sector; 3) training, education and exercise opportunities for the Member States; 4) cooperation with related international partners (NATO, UN, etc.)<sup>156</sup>. The EDA cooperates with the EEAS, the European Commission and the relevant EU agencies and bodies, as well as liaising closely with NATO and its Cooperative Cyber Defence Centre of Excellence (CCDCOE).

One of the first priorities of the EDA is the Capability Development Plan (CDP) which was updated in June 2018 and enhances cooperation in the cyber defence domain. The focus of the CDP is: 1) support for Member States as regards military cyber defence capabilities; 2) the development of proactive and reactive cyber defence technology; and 3) wider cooperation with other organisations. In such a challenging environment, the EDA will continue to support Member States in their efforts to build effective cyber defence capabilities which will be accomplished by platforms for cooperation, such as the Cyber Defence Project Team and the Ad Hoc Working Group (AHWG) for Cyber Defence Research. In May 2018, a Memorandum of Understanding (MoU) was signed between the EDA, ENISA, EC3 and CERT-EU aimed at establishing a cooperation framework by exchanging expertise and best practices in the areas of cybersecurity, cyber defence and investigating cybercrime.

## European Network and Information Security Agency (ENISA)

ENISA has been operating as a centre of expertise since 2004. Its main purpose is the enhancement of the security of information systems and supporting the capacity building of Member

<sup>156</sup> Ibid., 93.



States.<sup>157</sup> The organisation uses a pyramid that reflects five layers of cybersecurity,<sup>158</sup> presenting the EU's holistic and multifaceted approach to cybersecurity (see Figure 1).



**Figure 1:** Layers of cybersecurity protection

The base of the pyramid refers to the protection of cyberspace users. Measures have to be adopted in order to deter the risks through proper education, information and hygiene in cyberspace. Users need to be aware of the dangers that exist in cyberspace in order to protect and deal with them effectively. The second layer concerns the protection of critical infrastructure. The NIS introduces new security requirements for the protection of the EU's critical information infrastructures, such as energy, banking and transport, which form the basis for the functioning of modern society. In the third layer, we find the safeguarding of the digital

157 European Commission, Regulation of the European Parliament and of the Council on ENISA, the "EU Cybersecurity Agency", and repealing Regulation (EU) 526/2013, and on Information and Communication Technology cybersecurity certification ("Cybersecurity Act"), European Commission (September 2017): 4.

158 European Union Agency for Cybersecurity, 'Overview of cybersecurity and related terminology', ENISA (September 2017): 6.

single market. The protection policy consists of measures to deal with cyber threats to businesses, such as cybercrime, cyber espionage and cyber sabotage. The fourth layer introduces the task of global stability protection. Given the nature of cyberspace, this implies the adoption of international standards and the exercise of cyber diplomacy to ensure global stability. At the top of the pyramid are the key measures to protect democracy and human rights. A contemporary challenge is the protection of human rights in the digital environment. The adoption of adequate cybersecurity measures will reduce the negative impact of new technologies. Developments in technology must not undermine social values, human rights, freedom, and democracy.<sup>159</sup>

ENISA emphasises that cybersecurity is based on information and network security, thereby covering, among others, the principles of prevention, resilience, adaptability, confidentiality and survivability.<sup>160</sup> ENISA's approach to cybersecurity is not widely accepted throughout the EU, as most Member States give different interpretations, thus drawing up national strategies rather than a common one. Nevertheless, in June 2018,<sup>161</sup> the Council agreed to upgrade ENISA to a permanent EU cybersecurity body, as well as a mechanism to establish common European cybersecurity certification systems for specific ICT processes, products and services. ENISA's priorities include the protection of critical information infrastructure, capacity building, product standardisation and certification, and the exchange of information and best practices.<sup>162</sup>

ENISA organises annual exercises to simulate cyberattack incidents to develop an immediate and effective response to cybersecurity crisis management. These exercises are attended by the private sector, the competent bodies and the Member States. The European Commission's most important task for ENISA is undoubtedly the production of 'candidates' for the certification

159 European Union Agency for Cybersecurity, 'National Cyber Security Strategy of Greece', ENISA (September 2017): 6.

160 European Union Agency for Cybersecurity, 'National Cyber Security Strategy of Greece', ENISA (September 2017): 6.

161 Rehl, Handbook on Cybersecurity: the Common Security and Defence Policy of the European Union, 55.

162 Ibid., 126.

of products and essential services to the digital single market. In order to have a more active role in supporting Member States, ENISA must have immediate and comprehensive access to the necessary information to carry out cyber incident analysis when requested.

ENISA also supports the national Computer Emergency Response Teams (CERTs), for which it established a CERT programme and a Working Group on CERT Cooperation and Support. ENISA is one of the main cornerstones of the EU's approach to the protection of critical infrastructure.

## Directive on Security of Network and Information Systems (NIS Directive)

The Directive is the first European cybersecurity law that was adopted by the European Parliament in July 2016 and it provides legal measures to enhance cybersecurity.<sup>163</sup> This is the first piece of European legislation that ensures a minimal institutional capability for reporting cyber incidents affecting Member States and deters the related cyber-risks. The Directive comprises a full and clear statement of the principle of cyber resilience, but it is also the cornerstone of the EU's overall effort to strengthen and improve national security capabilities among the Member States. It is a set of standards for Member States in cybersecurity and can lead to upgrading capabilities, preparedness and effective risk management and enhancing cooperation and communication between Member States through the exchange of information and best practices.<sup>164</sup> The NIS Directive<sup>165</sup> was adopted to advance institutional cyber-preparedness between Member States by CERT; create capabilities and programmes for prevention, detection and mitigation and response mechanisms for sharing information and best practices between Member States; promote cross-border EU-wide cooperation through an EU NIS Action Plan; and improve

163 European Commission, 'Special Eurobarometer 464a. Report. Europeans' attitudes towards cyber security' (Brussels, September 2017).

164 European Commission, 'State of Union 2018: Building strong cybersecurity in Europe', (Brussels, September 2018): 1.

165 Council of the European Union, 'Draft Council Conclusions on a Framework for a Joint EU Diplomatic Response to Malicious Cyber Activities' ('Cyber Diplomacy Toolbox'), 9916/17, Brussels, 7.6.2017.

the engagement and preparedness of the private sector through the reporting of major NIS incidents to national NIS competent authorities.

The Directive requires all Member States to set up a national response system to cyberattacks and to set up CERTs. Thus, the Directive sets out the responsibility of Member States not only to exchange information and best practices on cyber incidents at EU level, but also to develop and jointly implement appropriate national cybersecurity strategies.<sup>166</sup>

## European Cybercrime Centre (EC3)

Effective cybercrime management requires harmonisation of legal, regulatory and technical provisions concerning the protection of personal data, privacy and the interests of legal persons.<sup>167</sup> As per the Cybersecurity Strategy of 2013, the second pillar is dedicated to fighting cybercrime, which entails: 'a broad range of different criminal activities where computers and information systems are involved either as a primary tool or as a primary target. Cybercrime comprises traditional offences (e.g. fraud, forgery, and identity theft), content-related offences (e.g. online distribution of child pornography or incitement to racial hatred) and offences unique to computers and information systems (e.g. attacks against information systems, denial of service and malware)'.<sup>168</sup> This is a broad definition which includes, not only crimes that are unique to electronic networks, such as cyberattacks, but also the use of information systems to pursue crimes such as fraud, the publication of illegal content or even online fundraising and recruitment for terrorist attacks (including 'cyber terrorism'). While the EUCSS has put forward this definition of cybercrime, there is still no common understanding within the EU and, therefore, its Member States continue to apply their own definitions. Moreover,

166 European Commission, 'Joint Communication to the European Parliament and the Council Resilience, Deterrence and Defence: Building strong cybersecurity for the EU, Brussels', 11.

167 Sylvia Mercado Kierkegaard, 'EU Tackles Cybercrime', IGI Global (2008): 427, Cyber Warfare and Cyber Terrorism.

168 European Council, 'Joint Communication to the European Parliament, the Council, the European Economic And Social Committee and the Committee Of the Regions Cybersecurity Strategy of the European Union: An Open, Safe and Secure Cyberspace' (February 7, 2013): 7.

since cybercrime involves such a wide range of different acts, it has been debated whether there needs to be a single definition.

The main actor is the EC3, which was officially established in 2013, as a distinct body attached to Europol. It is a small unit that coordinates cross-border law enforcement and acts as a centre for the sharing of technological expertise.<sup>169</sup> The EC3 coordinates national cybercrime authorities and the training of national cybersecurity experts and acts as a European focal point in fighting cybercrime. Its main purpose is to ensure a coordinated response to cybercrime, to facilitate information exchange, to conduct forensic analysis, to provide intelligence and legal assistance, to provide support to Member States in cybercrime investigations and to promote meetings with cybercrime experts.<sup>170</sup> The EC3 has a holistic perspective to ensure and to counter cybercrime. It comprises three different units: operations, strategy and forensic expertise.<sup>171</sup>

The EC3 is an effective solution in the dramatic reduction of cybercrime and the protection of Europeans and businesses against mounting cyber threats.<sup>172</sup> As the former European Commissioner Cecilia Malmstrom noted, 'we can't let cybercriminals disrupt our digital lives. A European Cybercrime Centre within Europol will become a hub for cooperation in defending an internet that is free, open and safe'.<sup>173</sup> So, EC3 is a common plan between Member States, the Council, the Commission and Europol in order to prevent and detect the cybercriminal activities.

169 Sliwinski, 'Moving beyond the European Union's Weakness as a Cybersecurity Agent', 477.

170 Myriam Dunn Cavelty, 'Europe's cyber-power', *European Politics and Society* 19, no. 3 (January 2018): 312.

171 Rehl, 'Handbook on Cybersecurity: the Common Security and Defence Policy of the European Union', 101-103.

172 European Commission European Commission, 'Cybercrime: EU Citizens Concerned by Security of Personal Information and Online Payments', July 9, 2012

173 Malmstrom, Cecilia, 'Public-Private Cooperation in the Fight against Cybercrime', Speech/12/409, 2012

## Computer Emergency Response Team (CERT)

Another key actor in the EU's cyber defence is CERTs or Computer Security Incident Response Teams (CSIRTs). In September 2012, the EU set up its own permanent CERT-EU. Its mission is to support EU institutions in protecting themselves against intentional and malicious attacks that would compromise the integrity of their critical infrastructure. The scope of CERT-EU's activities includes the elements of prevention, detection, response and recovery.<sup>174</sup> The structure of CERTs diverges significantly both in form and in function at national level. In each State, there can be a number of CERTs, including companies, banks, regional governments, national governments, etc. There is also a wide variance in capability between Member States; therefore, there are only ten national CERTs in the European Government CERTs (EGC) group, due to lack of trust. In addition, international CERT cooperation occurs through the CSIRT Network (both CERT-EU and ENISA are members), a task force aimed at cooperation in Europe and neighbouring regions (TF-CSIRT) and globally through entities such as the Forum of Incident Response and Security Teams (FIRST).<sup>175</sup> Since 2016, CERT-EU has signed a technical agreement with its NATO counterpart, the Computer Incident Response Capability (NCIRC), which facilitates technical information sharing between these two bodies.<sup>176</sup>

## European Cybersecurity Competence Centre

On 13 September 2017, the European Commission adopted a Cyber Security Package, which includes a series of initiatives to further improve resilience, deterrence and defence regarding cybersecurity incidents. In September 2018, the European Commission presented its proposal for the establishment of the European Cyber Security Competence Centre<sup>177</sup>. This

174 Sliwinski, 'Moving beyond the European Union's Weakness as a Cybersecurity Agent', 477.

175 Lorenzo Pupillo and Melissa K. Griffith, Steven Blockmans, and Andrea Renda, 'Strengthening the EU's Cyber Defence Capabilities', Centre for European Policy Studies (CEPS), (College of Europe, November 2018), 39.

176 Rehl, 'Handbook on Cybersecurity: the Common Security and Defence Policy of the European Union', 146.

177 Mar Negreiro and Alessia Belluomini, 'The new European cybersecurity competence centre and network', European Parliament (April 2019): 1.

initiative aims to improve and enhance the EU's cyber capability, encouraging European technological innovation in the field of security. This centre will act as additional support to existing cybersecurity actors such as ENISA and will coordinate the financial resources assigned to cybersecurity projects through the programs 'Digital Europe' and 'Horizon Europe 2021-2027'.

The centre will create a new EU structure to pool and share cybersecurity research capabilities, which remain weak and fragmented.<sup>178</sup> On the one hand, the centre will facilitate and coordinate the work of the network to develop Member States' cyber capabilities, promoting technological development and security expertise. On the other hand, it will promote regular dialogue with the private sector, consumer organisations and Member States, enabling the creation of an industrial and scientific advisory board based on the impact of the existing Certificate Program in Public Procurement (CPPP) on cybersecurity. In addition, the centre aims to support research, as well as facilitate and accelerate the process of standardisation and certification of cybersecurity systems. It will also strengthen and support Member States by providing advice, exchanging best practices, experiences, and information, and facilitating cooperation and joint action.

All the above institutions are supplemented by a plethora of departments of the Commission,<sup>179</sup> agencies<sup>180</sup> and research centres<sup>181</sup> that act mainly as recipients rather than shapers of

178 Ibid., 5.

179 The departments of the Commission that are involved in cybersecurity are the following: Directorate-General for Communications Networks, Content and Technology (DG CONNECT), Directorate-General for Migration and Home Affairs (DG HOME), Directorate-General for Energy (DG ENER), Joint Research Centre (JRC), Directorate-General for Mobility and Transport (DG MOVE), Directorate-General for Financial Stability, Financial Services and Capital Markets Union (DG FISMA), Directorate-General for the Internal Market, Industry, Entrepreneurship and SMEs (DG GROW), see Kasper, 'EU Cybersecurity Governance', 174.

180 Such agencies include the European Agency for the Cooperation of Energy Regulators (ACER); the European Aviation Safety Agency (EASA); the European Union Agency for Railways (ERA); the European Securities and Markets Authority (ESMA); the European Insurance and Occupational Pensions Authority (EIOPA). Ibid.

181 Such centres include the European Centre of Excellence for Countering Hybrid Threats, the European Union Institute for Security Studies, the European Union Agency for Law Enforcement Training, the European Security and Defence College, and the European Cybercrime Training and Education Group. Ibid., 175.

EU cybersecurity policy. On the one hand, these actors have developed cybersecurity mechanisms and expertise and, on the other hand, they add complexity to the existing security architecture.

## Securing cyberspace: still under construction

Providing security in cyberspace is a challenging task indeed. The absence of conceptual clarity about what cybersecurity is and how it should be addressed is manifested in the relevant strategies. The various cybersecurity institutions sketch a rather fragmented approach on cybersecurity governance. The lack of trust among Member States and the different levels of cyber maturity / vulnerability at the national levels are evident. Indicative of this is the issue of digitisation. The latter seems to be a priority for Germany, Austria and Italy, but not for Ireland, Spain and Portugal.<sup>182</sup> Although it is fair to argue that much has been done since Estonia experienced the first major cyberattack, it is only natural to seek more solutions.

It is in this direction that one needs to stress the thorny issue of cyber defence. The latter is of course of strategic importance for the EU. In May 2019, a number of EU Member States (Finland, Estonia, France, Germany and Netherlands) published a paper which states that the EU's armed forces do not have the proper means and strategies to operate effectively in an information-intensive environment. The EU should operationalise digital technologies and Artificial Intelligence (AI) in order to create a military advantage over their competitors.<sup>183</sup>

The EU has four projects regarding the field of cyberspace under the supervision of PESCO and the European Commission, which

<sup>182</sup> Ibid, 179.

<sup>183</sup> Digitalization and Artificial Intelligence in Defence, food for thought paper by Finland, Estonia, France, Germany and the Netherlands, May 17, 2019



invested 17.7 million in cyber awareness and defence capability investments under the European Defence Industrial Development Programme (EDIDP) in 2020. In addition, the related European institutions are trying to bring the armed forces into the digital age. This digital transaction of the armed forces poses a big question about the sovereignty of the army's information systems and critical infrastructure, because they do not have the proper training and capabilities at the operational level. There is a capability-vulnerability paradox in the EU's cyber defence, according to which the armed forces will become more vulnerable due to their increasing reliance on ICTs.<sup>184</sup>

So far, cyber defence issues have not been properly addressed at EU level. As a result, the EU's policy on cybersecurity remains inefficient. If the EU explicitly aims to become a digital power, proper investment and technological development in the cyber defence area are necessary.

## Conclusion

Cyberspace reflects the current international system, where ideologies, national and economic interests, and geopolitical antagonisms inevitably clash. But it is also an area in which states may choose to cooperate to ensure international order and security. Cyberspace raises a number of security challenges that cannot be ignored in developed societies due to their increased dependence on ICTs. In the cyber age, anonymity fades, personal data is vulnerable, and security is uncertain. Modern democracies, in their quest to balance human rights protection with privacy and national security, tend to become digital surveillance states. After all, the work of national security and intelligence services is largely dependent on tracking our digital footprint.

184 Jacquelyn Schneider, 'Digitally-Enabled Warfare: The Capability-Vulnerability Paradox', Center for a New American Security report, August, 2016, 4.

Cyber actors are constantly evolving their tools and strategies, making the most of the benefits of information technology and the interconnectedness of societies. In this context, cooperation and mutual trust is a one-way street on the digital path that the EU is taking. A prerequisite for cooperation and effective capacity building is trust. Trust building between the different stakeholders, from both the public and the private sectors, requires extensive dialogue, mutual activities and exercises. Trust is achieved by PPPs, which can play a significant role.

Adding to that, successful implementation of the resilience principle requires a deeper commitment by Member States to cooperation and trust. The resilience principle - a key issue in the 2013 and 2017 cybersecurity strategies - needs a clearer wording. The development of open-source software, the existence of decentralised networks and the use of encryption make the information system robust. A durable system can withstand the loss of individual building blocks. A holistic approach to the resilience principle will represent the whole of society (economic, social and political actors) and will include a single market for cybersecurity.

Regardless of any ideological, political or historical connotations, there are actions that can shape a common cybersecurity framework for the EU. To begin with, IT product certification and the establishment of a single market for digital products are vital developments that have to take place in the near future. Adding to that, cyber hygiene, inadequate cybersecurity education and human resources are key challenges that the EU is facing. As the 2017 Strategy mentions, cybersecurity is crucial not only for the digital single market, but also for the defence and security of the EU. The latter is called upon to effectively protect its people by foreseeing potential cyber incidents, by building strong protection of its infrastructures and by rapidly recovering from cyberattacks.

## Notes on contributor

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# 6

## 6. What has the EU Global Strategy contributed to the Migration-Africa-CSDP? What has been implemented and what is left to be done

**Mariann Vecsey**

The African continent has always been important to the European Union. Geographical proximity and common history ensure that they have benefited from continued relations, which have now become more important than ever. During the European migration and refugee crisis, which peaked in 2015/16, Africa as well as the Middle East proved to be the source of large numbers of migrants. The topic - Africa relations over time - has been addressed in the different frameworks of the EU. It was addressed in the Cotonou Partnership Agreement (CPA), the European Neighbourhood Policy (ENP) and the Joint Africa–Europe Strategy (JAES). The three main lines of institutional relationships between the EU and Africa started during various periods and addressed migration to varying degrees.

In addition to the institutional relationship, there is a tool with which the EU is actively engaged in Africa. The EU's CSDP missions and operations take place on the ground and are more visible than policies, strategies and agreements. The newly introduced, common idea behind these relationships and tools is the handling of migration, which was raised in the introduction of the EUGS. The use of CSDP missions and operations as a tool to handle migration flows from Africa began during the shock of the migration and refugee crisis. In 2016, the EUGS represented a new comprehensive strategy for the EU, which affected most existing EU strategies and institutions and gave a new impetus to the use of CSDP missions and operations to handle the migration and refugee crisis. Three years have passed since the introduction of the EUGS, and its implementation is still an ongoing process. Yearly follow-ups are held to aid this process.

The aim of this chapter is to present the impact of the EUGS on EU–Africa institutional relations in the field of migration and the use of CSDP to handle migration flows. To address this topic, I formulated three research questions, with which I organised the structure of the chapter. What was the state of play of EU–Africa relations before the EUGS was introduced? What changed in the EU–Africa cooperation framework with the introduction of the EUGS? How was the EUGS implemented in relation to the migration, Africa and CSDP contexts? The first part of the chapter introduces the main lines of EU–Africa cooperation and

the potential use of CSDP missions and operations to manage migration. The various parts of the EUGS are also described in this section. The second part of the chapter analyses the process of implementing the new ideas presented by the EUGS in the past three years. It includes the introduction of changes in the mandates of CSDP missions and operations in Africa, which aim to handle migration. For this analysis, the annual follow-up on the EUGS is used as a guideline, together with the Council Decisions on the mandates of the missions and operations. In the third and final part of the chapter, I collected those ideas related to handling migration that were presented in the EUGS, or in one of its follow-up documents, and which have yet to be implemented.

In my research I used the method of document analysis to define the baseline of EU–Africa relations as the point at which the changes started with the introduction of the EUGS. I used both primary and secondary literature to draw up the starting point, and the changes followed. For the second and third parts of the chapter I mainly used primary sources including EU documents in order to define the ways in which the implementation of the EUGS has developed in the last three years, and to outline those elements that have yet to be implemented.

## State of play of EU–Africa relations before the EUGS

The longest standing EU–Africa relationship is embodied by the CPA, and its predecessor conventions between the European Union and the African, Caribbean and Pacific group of states (ACP). The CPA was signed in 2000, as the continuation of the Yaoundé and Lomé Conventions. The Agreement is fundamentally a trade-related partnership, which evolved over time to include more complex forms of cooperation. Despite a large number of partaking countries (79 countries altogether, 48 of them from

sub-Saharan Africa)<sup>185</sup>, it does not cover the whole of the African continent. The North African countries, which are included in the ENP, are excluded from the CPA. The Agreement covers a period of 20 years, with three obligatory reviews every fifth year. Accordingly, reviews were carried out in 2005, 2010 and finally in 2015-2016, and the Agreement will expire in 2020. The EU and the ACP started negotiations to define the future of the Partnership in 2018. It is not expected to change significantly in the next contractual framework; however, it is expected that regionalisation will be implemented, despite the CPA's dislike of the idea.<sup>186</sup> The process is needed because of a large number of partaking countries.<sup>187</sup>

With this change, the Partnership could become more effective in the future as regards the implementation of its provisions, taking into account that migration specifically was a question related almost exclusively to Africa in this framework, since Pacific and Caribbean nationals are not arriving in the EU in such numbers as African nationals. This step is also in line with the EUGS, since it set out the aim to intensify EU cooperation throughout Africa via regional organisations. Regions tend to be the new basis for EU foreign policy, according to the 2016 document. It uses the expression 50 times, with almost all instances referring to regions as the fundamental building blocks of EU external action. Regarding migration, the document highlights the need for 'establishing more effective partnerships on migration management' with, among others, regional organisations.<sup>188</sup> Since negotiations on the future partnership started well after the introduction of the EUGS, the post-Cotonou Partnership is likely to implement its ideas.

185 'The ACP Group', *ACP*, accessed 26 September 2019, <http://www.acp.int/content/secretariat-acp>

186 Asmita Parshotam, 'Part II: Who Wants What? Breaking Down The EU And ACP Group's Positions In The Latest CPA Negotiations', *Africa Portal*, September 2018, <https://www.africaportal.org/features/part-ii-who-wants-what-breaking-down-eu-and-ACP-groups-positions-latest-cpa-negotiations/>

187 'New Africa-Caribbean-Pacific/European Union Partnership: Chief Negotiators Agree On Economic Priorities For Future Agreement', *International Cooperation And Development - European Commission*, 28 September 2019, [https://ec.europa.eu/europeaid/news-and-events/new-africa-caribbean-pacific-european-union-partnership-chief-negotiators-agree\\_en](https://ec.europa.eu/europeaid/news-and-events/new-africa-caribbean-pacific-european-union-partnership-chief-negotiators-agree_en)

188 'Shared Vision, Common Action: A Stronger Europe A Global Strategy For The European Union's Foreign And Security Policy', *European Union Global Strategy* (June 2016) : 28-36, [https://eeas.europa.eu/sites/eeas/files/eugs\\_review\\_web\\_0.pdf](https://eeas.europa.eu/sites/eeas/files/eugs_review_web_0.pdf)



The CPA discusses migration in Article 13 in which, as a result of the second review of the Agreement, contracting parties agreed to have an in-depth dialogue on the subject. The article touches on development strategies to support economic and social development, with the aim of eradicating poverty in origin countries, ensuring equal treatment of migrants in the labour force market within the territory of the contracting parties, the introduction of an integration policy, promotion of the education of ACP students, ACP–EU wide cooperation on preventing illegal migration and also discusses the issue of the return and readmission of illegally present third-country nationals.<sup>189</sup> The evaluation of 2015-2016 states that Article 13 does not cover all aspects of migration (e.g. the European Agenda on Migration).<sup>190</sup>

The last review included an admission that some of the elements of the CPA had not been completely implemented, including Article 13 on migration, and it was also revealed that the root causes of migration were not successfully tackled within the support for crisis situations.<sup>191</sup> The negotiations on the new partnership framework revealed that both the EU and the ACP are willing to include migration in the new Agreement. The ACP are in favour of better handling of intra-ACP migration, the promotion of legal migration and skill sharing. The EU is also in favour of better management of legal migration, however, it wants to use this to combat irregular migration. For this, the EU even considered the inclusion of North African countries in the negotiations on the future CPA framework.<sup>192</sup> In line with the views of the two negotiating partners, migration and mobility also appeared among the set priority areas. Addressing this particular area is expected

189 'Partnership Agreement between the members of the African, Caribbean and Pacific Group of States of the one part, and the European Community and its Member States, of the other part, signed in Cotonou on 23 June 2000', *Official Journal of the European Communities* (15 December 2000): 10, [https://eur-lex.europa.eu/resource.html?uri=cellar:eebc0bbc-f137-4565-952d-3e1ce81ee890.0004.04/DOC\\_2&format=PDF](https://eur-lex.europa.eu/resource.html?uri=cellar:eebc0bbc-f137-4565-952d-3e1ce81ee890.0004.04/DOC_2&format=PDF)

190 'Joint Staff Working Document Executive summary Evaluation of the Cotonou Partnership Agreement SWD(2016) 260' *European Commission; High Representative Of The Union For Foreign Affairs And Security Policy* (15 July 2016): 50-52, [https://ec.europa.eu/europeaid/sites/devco/files/evaluation-post-cotonou\\_en.pdf](https://ec.europa.eu/europeaid/sites/devco/files/evaluation-post-cotonou_en.pdf)

191 *Ibid.*

192 Parshotam, 'Part II: Who Wants What? Breaking Down The EU And ACP Group's Positions In The Latest CPA Negotiations'.

to be in line with the strategic lines drawn up in the context of the Valletta Action plan from 2015,<sup>193</sup> the EUGS and the most recent EU-Africa Summit in 2017.<sup>194</sup> It is clear that there will be a slight shift in the structure of the new Agreement, since it started as an exclusively trade-related convention and, currently, migration seems to be gaining more and more importance in this framework.

North African countries have remained outside of the CPA framework since the beginning. Their main cooperation framework with the EU is the ENP. The ENP was established in 2004, just after the EU's biggest enlargement took place. At that time, the EU saw itself as the 'centre' and wanted to build a strong, peaceful, democratic circle of states around its borders.<sup>195</sup> The Arab Spring in 2011 showed that the EU had miscalculated on the Southern Neighbourhood and that there would be lasting political changes as a result of the uprisings. The results were unexpected and could not have been calculated.<sup>196</sup> The new wave of instability motivated the EU to rethink the ENP, and the first review came out in 2011. The renewed policy stressed flexibility and a more tailored response in the Partnership, together with the implementation of a new approach. This new approach involved a differentiation between countries: the 'more for more' policy was introduced.<sup>197</sup> This new policy intended to enhance closer cooperation with those countries that took real steps towards establishing sustainable democracies.<sup>198</sup> Four years later, in 2015, with the evolving migration and refugee crisis in the EU, the annexation of Crimea

193 'Cotonou Agreement', European Council Council of the European Union, accessed 25 October 2019, <https://www.consilium.europa.eu/en/policies/cotonou-agreement/>

194 'Questions and answers: New ACP-EU Partnership after 2020', European Commission, accessed 25 October 2019, [https://europa.eu/rapid/press-release\\_MEMO-18-5903\\_en.htm](https://europa.eu/rapid/press-release_MEMO-18-5903_en.htm)

195 Common Security and Defence Policy High Level Course, Module I. 23-27.09.2019.

196 Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions A new response to a changing Neighbourhood', *European Commission; High Representative Of The Union For Foreign Affairs And Security Policy* (25 May 2011): 1, [https://ec.europa.eu/research/iscp/pdf/policy/com\\_2011\\_303.pdf](https://ec.europa.eu/research/iscp/pdf/policy/com_2011_303.pdf)

197 *Ibid.*, 28.

198 Anna Molnár, *Az Európai Unió külkapcsolati rendszere és eszközei [The European Union's Foreign Policy System and its Tools]*, (Dialóg Campus, Budapest, 2018), 82.

and the rise of different terrorist groups, the EU again had to review the ENP. The new priorities of the policy became differentiation, which, besides resulting in a more pragmatic approach, pledged to improve the mutual ownership and support of the concrete aims of the partaking countries.<sup>199</sup>

The 2015 review of the ENP also implemented the integrated approach, a well-known feature of the EUGS. It is mentioned in Article V., on Migration and mobility. The policy also extends to handling regular and irregular migration beyond the pool of ENP countries, all the way to the Sahel in the West and the Horn of Africa in the East. The review included recently formulated policies, and action plans such as the Agenda on Migration and the Valletta Action Plan of 2015, together with processes established earlier. The ENP pledges to address and mitigate the root causes of migration, but the policy seems to prioritise voluntary return and readmission and even has a separate title for border management.<sup>200</sup> The ENP, like the CPA, relies on other, better developed EU agendas, and action plans on the handling of irregular migration, since the respective articles of both frameworks almost exclusively address readmission and border management.

Although the second review of the ENP was done before the EUGS came out, it already included the latter's ideas, such as the abovementioned integrated approach. The original, EUcentric approach of the policy was abandoned and a cooperation-based, pragmatic partnership was built. There was also a realisation that the use of soft power exclusively was insufficient in the neighbourhood and that, therefore, the use of hard foreign policy tools was also needed in the region. The increasing instability was noted, and the task of stabilising the ENP countries became the top priority of the ENP. When the ENP was renewed in 2015 five pillars of work had been established, among which migration and

199 Ibid.

200 Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Review of the European Neighbourhood Policy (SWD(2015) 500 final); *European Commission* (18 November 2015): 15-17, [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/neighbourhood/pdf/key-documents/151118\\_joint-communication\\_review-of-the-enp\\_en.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/neighbourhood/pdf/key-documents/151118_joint-communication_review-of-the-enp_en.pdf)

resilience were listed.<sup>201</sup> These two elements are also prominent in the EUGS, which aims to build resilient societies in the neighbouring countries, and the strategy even connects the two phenomena, stating that a special focus will be added to the work on resilience in migration origin and transit countries.<sup>202</sup>

The most recent, third pillar of EU–Africa relations is the Joint Africa–EU Strategy, which also deals with migration issues. It was launched in 2007 and provides a strategic framework for the whole continent. It claims that the natural partner of the EU is the African Union and that, therefore, through this organisation the JAES reaches every African country. The most important forum of JAES is the EU–Africa Summit, which has taken place every third year since 2007.

Five years after the creation of the strategy, critics stated that this framework, like the CPA, is historically unfair and beneficial only for the European partner. Also, that the donor-recipient model in these relationships should be transformed. What cannot be criticised is the fact that the AU took part in forming the strategy. However, its impact on the strategy's final form is questionable.<sup>203</sup> Undeniably, both the EU and the AU are interested in boosting economic relations between their Member States. Therefore, the basis of EU–Africa relations has, since the beginning, been associated with financial issues. This has meant that other security-related issues, such as migration, remained of secondary importance during the discussions.<sup>204</sup>

The most recent EU–Africa Summit in 2017, Abidjan, showed us that migration could gain precedence over the economic issues that otherwise dominated the discussions from the European side. Since the AU was also concerned about migration, this

201 Zoltán Gálík and Anna Molnár, eds., *Regional and Bilateral Relations of the European Union*, (Dialóg Campus, Budapest, 2019), 37–44.

202 'Shared Vision, Common Action: A Stronger Europe A Global Strategy For The European Union's Foreign And Security Policy', 27.

203 Maria Ölund, 'Critical Reflections on the Joint Africa–EU Strategy', *Africa Development* 37, no 2 (October 2012): 4, <https://www.ajol.info/index.php/article/download/87522/77203>

204 Arnold H Kammel, 'The EU–Africa Partnership: Another Lost Year?', Austria Institut für Europa- und Sicherheitspolitik (August 2014): 4, <https://www.aies.at/download/2014/AIES-Fokus-2014-08.pdf>

topic could finally be a new, common priority to address. It has to be considered, however, that migration does not pose the same challenges to the two organisations. The EU wants to tackle irregular migration using externalisation policies, while the AU wants to manage internal flows. Despite this persistent difference in approach, two common points were found during the Summit. Namely, the promotion of legal migration via existing programmes, and the need to define and eradicate the root causes of migration.<sup>205</sup>

As the Summit was held long after the release of the EUGS, it is no surprise that the outcomes of the event were in line with the set goals. The final declaration of the Summit even listed the EUGS as a basis document.<sup>206</sup> The strategy stressed the importance of intensifying cooperation with the AU as part of the Union's focus on cooperative orders. The EUGS pledged that migration would be addressed in a comprehensive way, together with development efforts, which is reflected in the other strategy areas discussed, like investing in youth.<sup>207208</sup>

Despite the final declaration of the Summit in Abidjan, the JAES is slightly outdated. The text and the strategic vision were written in 2007, and since then the international environment has changed tremendously. Some examples are the Arab Spring in 2011, the insurgency in Mali, the civil war in the Central African Republic in 2012 and the emergence of ISIL and its subsidiaries in Africa in 2015. These events triggered the creation of the EUGS and the Agenda 2063 from the AU side. The existence of these documents

205 'Joint Statement on the Migrant Situation in Libya', *African Union – European Union Summit 2017* (November 2017). <https://www.consilium.europa.eu/media/31871/33437-pr-libya20statement20283020nov2010.pdf>

206 'Investing in Youth for Accelerated Inclusive Growth and Sustainable Development', *African Union – European Union Summit 2017* (November 2017): 4, [https://www.consilium.europa.eu/media/31991/33454-pr-final\\_declaration\\_au\\_eu\\_summit.pdf](https://www.consilium.europa.eu/media/31991/33454-pr-final_declaration_au_eu_summit.pdf)

207 'Shared Vision, Common Action: A Stronger Europe A Global Strategy For The European Union's Foreign And Security Policy', 36.

208 '5th African Union - EU Summit, 29-30 November 2017', *European Council Council of the European Union*, 30 November 2017, <https://www.consilium.europa.eu/hu/meetings/international-summit/2017/11/29-30/>

and the changed environment also requires a review of the strategic visions of the JAES.<sup>209</sup>

As can be seen, the three main institutional frameworks for EU-Africa relations implemented the EUGS and its ideas on migration. The second review of the ENP did this even before the release of the strategy, taking advantage of the parallel development of the two papers. In terms of timing, the CPA came a little bit later than the EUGS, however, it fit in its last review, the real importance of which will be in the formation of the new EU-ACP relations. Of the three areas, the JAES is in the best position to absorb new ideas quickly, since it is quite a dynamic partnership, with its summits scheduled every third year.

## What has been done since 2016?

Three years have passed since the introduction of the EUGS. Since then, a lot of changes have been made in the EU to implement its ideas. The first part of the paper presented the state of EU-Africa relations at the time the EUGS was introduced. In this second part, the implementation process will be examined. The annual follow-ups of the EUGS have made it easier to analyse what has been done since the introduction of the strategy. Three follow-ups have so far been written. The first two have proven to be more concise, focusing on the new initiative, while the last document is more focused on future tasks. To summarise what has been done since the introduction of the EUGS, I used these three documents as guidelines.

The follow-up in 2017 stated that implementation of the new strategy was moving forward quickly in the security and defence domain. The priorities selected to be addressed in 2016-17 were resilience, integrated approach to conflicts and crises and security

209 Nicoletta Pirozzi, Nicoló Sartori, and Bernardo Venturi, 'The Joint Africa-EU Strategy', *Policy Department, Directorate-General for External Policies* (November 2017): 43, [http://www.europarl.europa.eu/RegData/etudes/STUD/2017/603849/EXPO\\_STU\(2017\)603849\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2017/603849/EXPO_STU(2017)603849_EN.pdf)

and defence. The EU also pledged to work on the internal-external nexus to be rationalised within external actions.<sup>210</sup>

The follow-up reaffirms the EU's view of itself as a global power and security provider. The first big step in terms of implementation according to the follow-up is the creation of a common development policy, namely the Consensus on Development. The consensus has been agreed by all the European institutions and the Member States.<sup>211</sup> The consensus acknowledges the importance of engaging with Africa and promotes closer cooperation in the international field. It also recognises migration as a complex phenomenon, which requires well balanced and similarly comprehensive answers from multiple policy areas at the same time. The document states that well-managed migration can make a positive contribution to both origin and destination countries, while irregular migration poses a major challenge.<sup>212</sup>

The document claims that there was a focus on prevention during the first year of the EUGS implementation phase: preventing fragile situations from escalating into wars, humanitarian disasters or new refugee crises. The follow-up report states that one of the main tools of prevention is building resilience. It was particularly dominant in the ENP countries, especially in the Southern Neighbourhood. Libya was also engaged within this framework, with the aim of building a society that would be resilient against conflict and migration.<sup>213</sup> The Joint Communication on Resilience aimed to identify a strategic approach to resilience in order to increase the impact and sustainability of European external

210 'From Shared Vision to Common Action: Implementing the EU Global Strategy Year 1', *European Union Global Strategy*, 6-11, [https://eeas.europa.eu/sites/eeas/files/full\\_brochure\\_year\\_1\\_0.pdf](https://eeas.europa.eu/sites/eeas/files/full_brochure_year_1_0.pdf)

211 *Ibid.*, 6-7.

212 'The New European Consensus On Development "Our World, Our Dignity, Our Future"', *Publications Office of the EU* (November 2018): 17-19 [https://ec.europa.eu/europeaid/sites/devco/files/european-consensus-on-development-final-20170626\\_en.pdf](https://ec.europa.eu/europeaid/sites/devco/files/european-consensus-on-development-final-20170626_en.pdf)

213 'From Shared Vision to Common Action: Implementing the EU Global Strategy Year 1', 12-14.

action across the whole spectrum of challenges described by the EUGS.<sup>214</sup>

Among the ongoing tasks required to build resilience, the document lists the EU's support for Tunisian civil administration reform. The programme aims to ensure sustainability through accountable governance, the rule of law and respect for human rights.<sup>215</sup> The EU strengthened its support for Tunisia immediately after the Arab Spring with a view to building a stable, democratic country in its immediate neighbourhood. The programme's focus is on cooperation to ensure job creation, good governance and investment in youth, while managing irregular migration is also present within the list of joint efforts.<sup>216</sup>

The work on resilience was also present in the Sahel in the form of different instruments, for example, CSDP missions. There are three missions in the region that can be used: EUCAP Sahel Niger, EUTM Mali and EUCAP Sahel Mali. The EUGS brought about particularly significant change in this area by extending the mandate of EUCAP Sahel Niger, which includes the additional objective of fighting irregular migration and associated criminal activity.<sup>217</sup> As one of the biggest migration transit countries, Niger is heavily involved not only in resilience-building, but also in implementation of an integrated approach. In the framework of the EUCAP Sahel Niger, an EU office was set up in Agadez, the well-known migration-hub of West-Africa. The office brought under one roof the EU actors dealing with security, migration and development.<sup>218</sup>

214 'Joint Communication to the European Parliament and the Council, A Strategic Approach to Resilience in the EU's external action', *International Cooperation and Development* (August 2017): 2, [https://ec.europa.eu/europeaid/sites/devco/files/joint\\_communication\\_-\\_a\\_strategic\\_approach\\_to\\_resilience\\_in\\_the\\_eus\\_external\\_action-2017.pdf](https://ec.europa.eu/europeaid/sites/devco/files/joint_communication_-_a_strategic_approach_to_resilience_in_the_eus_external_action-2017.pdf)

215 'From Shared Vision to Common Action: Implementing the EU Global Strategy Year 1', 15.

216 'Joint Communication to the European Parliament and the Council Strengthening EU support for Tunisia', *European External Action Service* (September 2019): 2-12, [https://eeas.europa.eu/sites/eeas/files/communication\\_from\\_commission\\_to\\_inst\\_en\\_v6\\_p1\\_859678-2.pdf](https://eeas.europa.eu/sites/eeas/files/communication_from_commission_to_inst_en_v6_p1_859678-2.pdf)

217 Council Decision (CFSP) 2016/1172 of 18 July 2016 amending Decision 2012/392/CFSP on the European Union CSDP mission in Niger (EUCAP Sahel Niger) <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016D1172&from=EN>

218 'From Shared Vision to Common Action: Implementing the EU Global Strategy Year 1', 19.



In the Sahel region, there is another actor involved in the process of addressing migration. The EU supported the establishment of the G5 Sahel Joint Military Force, which addresses security challenges in the region, while the EU engages in development efforts, from job creation to infrastructure, from health to education. The EU has also launched SSR missions in different countries, like the Central African Republic, Mali and Somalia, to build sustainable and secure states.<sup>219</sup>

The abovementioned internal-external nexus was cited as a key element in addressing migration. It is not a new idea for the EU. The EU has already addressed migration outside its borders, among other transnational challenges.<sup>220</sup> The first follow-up to the EUGS claims that, regarding the external nexus, the EU implemented short-, mid- and long-term actions to tackle migration and its root causes. The document listed the New York Declaration for Refugees and Migrants as one of the most important milestones at the global level. Among the more actively engaged EU-level programmes are the EU Trust Fund for Africa (EUTF) and the European External Investment Plan (EIP). These tools will address the economic aspects of migration, with the aim of creating jobs and private investment.<sup>221</sup> The EUTF was launched in 2015, with the aim of delivering a rapid response to the most distressed areas. The aim of this tool is to comprehensively address the root causes of migration. The aim is to develop an understanding of the dynamics and drivers of migration, while also supporting resilience and stability.<sup>222</sup> The newly-launched EIP, however, was in line with the EUGS in 2017. This initiative deals with economics in a more pronounced manner, since its focus is on job creation.<sup>223</sup> In addition to dealing with economics, the EU – through its Delegations - started to strengthen the cooperation

219 'From Shared Vision to Common Action: Implementing the EU Global Strategy Year 1', 18-19.

220 Roderick Parkes, 'Managing migration abroad Why, where, what and how?', *European Union Institute for Security Studies* (November 2016): 1, [https://www.iss.europa.eu/sites/default/files/EUISSFiles/Brief\\_31\\_Migration.pdf](https://www.iss.europa.eu/sites/default/files/EUISSFiles/Brief_31_Migration.pdf)

221 'From Shared Vision to Common Action: Implementing the EU Global Strategy Year 1', 27.

222 EU Emergency Trust Fund for Africa, accessed 12 October 2019, [https://ec.europa.eu/trustfundforafrica/content/about\\_en](https://ec.europa.eu/trustfundforafrica/content/about_en)

223 'What is the EU's External Investment Plan', European Commission, accessed 12 October 2019, [https://ec.europa.eu/commission/eu-external-investment-plan/what-eus-external-investment-plan\\_en](https://ec.europa.eu/commission/eu-external-investment-plan/what-eus-external-investment-plan_en)

element of the initiative in order to tackle migration in accordance with the EUGS. During the first year of the implementation of the EUGS, the European External Action Service (EEAS) started to work on a more efficient network of delegations.<sup>224</sup> The EU's Partnership Framework on Migration was launched together with the EUGS and also had its one-year evaluation review in 2017. The Framework aims to establish more effective cooperation within origin, transit and destination countries, and with international organisations like the International Organisation for Migration (IOM). Supporting voluntary return also falls under the responsibility of this Framework, of which the most remarkable result is the dramatic increase in returns to Libya.<sup>225</sup>

During the first year of the EUGS, there were significant improvements in the relevant implementation process. The EU took steps towards building resilience in the neighbourhood and further, it introduced new tools and frameworks to tackle irregular migration and even included CSDP missions in the toolbox to handle migration. The second follow-up to the EUGS came in 2018 and argues that there has been an advance in all five priority areas. The strong intention remained to work in a more coherent way within the EU to address transnational issues, like migration. Again, addressing the internal-external policy nexus is inevitable as regards this issue.

Institutional changes were made within the EU, which were presumably intended to answer the question of how the EU would reform in order to better handle migration and other crossborder issues.<sup>226</sup> These changes were made in the field of security and defence, in parallel with ongoing programmes such as Permanent Structured Cooperation, with the aim of making the CSDP missions more rapidly deployable and effective. The European Peace Facility (EPF), proposed in 2018 by the HR/VP, aims to support the financing of CSDP missions and operations to ensure more flexibility and rapidity in their deployment. The EPF, however,

224 'From Shared Vision to Common Action: Implementing the EU Global Strategy Year 1', 30.

225 'Partnership Framework on Migration: Commission reports on results and lessons learnt one year on', European Commission (13 June 2017), accessed 12 October 2019, [https://europa.eu/rapid/press-release\\_IP-17-1595\\_en.htm](https://europa.eu/rapid/press-release_IP-17-1595_en.htm)

226 Parkes, 'Managing migration abroad Why, where, what and how?'

remains only a proposal and its significance lies in the recognition of the need to increase the common financing of CSDP missions and operations.<sup>227</sup> An important step was to establish the MPCC, which was formed especially to command non-executive missions, the EUTMs, which are all located in Africa. This body was obliged to be in close cooperation with its civilian counterpart, the CPCC. It also finally solved the peculiar situation of the EUTMs, creating a command and control structure, which best fits the needs of these missions.<sup>228</sup> This is a big step towards enhancing effectiveness, and when one considers that the CSDP has started to be seen as a tool to handle irregular migration, it is clear that this arrangement is very much needed. Also, civilian CSDP missions were to be strengthened in the second year of the implementation of the EUGS, with the aim of increasing their effectiveness in tackling organised crime and border management.<sup>229</sup>

The second follow-up states that a holistic security model became the brand of the EU, with the Sahel being the first area of experimentation. The region hosts three CSDP missions and many programmes and projects. Investment in the Sahel and in North-Africa was seen as an investment in Europe's security. We also have to bear in mind that these investments are mostly deemed to reduce the root causes of irregular migration, which in recent years has come to be considered as one of the biggest security concerns of the EU.<sup>230</sup> As was reaffirmed during the 5th African Union-European Union Summit in Abidjan, migration is a common concern both in Africa and Europe, albeit from different perspectives.<sup>231</sup> The Summit's aim was to implement the objective of the EUGS to intensify cooperation with the AU. With the creation

227 'European Peace Facility - An EU off-budget fund to build peace and strengthen international security', *European Union External Action* (Brussels, 13 June 2018) [https://eeas.europa.eu/headquarters/headquarters-homepage/46285/european-peace-facility-eu-budget-fund-build-peace-and-strengthen-international-security\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/46285/european-peace-facility-eu-budget-fund-build-peace-and-strengthen-international-security_en)

228 'EU defence cooperation: Council establishes a Military Planning and Conduct Capability (MPCC)', *European Council - Council of the European Union* (8 June 2017) <https://www.consilium.europa.eu/en/press/press-releases/2017/06/08/military-mpcc-planning-conduct-capability/>

229 'Implementing the EU Global Strategy Year 2', *European Union Global Strategy* (June 2018): 7, [https://eeas.europa.eu/sites/eeas/files/eugs\\_annual\\_report\\_year\\_2.pdf](https://eeas.europa.eu/sites/eeas/files/eugs_annual_report_year_2.pdf)

230 'Implementing the EU Global Strategy Year 2', 8.

231 'Shared Vision, Common Action: A Stronger Europe A Global Strategy For The European Union's Foreign And Security Policy', 36.

of joint AU-EU-UN cooperation on migration during the Summit, the objective shifted to more practical areas. Hopefully, the trilateral working group will prove to be fertile ground not only as regards discussions on migration but also in enhancing the wider security agenda.<sup>232</sup>

To address migration as a global issue, the EU continued to use the Partnership Framework on Migration. The Framework engages the Member States and African countries, and was launched under the umbrella of the European Agenda on Migration. It has short-term aims, such as reducing the loss of lives in the Mediterranean and increasing the numbers of returns to countries of origin.<sup>233</sup> It was clear from the first follow-up document that the Framework was really successful in achieving its short-term goals.<sup>234</sup> In its second year of evaluation, it could focus more on its long-term objective of addressing the root causes of migration. Another framework policy appeared on the global stage in 2018 to address migration: the Global Compact on Migration, forged by the UN. At the time of the follow-up there were promising prospects that the Compact would be signed by all EU Member States. But in December, when the process was finalised, a number of EU Member States chose not to join the new initiative.<sup>235</sup> Therefore, this particular item of the evaluation remains controversial and is an action that failed to strengthen global governance.

The EU was successful, however, with smaller-scale changes. The Neighbourhood, Development and International Cooperation Instrument (NDICI) was adopted within the timeframe of the second evaluation.<sup>236</sup> The creation of this instrument is fully in line with the implementation of the EUGS, since it aims to address

232 'Investing in Youth for Accelerated Inclusive Growth and Sustainable Development', 13.

233 Matthieu Tardis, 'European Union Partnerships with African Countries on Migration A Common Issue With Conflicting Interests', *Institut français des relations internationales* (March 2018): 13 [https://www.ifri.org/sites/default/files/atoms/files/tardis\\_eu\\_partnerships\\_african\\_countries\\_migration\\_2018.pdf](https://www.ifri.org/sites/default/files/atoms/files/tardis_eu_partnerships_african_countries_migration_2018.pdf)

234 'From Shared Vision to Common Action: Implementing the EU Global Strategy Year 1', 28.

235 Ulf Laessing, Andreas Rinke, 'U.N. members adopt global migration pact rejected by U.S. and others', *Reuters*, 10 December 2018, <https://www.reuters.com/article/us-europe-migrants-un-pact/u-n-adopts-global-migration-pact-rejected-by-u-s-and-others-idUSKBN1090YS>

236 'Implementing the EU Global Strategy Year 2', 16.

development in the EU's neighbourhood and issues such as migration. The second year of the EUGS was stronger in terms of institutional changes and events to enhance closer cooperation with international actors. The programmes launched remained in place and continued to support the implementation of the EUGS. The third follow-up, in 2019, broke with the traditions set by the first two documents. It reads like a summarising document, which marks a new departure. From a strategic perspective, it could be such a document, since short-term objectives generally have to be realised within one to three years from the introduction of the strategy itself. Because of this consideration, or perhaps because of the fact that the mandate of the former HR/VP ends in 2019, the third follow-up mainly confines itself to summarising relevant achievements made since 2016, and does not introduce new ones related to handling migration in Africa.

Among the accomplishments listed, the most notable is the implementation of the integrated approach in the Sahel. The EU engaged in the region along four main lines, namely, political dialogue with the G5, security and stability support with the funding of the G5 Sahel Joint Task Force, the presence of three CSDP missions and the development of cooperation through the EUTF.<sup>237</sup>

The EIP is an effective tool that has been introduced to address economic hardship in Africa. Closer cooperation with youth and civil society was achieved within the framework of the JAES, which was reinforced during the 2017 Summit.<sup>238</sup> The achievements made thus far are listed in the appendix of the third follow-up. The establishment of the MPCC and the Civilian CSDP is on track. In fact, the Council of the European Union (Council) established the Civilian CSDP Compact on 19 November 2018.<sup>239</sup> Its importance lies in the proportion of civilian missions within the CSDP

237 'The European Union's Global Strategy Three Years on, Looking Forward', *European Union Global Strategy* (2019): 24, [https://eeas.europa.eu/sites/eeas/files/eu\\_global\\_strategy\\_2019.pdf](https://eeas.europa.eu/sites/eeas/files/eu_global_strategy_2019.pdf)

238 'The European Union's Global Strategy Three Years on, Looking Forward', 37-47.

239 'Civilian Common Security and Defence Policy: EU strengthens its capacities to act', *European Council Council of the European Union* (19 November 2018) accessed on 17 April 2020 <https://www.consilium.europa.eu/en/press/press-releases/2018/11/19/civilian-common-security-and-defence-policy-eu-strengthens-its-capacities-to-act/>

framework. In 2020, the EU has 17 CSDP missions and operations, of which 11 are civilian. Moreover, the geographical distribution of these missions shows that Africa is the focus of the EU, since six civilian missions are currently deployed on the continent.<sup>240</sup> The aim of the Civilian Compact is to strengthen the EU's capacity to deploy civilian crisis management missions in a rapidly changing international context.<sup>241</sup>

The Compact includes 22 commitments made by the Council and the Member States, which include increased contributions to civilian CSDP, an aim to raise the share of seconded experts to 70 percent, capability development, the ability to launch a new mission involving up to 200 personnel in any area of operation within 30 days of a Council decision, implementing a more integrated approach, fostering synergies and complementarity between the civilian and military dimensions of CSDP and promoting closer cooperation between civilian CSDP missions and other EU actors. It was also agreed that the Compact should be fully delivered no later than the first half of 2023.<sup>242</sup> On 14 November 2019, the first annual review conference took place to follow up the implementation of the Civilian CSDP Compact.<sup>243</sup> The Council welcomed the progress of the implementation of the Compact at both national and EU levels, especially with regard to the Joint Action Plan in May 2019 and the first conference on the Compact in November 2019. The follow-up document also highlights that closer cooperation and synergies should be

240 'Military and civilian missions and operations', *European Union External Action Service* (5 March 2019) accessed on 17 April 2020. [https://eeas.europa.eu/headquarters/headquarters-homepage/430/military-and-civilian-missions-and-operations\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/430/military-and-civilian-missions-and-operations_en)

241 'Civilian Common Security and Defence Policy: EU strengthens its capacities to act', *European Council Council of the European Union* (19 November 2018).

242 'Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on the establishment of a Civilian CSDP Compact' *Council of the European Union* (Brussels 19 November 2018) accessed on 17 April 2020. <http://data.consilium.europa.eu/doc/document/ST-14305-2018-INIT/en/pdf> ps. 5-11.

243 'Civilian CSDP Compact: Council adopts conclusions', *European Council Council of the European Union* (9 December 2019) accessed on 17 April 2020. <https://www.consilium.europa.eu/en/press/press-releases/2019/12/09/civilian-csdp-compact-council-adopts-conclusions/>

intensified between civilian CSDP missions and other EU actors.<sup>244</sup> While the first six months of the implementation were mainly carried out at Member State level, with the drafting of the National Implementation Plans, in the second half of 2019 the EU level became more prominent in the review process.

It is clearly stated that the Civilian CSDP Compact aims to promote closer cooperation between civilian CSDP missions and other EU actors, like Frontex (European Border and Coastguard Agency—EBCGA).<sup>245</sup> In addition to the need for closer cooperation, Frontex also gained importance over time, and also increased its area of operations, thereby creating overlapping areas with the CSDP.<sup>246</sup> In the light of this, it is also necessary to elaborate on the ways in which the EU works with this agency.

The European Commission supervises the activities of the agency, and Frontex is subordinated to the Directorate-General for Migration and Home Affairs (DG HOME), however, the agency itself works together with other DGs as well. Frontex provides professional expertise to the Commission in various fields.<sup>247</sup> However, the most important aspect of cooperation is the potential collaboration with the EEAS. This ensures that Frontex activities outside the EU's borders are in line with the Common Foreign and Security Policy. The agency also provides support to the EEAS in developing foreign policy, mainly as regards border issues, which can include migration and security issues as well. Also, the most interesting aspect of cooperation is the liaison, and close work with both civilian and military CSDP missions and operations,

244 'Council Conclusions on the implementation of the Civilian CSDP Compact', Council of the European Union (Brussels, 9 December 2019) accessed on 17 April 2020. <http://data.consilium.europa.eu/doc/document/ST-14611-2019-INIT/en/pdf>

245 Carina Böttcher, 'The First Year of the Compact', *DGAP Policy Brief* (28 October 2019) accessed on 17 April 2020. <https://dgap.org/en/research/publications/first-year-compact>

246 Giovanni Faleg, 'The 'Civilian Compact'', in. Daniel Fiott (ed.) 'The CSDP in 2020'

*European Union Institute for Security Studies (EUISS)* (Paris, 2020) accessed on 19 April 2020. [https://www.iss.europa.eu/sites/default/files/EUISSFiles/CSDP%20in%202020\\_0.pdf](https://www.iss.europa.eu/sites/default/files/EUISSFiles/CSDP%20in%202020_0.pdf) p.136.

247 'EU Partners', *Frontex* (2020) accessed on 17 April 2020. <https://Frontex.europa.eu/partners/eu-partners/european-commission/>

which is an important priority of Frontex.<sup>248</sup> The agency has experts deployed to CSDP missions and operations in a liaison function.<sup>249</sup> This was most prominent in the case of EUNAVFOR MED Operation Sophia, where experts from the operation, Frontex and EUROPOL worked together in the Crime Information Cell (CIC). The CIC will continue to work within the framework of the newly established operation, EUNAVFOR MED Operation Irini, as well. Moreover, there is a liaison between Frontex operations, like Operation Themis, which operates in the Central Mediterranean, and the EUNAVFOR MED.<sup>250</sup> It is rather obvious that cooperation mainly takes the form of intelligence sharing.<sup>251</sup> But Frontex has a wider net of cooperation when it comes to intelligence sharing. Since this chapter is focused on Africa, I will only address Frontex activity on that continent, the most important example of which is Africa-Frontex Intelligence Community (AFIC). AFIC was launched in 2010,<sup>252</sup> with the aim of facilitating information and knowledge sharing and joint analysis among EU and non-EU partner countries.<sup>253</sup> This aim is fulfilled by the Risk Analysis Cells, which work with national experts, trained by Frontex and who provide intelligence related to cross-border crime, such as illegal border crossings, document fraud and trafficking in human beings. Sharing this with Frontex helps to paint a comprehensive picture of migratory movements outside of EU territory.<sup>254</sup> However, Frontex activities also include posting liaison officers to Niger, Niamey and Dakar, Senegal, who are part of a broader network of liaison officers posted to non-EU countries.<sup>255</sup> However, the new Frontex mandate also enables the agency to deploy executive operations

248 'EU Partners', Frontex (2020) accessed on 17 April 2020. <https://Frontex.europa.eu/partners/eu-partners/european-external-action-service/>

249 'Liaison Officers Network', Frontex (2020) accessed on: 19 April 2020. <https://Frontex.europa.eu/partners/liaison-officers-network/>

250 'Council Decision (CFSP) 2020/472' *Council of the European Union* (31 March 2020) accessed on: 19 April 2020. <https://www.operationirini.eu/wp-content/uploads/2020/04/200401-CD-IRINI-in-OJ.pdf> p.8

251 Carolyn Moser, Rabia Ferahkaya, Lukas Märtin, 'Frontex goes Africa: On Pre-emptive Border Control and Migration Management', (6 February 2020) accessed on 19 April 2020. <https://verfassungsblog.de/Frontex-goes-africa-on-pre-emptive-border-control-and-migration-management/>

252 Moser, Ferahkaya, Märtin, 'Frontex goes Africa: On Pre-emptive Border Control and Migration Management'.

253 'Non-EU Countries' Frontex (2020) accessed on: 17 April 2020. <https://frontex.europa.eu/partners/non-eu-countries/>

254 Moser, Ferahkaya, Märtin, 'Frontex goes Africa: On Pre-emptive Border Control and Migration Management'.

255 'Liaison Officers Network', Frontex (2020).



in countries that do not share a border with the EU. This possibility provides an opportunity to Frontex, which was only previously possible under the CSDP framework.<sup>256</sup> With the blurring of internal and external security, however, there were instances of overlap between Frontex and CSDP missions.<sup>257</sup>

## Conclusion

In the previous pages, the changes that have already been made were introduced. But the implementation of the EUGS must be an ongoing task, which is not yet finished. This third and final part of the chapter will sum up the work still to be done. Since the EUGS was introduced three years ago, it is expected that short-term objectives have already been reached. So now, the mid- and long-term objectives must gain momentum. This, of course, has to be achieved through sustaining the new programmes, partnerships and initiatives of all kinds that were launched. In the field of CSDP missions, the creation of the MPCC in 2017 was a big step towards increasing the efficiency of EU training missions, however, the work is not yet complete. The MPCC should reach its final form by 2020, when it must be capable of running a one battlegroup-sized military operation and carrying out the operational planning of non-executive military missions.<sup>258</sup>

The European EIP was also launched in 2017, with the aim of creating jobs and fuelling sustainable growth in Africa and the neighbourhood,<sup>259</sup> clearly with a view to addressing one of the root causes of migration. In relation to the proposition to intensify cooperation with African partners, the JAES was used more significantly. It is, however, still a challenge to engage

256 Raphael Bossong, 'The Expansion of Frontex' *Stiftung Wissenschaft und Politik* (December 2019) accessed on 20 April 2020. [https://www.swp-berlin.org/fileadmin/contents/products/comments/2019C47\\_bsg.pdf](https://www.swp-berlin.org/fileadmin/contents/products/comments/2019C47_bsg.pdf) pp. 3-7

257 Parkes, 'Managing migration abroad Why, where, what and how?' p.1

258 'The Military Planning and Conduct Capability (MPCC)', *European Union External Action* (November 2018): 2, [https://eeas.europa.eu/sites/eeas/files/mpcc\\_factsheet\\_november\\_2018.pdf](https://eeas.europa.eu/sites/eeas/files/mpcc_factsheet_november_2018.pdf)

259 'The European Union's Global Strategy Three Years on, Looking Forward', 39.

with Africa on equal terms.<sup>260</sup> Inequality is also evident in the Partnership Framework on Migration, where the EU's interests are stated clearly, while African interests are only set out in general terms.<sup>261</sup> The principled pragmatism introduced by the EUGS is an important step in the direction of viewing the EU's relations with African countries in an objective manner. This more realistic approach can help to achieve the aim of real-term equality in EU-Africa relations. This would mean a change to the long-used donor-recipient model, with the possibility of giving more space to African countries to define their interests in the different frameworks of EU-Africa relations.

It was claimed that the most well-known proposal of the EUGS, the integrated approach, was implemented in the Sahel. However, even the third year follow-up states that dialogue must be continuous. Therefore, executing the integrated approach will involve an ongoing effort on the part of the EU, since every new tool must be added to the existing system.<sup>262</sup>

The last item that should be addressed is the internal-external nexus. The EUGS stated that there is no hard line between the internal and external dimensions of EU policies, especially as regards transnational issues like migration. It is, however, not entirely clear how the EU wishes to use or reform its existing system to fit this new approach. CSDP has become more flexible in recent years, thanks to the introduction of the Civilian CSDP, as well as with the establishment of the MPCC. But in parallel, Frontex or, as it is also called, the European Border and Coast Guard Agency, receives massive funding and has been reformed.<sup>263</sup> Since both the CSDP and Frontex are seen as tools to handle migration, a clarification is needed as to the division of roles. The to-do list is still long, and includes ongoing tasks, tasks to perform in the

260 Ölund, 'Critical Reflections on the Joint Africa-EU Strategy', 1.

261 Clare Castillejo, 'The EU Migration Partnership Framework Time for a Rethink?', *German Development Institute* 28 (2017): 6, [https://www.die-gdi.de/uploads/media/DP\\_28.2017.pdf](https://www.die-gdi.de/uploads/media/DP_28.2017.pdf)

262 Common Security and Defence Policy High Level Course, Module I. 23-27.09.2019.

263 'EU Border and Coast Guard Agency: 10 000 operational staff by 2027', *European Parliament* (28 March 2019), <https://www.europarl.europa.eu/news/en/press-room/20190327IPR33413/eu-border-and-coast-guard-agency-10-000-operational-staff-by-2027>

long-term and decisions to be made. The further implementation of the EUGS, however, will be in the hands of the new HR/VP, who can decide whether to create a new comprehensive strategy or to continue with the existing framework.

## Notes on contributor

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# 7

## 7. Research on Counter-terrorism within the EU: A Comparative study on Information and Intelligence Sharing between Member States and the EU

**Nathalie Marcus**

The EU has been the target of Islamist terrorism for over a decade<sup>264</sup>. The attacks in Madrid (2003), London (2005), Paris (2015), Brussels, Paris, Berlin (2016), Stockholm, London, Paris (2017), etc. highlight the extent of the challenge. However, terrorism is not a recent phenomenon in European history. It is beyond dispute that, since the end of the Second World War, conflicts of independence and separatist and insurgent movements have led to a series of acts of violence. The African Democratic Rally of Léopold Sédar Senghor and Félix Houphouët-Boigny in sub-Saharan Africa, the Nationalist Communist Party of Ho Chi Minh in Indochina, the National Liberation Front (FLN) in Algeria, Euskadi ta Askatasuna (ETA) in Spain, the Irish Republican Army (IRA), etc. are all classified as terrorist organisations by their respective states.

From the 1970s and 1980s onwards, Europe has also been the victim of extreme left and right wing movements such as the Communist Combatant Cells (CCC) in Belgium, the Red Army Faction (RAF) in Germany and Action Directe in France, etc. But it was only in the wake of the media impact of the 11 September 2001 attacks in the United States, followed by those in Madrid (2003) and London (2005), that the EU began to seriously address the issue of a more integrated and coordinated approach to the fight against terrorism at European level. The first document proposing a strategy against terrorism dates back to 2005<sup>265</sup>. The general action plan to implement this strategy dates back to 2011. The attacks in 2015 in France and in 2016 in Belgium and elsewhere raised doubts about the EU's ability to support the Member States in dealing with the growing Islamist terrorist threat on European territory. This threat has clearly become a cross-border problem as a result of target selection, its funding system, actors and networks crossing state borders.

This chapter focuses on the fight against international terrorism in the EU. The fight against terrorism is part of the security policy of the Member States, which is in itself a national competence. However, the Islamist terrorist threat has relatively quickly shown

264 Stroobants S., 'Ideologies and mapping actors', Vesalius College, Brussels.

265 'Response to the terrorist threat and recent terrorist attacks in Europe', European Council and Council of the European Union, accessed October 2016, <https://www.consilium.europa.eu/en/policies/fight-against-terrorism/foreign-fighters/>

that it transcends national borders, and a transnational approach to combating it has proved necessary. No Member State, large or small, can claim to be able to avert this threat on its own. This is why the EU will develop tools and adapt certain security structures to better suit the needs of those Member States. Structural and institutional adaptation and the creation or transformation of European agencies will not be achieved without encountering obstacles and tensions. Even today, despite great progress, the EU still faces certain shortcomings in terms of capacity, means and (political) will.

More generally, this chapter will focus on the best the EU has to offer in the fight against terrorism and the challenges and obstacles it faces. In Belgium, a parliamentary commission of inquiry, known as POC2203, was set up in the months following the attacks in Brussels. It highlighted the lack of information and intelligence sharing, the shortage of skilled personnel and access to information as major causes of the attacks that have shaken the EU since 2015. Considering the importance assigned by the POC2203 commission of inquiry to the issue of the lack of information and intelligence sharing, the current chapter will focus on this topic as a way to draw conclusions on the EU's counter-terrorism strategies.

## The research

Following numerous interviews with senior European officials and academics, my project has evolved considerably. Initially, my main aim was to carry out a comparative study of the reaction of several Member States to the latest wave of attacks on European soil and on how the EU could ensure that the former's shortcomings in national counter-terrorism policy could be remedied. Today, the focus is mainly on what the EU can offer to Member States to help them in their fight against terrorism in the fields of information and intelligence. The research question has become: *'The added value of sharing information and intelligence of European origin in*

*the fight against Islamist terrorism for the security of the Member States: a reality or a utopia?'*

Some sub-questions to supplement the research question are:

1. What were the information and intelligence gaps in the Member States following the attacks on Paris in 2015?
2. What information and intelligence failures have been observed in the EU following the attacks on Paris in 2015?
3. What information and intelligence capabilities has the EU developed since 2001?
4. What changes have taken place in these European capabilities since 2015?
5. What are the challenges for European counter-terrorism actors in the field of information and intelligence sharing?
6. What are the advantages of an information and intelligence sharing apparatus of European origin?

When I talk about the Member States, I will focus on a sample of three states. The countries chosen are Belgium, France and Germany. Belgium is a logical choice as a Belgian citizen. This research is facilitated by my military status (access to certain sources) and the contacts already established with certain important actors in the fight against terrorism, such as the State Security authorities. In addition, several international organisations have their headquarters on Belgian soil, which may make the country more likely to be a target for terrorist groups. Another relevant point is that, proportionately, Belgium saw the largest number of its nationals join the ranks of Islamist terrorist organisations such as ISIL and Al Nusra as foreign fighters. France is a neighbouring country and has been the victim of attacks on several occasions; it is a partner of Belgium in the fight against terrorism, because the perpetrators are active and come from both countries. France has also made use of the 'solidarity clause'



principle provided for in the Lisbon Treaty<sup>266</sup>. The Federal Republic of Germany was also chosen because it has been confronted with Islamist attacks at the same time. In addition, Germany is a federal state comprising 16 entities. This division into federal entities is similar to the Belgian and European structures. It is therefore interesting to see how this state organises its fight against terrorism.

The last part of the research will focus on the development of proposals to improve the functioning of the fight against terrorism in the EU. The content of this last part will depend, to a large extent, on the results of the other parts of the study. In the course of my research, I will also consider the wishes and needs expressed by the Member States selected as case studies. By this, I mean what those countries expect or do not want in terms of action at European level. It is essential to take these desiderata into account in order to allow the opportunity for one of my proposals to be implemented. Fully satisfying all parties will probably not be possible, but a good compromise can make a difference. Every single life saved is worth it.

Here again, I will focus on the aspect of information and intelligence sharing in a comprehensive approach. By this, I mean the acquisition, analysis, sharing and use of information and intelligence.

266 Article 222 of the Treaty on the Functioning of the European Union.

## Making Europe more secure: sharing information

Law enforcement agencies are sharing more and more information to fight terrorism, track foreign fighters, and tackle serious and organised crime

### Key figures: 2018 vs 2017

**+176%**

foreign terrorist fighters recorded<sup>1</sup>



**+141%**

more alerts in the Schengen Information System<sup>1</sup>



**+28%**

searches in Interpol database of stolen and lost travel docs<sup>2</sup>



**+56%**

searches in Europol's criminal database<sup>1</sup>

(1) estimate based on data for Q1-Q2 2018

(2) estimate based on data as of 9 September 2018, searches increased by 65% between 2016 and 2017

**Table 1** – Source: 'Response to the terrorist threat and recent terrorist attacks in Europe', European Council and Council of the European Union, accessed October 2016, <https://www.consilium.europa.eu/en/policies/fight-against-terrorism/foreign-fighters/>.

## What can my research contribute to the EU Global Strategy?

Reading the document, it quickly becomes clear that the security of the EU and its citizens is the first priority of this strategy. A little further on in the text terrorism is considered, alongside other areas such as climate change, cybersecurity, hybrid threats and economic volatility as one of the major threats facing the Union.

The EU promotes an increase in the collective effort as regards security cooperation and wishes to better support Member States through its institutions. *'The EU Global Strategy starts at home. To preserve and develop what we achieved so far, a step change is essential. We must translate our commitments to mutual assistance and solidarity into action.'*<sup>267</sup> The EU also aims for a certain strategic autonomy at the security level.

From page 21 of the same strategy, the focus is on the fight against terrorism. Increased investment in resources and improved solidarity in the field is the key to success. In addition, the document stresses the need to encourage greater information sharing and intelligence cooperation between Member States and EU agencies. This aspect is the heart and the spearhead of my research.

## No need to create more, but use it in a different way?

In June 2016 the EU, through its HR/VP, published its new comprehensive security strategy, in which it became clear that EU security is the top priority of the EU's external action (2016). The

267 European External Action Service, 'Shared Vision, Common Action: A Stronger Europe - A Global Strategy for the European Union's Foreign And Security Policy', (June 2016), [http://eeas.europa.eu/archives/docs/top\\_stories/pdf/eugs\\_review\\_web.pdf](http://eeas.europa.eu/archives/docs/top_stories/pdf/eugs_review_web.pdf) 19

implementation of EU treaties (mutual assistance, solidarity, etc.) is essential in order to actively combat the evolution of the threat, which has become increasingly transnational. The EU wants to equip itself with the means to carry out its external policy and increase its credibility with international partners.

Beyond the feeling of insecurity caused by the terrorist threat, other geopolitical elements have shown the importance of investing in the development of European capabilities or, at least, in fostering cooperation: growing populism and nationalism within the Union itself, an aggressive (Russia)<sup>268</sup> or protectionist policy and a shift in the interests of our historical ally (USA) towards the Asia-Pacific region<sup>269</sup>.

The EU is reacting and developing more means for cooperation, standardisation of research and intelligence resources, fighting against cyberterrorism, improving the protection of the external borders<sup>270</sup> of the Schengen Area and combating international crime that is often linked to the financing of terrorist networks. Cooperation with other international actors (international organisations, the private sector, civil society and third countries) is essential, particularly in the fight against terrorism and crisis management within and outside European borders. Various cooperation agreements have also been concluded, such as the Warsaw Joint Declaration in 2016 by NATO and the EU.

The Union's priorities since 2016 can be summarised as follows: Union security, security and defence, the fight against terrorism, cybersecurity, energy security and strategic communication<sup>271</sup>.

The EU has several agencies and tools at its disposal to strengthen its security and fight terrorism but these appear, like investigation reports, to be underused. A kind of intelligence service already exists at the European level: INTCEN (Intelligence Analysis Centre,

268 Munich Security Conference, Munich Security Report (2017), 14-16.

269 Ibid., 26-30.

270 Transformation of Frontex into a European agency with more competences and means.

271 European External Action Service, 'Shared Vision, Common Action: A Stronger Europe - A Global Strategy for the European Union's Foreign And Security Policy', (June 2016), [http://eeas.europa.eu/archives/docs/top\\_stories/pdf/eugs\\_review\\_web.pdf](http://eeas.europa.eu/archives/docs/top_stories/pdf/eugs_review_web.pdf)

2010). This agency is not at all a 'European version' of the CIA<sup>272</sup>. It has no investigative powers, no surveillance or tapping, no field officers and no operational role. Its mission is more a mission of knowledge - of intelligence in the French sense of the word. In fact, it is more of a resource centre, mainly for European leaders, the purpose of which is to analyse and synthesise information from the Member States or open sources. This European agency has around 70 employees supported by staff from the Member States. In the first part of my research, I will go into more detail on the role and current skills of this service. Further on, the possibilities of a possible extension of INTCEN's skills and resources will be explored.

As part of the 2005 Counter-Terrorism Strategy, many instruments and agencies have been created or strengthened over the years in an effort to achieve the objectives of the four pillars of the Strategy: prevention, protection, prosecution and response. Some examples relate to the prevention pillar: ENER (network of experts in radicalisation for leaders), COPPRA (guide for field staff on detecting the first signs of radicalisation) or CTW (tool for monitoring the Internet and online propaganda); or protection: the EU's external border protection agency Frontex, the tools for controlling visas and persons entering the Schengen area (VIS and SIS II), the ENISA and ECCP agencies that support the Member States with regard to cybercrime. As regards prosecution: Europol and Eurojust have seen their competencies extended, and so too has the PNR (passenger control system) and TFTS (system for controlling the financial resources of terrorist organisations), etc. Finally, at the response level: the civil protection system and military resources, such as a permanent battalion (EU Battlegroup). All these means will also be thoroughly explored during the research.

The Lisbon Treaty already provides a legal framework favourable to the extension of the competences of certain European agencies

272 Nicolas Gros-Verheyd, 'L'IntCen... Le Lieu Des Échanges... D'analyses Top Secret,' *B2 Le Blog De L'Europe Politique*, (2015), <https://www.bruxelles2.eu/2015/01/que-fait-lintcen-europeen/>

and makes it possible to strengthen international cooperation without having to introduce new amendments<sup>273</sup>.

### Timeline

|            |   |   |
|------------|---|---|
| 06/06/2019 | — | Council adopts conclusions on radicalisation in prisons                       |
| 22/06/2017 | — | EU leaders reaffirm their Commitment to cooperate at EU level                 |
| 09/06/2017 | — | Council conclusions on interoperability of EU information systems             |
| 09/06/2017 | — | Council updates guidelines to combat radicalisation and terrorism recruitment |
| 27/03/2017 | — | Council conclusions on the Commission action plan on travel document fraud    |

**Table 2 – Source: Ibidem**

There are many actors involved in the fight against terrorism at many levels. In terms of the coherence of the European strategy, an interesting theory is that developed by Michael Lipsky<sup>274</sup> in his book analysing the 'street-level bureaucracy'. The author studies the behaviour and reactions of bureaucrats at all levels (health care staff, schools, police, administrations, etc.) who are subject to the same conditions and have contact with the population. This analysis illustrates why policies developed at the political and strategic level sometimes produce results that, when implemented, are very different to those desired. Another interesting study on the influence of actors at different levels is Carmen & Hugh Bochel's book<sup>275</sup>. The 'actor' element is also to be taken into account to improve the quality and efficiency of intelligence sharing at EU level, within the EU and with the Member States or partners.

273 Gilles de Kerchove d'Ousselghem, 'The role of European Intelligence in counter-terrorism', *Intelligence law and policies in Europe*, eds. Dietrich and Sule, (Beck/Hart, 2020).

274 Michael Lipsky, *Street-level bureaucracy: dilemmas of the individual in public services*, (New York: Russel Sage Foundation, 2010).

275 Catherine and Hugh Bochel, *Making and implementing public policy: key concepts and issues*, (London: Palgrave, 2018), 190-195.

These political priorities are a step in the right direction towards better cooperation and integration at Union level. However, in previous research (Master's thesis 2018), some gaps appeared in the implementation of these strategies. In addition, many post-attack investigation reports have identified a major problem of transparency and information sharing between the Member States and national services involved in the fight against terrorism as one of the most likely causes of the successful 2016-2017 attacks. Since then, cooperation between the Member States has increased and several attacks have been thwarted. This improvement is reflected in the final report of the Special Committee on Terrorism (2018/2044(INI)). Nevertheless, many local, national and international actors still complain about a chronic lack of the human and material resources needed to effectively combat terrorism in the EU.

## The first results of the research

My research is still at an early stage. It's only the first year of a long journey. However, I have had the opportunity to meet several senior UN and European officials who have been very enthusiastic in helping me and following my research. I was also able to have regular contacts with the (civilian) intelligence services of the states under study: Belgium, France and Germany. They were also interested and relatively open-minded. Unfortunately, this is not yet the case for the military intelligence services, but I am convinced that, with a little patience, the trust (necessary to encourage any sharing of information) will grow and contacts will be created.

The first phase of research consists mainly of a literature review and (semi-direct) interviews, which have already enabled me to identify trends. At EU level, cooperation and the development of instruments to increase the security of European citizens, and thus also to improve the fight against terrorism, have developed since the creation of the CFSP, mainly in a reactive way. Although the CFSP was created by the Maastricht Treaty, the EU did not acquire intelligence and information analysis services until after the 2001

attacks in the United States, with the initial impact of the Madrid (2004) and London (2005) attacks accelerating the process. Some agencies will see their competences increase and decrease again according to political will and European priorities, with a further jolt experienced following the attacks of 2015 and 2016.

From a legal perspective, the Maastricht Treaty with its three-pillar structure had proven to be detrimental to collaboration and cooperation in the fight against terrorism, because different actors and tools depended on different pillars. The Treaty of Lisbon, which entered into force in 2009, has partially solved this problem and now allows for better integration and coordination of the fight against terrorism. It is nevertheless interesting to mention that the function of a counter-terrorism coordinator was created before the Treaty of Lisbon.

Without wishing to be subjective or accusatory, the first impression that my readings and interviews give is the following. As mentioned above, at the time of writing this article (2020), there is no real need to create additional bodies and agencies. The EU has a strategy, enough agencies, services and tools under the current Treaties to achieve the objectives of the fight against terrorism, but functioning and implementation is not optimal. The borderline between internal and external threats has become blurred, forcing actors who in the past would rarely have worked together to collaborate in the face of a common threat, terrorism.

The EU has developed many border control tools and databases, but these are not accessible to all the actors who need them, several tools are duplicated and, while the technology is developing, interoperability between the many information systems remains a challenge that is still very topical. Police collaboration is older and more institutionalised than collaboration between intelligence agencies, while collaboration between police and intelligence institutions is almost non-existent or new. However, these actors are obliged to collaborate in the fight against terrorism. This observation leads to additional remarks:

- Is the institutionalisation of this new collaboration absolutely necessary? Indeed, the effectiveness of the intelligence services



is sometimes based on the 'secret' nature of certain methods used to obtain essential information.

- Trust is an elementary factor in the sharing of information between these actors and agencies.

In several reports and critical works by authors, mention is made of the under-use of certain agencies and the diminishing resources of those same agencies or others. A striking example is INTCEN. The regional, national and international context of the 1990s, combined with Russian and American influence in intelligence, will lead the EU towards a desire for greater autonomy in the field of intelligence. Some European officials such as Javier Solana and William Shapcott (NATO experience) pledged to rebuild an efficient and ambitious SITCEN. The SITCEN will grow in strength between 2001 and 2010 (the peak) but will elicit a fair amount of reaction from NATO and the UN. Supported by the SATCEN and agents in theatres of operations where European missions and operations take place, it will be fully integrated into the centralised structure of the European HQ as of 2003.

## Pre-existing structures

### WEU's SITCEN: a modest but effective agency

Little is known about this agency. Created in 1995 to manage crisis areas where WEU members are active. WEU no longer exists, but its prerogatives have been almost completely absorbed by the ESDP. In 1994, the need arose to create an operational intelligence structure for crisis management for the WEU. Two structures were created: an intelligence section within the Policy Planning and Early Warning Unit receiving classified intelligence from WEU MS and producing it entirely for them; and an open-source cell within the Secretariat producing classified intelligence for all European states. These two structures were activated in 1999. Together with SATCEN, they form the WEU intelligence triangle. These structures

were modest, but proved to be very useful and served as a basis for European defence.

As mentioned above, the main source of SITCEN is the SATCEN Satellite Centre, which was originally set up in 1991 (inaugurated 1993) to ensure the territorial integrity of the EU, and whose missions soon evolved towards geostrategy. This centre brings together exceptional European capacity and expertise. SATCEN has already proved its usefulness in several crises and conflicts. It also represents an incomparable factor of strategic autonomy. It proves to be an indispensable tool for INTCEN, which is its main client.

The Intelligence Division of the EU Military Staff is one of the main tools for: early warning, strategic planning and monitoring of operations. This division provides information upwards (EU leaders) and downwards (deployed troops). This structure has proved effective for military operations, but the 2001 attacks soon revealed shortcomings in the field of 'civilian' and 'political' intelligence. Hence the proposal to set up SITCEN in 2001 with the initial role of being a 24/7 open-source analysis centre. A good starting point. The tasks of these institutions and mechanisms will be extended further (beyond military theatres), but their structure is not completely transparent and there is criticism regarding the level of representation of some member states.

The difficulty preventing SITCEN from functioning [well] at this time was not so much the modest means at its disposal, but rather the EU's elaborate architecture. SITCEN depends on the second pillar. Apart from this new transnational threat, it requires cooperation between the pillars and also intelligence sharing, which is difficult to achieve in practice. The question therefore arises as to how to integrate domestic intelligence services into the fight against terrorism. As early as 2004, it became clear that it was necessary to try to ensure that the SITCEN could collaborate with the domestic services without the latter thinking that their national competences were being infringed, hence the links with the CTG (Counter Terrorism Group). This led to the incorporation of the CTG into the SITCEN as a liaison element in its own right.

The special status of SITCEN as a full-fledged 'agency' at the service of the EU but with rotating representation of the Member States, with neutral analysis (no political influence), improves trust between the Member States. It should be remembered that trust is very important to enable collaboration. Moreover, its location in Brussels allows it to be close to the European decision makers. In fact, the neutrality of SITCEN and its geographical position enables it to enjoy the advantages of the European institutions without the disadvantages. A major evolution of SITCEN would take place following the events of 2003 (War on terror). The consequences of the haste of the United States and their methodical negligence (all-out cooperation, no cross-checking of information, etc.) as regards the functioning of the Member States' intelligence services should not be overlooked. This has also led to greater mistrust between the services (EU and non-EU) in the face of a cross-border threat.

With the Treaty of Lisbon, SITCEN is placed under the authority of the EEAS, changes its name to INTCEN and sees its competences reduced. Although SITCEN's ambition has never been to become a European intelligence agency like the CIA, it receives a lot of criticism and several political actors wish to see its competences reduced. Why is this? Fear, mistrust, influence, etc.? INTCEN will only be mentioned in reports from the global security strategy published in 2016. The example of SITCEN / INTCEN shows that the means are available but that certain factors, justified or otherwise, will influence the effectiveness of these tools or agencies.

After this concrete example, I still have three more important elements to mention that have come to light during my research. Firstly, intelligence structures at European level are more limited than in the United States, for example, but are also fragmented between civil and military intelligence, police services, the judiciary and the intelligence service. This fragmentation is not unique to the European level, but where resources are limited, the influence on the way they operate is greater. Secondly, an enormous challenge for those involved in the fight against terrorism at European level is the enormous importance accorded to respect for fundamental and individual freedoms which, sometimes rightly and sometimes wrongly, complicates the task of those involved and the sharing of

information and intelligence. As a result of protection of sources, for example. Thirdly, the fight against terrorism remains first and foremost a competence of the Member States. This limits action at European level, often at a coordinating or standardisation level. This aspect will be examined in more detail in my research when I discuss the Member States and their expectations of the EU.

## Research concept / methodology

During the development of the different research questions, three main methods and approaches will be used: a literature review to gather as much data as possible, direct and semi-direct interviews to complete and help to better interpret certain texts of the literature review and possibly a written questionnaire to increase the scope of the study and increase its objectivity. In particular, it is necessary to distinguish between the different types of intelligence and isolate the one related to my research, namely intelligence intended for the fight against terrorism rather than counter-intelligence. In addition to this distinction, I will base my work on that of J. Prin-Lombardo to make a clear distinction between certain concepts that are essential to this research, such as the difference between intelligence and information, between European intelligence and intelligence of European origin. The purpose of this parenthesis is to start with the right conceptual foundations to facilitate the promotion of my project.

Following this conceptual basis, the research will trace the evolution of the European Union's security policy since the attacks on American soil in 2001. Here too, after a general overview, I will focus on the counter-terrorism aspect and deepen the areas of information and intelligence sharing between Member States and the EU. The same applies for sharing between European agencies and between European institutions. The method here consists mainly of a study of the European institutional literature and reports from the Union and its agencies. At the same time, the results of interviews with EU officials and representatives of Member States on the abovementioned areas will be carried out.

This will make it possible to establish whether there is a relevant difference between the texts and the staff on the ground or working in the bodies and services studied. As a reminder, the Member States are represented by the sample chosen above. For the interviews, I base myself on the methods and the structure proposed by Rubin and Rubin's work<sup>276</sup> on 'Qualitative interviewing: the art of hearing data'.

Building on this theoretical basis, the research will then focus on European actors and tools for the fight against terrorism. Who are they? What are their means? What are their tools? What are their strengths, challenges and limitations? In order to answer all these questions, the method will initially consist of mapping the European actors and tools, before extending the research to the Member States. Again, I will start with the actors in general and then focus on the actors related to information and intelligence sharing. In this analytical section, the aim is to identify who does what, in what legal framework and with what means?

With regard to this section, I would like to analyse the existing legal framework and examine to what extent the existing Treaties allow cooperation in this field. It is always easier to propose a project if it does not imply amending treaties. Since this question mainly deals with the legal framework, the method used will be based essentially on a literature review. An interview with a lawyer or other person relevant to the subject cannot be ruled out. In this chapter, the main objective will be to identify the existing tools, the European agencies and bodies involved in the fight against terrorism in their fields of competence and to determine the possible limits of action in accordance with the law of treaties.

This is not all: I also wish to be able to discover the role of certain influences, both internal and external to the EU, that push or hinder the development of certain tools, structures, agencies and methods. I am thinking, for example, of the influence of public opinion on respect for fundamental rights or political influence. A next step is to see how the EU is trying to convince Member States of the added value of sharing information and intelligence

276 Rubin J et Rubin I, (2005), 'Qualitative interviewing: the art of hearing data', 2nd Edition, SAGE publications, London.

between the national and European levels. The aim here is to study the European discourse in favour of intelligence of European origin to effectively fight against terrorism and thus to increase the security of European citizens wherever they reside on the territory of the Union. The method and model used are still to be defined.

What is certain is that I wish to cross-reference this European discourse with the discourse of the Member States in the face of this European attitude. To this end, I will open a parenthesis on each Member State. Therefore, I will try to make a comparison between several countries facing the same threat in a given period of time. At this level, I would like to use a theoretical model to standardise this analysis as much as possible. The model is yet to be determined. This phase is quite ambitious because my wish is to be able to interview several key and field actors. To achieve a high level of objectivity, I plan to develop a questionnaire that will be sent to a sample of actors at different levels and in the countries where the study takes place. To this end, a statistical model will also be implemented (yet to be determined) to analyse the responses. The aim of this phase is to detect, in the first instance, what was working, as regards the shortcomings and requests at national and European level to improve the fight against the scourge of terrorism. During the second phase, it will be necessary to discover the legal, functional and structural adaptations within each country. Finally, in collaboration with national actors at different levels, it will be appropriate to identify what still needs to be improved to reduce the terrorist threat on their territory.

Similarly, I will also examine how the EU has tried to respond to the expectations expressed by the states in the aftermath of these tragic events. This is similar to the way in which I assessed the implementation of the 2016 security strategy. So in terms of the European level, where are we now, and what are the ambitions?

At this stage of the research, it is not realistic to advance a model or reference method. The aim here is to find elements of answers and proposals for improvement in order to reduce the effects of the threat of international terrorism on European soil. For the sake of my objectivity and neutrality as a researcher, all hypotheses and doors will remain open. Under no circumstances is this work

intended to promote greater European integration or, conversely, to diminish the EU's role in the fight against terrorism. It will be a question of taking into account the wishes and needs of all the actors. Of course, compromises will probably have to be made. The assumptions to be verified will be made in due course.

The world of intelligence often remains rather vague and secretive. Combined with the fact that human nature that is relatively opposed to change, I expect some resistance and reticence on the part of several actors. This is why the methodology used will be varied and may be adapted along the way. It is likely that, for reasons of efficiency and discretion, part of the thesis will not be published for the general public. This work is mainly aimed at those involved in the fight against terrorism at their respective levels. The full support of Mr. Gilles de Kerchove, the EU Counter-Terrorism Coordinator, and Ms. Michèle Coninx, Head of CTED at the UN, is a positive and motivating factor. Both are highly motivated in the field but have made no attempt to interfere in my work.

## Realistic aim or utopia?

The main purpose of my research is to try to bring added value to the fight against terrorism on European territory and to help us to react better to the threat while remaining realistic and objective. It would only be possible to eradicate this threat completely in a utopian society, but this does not prevent us from taking the necessary measures to reduce it.

Initial field research combined with a series of interviews with staff from the internal and external intelligence services of the Member States, on the one hand, and with the Counter-Terrorism Coordinator, Mr. Gilles de Kerchove and some members of his team, on the other, highlighted some important and encouraging elements. Without anticipating the in-depth research, what impressed me was to see that the different levels (EU and the Member States) show a certain convergence in their interests and

objectives. However, trust between levels is still far from optimal. Perhaps due to ignorance of each other's skills? Because of fear? It is not appropriate at this early stage of the research to issue an intermediate conclusion. This is the first observation outside the literature. Nevertheless, these exploratory talks are encouraging for me as a researcher and illustrate some of the theories expounded by Lipsky<sup>277</sup> and Boche<sup>278</sup> on the importance of the human factor, at different levels, in the implementation of a strategy, certainly at the European level.

Using one or more theoretical models on European treaties, on the opinions of national commissions of inquiry, reports published by the Member States and the EU and previous research in the field, etc. I hope to be able to update areas of agreement between the European Union and Member States, increase trust between actors horizontally and vertically and to make at least some concrete recommendations to improve solidarity in the field of information and intelligence acquisition, analysis and sharing.

At this stage, I am aware that research in this sector will go beyond the pure analysis of mathematical, statistical, literary and legal data, and will also have to include the human factor. To implement a strategy you need material, financial, legal and human resources. Technological development and texts are certainly support factors, but it is by increasing trust between people in the field and political decision makers (vertical) and between the various national and international agencies (horizontal) that the fight against terrorism can be improved and many lives can be saved.

This commitment will require time and energy, but it is an exciting adventure, which, as a researcher, will bring me into contact with many different stakeholders with different needs. If this research can contribute the slightest added value to the reduction of the terrorist threat I will consider it a personal success. My only commitment is to contribute to a better fight against international terrorism within the EU by helping women and men, through this thesis. Finally, I would like to thank all those who are helping me and will continue to help me in this marathon.

277 Lipsky, *'Street-level bureaucracy'*.

278 Boche, *'Making and implementing public policy'*, 190-195.



## Notes on contributor

*Nathalie Marcus* graduated in aeronautical and military sciences at the Royal Military Academy (RMA) (Belgium) in 1999. She began her career as an HR officer for the air component. She then worked as a journalist for the Belgian defence forces, which involved following Belgian troops around the world, including Afghanistan. From 2008 to 2013, she changed direction in her career to specialise in the environmental field and obtained a Master's degree in Environment, Development and Companies at the Catholic University of Louvain (UCL). In 2015, she once again made a major career breakthrough, joining the academic world of the RMA and becoming an Assistant Professor in the World Politics Chair within the department for Conflict Studies. In this context, she obtained a Master's degree in Political Sciences (UCL). Since then, she has devoted herself passionately to her teaching role in International Security for the candidate-officers of the RMA. She also provides courses in security and defence for the Defence College, terrorism courses for Vesalius College and the ESDC (Common Module) and is dedicated to research in the field of the fight against terrorism in the European Union.





# 8. Permanent Structured Cooperation and the European Defence Fund: Interaction and equilibrium

Quentin Loiez

In June 2016 Federica Mogherini, the then-HR/VP, presented the EUGS. This document introduces a new concept in EU strategic thinking. It *'nurtures the ambition of strategic autonomy for the European Union'*<sup>279</sup>. Although the document entails no proper and clear definition of the exact content of this concept, strategic autonomy seems to be one of the main drivers of the implementation of the EUGS.

Indeed, the EUGS is the starting point of a new impulse from the EU in the field of defence and security. Several initiatives have been launched since June 2016. Two of them seem particularly emblematic of these new developments. In November 2016, the European Commission decided to launch the European Defence Action Plan, including a European Defence Fund<sup>280</sup>. In December 2017, following its own conclusions on the implementation of the EUGS<sup>281</sup>, the Council of the European Union (Council) adopted a decision establishing PESCO. These two separate initiatives involve different institutional actors and serve different specific purposes, but they both contribute to the EUGS's overall objective: the development of the strategic autonomy of the EU in the field of defence.

In order to reach this overall objective, PESCO and the EDF will have to be implemented in a consistent way. Although the European Commission<sup>282</sup> and the Council<sup>283</sup> appreciate this need, it will be difficult to avoid some clashes of interests and

279 High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the European Commission, *'Shared Vision, Common Action: A Stronger Europe'*, June 2016, 4. [https://eeas.europa.eu/sites/eeas/files/eugs\\_review\\_web\\_0.pdf](https://eeas.europa.eu/sites/eeas/files/eugs_review_web_0.pdf)

280 *'This Action Plan has three main pillars'*, amongst which we can find the *'Launching a European Defence Fund'*, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, *'European Defence Action Plan'*, COM(2016)950 final, November 2016. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016DC0950&from=en>

281 Foreign Affairs Council Conclusions (14 November 2016), 13. <https://www.consilium.europa.eu/media/22459/eugs-conclusions-st14149en16.pdf> *'To strengthen CSDP, the Council agrees to also explore the potential of an inclusive Permanent Structured Cooperation'*.

282 *'This Action Plan is closely linked with the Global Strategy's Implementation Plan on Security and Defence'*. COM(2016)950 final, 30 November 2016.

283 *'The Council underlines the close link with the forthcoming Commission European Defence Action Plan'*. Foreign Affairs Council Conclusions, 14 November 2016.

differences of dynamics. These challenges reflect an evolution in the management of defence issues in the EU framework. The European Commission's involvement in the field of defence is shaking up a field that has so far been almost exclusively institutionally dominated by the Member States via the Council. Between the new relationships to be developed and the institutional balance to be struck, the EU must avoid conceptual traps and centrifugal tensions, in order to contribute to the development of its strategic autonomy.

This paper aims to demonstrate that PESCO and the EDF can contribute to developing the strategic autonomy entailed in the EUGS when their interaction is consistent. Such an approach seems to be undermined by the two initiatives' structural differences. Thus, ambitious and rigorous means of interaction need to be put in place.

## A consistent approach to contributing to strategic autonomy

### The EUGS and the strategic autonomy concept

The EUGS encompasses some important elements, such as the will to develop an appropriate level of strategic autonomy for the EU. A relative convergence in the scientific literature<sup>284</sup> tends to describe the outlines of this concept as the combination of three

284 Félix Arteaga, *Strategic Autonomy and European Defence*, *Real Instituto Elcano*, ARI 102/2017, (December 2017); Ronja Kempin, Barbara Kunz, *France, Germany, and the Quest for European Strategic Autonomy: Franco-German Defence Cooperation in A New Era*, Notes de l'IFRI, Notes du CERFA 141, Stiftung Wissenschaft und Politik (SWP), (December 2017); F. MAURO, *Strategic Autonomy under the spotlight*, GRIP Report, (January 2018); European Political Strategy Center, *Rethinking Strategic Autonomy in the Digital Age*, *EPSC Strategic Notes*, No 30 (July 2019).

dimensions<sup>285</sup>: industrial autonomy<sup>286</sup>, operational autonomy<sup>287</sup> and political autonomy<sup>288</sup>. Industrial autonomy is usually presented as a condition of operational autonomy<sup>289</sup>. Furthermore, in order to ensure credible strategic autonomy, it appears necessary for armed forces to acquire and maintain defence capabilities adapted to their operational needs. Thus, equipment and technologies developed and produced by the Defence Technological and Industrial Base (DTIB) must meet the operational requirements of the Armed Forces. Member States such as France underline this critical distinction between industrial autonomy and operational autonomy in their strategic thinking<sup>290</sup>.

Although the EUGS doesn't entail a clear definition of the content of strategic autonomy, it gives some indications that are similar to this scientific literature's conception. Indeed, the vision of strategic autonomy endorsed by the EUGS can be summarised by the following extract: *'The EU will systematically encourage defence cooperation and strive to create a solid European defence industry,*

285 French strategic thinking appears to have influenced this three dimensions-based approach *'For France, strategic autonomy rests on a political foundation comprised of two pillars: a high degree of industrial and technological autonomy on the one hand, and the means and resources to ensure operational autonomy on the other.'* RDSN 2017, point 157. <https://espas.secure.europarl.europa.eu/orbis/sites/default/files/generated/document/en/DEFENCE%20AND%20NATIONAL%20SECURITY%20STRATEGIC%20REVIEW%202017.pdf>

286 Industrial autonomy can be presented as the capacity to autonomously develop and produce the technologies and equipment that are needed by the armed forces to enable them to efficiently fulfil their missions.

287 Operational autonomy can be presented as the capacity to autonomously conduct a defence policy and to act upon decisions that have been endorsed politically. This implies the capacity to acquire and maintain the defence capabilities that enable [an entity/a state] to act autonomously.

288 Political autonomy can be presented as the ability of the relevant political bodies to autonomously take decisions in the field of defence and security.

289 *'Strategic autonomy also builds on access to defence technology and material - in other words, industrial autonomy. It is for this reason the defence industry plays a key role when it comes to achieving strategic autonomy, especially at the operational level: it provides its basis.'* See: Kempin and Kunz, *'France, Germany, and the Quest for European Strategic Autonomy: Franco-German Defence Cooperation in A New Era'*, 24.

290 *'The defence industry (...) alone can guarantee the secure supplying of equipment supporting our sovereignty and of critical weapons systems and ensure that it matches operational needs as defined by the Ministry of Defence. The same reasoning is valid for the European Union.'* LBDSN (2013), 117. <https://www.defense.gouv.fr/english/dgris/defence-policy/white-paper-2013/white-paper-2013>

which is critical for Europe's autonomy of decision and action'<sup>291</sup>. However, the EUGS mainly emphasises the operational and industrial dimensions. The political dimension, although present, appears to be less prominent.

The EUGS mentions the necessity to be better equipped, trained and organised in order to develop the ability to 'act autonomously'<sup>292</sup>. Such an ability, mentioned several times in the EUGS<sup>293</sup>, can be understood as operational autonomy. The EUGS also entails the industrial autonomy dimension. For example, the document states that *'A sustainable, innovative and competitive European defence industry is essential for Europe's strategic autonomy and for a credible CSDP [Common Security and Defence Policy]'*<sup>294</sup>. The EUGS quite clearly emphasises the importance of the industrial dimension of strategic autonomy. Moreover, the EUGS seems to confirm the approach according to which industrial autonomy is a condition of operational autonomy. The document states that the Member States' industrial capacities *'underpin'* their operational autonomy<sup>295</sup>. Given this approach to strategic autonomy presented by the EUGS, it is interesting to analyse how the EU and its Member States have initiated its implementation.

## The contribution of the EDF and PESCO to strategic autonomy

In its own way, the Council implicitly endorsed the operational and industrial dimensions of strategic autonomy in its Conclusion

291 High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the European Commission, *'Shared Vision, Common Action: A Stronger Europe'*, (November 2017): 11.

292 *Ibid.*, 19.

293 The idea is expressed four times. *Ibid.*, 11 (once), 19 (once), 20 (twice).

294 *Ibid.*, 46.

295 *'Member States need the technological and industrial means to acquire and sustain those capabilities which underpin their ability to act autonomously'*, High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the European Commission, *'Shared Vision, Common Action: A Stronger Europe'*, (November 2017): 20.

of November 2016<sup>296</sup>. The same objective has been adopted by the European Commission<sup>297</sup>. Thus, it appears that the EDF and PESCO both aim to contribute to the development of the EUGS's strategic autonomy.

In December 2017, the Council adopted a decision creating an inclusive, ambitious and modular PESCO<sup>298</sup>. The participation of 25 Member States in this initiative demonstrates the inclusiveness of PESCO. The ambition of PESCO is reflected through the adoption of 20 binding commitments by the Participating Member States (PMS), which can be divided into four core fields of action: defence investments, capability development, operational readiness<sup>299</sup> and support for the European Defence Technological and Industrial Base (EDTIB).

PESCO is, therefore, a broad initiative facilitating cooperation that should contribute to the development of industrial autonomy as well as operational autonomy. The modularity of PESCO can be observed through the adoption of PESCO projects. We can find two types of PESCO projects, those that are 'in the area

296 Foreign Affairs Council Conclusions, 'The Council is committed to strengthening the Union's ability to act as a security provider and to enhance the Common Security and Defence Policy (...). This will enhance (...) its capacity to act autonomously when and where necessary', (14 November 2016), Annex point 2. <https://www.consilium.europa.eu/media/22459/eugs-conclusions-st14149en16.pdf>; 'the Council reiterates the need to enhance the effectiveness of CSDP and the development and maintenance of Member States' capabilities, supported by a more integrated, sustainable, innovative and competitive European Defence Technological and Industrial Base (EDTIB), which also contributes to jobs, growth and innovation across the EU and can enhance Europe's strategic autonomy'. Ibid., point 5.

297 '...this European Defence Action Plan contributes to ensuring that the European defence industrial base is able to meet Europe's current and future security needs and, in that respect, enhances the Union's strategic autonomy' COM(2016)950 final (30 November 2016), 3.

298 'The 'inclusive' and 'modular' nature of the PESCO (...) must not lead to cooperation being levelled down. The objective of an 'ambitious' PESCO underlines the need for all PESCO participating Member States to comply with a common list of objectives and commitments.' Council Decision (CFSP) 2017/2315, of 11 December 2017, establishing Permanent Structured Cooperation (PESCO) and determining the list of Participating Member States, OJ L 331 (14 December 2017), 57–77. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32017D2315&from=EN>

299 Permanent Structured Cooperation – PESCO, 'Deepening defence cooperation among EU Member States', (EU Global Strategy for Foreign and Security Policy (EUGS), May 2019). [https://eeas.europa.eu/sites/eeas/files/pesco\\_factsheet\\_may\\_2019.pdf](https://eeas.europa.eu/sites/eeas/files/pesco_factsheet_may_2019.pdf)



of capability development' and others that are 'in the area of operations and missions'. If they wish to contribute to developing strategic autonomy, the capability development projects should aim to meet the operational needs of the PMS. In this regard, a good start would be to adopt a project that '*helps to overcome capability shortcomings identified under the Capability Development Plan (CDP) and CARD*'<sup>300301302</sup>. To date, 34 projects have been adopted in this framework, and a new batch of projects is currently in evaluation and negotiation. These first projects are (slowly) starting to overcome capability shortcomings identified by the CDP, but the significant capability shortfalls have not yet been addressed<sup>303</sup>, apart from the European Medium-Altitude Long-Endurance Remotely Piloted Aircraft (Eurodrone MALE RPAS)<sup>304</sup>. Thus, the contribution to the operational dimension of strategic autonomy remains limited<sup>305</sup>.

The EDF is very different from PESCO, since it is not a framework for cooperation between the Member States. It can be presented as a financial incentive, via a programme of the EU, aiming to stimulate industrial cooperation between the EU Member States. The idea of the EDF officially emerged in 2016 thanks to the Commission's European Defence Action Plan. The EDF consists

300 The CDP is a comprehensive planning method providing a picture of European military capabilities over time. It can be used by Member States' defence planners when identifying priorities and opportunities for cooperation. European Defence Agency, Capability Development Plan (EDA, June 2018) [https://www.eda.europa.eu/docs/default-source/eda-factsheets/2018-06-28-factsheet\\_cdpb020b03fa4d264cfa776ff000087ef0f](https://www.eda.europa.eu/docs/default-source/eda-factsheets/2018-06-28-factsheet_cdpb020b03fa4d264cfa776ff000087ef0f)

301 'Coordinated Annual Review on Defence (CARD)', European Defence Agency, accessed 6 November 2019, [https://www.eda.europa.eu/what-we-do/our-current-priorities/coordinated-annual-review-on-defence-\(card\)](https://www.eda.europa.eu/what-we-do/our-current-priorities/coordinated-annual-review-on-defence-(card)). The CARD is an annual review which will help to identify opportunities for collaborative initiatives, address shortfalls, deepen defence cooperation and ensure more optimal use of national defence spending plans.

302 Council Decision (CFSP) 2017/2315, 11.12.2017, Commitment 15.

303 Yvonne-Stefania Efstathiou, Conor Hannigan, and Lucie Béraud-Sudreau, 'Keeping the momentum in European defence collaboration: an early assessment of PESCO implementation', *The International Institute for Strategic Studies IISS* (May 2019): 10-13.

304 See, accessed 6 November 2019, <https://club.bruxelles2.eu/2018/11/17-projets-ne-suffisaient-pas-la-pesco-senrichit-dune-seconde-vague/>

305 '*The number of projects (...) is too high. They do not address the most important capability gaps nor prioritise the needs to be met.*' J-P. Maulny and L.Di Bernardini, *Moving PeSCo forward: what are the next steps?*, Policy Paper n°39 ARES, May 2019, 27. <https://www.iris-france.org/wp-content/uploads/2019/05/ARES-39.pdf>

of two distinct financing structures: a 'research window'<sup>306</sup> and a 'capability window'<sup>307</sup>. Thus, the aim of the EDF is to contribute to the industrial dimension of strategic autonomy. The Commission wanted to proceed in a progressive way: the EDIDP to be used for the two last years of the 2014-2020 multiannual financial framework (MFF), and the EDF to be used for the 2021-2027 MFF. The EDIDP Regulation was adopted in July 2018 through the ordinary legislative procedure. The EDF was proposed in June 2018<sup>308</sup> and to this day it remains under discussion, pending negotiations on the upcoming MFF<sup>309</sup>.

The EDF and PESCO should both contribute to the EUGS's strategic autonomy concept. Good interaction between the two initiatives would obviously focus on industrial autonomy.

## The interaction of the EDF and PESCO to develop industrial autonomy

In order to contribute to the industrial dimension of strategic autonomy, important 'legal links' have been created between the EDF and PESCO initiatives. Such 'legal links' exist from both sides, contributing to creating a legal environment that encourages the development of a harmonious and complementary relationship between the two initiatives.

PESCO entails some 'legal links'. Indeed, the PMS are aware of the necessity to implement PESCO in a way that is consistent

306 'to fund collaborative defence research projects at the EU level'. See: European Commission, *Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions*, COM(2016) 950 final (Brussels, 30 November 2016), p. 5, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016DC0950&from=en>

307 'to support the joint development of defence capabilities commonly agreed by Member States. This would be financed through the pooling of national contributions and, where possible, supported by the EU budget.' See: *Ibid.*, 6.

308 European Commission, *Proposal for a regulation of the European Parliament and of the Council establishing the European defence fund*, COM(2018) 476 final (Brussels, 13 June 2018) <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52018PC0476>

309 For this reason, we will often focus on the EDIDP to describe the way the EDF could function. They are expected to be relatively similar regulations.

with the EDF<sup>310</sup>. Thus, some commitments of the PMS clearly emphasise this approach. The third commitment states that '*joint and 'collaborative' strategic defence capabilities projects (...) should be supported through the European Defence Fund*'. The eighth commitment stipulates that PMS must support '*the intensive involvement of a future European Defence Fund in multinational procurement with identified EU added value*'. Moreover, some other commitments<sup>311</sup> contribute to objectives that are compatible with the EDIDP ones. All these 'legal links' should encourage PMS to make full use of the Commission's initiatives.

The following statement can sum up the PMS' expectations of the EDF: '*Increasing joint and collaborative defence capability development projects is among the binding commitments under PESCO. Such projects may be supported by contributions from the Union budget in compliance with the Treaties and in accordance with relevant Union instruments and programmes*'<sup>312</sup>. According to the Council decision creating PESCO, the EDF should support the PESCO projects in the area of capability development.

Thus, the EDIDP also presents an important 'legal link'. It entails the possibility of financially supporting projects that have been selected within the PESCO framework. Indeed, the Regulation provides that PESCO projects related to capability development can contribute to the objectives of the EDIDP<sup>313</sup> and should, therefore, be eligible for funding. However, the Regulation does not limit itself to confirming the possibility of funding. It also proposes that projects should be eligible for '*an increased funding rate*'<sup>314</sup>. The justification for such favourable treatment is the fact that

310 '*There should be consistency between actions undertaken within the framework of PESCO and (...) other Union policies. The Council and (...) the Commission, should cooperate in order to maximise synergies where applicable*'. See: Council Decision (CFSP) 2017/2315, 11.12.2017 establishing permanent structured cooperation (PESCO) and determining the list of participating Member States, Preamble point 10.

311 *Ibid.*, Commitment 15 and 19.

312 *Ibid.*, Preamble point 5.

313 Regulation (EU) 2018/1092 of the European Parliament and of the Council of 18 July 2018 establishing the European Defence Industrial Development Programme aiming at supporting the competitiveness and innovation capacity of the Union's defence industry (7 August 2018), 30–43, Art 3. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32018R1092>

314 *Ibid.*, Preamble, point 18.

a PESCO project in the area of capability development creates *'enhanced cooperation between undertakings in the different Member States on a continuous basis'*<sup>315</sup>, which contributes to the objectives of the programme. This increased funding rate makes PESCO a financially advantageous framework for the adoption of capability development projects. It is Article 11(2) of the EDIDP Regulation<sup>316</sup> that provides this important 'legal link' between the EDF and PESCO.

We can conclude that the different 'legal links' should help to create a virtuous circle in which the two initiatives complement and benefit each other. On the one hand, PESCO can contribute to supporting the EDF by proposing capability development projects that *'help to overcome capability shortcomings'* and contribute to *'strengthen the European Defence Technological and Industrial Base'*<sup>317</sup>. On the other hand, the EDF can have a positive impact on PESCO by stimulating and financially supporting the adoption of PESCO capability development projects. Therefore, PESCO and the EDF can contribute to the industrial dimension of strategic autonomy<sup>318</sup>. However, this virtuous circle is hampered by structural differences between the two initiatives. The differences in dynamics and interests conspire to undermine the complementary and harmonious relationship between PESCO and the EDF.

315 Ibid.

316 *'An action as referred to in Article 6(1) that is developed in the context of Permanent Structured Cooperation may benefit from a funding rate increased by an additional 10 percentage points'*. See: Ibid., Art 11(2).

317 Council Decision (CFSP) 2017/2315, 11.12.2017, Commitment 15.

318 *'Moving PeSCo forward: what are the next steps?'*, 19. This opinion is shared by most of the PMS: *'the widely shared opinion sees a natural connection between PeSCo and the EDF, considering the latter a valid financial instrument to encourage cooperation projects. PeSCo and the EDF should therefore work hand-in-hand, contributing together to the development of European capabilities'*. See: Maulny and Di Bernardini.

## A consistent approach hampered by structural differences

### PESCO and the EDF: Different dynamics, different purposes

The two initiatives are governed by different dynamics. PESCO was launched in the context of the Intergovernmental method. In this context, the rule of unanimity was used. The EDF initiative belongs to the Community method. Thus, the ordinary legislative procedure was used to adopt the EDIDP. The European Commission (representing the EU general interest) proposed the Regulation, the European Parliament (representing the European citizens' interest) voted according to the majority rule and the Council (representing the Member States' interest) voted according to the qualified majority rule. Thus, this structural difference resulted in the involvement of different interests.

On the one hand, PESCO is controlled by the Council. This means that its governance relies on the ability of the 25 PMS to reach a compromise. Indeed, most of PESCO's decisions are based on the unanimity rule<sup>319</sup>. It is an efficient way to protect the Member States' 'sovereignty' in fields considered to be too sensitive to be subject to the Community method. However, this governance can potentially be affected by the PMS' wish to protect their national interests. Moreover, PESCO's governance is compounded by the differences in approach that remain between its 25 PMS<sup>320</sup>.

On the other hand, EDF's situation is different. If we take the example of the EDIDP, since its adoption the European Commission has overseen its implementation. More specifically, the Commission had to establish a two-year working programme, setting out in detail *'the categories of projects to be funded under the Programme'*<sup>321</sup> and will award the funding for selected

319 Council Decision (CFSP) 2017/2315, 11.12.2017, Art 4.

320 For instance, we could mention large differences in national defence expenditure, strategic culture, threat perception, perception of the role of the EU in the field of defence.

321 Regulation (EU) 2018/1092, *OJ L 200*, 7.8.2018, 30–43, Art 14.

projects<sup>322</sup>. The work programme and the award of funding are both implementation acts, subject to the comitology procedure. In accordance with this procedure, the Member States will be represented on a committee in which all these implementation acts<sup>323</sup> will be approved by a qualified majority vote. The qualified majority rule might enable them to reach a compromise that will be less affected, in relative terms, by differing national interests than is the case within PESCO. Therefore, we can consider that these two different dynamics represent two different ways of approaching and managing defence issues.

Furthermore, the two initiatives have another structural difference. They serve different purposes. As described above, PESCO facilitates large-scale cooperation in four core fields of action. It serves a broad defence purpose based on military considerations. The EDF has a narrower and more economic purpose. For instance, the legal basis of the EDIDP Regulation is Article 173 of the Treaty on the Functioning of the EU (TFEU), which refers to support for the competitiveness of the Union's industry. The promotion of economic interests could lead to a shift in focus away from the objective of operational autonomy because it should not take into account the operational needs of Member States. These structural differences could undermine the complementary and harmonious interaction between the two initiatives.

*Concerns over the EDF's lack of provision for operational needs and project prioritisation difficulties under PESCO*

It is important to analyse how the differences between PESCO and the EDF impact their interaction. This evaluation is not easy to carry out given the short time frame in which it has been possible to observe the evolution of the two initiatives and their interactions. However, we can focus on the PESCO projects and

322 Ibid., Art 15.

323 Regulation (EU) 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (February 28, 2011), 13–18, Art 5. <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32011R0182>

their relationship so far with the EDIDP. We can already identify two significant negative impacts.

Concerns exist over the Commission's ability to take into account military considerations when it comes to selecting the projects to be funded by the EDF. Indeed, the EDF (as well as the EDIDP) serves an economic purpose, which is different from military purpose<sup>324</sup>. In order to mitigate this difference, the EDIDP Regulation mentions in Article 3 that it should fund actions taking place '*in line with defence capability priorities agreed by Member States*'. The working programme of the EDIDP reflects the same willingness to take into consideration a broader perspective than economic purpose alone<sup>325</sup>. However, despite its recent broad interpretation of Article 41(2) TFEU, the Commission remains legally constrained by the legal basis it chooses for the EDIDP and EDF. The legal basis of the EDIDP is support for industrial

324 '*The armed forces' needs are inherently different from other public administration procurement*'. See: Alessandro Marrone, 'National Expectations Regarding the European Defence Fund: The Italian Perspective', ARES, Policy Paper no 42, (May 2019): 4. <https://www.iris-france.org/wp-content/uploads/2019/10/ARES-42-EDF-Italy.pdf>

325 Commission Implementing Decision of 19.3.2019 on the financing of the European Defence Industrial Development Programme and the adoption of the work programme for the years 2019 and 2020, C(2019) 2205 final (Brussels, 19 March 2019), annex I, 1. [https://ec.europa.eu/research/participants/data/ref/other\\_eu\\_prog/edidp/wp-call/edidp-wp1920\\_en.pdf](https://ec.europa.eu/research/participants/data/ref/other_eu_prog/edidp/wp-call/edidp-wp1920_en.pdf) '*The objective of this work programme is to provide a balanced mix of priority areas in line with the Union capability priorities commonly agreed by Member States, particularly through the Capability Development Plan (CDP)*1. *Proposals in the Permanent Structured Cooperation (PESCO) framework and Common Security and Defence Policy (CSDP) capability shortfalls have been given due consideration in the work programme.*' '*In line with the objectives of fostering the competitiveness, efficiency and innovation capacity of the defence industry throughout the Union and in line with the defence capability priorities agreed by Member States within the framework of the CSDP, this work programme contains the categories for actions to be funded*'. See: *Ibid.*, Annex I, 2,

competitiveness,<sup>326</sup> therefore it continues to have first and foremost<sup>327</sup> an economic purpose.

Therefore, the Commission is put in a delicate position, because it can only take into account military considerations rather marginally. Otherwise, the Regulation would potentially come under legal scrutiny more frequently. Moreover, some states have questioned the European Commission's current expertise as regards the taking into account of military specificities<sup>328</sup>. This lack of expertise could have a negative impact on the assessment of the operational relevance of the proposed projects. Furthermore, there are concerns that the European Commission has chosen to spread EDF funding over multiple projects rather than to concentrate its efforts on a few structuring projects, which would be particularly appropriate from an operational perspective<sup>329</sup>.

All these concerns relate to the risk of the Commission funding projects that are not sufficiently relevant to the operational needs of the Member States and that thereby hamper the EDF's

326 The EDF should have an additional legal basis, Article 182 of the TFEU, for defence-oriented research actions. However, this [would not remedy?] the difficulties of the Commission to take into account the military considerations. See, European Commission, Proposal for a Regulation of the European Parliament and of the Council establishing the European defence fund, COM(2018) 476 final, (13 June 2018), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52018PC0476>

327 *'If an examination of a European Union measure reveals that it pursues a twofold purpose or that it comprises two components and if one of these is identifiable as the main or predominant purpose or component, whereas the other is merely incidental, the act must be based on a single legal basis, namely that required by the main or predominant purpose or component.'* See: Court of Justice of the European Union, Grand Chamber, 14 June 2016, *European Parliament v Council of the European Union*, C-236/14 (14 June 2016), Point 44. <http://curia.europa.eu/juris/celex.jsf?celex=62014CJ0263&lang1=fr&type=TEXT&ancre=>

328 *'Therefore, it is not an insult to the European Commission to point out its lack of expertise in defence in general and armaments programmes in particular (...). The question has been raised many times (...) about the quality of the evaluation it will carry out of the proposed projects and the relevance of those selected. Moreover, (...) there is a risk that it may have its own priorities which may not be those of the Member States'*, (translation from French to English by the author). See: *Assemblée Nationale, Rapport d'information sur les enjeux européens de l'industrie de Défense*, 12 February 2019. <http://www.assemblee-nationale.fr/15/europe/rap-info/i1672.asp>.

329 *'the Commission will most probably not be able to concentrate its funding on a few structuring projects which, by definition, can only benefit Member States with a significant defence industry, i.e. France, Germany, Italy, Spain and Sweden. 'Small' countries and others, especially in Eastern Europe, will not accept it'*, (translation from French to English by the author). *Ibid.*



contribution to strategic autonomy. Thus, in order to overcome this difficulty, PESCO PMS should propose to the EDF relevant projects that meet their operational needs.

The problem is that PESCO has difficulties in prioritising its projects. The adoption of 34 projects (and more to come) creates a risk of saturation and raises concerns over the sustainability of some PESCO projects<sup>330</sup>. Moreover, the relatively limited ambition of the projects, as well as the lack of projects addressing major capability shortfalls, reveals a relatively flawed way of selecting projects due to the intergovernmental process<sup>331</sup>. The prioritisation of projects that would best serve operational autonomy is affected by the protection/promotion of national interests combined with the prospect of a financial bonus for capability development projects.

Indeed, the perspective of EDIDP's financial incentive influenced the selection of PESCO projects. Specifically, in the context of the second batch of PESCO projects, this led to a form of eagerness from the PMS. They were proposing projects enabling them to 'pre-empt' the PESCO 'label'<sup>332</sup> in order to take advantage of the EDIDP/EDF financial bonus. This showed a willingness to benefit from the EDIDP/EDF while at the same time involving their national industry as early as possible<sup>333</sup>. A recent study demonstrated that most of the lead PMS expect their capability development project to benefit from the EDIDP/EDF<sup>334</sup>. This raises a series of concerns about, for instance, the financial sustainability of projects that

330 *This reveals probably one of the limits of PESCO as it is conceived or applied today. The number of projects already adopted during the two first selection processes, 34, is certainly too high and some countries are developing a participation policy in projects that probably exceeds their capacities.* See: Maulny and Di Bernardini, 'Moving PeSCo forward: what are the next steps?', 15.

331 *'The current 34 projects (...) are mostly oriented towards national needs suffering from a qualitative lack in terms of addressing the gaps in European strategic autonomy.'* See: *Ibid.*, 18.

332 Interview by Quentin Loiez, 30 January 2019.

333 *Some countries want PeSCo projects to benefit their national DTIBs as a matter of priority.* See: Maulny and Di Bernardini, 'Moving PeSCo forward: what are the next steps?', 4.

334 *'almost all projects are expecting to receive EDF funding. Some consider applications for pre-EDF mechanisms such as the 2019–20 European defence industrial development programme (EDIDP) of work.'* See: Efsthathiou, Hannigan, and Béraud-Sudreau, 'Keeping the momentum in European defence collaboration: an early assessment of PESCO implementation', 9.

would not receive the financial bonus from the EDIDP/EDF<sup>335</sup> and about the competition between small and large PESCO projects<sup>336</sup>. These concerns reflect defective interaction between EDF and PESCO. It creates a potentially vicious circle, in the long run, in which PESCO would fail to propose to the EDF projects that meet operational needs and the EDF would fail to identify and fund ambitious PESCO projects.

In order to avoid such negative interaction between PESCO and the EDF the Member States, as well as other actors, need to make full use of their prerogatives.

## Towards a more efficient interaction between PESCO and EDF

It has been demonstrated that the EDF can contribute to developing industrial autonomy by supporting projects coming from PESCO. But this industrial autonomy can only support the development of operational autonomy if it meets the relevant operational needs. In this regard, the promotion of these operational needs clearly relies on the intergovernmental dynamic. This function is the responsibility of the Member States. Indeed, Member States have the opportunity (through the comitology procedure), the capacity (as the Member States have the expertise to define their operational needs) and the legitimacy (as the armed forces are under the control of their Member States) to define and promote the relevant operational needs and develop operational autonomy.

335 'will projects that do not receive funding still be supported by member states or will the financial incentive prove to be indispensable?'. See: *Ibid.*, 9-10.

336 'The competition between larger and smaller projects for funding may mean tough choices for those decision makers who will attribute funding: show support for larger projects that would potentially deliver game changing capabilities for European armed forces, or instead, driven by political and diplomatic considerations, spread the total EDF sum over a larger number of smaller projects to show widespread support'. See: *Ibid.*, 10.

The PESCO PMS must prioritise and select pertinent PESCO capability development projects<sup>337</sup>, for instance, high-end armament equipment<sup>338</sup> and projects addressing major capability shortfalls. These priorities should contribute to developing the operational autonomy of the EU. In other words, the PMS should select less and target better. At the same time, Member States<sup>339</sup> must also act wisely within the EDF framework. Their involvement in the comitology procedure is an opportunity to control and guide the Commission's action in the right direction. Member States should, therefore, adopt a consistent position in this framework in order to support their intergovernmental initiatives. Specifically, if proposed by the Commission, Member States should vote in favour of the selection of the most relevant PESCO projects<sup>340</sup>. This dual approach can enable Member States to operate PESCO and the EDF hand in hand.

Other actors should complement and support the action of the Member States. Indeed, from an institutional point of view, the HR/VP has a fundamental role in supporting a consistent approach between PESCO and the EDF. Given its prerogatives as regards the identification and evaluation of PESCO projects, the HR/VP should influence this process by encouraging the selection of major projects that could contribute to industrial autonomy and meet the operational needs of the PMS. Moreover, as the Vice-President of the European Commission, the HR/VP has the political and legal legitimacy to ensure a consistent

337 *For the time being, the choice of the selected projects has been a means of maintaining the cohesion of the EU and satisfying the wishes of PeSCo members. However, this policy should not persist or it might undermine the credibility of the EU in its quest to develop its military capabilities'. See: Maulny and Di Bernardini, 'Moving PeSCo forward: what are the next steps?', 18*

338 *'In line with the new level of ambition, resulting from the EU Global Strategy, high-end capabilities should also be included in PESCO. The Franco-German Main Ground Combat System project (...) would fall into that category. Looking at the naval sector, the next generation non-nuclear submarines could be a candidate'. See: Dick Zandee, 'PESCO Implementation: Policy Report The Next Challenge', (Clingendael, 2018), [https://www.clingendael.org/sites/default/files/2018-09/PB\\_Pesco\\_Sept2018.pdf](https://www.clingendael.org/sites/default/files/2018-09/PB_Pesco_Sept2018.pdf).*

339 25 of the current 28 Member States of the EU are PMS of PESCO. This creates a large political critical mass within the Committee, given the qualified majority voting rule in this framework.

340 In this regard the two PESCO projects (Eurodrone MALE and European Secure Software defined Radio) proposed by the Commission in the EDIDP Working programme for an award without a call for proposals represent a good opportunity for the Member States.

approach between the intergovernmental and Union dynamics. In this regard, the report on interactions, linkages, and coherence among EU defence initiatives<sup>341</sup>, produced by the current HR/VP, must be seen as a demonstration of this possible interface role between intergovernmental and Union dynamics. The report contains interesting recommendations to ensure overall coherence between the new defence initiatives. Recommendations, such as using the CDP as a continuous common reference, facilitating coherent sequencing of processes, enhancing coordination between EU actors supporting the defence initiatives and fully embedding EU tools and processes into national planning, can all contribute to ensuring fruitful interaction between the EDF and PESCO. The new HR/VP of the next European Commission will have to pay attention to the effective implementation of these recommendations and should further intensify their interface role.

Furthermore, the Commission must not marginalise the European Defence Agency (EDA). Indeed, as an observer within the comitology procedure of the EDF/EDIDP, the EDA's expertise on the implementation of all the intergovernmental defence-related initiatives (PESCO, CDP, CARD) can contribute to efficiently orienting the EDF/EDIDP's financial support. The same recommendation can be made to the EEAS, including the EU Military Staff (EUMS), to share expertise on operational aspects. Some proposed that the Commission should optimise the involvement of the EDA and the EEAS by making them members of the Committee<sup>342</sup> with the right to vote. It remains to be confirmed whether this is legally possible<sup>343</sup>. However, including the EDA and the EEAS in the Committee would be an opportunity

341 European External Action Service, Report by the High Representative, acting also in her capacity of Vice-President of the Commission and Head of the European Defence Agency, to the Council of 29/05/2019 on interactions, linkages and coherence among EU defence initiatives, HR(2019) 52. <https://www.statewatch.org/news/2019/jun/eu-eeas-defence-initiatives-coordination-report-hr-2019-52.pdf>

342 *Both EDA and EUMC should participate as members in the committee tasked with the definition of the work programme*. See: Marrone, 'National Expectations Regarding the European Defence Fund: The Italian Perspective', 4.

343 The standard rules of procedure for committees provides at Article 5 that *'Each Member State shall be considered to be one member of the committee'*. *Standard rules of procedure for committees – Rules of procedure for the [name of the committee] committee*, 2011/C 206/06, OJ C 206, (12 July 2011): 11–13, [https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32011Q0712\(01\)](https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32011Q0712(01))

to create even more complementarity and consistency between the EDF and PESCO, given that they are the two bodies composing the PESCO Secretariat. Therefore, the Commission must always seek to optimise its understanding of the operational needs of the Member States, whether through the action of the HR/VP or by taking better account of the expertise of the EDA and the EEAS.

## Conclusion

There is a risk that the effectiveness of interaction between recent Union and intergovernmental initiatives in the field of defence could be weakened. The Commission's involvement in this traditionally intergovernmental sector is often presented as a game-changer. However, it is not immune to modest results or even failure if it does not meet the needs of Member States in this area.

Given these risks, the launch of the new European Commission, headed by a former Minister of Defence of a Member State, within which a Directorate-General for Defence Affairs will be created, initiates a new political sequence. It could be an opportunity for both the European Commission and the Member States to take up the challenges described in this paper and to establish a subtle institutional balance to support industrial autonomy in order to develop operational autonomy. The EU and its Member States would thus be contributing to the implementation of one of the EUGS's objectives: the strategic autonomy of the European Union.

## Notes on contributor

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## List of Abbreviations

### A

**ACP** - African Caribbean Pacific

**AFIC** – Africa - Frontex Intelligence Community

**AHWG** - Ad Hoc Working Group

**AI** - Artificial Intelligence

**APs** - analysis projects

**AU** - African Union

### C

**CARD** - Coordinated Annual Review on Defence

**CBSD** - Capacity Building in support of Security and Development

**CCC** - Communist Combatant Cells

**CCDCOE** - Cooperative Cyber Defence Centre of Excellence

**CDP** - Capability Development Plan

**CDPF** - Cyber Defence Policy Framework

**CEFRL** - Common European Framework of Reference for Languages

**CERT** - Computer Emergency Response Team

**CFSP** - Common Foreign and Security Policy

**CIC** - Crime Information Cell

**COPPRA** - Community Policing and Prevention of Radicalisation

**CPA** - Cotonou Partnership Agreement

**CPCC** - Civilian Planning and Conduct Capability

**CPPP** - Certificate Program in Public Procurement

**CSA** - Child Sexual Abuse

**CSDP** - Common Security and Defence Policy

**CSIRTs** - Computer Security Incident Response Teams

**CTED** - Counter-Terrorism Committee Executive Directorate

**CTG** - Counter Terrorism Group

## D

**DGs** - Directorates-General

**DG DEVCO** - DG for International Cooperation and Development

**DG HOME** - Directorate-General for Migration and Home Affairs

**DITB** - Defence Technological and Industrial Base

## E

**EAB** - Executive Academic Board

**EBCGA** - European Border and Coastguard Agency

**EC** - European Commission

**EC3** - European Cybercrime Centre

**ECCP** - European Cluster Collaboration Platform

**ECTS** - European Credit Transfer and Accumulation System

**EDA** - European Defence Agency



**EDF** - European Defence Fund

**EDITB** - European Defence Technological and Industrial Base

**EDIDP** - European Defence Industrial Development Programme

**EEAS** - European External Action Service

**EGC** - European Government CERTs

**EHEA** - European Higher Education Area

**EIP** - European External Investment Plan

**EI2** - European Intervention Initiative

**ENISA** - European Network and Information Security Agency

**ENP** - European Neighbourhood Policy

**ENVSE** - Environmental Systems Engineering

**ENVSEC** - Environmental Security Initiative

**EPF** - European Peace Facility

**EPLO** - European Peace building Liaison Office

**ESA** - European Space Agency

**ESDC** - European Security and Defence College

**ESDI** - European Security and Defence Identity

**ESDP** - European Security and Defence Policy

**ESS** - European Security Strategy

**ETA** - Euskadi ta Askatasuna

**EU** - European Union

**EUBG** - European Battlegroup

**EUCAP** - European Conference on Antennas and Propagation

**EUCSS** - Cyber Security Strategy of the European Union: An Open, Safe and Secure Cyberspace

**EUGS** - European Union Global Strategy

**EUISS** - European Union Institute for Security Studies

**EUMS** - EU Military Staff

**EUTF** - European Union Emergency Trust Fund

**EUTMs** - European Union Trade Marks

**EWS** - Early Warning System

**EU SATCEN** - European Union Satellite Centre

## F

**FIRST** - Forum of Incident Response and Security Teams

**FLN** - National Liberation Front

## G

**GECHS** - Norwegian government-funded Global Environmental Change and Human Security

**GMES** - Global Monitoring for Environment and Security

## H

**HR** - High Representative

**HR/VP** - High Representative/Vice-President

**Hybrid CoE** - European Centre of Excellence to Combat Hybrid Threats

## I

**ICTs** - Information and Communication Technologies

**INTCEN** – European Union Intelligence Analysis Centre

**IOM** - International Organisation of Migration

**IPCC** - Intergovernmental Panel on Climate Change

**IRA** - Irish Republican Army

**ISIL** - Islamic State of Iraq and the Levant

## J

**JAES** - Joint Africa–Europe Strategy

## M

**MALE RPAS** - Medium-Altitude Long-Endurance Remotely Piloted Aircraft

**MFF** - Multiannual Financial Framework

**MoU** - Memorandum of Understanding

**MPCC** - Military Planning and Conduct Capability

## N

**NATO** - North Atlantic Treaty Organization

**NCIRC** - NATO's Computer Incident Response Capability

**NDICI** - Neighbourhood, Development and International Cooperation Instrument

**NGOs** - Non-Governmental Organisations

**NIS Directive** - Directive on Security of Network and Information

## O

**OCEEA** - OSCE Economic and Environmental Activities

**OSCE** - Organization for Security and Co-operation in Europe

## P

**PACE** - Parallel and Coordinated Exercises

**PESCO** - Permanent Structured Cooperation

**PMS** - Participating Member States

**PNR** - Passenger Name Records

**PPPs** -Public-Private Partnerships

## R

**RAF** - Red Army Faction

**REC** - Regional Environmental Center

## S

**SSRs** - Special Service Requests

## T

**TEU** - Treaty on the European Union

**TF-CSIRT** - Task Force on Computer Security Incident Response Team

**TFEU** - Treaty on the Functioning of the EU

## U

**UN** - United Nations

**UNDP** - United Nations Development Programme

**UNECE** - United Nations Economic Commission for Europe

**UNEP** - UN Environment Programme

**UNFCCC** - UN Framework Convention on Climate Change

**UK** - United Kingdom

**UNGA** - United Nations General Assembly

**UNSC** - UN Security Council

**US** - United States

## W

**WEU** - Western European Union

**WMO** - World Meteorological Organization







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