CERPESC
ANALYSES

Backgrounds	Political steps	Cooperation & rivalry	Conclusion
1949-	*1990-2017*	*in the field*	*before the BREXIT*
Page 3	**Page 11**	**Page 17**	**Page 23**

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THE EU AND NATO : A STRANGE MARRIAGE

Historical, legal and political framework of the EU-NATO relations

This analysis[1], beyond giving an outline of the historical, legal, and political frameworks of EU-NATO relations, is to draft by some examples that behind the scenes which *fault lines* make internal cooperation difficult, with a strong emphasis on French opinions, as a key state of European integration. It presents
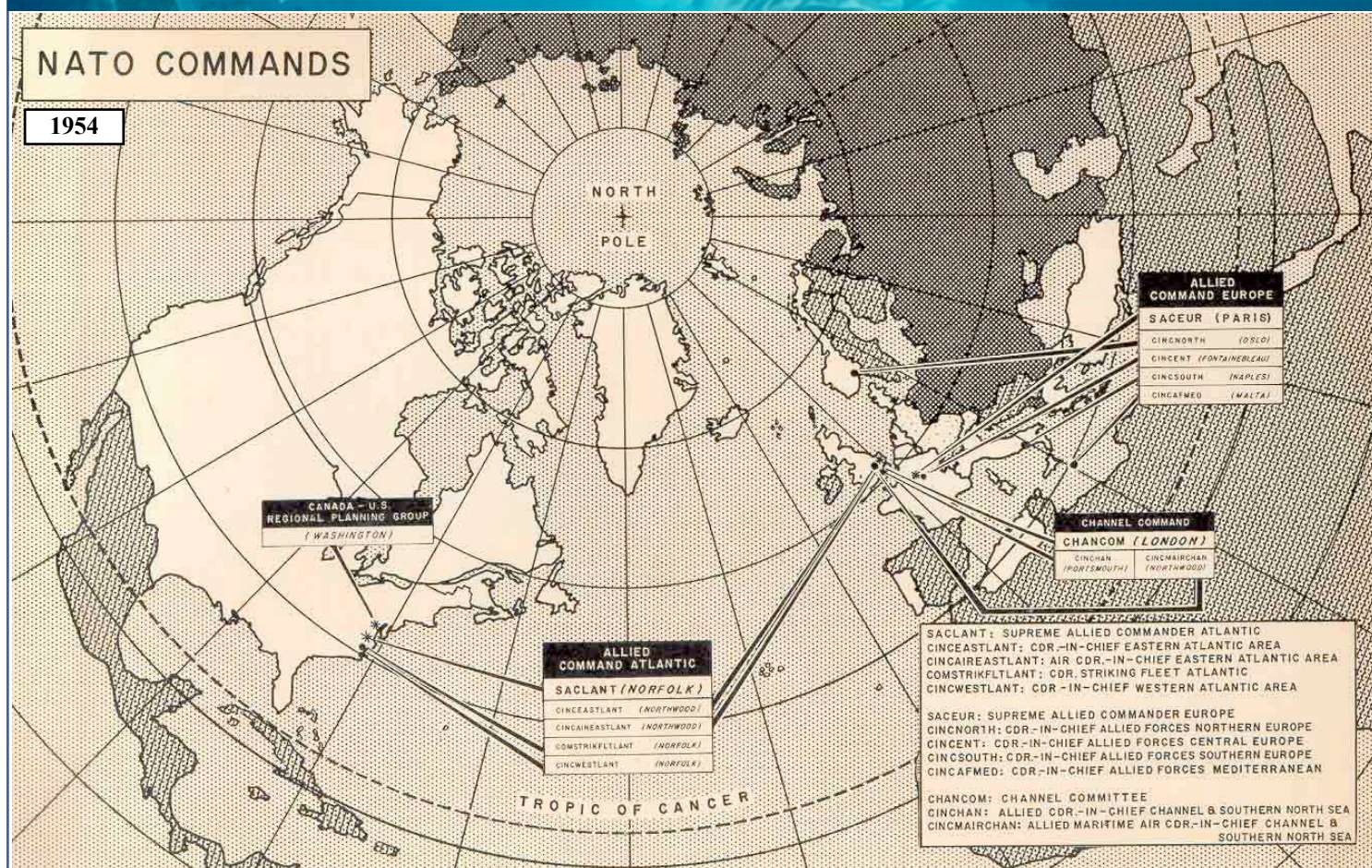
- firstly the historical and legal background, and the nature of relationships and memberships : the establishment of NATO and WEU, the distinction between common defence and common defence *policy,* NAT and NATO ; the Article 5 of NATO and WEU ; the 14+1 formula ; and the French and Spanish (re)integration

- then the most important political steps of EU-NATO cooperation during the period 1990-2016 : WEU`s and NATO`s parallel development and peacekeeping roles ; the Petersberg tasks ; the cooperation under the Berlin Plus framework and the present NATO-CSDP cooperation

- and finally a history of police-military cooperation and rivalry in the operational field : especially the intrigues, headline goals and double offers ; the principle of "first refusal" and "Three Ds" ; and the missions in the Balkans, Afghanistan, Iraq and Africa.

NATO COMMANDS
1954

I. Historical and legal background, and the nature of relationships and memberships

I.1. The lost European chance and the two Article 5

At the beginning of the integration process, (Western) Europe concluded the following deal, which has had serious consequences. With the renunciation of a pillar of sovereignty (territorial defence, e.g. NATO), the member states of the European Union accepted *de facto* the primacy of the United States over policies at the international level. In return most European countries spend much less on collective defence. They thus profit from the unexploited capital for defence. Some countries (France, United Kingdom) still develop a military capability to manage their preserve. At the European level, the real political will to create a common European defence is lacking.

Thus, there remains only the common defence *policy* for Europeans, that is to say the fields outside the common, territorial defence that falls under NATO. When did this choice become decisive? After the Second World War, European defence started to be reorganized on the basis of bilateral treaties (like the Treaty of Dunkirk (1947), a **mutual defence** treaty).

The **collective self-defence** base for Europe was concluded for the first time in the Brussels Treaty (preceding the treaty of NATO), but the European initiatives were destined to fail, because fear and distrust of the Germans persisted. Weakened and impoverished, the European states did not have the capacity to counter the USSR with conventional or nuclear weapons. (Although France, supported by the United States, spent twice the Marshall aid to continue the war in Vietnam.)
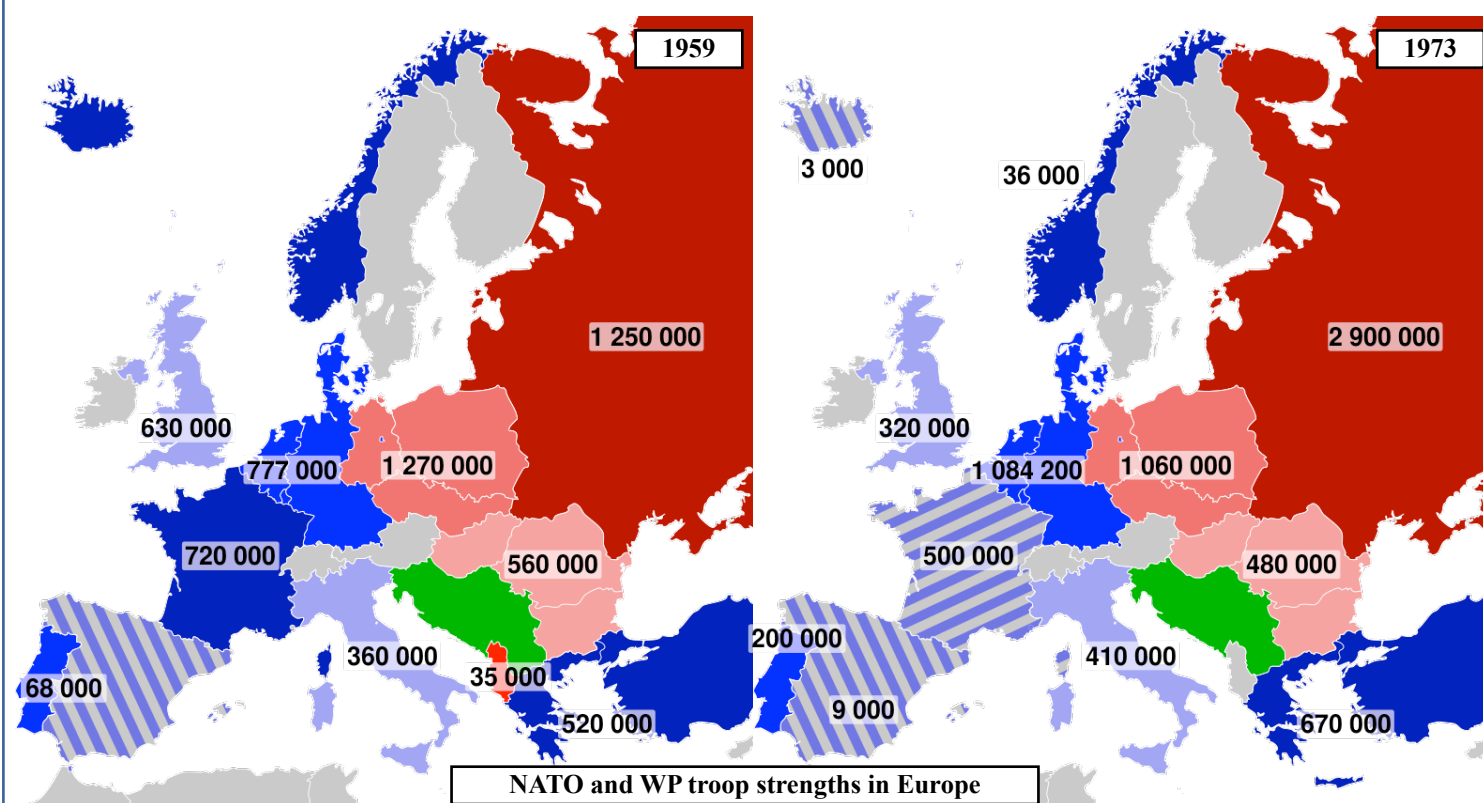
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Until recently, the signing of the North Atlantic Treaty (NAT, 4 April 1949[2]) has been interpreted differently by the most powerful states in Europe.

For France, especially since the presidency of Charles de Gaulle, the integrated structure (i.e. the "Organization") with its military logic of a military doctrine, non-autonomous nuclear weapons, was for a long time refused or criticized. However the automatic triggering of the **collective defence** treaty (i.e. NAT, an international treaty), Article 5, has never been questioned, as for example during the Berlin Wall (1961) and Cuban Missile Crises (1962).

Since 1949, Europe`s territorial defence is based on Article 5 of the NAT and this article is the basis of the *collective defence* in the transatlantic area. Collective defence means that an attack against one Ally is considered as an attack against all Allies.

The treaty limits the territory of its application in Article 6 (amended at the time of Turkish and Greek accession, 22 October 1951):

*"For the purpose of Article 5, an armed attack on one or more of the Parties is deemed to include an armed attack: on the territory of any of the Parties in Europe or North America, on the Algerian Departments of France, on the territory of Turkey or on the islands under the jurisdiction of any of the Parties **in the North Atlantic area north of the Tropic of Cancer**; on the forces, vessels, or aircraft of any of the Parties, when in or over these territories or any area in Europe in which occupation forces of any of the Parties were stationed on the date when the Treaty entered into force or the Mediterranean Sea or the North Atlantic area north of the Tropic of Cancer."* (Türke 2008, 22–23)

NATO and WP troop strengths in Europe

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[2] Twelve founding members : USA, Canada, Belgium, Denmark, France, Iceland, Italy, Luxembourg, Netherland, Norway, Portugal, United Kingdom

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NATO air bases in France until 1966

ROYAUME-UNI · BELGIQUE · ALLEMAGNE · LUX · SUISSE · ITALIE · ESPAGNE · ANDORRE

Manche · Océan Atlantique · Mer Méditerranée

Lille · Amiens · Caen · Rennes · Nantes · Orléans · Poitiers · Limoges · Clermont-Ferrand · Lyon · Dijon · Besançon · Bordeaux · Toulouse · Montpellier · Marseille · Strasbourg · Metz · Châlons-en-Champagne · PARIS

Cambrai-Épinoy · Cambrai-Niergnies · Saint-Quentin-Estrées · Saint-Simon-Clastres · Laon-Couvron · Laon-Athies · Beauvais-Tillé · Station Marville · Évreux-Fauville · Vouziers-Séchault · Étain-Rouvres · Grostenquin · Chambley-Bussières · Metz-Frescaty · Phalsbourg-Bourscheid · Châlons-Vatry · Toul-Rosières · Paris-Orly · Nancy-Ochey · Luneville-Chenevières · Dreux-Louvilliers · Vitry-Brienne · Épinal-Mirecourt · Chaumont-Semoutiers · Damblain · Saint-Nazaire-Montoir · Châteauroux-Déols · Bordeaux-Mérignac

Légende :
- Damblain — base aérienne de l'US Air Force
- Grostenquin — base aérienne de la Royal Canadian Air Force
- Vouziers — base de déserrement
- Nancy-Ochey — piste de secours
- — · — · — frontière nationale
- ——— limite de région
- ——— limite de département
- ☆ capitale nationale
- ⊙ préfecture de région

0 (km) 200
0 (mi) 150

NATO invoked Article 5 for the first time in its history after the 9/11 terrorist attacks against the USA. By contrast, in the Article 4 of the Brussels Treaty of 17 March 1948, (Article 5 in the modified Brussels Treaty, the so-called WEU- Treaty [3], Paris 23 October, 1954), in case of an attack, the aid provided is wider ("*and other aid*": political, economic, etc.) than the purely military aid of Article 5 of NATO :

*"If any of the High Contracting Parties should be the object of **an armed attack in Europe**, the other High Contracting Parties will, in*

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[3] WEU: Western European Union; AWEU: Assembly of the WEU.

accordance with the provisions of Article 51 of the Charter of the United Nations, afford the Party so attacked all the military and other aid and assistance in their power." (Türke 2008, 59)

And the Article 8.3 (former 7.3) has no geographical limitation :

"At the request of any of the High Contracting Parties the Council shall be immediately convened in order to permit Them to consult with regard to any situation which may constitute a threat to peace, in whatever area this threat should arise, or a danger to economic stability." (Türke 2008, 59)

In 1982, for example, the Falklands crisis between Great Britain and Argentina activated the WEU institutions and the application of Article 5 and especially Article 8.3, because the area was not covered by Article 6 of the North Atlantic Treaty. But for political reasons the Council of WEU was not convened. (TÜRKE 2012, 65)

(A)WEU, which was put to sleep by the Marseille Declaration (in 2000), has not completely disappeared and, until its dissolution in June 2011, retained its role, notably in the implementation of Article 5 of the modified Brussels Treaty concerning an "armed aggression in Europe" against one of the contracting parties.

The Treaty on European Union (Maastricht and its amendments) did not incorporate it until the entry into force of the Treaty of Lisbon (1 December 2009). According to its Article 28A Paragraph 7:

"If a Member State is the victim of armed aggression on its territory, the other Member States shall have towards it an obligation of aid and assistance by all the means in their power, in accordance with Article 51 of the United Nations

Charter. This shall not prejudice the specific character of the security and defence policy of certain Member States." (Türke 2013, 112–120)

That is to say, the implications of Article V of the modified Brussels Treaty were perceived but the military means to realize them, which fall within the competence of NATO, were not.

U.S. policy was not ab ovo against a strong European pillar of NATO. American objectives, strengthening Europe by German rearmament against the USSR, were more real and reasonable than the European fears of hereditary enemies. Because the Americans favored the Brussels and the EDC[4] treaties for the simple logic of costs and duty sharing, and because until the mid-1950s the military structure of the NAT was in development.

During the Korean War (1950–1953), the headquarters, personnel and plans of the Western Union`s (also referred to as the Brussels Treaty Organisation, BTO) defence arm, the Western Union Defence Organisation (WUDO), were transferred to NATO, providing the nucleus of NATO's command structure at the Supreme Headquarters Allied Powers Europe (SHAPE). (BTO 1957)

Once the structure was finalized, the Americans closed "definitively" the door to the establishment of a European pillar[5]. The United States, therefore, having seen the failure of the EDC and the irrelevant debates among the Europeans that followed, finalized NATO as an American structure, with American leadership, and were already against the WEU Treaty (1954). (TÜRKE 2012, 13–30 and 193–198; VAN EEKELEN 1998, 3–7.)

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[4] EDC: European Defence Community (27 May 1952, never came into force)
[5] That is to say, a more or less cooperation between the "equals".

CERPESC ANALYSES

I.2. The "14+1" Cooperation (1966-1978)

The second phase of cooperation between Europe and America on common defence in the transatlantic area can be characterized by the policy of France: "with the Alliance but without the Organization" and thus the special duplicity of nuclear deterrence in Europe. One of the reasons for the failure of the plan for European political integration (*Plan Fouchet, 1961-62*), was the reference to NATO, which France rejected. President Charles de Gaulle, to re-establish the sovereignty of France, refused the integration proposed by NATO in favour of only cooperation.

The debate culminated around the military issue of nuclear deterrence, but the political context was more important. Would a cooperative Western Europe be militarily ready to develop a nuclear weapon, to assume responsibility for its territorial defence or not. De Gaulle began talks with the British on a joint nuclear force in December 1962. His attempts failed because of the signing of the Nassau Accords (in the Bahamas) by the Americans and the British on 21 December 1962.[6]

This British choice proved decisive for the future of European defence. De Gaulle envisaged an autonomous European nuclear deterrent. Today, only the French nuclear arsenal is autonomous in Europe. The arming of the British nuclear weapons depends on the goodwill of the Americans.

The American arguments were also just from a political point of view: a common army cannot be led by two headquarters. Until 1964, cooperation between the British, American, and French nuclear forces remained possible; in 1965 the general decrease in the Soviet threat reduced French participation in NATO to the strict minimum. The radical break did not come until 1969, when the French nuclear force reached a considerable level. (SERGEANT, 2003, 71–82)

The second aspect of France-NATO relations is the radical change in NATO's military doctrine proposed by McNamara as a result of the Cuban Missile Crisis. The Americans replaced the doctrine of *massive retaliation* (MC 14/2, 1957-1967[7]) with *flexible response* (MC 14/3 1967-1991). The Americans wanted to avoid a nuclear war (immediate response with nuclear weapons) and allow more time for negotiation[8] in a crisis. The "price" of this choice, however, would have been, in the eyes of Europe, a reproduction of the Second World War, the exsanguination of the U.S. *cordon sanitaire* (i.e., Europe).

The French nuclear doctrine (which did not officially exist until the drafting of the First White Paper in 1972) is radically different, correlating with the first doctrine of NATO. According to the French, the essence of nuclear deterrence is, that in the case of an attack, enemy must calculate *in all case* with a nuclear response. Thus even a relatively small state with few nuclear weapons could counter a nuclear attack. This is why the French nuclear threshold has remained low: a Soviet attack with forces larger than a brigade or a division would have justified a French nuclear response. (TÜRKE, 2012, 45–51)

The conclusion was that France remained in the Atlantic alliance, but resigned from NATO's military organization in 1966. AFCENT (Allied Forces in Central Europe) was transferred from Fontainebleau to Brunssun, and SHAPE from Rocquencourt to Mons. The cessation of the NATO

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[6] Following the development of the technology, in exchange for the abandonment of the Skybolt air-to-ground rockets (whose air transport by the B-70s was too risky), the United States will deliver to Great Britain Polaris missiles stored in submarines. The British agreed to use their nuclear force only in agreement with the Americans and therefore renounced an autonomous deterrent.

[7] All related documents in the text can be found in the following books : (Türke, 2008) and (Türke, 2013).

[8] In case of an attack with traditional force, the first military response must be given by traditional weapons. Arming of nuclear weapons is only the second response, if traditional forces have been unable to stop the enemy.

presence in France became effective on 1 April 1967.

The three institutions in which France no longer participated were: the *Defence Planning Committee* (DPC, established in 1963, and the supreme authority of the Alliance); the *Nuclear Planning Group* (NPG, established in 1966) and the *Military Committee* (MC, established in 1949). Since 1962, the United States developed scenarios for a rupture with France, and the American presence in France decreased from 57,400 to 28,700 men.

Despite the initial reluctance of Germany and the United States, the FFA (French forces in Germany) were maintained, without NATO integration, for a political reason. Germany, which was in favour of maintaining U.S. troops on its territory, paradoxically favoured the withdrawal of the FFA, although the French forces represented a guarantee of a French "first aid" in case of Soviet intervention. It was clear, however, that in the event of a conflict de Gaulle would have refused passage of these forces under the integrated command of NATO. French airspace and land remained available (if necessary) as the Donges-Metz pipeline. (BOZO, 1996, 136–134, 144–145, and 187)

To find a *modus vivendi*, several agreements were signed between France and NATO. On 22 August 1967, the *Ailleret-Lemnitzer agreements* provided for general staff contacts if Western Europe was the scene of a conflict in which France chose to become involved. Only the 2nd Army Corps (CA) was stationed in Germany, since the FFA were the only land forces integrated into SACEUR. In practice this force was not able to act beyond Nuremberg. Commitment is not automatic either; it requires a French decision, and it can only be done for a specific mission, for a specific duration and volume of forces.

The passage of forces under allied operational control is not excluded, but they should act under national operational command. The 2nd CA was a reserve force of CENTAG (Central Army Group, headquartered in Heidelberg).[9] The development of French tactical nuclear weapons meant the clause in the Ailleret-Lemnitzer agreement did not apply to nuclear support SACEUR could provide to the 2nd CA "*if the battle became nuclear.*" The "bastard" solution was that the 1st CA was reserved for national deterrence manoeuvres, while the 2nd CA joined the allied manoeuvre without engaging the Pluton nuclear-armed SRBMs (short-range ballistic missiles).

The French army corps in Germany was connected with the whole of the first army, whose command was in French territory. For this reason, the *Valentin-Ferber agreements* of 3 July 1974, under the chairmanship of Giscard d'Estaing, completed the previous agreements. While the *Ailleret-Lemnitzer* agreements only concerned French forces in Germany, the *Valentin-Ferber* include the entire first army. Its content has remained secret, but it is now known that France set the limit of its participation in the RDM line (Rotterdam, Dortmund, Munich).

In the early 1970s the idea of French participation from the beginning of a conventional battle in Europe was more acceptable. The possible French contingent was two army corps, and this participation could go beyond the sole CENTAG sector. In 1976, the Military Programming Act emphasized the development of conventional forces in solidarity with the allies, and the *Biard-Schulze agreement* of 1978 dealt with the necessary procedures in this regard. (TERTRAIS 1999, 618, 621; BOZO 1991, 110, 114–117; TÜRKE 2012, 45–51)

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[9] The Fourquet-Goodpaster agreements have supplemented them by cooperation between the French Air Defense Forces (CAFDA) and their NATO counterparts. (BOZO 1991, p. 114.).

I.3. The reintegration of France into the military structure of NATO[10]

Shortly after France's resignation from the military structure of NATO came a progressive *détente*. France became increasingly open to the application of its land forces, whose scope in the FRG was being extended gradually, but kept its distance regarding its strike force (*force de frappe*). The ability of the allied rapid reaction forces (especially a nuclear response) under these conditions was rather doubtful.

The gradual reintegration of France into the military structure of NATO at the level of troops in the fields began under the presidency of Jacques Chirac (1995-2007). France first wanted assurances

that a European officer would occupy a key NATO post (in the Mediterranean) traditionally held by an American admiral, but Washington's response was chilly. Now, however, the partial French participation in the North Atlantic Council, as well as in the Military Committee, has become full.

Since 2009, the process has accelerated with the reintegration to the IMS (International Military Staff, 1951-) and to International Secretariat (1951-) as well as with integration to the ACT (Allied Command Transformation, 2003-) and ACO (Allied Command Operation, 2003-) under the presidency of Nicolas Sarkozy. Integration is not complete, however, especially in the nuclear field. France has laid down several conditions

New NATO's Military Structure
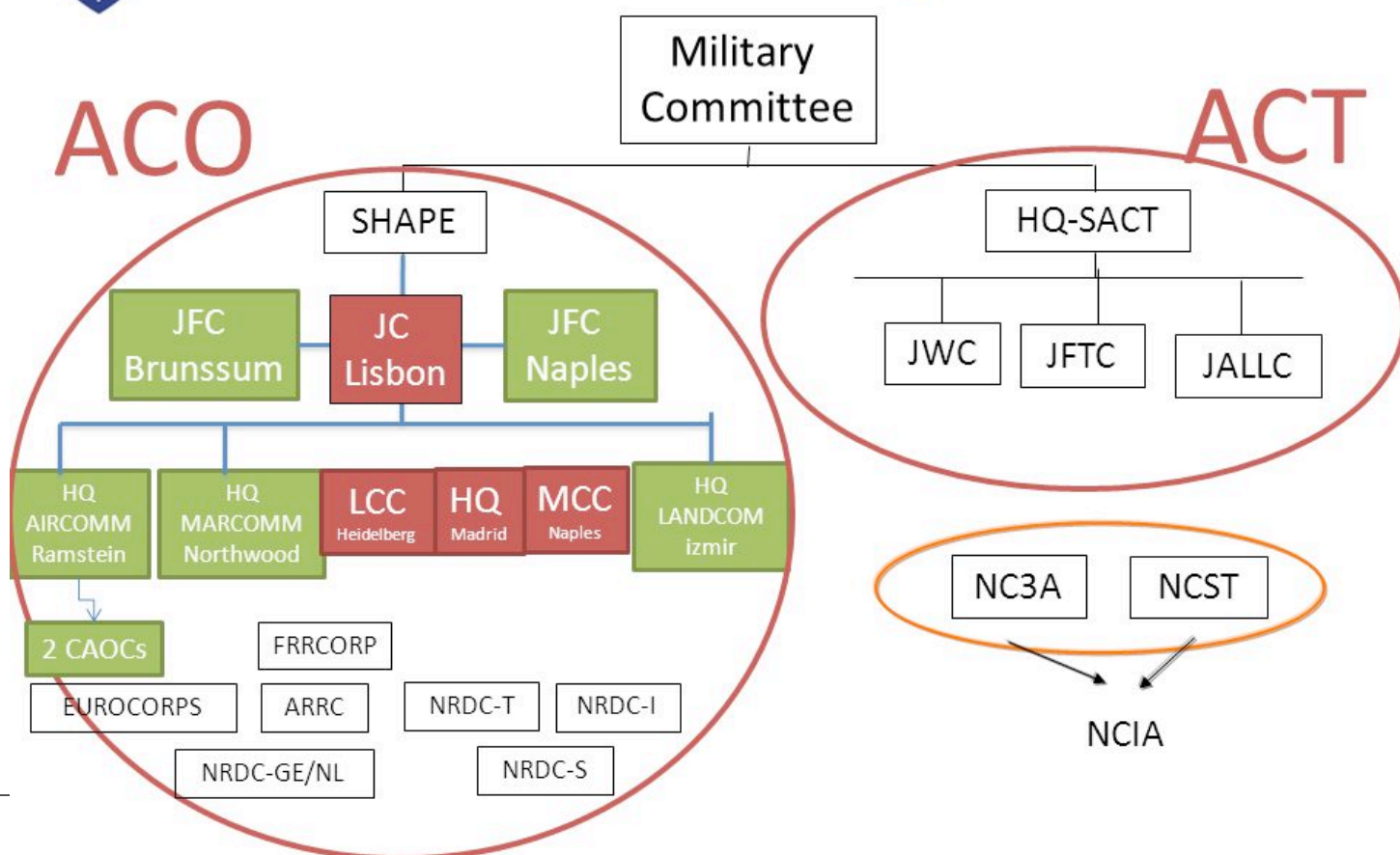
NRDC : NATO's Rapid Deployable Corps ; ARRC : Allies Rapid Reac Corps

(France Diplomatie, 2017) for this return to the military structure:

- maintaining full discretion for France's contribution to NATO operations;
- the maintenance of nuclear independence: France has decided not to join the NATO Nuclear Planning Group (NPG), which defines the alliance's nuclear policy;
- no French force is permanently under NATO command in peacetime
- non-participation in the common funding of certain expenditure decided prior to France's return to the command structures.

As a result, since 2009, France occupies approximately 750 additional officer positions within the NATO Integrated Command, in particular the post of Supreme Allied Commander Transformation (SACT, Norfolk 2002-). (Türke 2012, 45–51) The Headquarters Rapid Reaction Corps-France (HQ RRC-FR) in Lille, created on 1 July 2005, is a NATO certified headquarters, able to command a national or multinational land component between 5,000 and 60,000 personnel.

In-field cooperation between the troops is generally problem free, with some exceptions. American troops bring their own supplies and material, while the French are much more dependent on cooperation with the local population. In Kosovo, the Americans sought to force French troops to ignore the ethnic cleansing of the Serbian minority in favour of the Kosovan Albanian majority. French engagement in Afghanistan was mainly the consequence of the reconciliation with the Americans. But in Afghanistan, France extended well beyond its real capabilities.

The so-called *Uzbin Valley Ambush* (18 August 2008) resulted in the death of ten young soldiers because the France did not have the equipment (drones) for the military reconnaissance and did not ask for help from their American partners in ISAF.

After the earthquake in Haiti in 2010, moreover, French diplomacy was preoccupied with the massive military (re)appearance of the United States inside its former "*chasse gardée*" (former empire) for the "unique purpose" of humanitarian aid and threatening the island with "occupation". (Péan 2013, 205–265; Türke 2014b)

I.4. The integration of Spain into the military structure of NATO

France was not the only European state that, for a long time, was not part of the integrated military structure. Spain joined the Atlantic alliance on 30 May 1982, but became part of the military structure only seventeen years later. The Spanish participation was in danger, however, as before the general election in autumn 1982, the Socialist (PSOE) candidate Felipe González promised to put Spain's integration on ice and call a referendum on whether the country should remain part of the Alliance.

Once in power, however, González performed a pro-Atlantic U-turn and agreed to Spain's membership in NATO, albeit with conditions like the non-incorporation of Spain into NATO's military structure, a reduction in the presence of the United States in Spain, the non-nuclearisation of Spanish territory, and the recovery of Gibraltar. The result of the referendum of 12 March 1986 was that the 'yes' camp won with 52.5 percent of the votes. (Luelmo 2016)

In December 1995, Javier Solana Madariaga, Minister for Foreign Affairs of Spain, was elected Secretary General of the alliance, the ninth in the history of NATO and the first Spaniard to hold this position. On 14 November 1996, the Spanish parliament endorsed the decision of the government to integrate Spain with NATO's military structure and, on 1 January 1999, under the government of the People's Party led by José Maria Aznar, the country joined the military structure of NATO with the support of a broad parliamentary consensus.

There was the gradual incorporation of generals, officers, and NCOs at other Spanish headquarters of the command structure NATO. Like France, Spain also pressed NATO to create a joint "sub-regional" NATO command (in Spain), and Spanish officers would be among the commanders of forces protecting Spain, and the Atlantic and Mediterranean access to the Strait of Gibraltar. (ESPAÑA 2015)

Finally, the Allied Force Command Madrid (30 September 1999 – 1 July 2013) was established as Joint Command Southwest at Posualo de Alarcón in Madrid, responsible for providing DJSE (Deployable Joint Staff Elements) in support of NATO operations worldwide. The renamed Land Component Command HQ Madrid (CC-LAND HQ MD) had a staff of 450 soldiers from sixteen countries that took part in land operations in the Balkans, Afghanistan, Kosovo and, in 2005, assisted the African Union by training its troops. In 2013, a new Allied Land Command at Izmir replaced it. (GORDO 2013)

II. The most important political steps of EU-NATO cooperation (1990-2016)

II.1. WEU and NATO

At the creation of the European Union, thanks to the English opposition the incorporation of the institutional structure of the WEU, the armed wing of the European integration (reactivated in 1984 by the Rome Declaration) in the Maastricht Treaty could not be realized. So developments in the field of European defence, including crisis management, slowed in favour of NATO. The only way out of this impasse remained the strengthening and development the operational capabilities of the WEU through the so-called "Petersberg tasks".

On 19 June 1992, at the Council of Ministers in Petersberg, the WEU defined a framework for future European humanitarian, peacekeeping, and peace-making interventions. The Petersberg missions provided a hard instrument of crisis management for Europeans well before, than NATO got it by the MC 14/5 strategy in 1999. The German president of the WEU interpreted the notion of *peace making* (based on Chapter VI of the UN Charter, theoretically without combat forces) as *peace enforcement* (based on Chapter VII, with combat forces).

It is also the WEU that has begun opening and expanding to other states, but different member-ships resulted in a very complicated structure, and internal debates considerably slowed down the process in favor of NATO: At the Petersberg Summit, the WEU created the status of *observer countries* (members of the European Union, but not of NATO: Ireland, Denmark[11]) and *associate member countries* (members of NATO but not of the European Union: Iceland, Norway, Turkey). The countries of Central and Eastern Europe have been integrated first through the organization of a WEU Consultation Forum ("consulting partners").

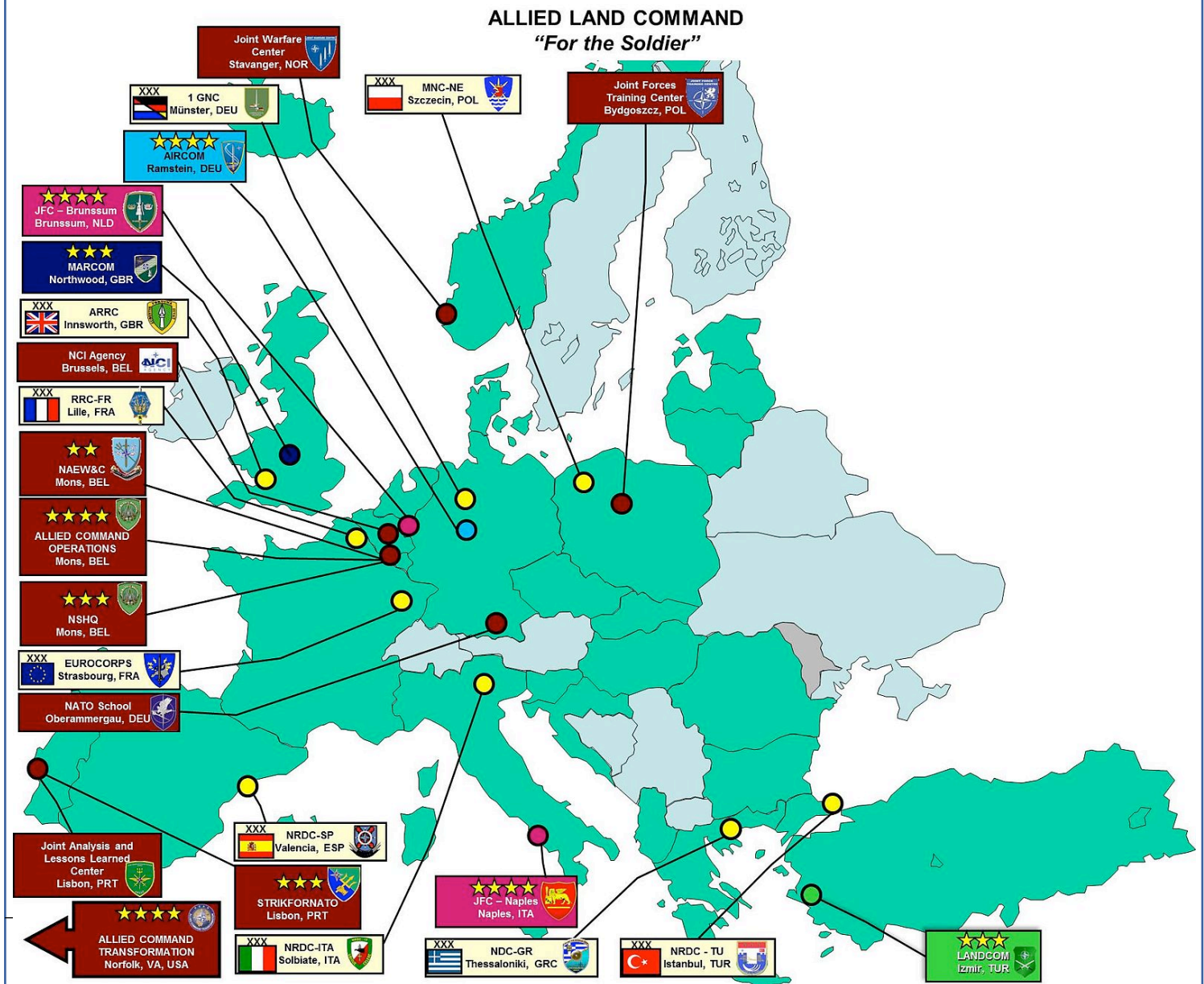[11] Denmark was an exception, being member of both.

But the same year, in November 1992, because of the contribution of these new countries to the management of the conflict in the former Yugoslavia, a Franco- German-Polish initiative has already proposed the establishment of the status of *associate partners* for these states.

As for the realization, once again, NATO has been faster: After being proposed as an American initiative at the NATO meeting in Travemünde, Germany, on 20–21 October 1993, on 10–11 January 1994 in Bruxelles, NATO launched its PfP (Partnership for Peace) program for the same countries[12]. The WEU could introduce the status of

WEU associate partner countries only in its Kirchberg Declaration (Luxembourg) of 9 May 1994.

At NATO, favored by the British, the European Security and Defence Identity (ESDI)—the European pillar of NATO intended to discourage European initiatives for an autonomous defence—has been developed since the Brussels (1994) and Berlin (1996) summits. The goals of ESDI were to allow European countries to act militarily where NATO did not wish to, and to alleviate the United States' financial burden of maintaining military bases in Europe. (TÜRKE 2012, 63-130)

ALLIED LAND COMMAND
"For the Soldier"

Joint Warfare Center
Stavanger, NOR

XXX 1 GNC
Münster, DEU

MNC-NE
Szczecin, POL

Joint Forces
Training Center
Bydgoszcz, POL

AIRCOM
Ramstein, DEU

JFC – Brunssum
Brunssum, NLD

MARCOM
Northwood, GBR

XXX ARRC
Innsworth, GBR

NCI Agency
Brussels, BEL

XXX RRC-FR
Lille, FRA

NAEW&C
Mons, BEL

ALLIED COMMAND
OPERATIONS
Mons, BEL

NSHQ
Mons, BEL

XXX EUROCORPS
Strasbourg, FRA

NATO School
Oberammergau, DEU

Joint Analysis and
Lessons Learned
Center
Lisbon, PRT

XXX NRDC-SP
Valencia, ESP

STRIKFORNATO
Lisbon, PRT

JFC – Naples
Naples, ITA

ALLIED COMMAND
TRANSFORMATION
Norfolk, VA, USA

XXX NRDC-ITA
Solbiate, ITA

NDC-GR
Thessaloniki, GRC

XXX NRDC - TU
Istanbul, TUR

LANDCOM
Izmir, TUR

The Treaty of Amsterdam (1 May 1999) specified that ESDP included the "Petersberg tasks", thus laying down the premises for a defence policy. The alliance's heads-of-state-and-government meeting in Washington in April 1999 laid down the basic principles of the relationship between EU and NATO:

- NATO and the EU establish a relationship of "consultation, cooperation, and effective transparency;"
- European states shall take the necessary measures to strengthen their defence capabilities for new missions "by avoiding unnecessary duplication;"
- European allies not members of the EU may be involved in crisis response operations led by the EU;
- The increased role of the EU in defence will be in line with the decisions of the Berlin Summit of 1996, within the framework of NATO's concept of "*separable but non-separated*" European military capabilities.

Until 2000, relations between the EU and NATO were virtually non-existent, although, in line with the decisions taken at the Helsinki Council, the Secretary-General/High Representative (SG/HR) and the Secretary General of NATO had informal contacts. The partners proposed an even-closer contact, which France refused, fearing that more transparency would jeopardize the sovereignty of European initiatives. (RAPPORT, 2000, 38 and 40)

The *Santa Maria da Feira* Summit (19-20 June 2000) defined the principles to enable non-EU European NATO members to contribute to the military management of the EU. Institutionalised relations between NATO and the EU started only in 2001 though. The conclusions of the Nice European Council (7–9 December 2000) stated that in the case of an EU operation using NATO assets and capabilities:

1. The PSC (EU Political and Security Committee) addresses the strategic guidelines through the Military Committee to the Designated Operations Commander, enabling it to prepare the planning documents necessary for the operation (CONOPS, OPLAN), using guaranteed access to planning capabilities of NATO.

2. NATO and EU experts shall meet to specify NATO pre-identified assets and capabilities, in liaison with DSACEUR, and then the EU sends a request to NATO.

3. The PSC/NAC meetings identify the means, capacities, and modalities of the provision. NATO will remain informed about their uses throughout the operation.

4. OpCom (Operational Command) will be invited to meetings of the EUMC (EU Military Committee) to report on the progress of the operation.

5. The PSC proposes that the council terminate the operation and inform the NAC in advance.

Cyprus and Malta, which do not have security agreements with NATO, are not involved in Berlin-plus operations, or in EU-NATO meetings dealing with NATO-classified matters. (TÜRKE 2012, 172–179)

II.2. The blocking of the Berlin-plus process

Within NATO, the first Turkish blockage of EDSP in the Berlin-plus process dates back to April 1999. Turkey wanted assurances that its rights to WEU were maintained through its associate membership. On 11 December 1999, Turkish Prime Minister Bulent Ecevit, perhaps influenced by the Americans, stated that *"it would be unfair to expect from these countries, that they receive orders from a Council of the European Union concerning military deployments using NATO assets. We will continue to oppose it within the NATO Council."*

As the Turkish press has written: *"Turkey will not be able to accept anything other than what has been affirmed in Washington."* (RAPPORT 2000, 41-43.)

Why has Turkey alone in the "Group of Six" chosen to block EDSP? The other five countries were in similar positions: Iceland has no army; Norway does not want to join the EU; and Hungary, Poland, and the Czech Republic had NATO membership as their main objective. Turkey, however, has the largest army in Europe and the second largest in the NATO. The security of this country and its defence is a "360° challenge". In 2001, the Turkish veto prevented the conclusion of an agreement on permanent arrangements between the EU and NATO in the Nice report on the ESDP. (DUMOULIN – MATHIEU – SARLET 2003, 708–710)

In the NAC, the blockage appeared on 14-15 December 2000. The change in the US administration was also favourable for the Turks: before the former U.S. Secretary of State Madeleine Albright, at the NAC, supported the EU; but the Bush administration did not. In addition to disagreements on case-by-case access, this time the Turkish counter-argument was third countries had the opportunity to offer their capabilities to the *HG Plus* (catalog of additional forces). All this makes possible a Cypriot proposal to engage the EU rapid-reaction forces as a peacekeeping force on the island (including the TRNC, Turkish Republic of Northern Cyprus, recognised only by Turkey in 1983.)

The Turkish question remained unresolved until 2 December 2001, when the council decision on its participation was completed. Those who thought it was time for relief were hugely mistaken. The rivalry between Greece and Turkey has entered a new phase. Greece, unhappy with the outcome of the EU-Turkey talks, took over the role of blocker until June 2002. Thus the final agreement between the EU and NATO on the Berlin-plus arrangements could not enter into force on 6 December 2001.

In 2002, after three years of difficult negotiations, relations between the EU and NATO were normalized. The pro-European U-turn was marked by the victory of Recep Tayyip Erdogan and the Islamist Justice and Development Party (AKP) in Turkish elections on 3 November 2002.

4 Multinational Battlegroups

ESTONIA:
United Kingdom
France

LITHUANIA:
Germany
Belgium
Luxembourg
The Netherlands
Norway

LATVIA:
Canada
Albania
Italy
Poland
Slovenia
Spain

POLAND:
United States
Romania
United Kingdom
Croatia

Framework Nation
Contributing Nation
Valid as of 30 October 2017

TAPA · ADAZI · RUKLA · ORZYSZ

ESTONIA · LATVIA · LITHUANIA · POLAND

HQ Multinational Corps North-East
SZCZECIN

HQ Multinational Division North-East
ELBLAG

NATO Enhanced Forward Presence

At the Prague summit of 21–22 November 2002, NATO member states declared their willingness to give the EU access to NATO assets and capabilities for operations in which the alliance would not be engaged militarily.

The Copenhagen negotiations of 12-13 December 2002 allowed the unlocking of the Berlin-plus arrangements. The Copenhagen Final Document (see Appendix 1) is the manifestation of Turkish success: "*As things stand at present, the "Berlin plus" arrangements and the implementation thereof will apply only to those EU Member States which are also either NATO members or parties to the "Partnership for Peace",* (PfP, Malta and Cyprus being excluded – A.I.T.), *and which have consequently concluded bilateral security agreements with NATO. »* Thanks to this agreement the path has been opened up for the first ESDP operations in the Balkans and in Africa. (DUMOULIN – MATHIEU – SARLET 2003, 721–722.)

The disagreement between Greece and Turkey continues to poison EU-NATO relations in the field of operations and capacity development though. Regular sessions within the NATO-EU Capability Group (*see below*) are only *pro forma*; real cooperation is excluded. Thanks to Turkey's veto, Cyprus is not part of this group and cannot conclude a PfP Agreement with NATO. In return, Cyprus (and Greece) block cooperation between Turkey and the EDA (European Defence Agency). International staff-to-staff and in-field cooperation between the EU and NATO is excellent, however, proving that the problem is purely political. (HORVÁTH 2016, 75)

So in December 2002, the NATO-EU Declaration on European Security and Defence Policy (ESDP) paved the way for closer political and military cooperation between the two organizations (Berlin Plus agreement). It set out the political principles underlying the relationship and reaffirmed EU access to NATO's planning capabilities for the

EU's military operations. These arrangements include:

- a NATO-EU security agreement (covering the exchange of classified information under reciprocal protection rules);
- guaranteed EU access to NATO planning capabilities for effective use in the military planning of EU-led crisis management operations;
- the availability of NATO common assets and capabilities (communication units, headquarters, etc.) for EU-led crisis management operations;
- a mandate for a European Deputy Supreme Allied Commander Europe (DSACEUR) who will command the EU-led operation;
- integration with the NATO defence planning system for military needs and capabilities required for EU-led operations to ensure the availability of well-equipped and -trained forces for NATO- or EU-led operations.

The "common planning capacity" of the EU and the question of its possible duplication within NATO structures is regulated by the decision to create two new structures at the Brussels European Council of 12-13 December 2003:

- A "permanent unit for planning and conducting EU civil and military operations without recourse to NATO assets" will be placed at the European Union headquarters, as an autonomous and separate "cell" of NATO structures;
- A European Union unit is established within NATO Headquarters, SHAPE, to improve the preparation of EU operations carried out with NATO under the Berlin Plus arrangements.

In May 2003, the NATO-EU Capability Group was established; experts from the EDA and NATO addressed common capability shortfalls, such as

countering improvised explosive devices and medical support. Staff also ensure transparency and the complementary nature of NATO's work on "Smart Defence" and the EU's Pooling and Sharing initiative. On 12-13 December 2003, the EU adopted the European Security Strategy (SES) at the Brussels European council.

NATO's and the EU's assessments of the threat are similar; both SES and the NATO Strategic Concept place terrorism and the proliferation of weapons of mass destruction (WMD) and "failing" states at the top of the list of security challenges, and both organizations consider it essential to involve a non-military dimension.

CHART 1

Few NATO Members Follow Defense Spending Guidelines

NATO members are expected to spend at least 2 percent of their GDP on defense, and at least 20 percent of their defense spending is supposed to go to equipment. Only three of the 28 countries—the U.S., the U.K., and Poland—do both.

DEFENSE SPENDING AS A SHARE OF GDP, 2016

Country	%
U.S.	3.61
Greece	2.38
U.K.	2.21
Estonia	2.16
Poland	2.00
France	1.78
Turkey	1.56
Norway	1.54
Lithuania	1.49
Romania	1.48
Latvia	1.45
Portugal	1.38
Bulgaria	1.35
Croatia	1.23
Albania	1.21
Germany	1.19
Denmark	1.17
Netherlands	1.17
Slovak Rep.	1.16
Italy	1.11
Czech Rep.	1.04
Hungary	1.01
Canada	0.99
Slovenia	0.94
Spain	0.91
Belgium	0.85
Luxembourg	0.44

NATO GUIDELINE 2%

EQUIPMENT AS A SHARE OF DEFENSE EXPENDITURES, 2016

Country	%
Luxembourg	32.82
Lithuania	27.65
Romania	26.13
Poland	25.76
Norway	25.60
U.S.	25.03
France	24.51
Turkey	23.58
U.K.	23.41
Italy	20.24
Slovak Rep.	19.12
Canada	18.06
Latvia	17.86
Spain	15.23
Greece	14.91
Netherlands	14.43
Germany	13.67
Estonia	13.50
Hungary	13.00
Bulgaria	12.55
Denmark	12.41
Portugal	9.43
Croatia	8.27
Albania	7.81
Czech Rep.	7.23
Belgium	2.17
Slovenia	1.17

NATO GUIDELINE 20%

NOTES: Figures are estimates for 2016 based on 2010 prices and exchange rates. Iceland is not listed because it has no military.
SOURCE: NATO, "Defence Expenditures of NATO Countries (2009–2016)," July 4, 2016, p. 2, http://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2016_07/20160704_160704-pr2016-116.pdf (accessed August 26, 2016)

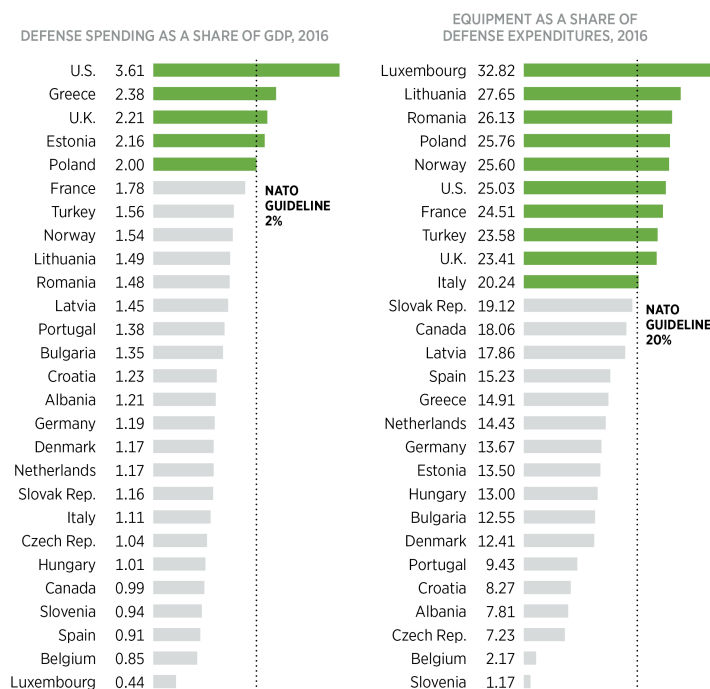☎ heritage.org

II.3. NATO and CSDP

Political problems have slowed development of the CSDP (Common Security and Defence Policy, 2009) in Europe considerably since 2008. At the Lisbon Summit in 2010, the allies underlined their determination to improve the NATO-EU strategic partnership; the 2010 Strategic Concept committed the alliance to working more closely with other international organisations to prevent crises, manage conflicts, and stabilise post-conflict situations. Currently NATO and the EU have twenty-two member countries in common; they cooperate on issues of common interest and work side-by-side on crisis management and capability development.

On 5 September 2014, the heads of state and government of NATO issued a declaration following the summit in Newport, Wales. It included a pledge by NATO's member states to spend 2 percent of their respective gross domestic product (GDP) on defence within a decade. While the number of European countries in NATO has nearly doubled since 1990, defence spending by Europeans has gone down by 28 percent. In 1990, the fourteen European members spent around $314 billion on defence collectively; in 2015, the alliance's twenty-five European members are expected to spend around $227 billion. In 1995, U.S. defence expenditure accounted for 59 percent of overall NATO defence spending; in 2015, it is expected to be above 70 percent. As a percentage of GDP, defence spending by European allies fell from an average of 2 percent in 1995–1999 to 1.5 percent in 2014, while that of the United States went up from 3.1 percent to 3.4 percent in the same period. (Techau 2015)

On 10 February 2016, the EU and NATO concluded a technical agreement on cyber defence that provided a framework for enhanced information exchange between the EU's Computer Emergency Response Team (CERT-EU) and NATO's Computer Incident Response Capability

(NCIRC). Consultations between NATO and the EU have expanded considerably over the past two years; they cover the Western Balkans, Ukraine, Libya, and the Middle East.

According to the new EU Global Strategy (June 2016) and the Joint Declaration signed during the NATO Warsaw Summit (8 July 2016), the EU and NATO should work together on countering hybrid threats, strategic communication, intelligence sharing, operational cooperation (mainly at sea), cyber security, interoperability, defence industry, exercises, and enhancing the resilience of partners in the east and south. (YES 2017, 27–28; TÜRKE 2016, 6–14)

On the basis of this Joint Declaration, the Council Conclusions 15283/16 of 6 December 2016 detail forty-two concrete proposals in seven specific areas: (IMPLEMENTATION 2016, FACT SHEET 2017)

1. Countering hybrid threats ranging from disinformation campaigns to acute crises;
2. Operational cooperation, including maritime issues; i.e., enhanced cooperation between NATO's Operation Sea Guardian and the EUNAVFOR Operation Sophia in the Mediterranean;
3. Cyber security and defence, including the exchange of information on cyber threats and the sharing of best practices on cyber security;
4. Ensuring the coherence and complementarity of each other's defence planning processes;
5. Defence industry and research;
6. Parallel and coordinated exercises, starting with a pilot project in 2017
7. Defence and security capacity building.

III. Cooperation and rivalry in the field

III.1. British intrigues, headline goals and double offers

Operation Clean Sweep (1987), the first operation of the WEU, took place in the Strait of Hormuz during the Iran-Iraq War (1980-88). This was the first example of a combined military operation under Article VIII (without geographical restriction) of the Brussels Treaty, a de-mining operation in a 300-mile maritime corridor. (TÜRKE 2012, 71)

With the end of the Cold War in the early 1990s came great changes to the international security environment. NATO, with its new, reduced-forward-defence doctrine (MC 14/4, 1991-1999), assumed an increasingly proactive role within the international community and conducted several missions and operations. Since 1992, NATO, the EEC (European Economic Community) and later the EU, and the WEU have long cooperated on crisis management and operations, in particular in the Western Balkans and Afghanistan.

A race began between the new European security and defence policy seeking an identity and NATO, also seeking feverishly a new identity to avoid downsizing after the dissolution of the USSR. A French-led European axis fought an Anglo-American axis.

According to French opinions, the British forbade on several occasions European operations and missions, stigmatizing the German army ("*the Nazis*"). This applied to a joint European operation in the Balkans after the collapse of Socialist Federal Republic of Yugoslavia; this finally took place within the UN framework by UNPROFOR (1992–1995), albeit with several restrictions and errors. The British several times obstructed for days the joint decision-making within the European

institutions, perhaps under American influence, to gain time for NATO to create its own mission (e.g. Sharp/Maritime missions).[13]

With its greater military potential, NATO thus has "discredited" the "exclusively" European joint missions at the WEU level. With its allies in Europe, the UK transmitted many of the projects developed by the WEU to help NATO survive and to prove its importance after President Mitterrand of France publicly challenged the *raison d'être* of NATO. (TÜRKE/WEU 2008)

The truly relevant change in ESDP military capabilities, however, was adopted at the Helsinki European Council on 10-11 December 1999. The decision to establish within sixty days a military force of up to 60,000 people (the so-called Helsinki Headline Goal, HHG) capable of carrying out Petersberg missions and with support for at least one year. The HHG must be accompanied by a reserve of more than 100,000 people, and about 400 combat aircraft and 100 vessels defined by the "Force Catalog".

This objective seemed reasonable because the Europeans had 2 million soldiers and 3,000 warplanes at the time, a volume of forces far greater than the United States. UNPROFOR, IFOR/SFOR, and KFOR each mobilized 20-40,000 European troops. It was therefore political will rather than the military capacity that was lacking, and NATO has not been too enthusiastic about these ambitious European projects that lie beyond its control. (TÜRKE 2012, 254–257 and 261; ANDREANI 2002, 990)

HHG was not achieved, but in 2004 it was superseded by Headline Goal 2010, based on the battle groups (BG) concept. These forces, comprised of about 1500 troops, are deployable in fifteen days (decisions within five days) for a

period of thirty days, which can be extended up to 120 days.

The deployment of the NATO Response Force is still beyond the BG deadline though, at between fifteen and sixty days. The rapid deployment of the BGs, however, makes it impossible to carry out a mission under the Berlin Plus Agreements, although theoretically the possibility of choosing between SHAPE and the EU Operations Center is not excluded). The biggest difference between the two forces is that the EU makes two battle groups available "immediately", with a "warning" capacity of six months. Recourse to the NRF is subject to the decision of a conference that generates an available force for a given period. (AUEO 2007)

The EU, and especially its newer members, have made double offers, making the same force available for both NATO and EU. But the offer to the EU is most likely an "afterthought". Defence planning is based on that of NATO, and there is no problem until the use of this force is requested by both parties at the same time. If that happens, because most of the European countries prefer NATO (*hard security*) over the EU (*soft security*), there is no question for whom these forces will be available.

That can threaten the reliability and availability of (rapid) reaction forces, especially since decision-making is particularly slow in the EU. Even if the "*first come, first served*" principle is in force, in the case of the BG and NRF forces, the commitment schedule for either EU or NATO is pre-set. (HORVÁTH 2016, 66-68.)

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[13] Sharp Vigilance (WEU)-Maritime Monitor (OTAN):16 and 10/07/1992–22/11/1992, embargo-monitoring missions in the Adriatic.

III.2. First EU operations in the Balkans and the principle of "first refusal"

The European Union conducted its first, full-fledged military crisis management operations under the auspices of ESDP in Macedonia on 17 March 2003. EU Operation "Concordia" took over responsibility for the NATO Allied Harmony mission. This operation, which was completed in December 2003, was the first under the Berlin Plus agreements.

NATO assets were made available to the EU. NATO maintained a Senior Civilian Representative (SCR) and a Senior Military Representative (SMR) in Skopje. The commander of the operation was the D-SACEUR. As SG/HR Javier Solana pointed out, cooperation between NATO and the EU on the ground, rather than *"EU in and NATO out,"* is important.

In 2003, during the first independent EU military operation (Operation ARTEMIS), NATO (and more precisely, the United States, and their main ally, the United Kingdom) criticized this European Petersberg operation without recourse to NATO collective assets and capabilities (i.e. Berlin Plus arrangements) because the administration of the European Union and in particular the framework nation, France, completely ignored the formal application of the principle of *"first refusal"*.

The principle of first refusal, however, indirectly violates the "common European sovereignty". The objective of the Petersberg process had been to find domains (crisis management, evacuation, etc.) that *do not affect* the "reserved areas" of NATO, including European defence "in its original meaning". That is, when Europeans engage in a Petersberg mission and use the special rapid response forces, they do not affect NATO activity. The problem is that the Atlantic alliance has expanded its scope and "swallowed" such European initiatives as the CJTFs. The right of refusal is proof that NATO claims the right to authorize a

European Petersberg operation / mission, far from the intent of Article V of the Washington Treaty.

There are three types of intervention concerning NATO and the EU:

1. an intervention carried out under the sole responsibility of NATO;
2. an intervention led by the European Union with the use of NATO assets; and
3. an intervention carried out under the direction of the European Union with its own resources.

The position of the United States is clear: it wants to see NATO given the prerogative to decide whether it intends to take the lead in military intervention. According to them, it is only after NATO's refusal ("first refusal") that the European Union is "authorized" to consider the matter. NATO's first decision thus can block a European operation. The immediate consequence of ignoring "first refusal" may be the blocking of the Berlin Plus process. The use of NATO capabilities is unimaginable without the agreement of the United States.

Following the conclusion of the NATO-led SFOR in Bosnia and Herzegovina on 2 December 2004, the EU deployed Operation EUFOR Althea, drawing on NATO planning expertise and other alliance assets. The initial IFOR and SFOR missions were reduced from 60,000 people to 12,000. With the first two phases of crisis management (*peace enforcement, peace making*) finished, the EU took over to refine the third phase, the *peace building*. The NATO DSACEUR, the Commander of Operation Althea and the EU OHQ (Operation Headquarters), is located at SHAPE. This European Union Force also operates under the Berlin Plus arrangements, taking advantage of NATO planning expertise and other capabilities.

The long-term political commitment of NATO in this country remains unchanged, however, and a new NATO MLM (*Military Liaison Mission*) and

the NATO Headquarters in Sarajevo has been established. The NHQSa is responsible for specific military tasks such as supporting defence reform and preparing the country's membership in the PfP.

In the Balkans though, it is easy to see to what extent Europeans have applied these American capabilities as part of the Berlin Plus missions.

The coordination and consultation scheme makes rapid reaction impossible, and the United Kingdom blocked the transfer of control during Operation ALTHEA for six months. The mission was deployed two years after the EU first proposed it. ATLHEA was launched *before* the accession of Cyprus, that is to say before Turkish anxieties about Berlins Plus arrangements. Moreover, so it is clear why the EU no longer launches Berlin Plus missions and does not envisage it in the future.

III.3. The "Three Ds": no decoupling, no duplication, no discrimination

In the field of European capacity building, the perceptions of NATO and the EU are profoundly different. From the economic point of view, in the opinion of the United States, and from the political point of view, the so-called "French" position is right.

This equates to the famous "Three Ds" of Albright: no *decoupling* (no loosening of trans-atlantic links); no *duplication* (no European structures or duplication with those of NATO); and no *discrimination* (no more favourable position for EU members compared to non-EU NATO members). Reducing European dependence was "worrying", so the only possible solution would be the development of their military capabilities and the command structure of the European Union. Especially two out of the Three Ds therefore target: (ALBRIGHT 1998)

1. The *no duplication*, became a concept established in St-Malo in 1998 (the date of ESDP's birth) through the budget. Some EU member states (Belgium, Netherlands and the United Kingdom) insist on avoiding duplication of resources within the alliance. Others (Germany, France and Italy) emphasize the indispensable autonomy of the European force. This way the EU could have powerful multi-national resources and proven assets to plan and conduct an operation. Strategic-level operational and HQ functions could be fulfilled by NATO bodies (SHAPE or DSACEUR).

But in this case, where one partner already has all the essential means of an operation and the other's shortcomings put it in a dependent situation, the principle of non-duplication, beyond of its budgetary aspect, is decisive. This is reflected in the non-development of European capacities. Duplication between European countries is nume-rous and costly though; a single integrated air defence would be sufficient, but the Europeans considered it a loss and not a sharing of sovereignty. (HORVÁTH 2016, 77)

2, The no *discrimination* principle opened the "Pandora's Box" of European cooperation in ESDP. At first glance, in the framework of Berlin Plus agreements, the use of the military capabilities of non-EU European NATO countries seems to be an attractive solution. This is ambiguous though, because it confuses the autonomy of decision and the autonomy of conducting of an operation.

To avoid this trap, the Helsinki European Council also adopted the principles of no duplication and no discrimination with regard to the six European non-EU member countries of NATO at the time. These include Turkey, Norway, Iceland (1992-) and Hungary, Poland and the Czech Republic (1999-), associated countries of the WEU. (TÜRKE 2012, 176–177)

III.4. Kosovo, Afghanistan and Iraq

In Kosovo, the NATO peacekeeping force KFOR (since 1999) works closely in the field with the EU's Rule of Law Mission in Kosovo (EULEX), deployed in December 2008. The EU has made civilian resources available to the United Nations Mission in Kosovo (UNMIK) for several years and has agreed to take over the police component of the UN mission.

EULEX-Kosovo is the largest civilian mission ever launched under the ESDP; its fundamental objective is assisting and supporting the Kosovo authorities and the rule of law, especially in the police, judicial and customs sectors. NATO and EU experts worked on the same team in support of UN Secretary-General Martti Ahtisaari's special envoy, who was in charge of negotiations on the future status of the Kosovo. Kosovo proclaimed its independence on 17 February 2008.

In Afghanistan, NATO and the European Union play a key role in bringing peace and stability to Afghanistan, and are part of the broader international efforts to implement a comprehensive approach for aid to that country. The current NATO-led Resolute Support Mission and its predecessor, the International Security Assistance Force (ISAF, 2001–2014), have cooperated with the EU's Rule of Law Mission (EUPOL Afghanistan, since June 2007). EUPOL Afghanistan was preceded by the establishment of the GPPO (German Police Project Office, 2002-), whose main role was police training.

The increased role of the United States, however, with its own program and a much higher annual budget ($224 million) has meant Germany has only been able to play a secondary role (with an annual budget of 14 million EUR).

The reason for launching this mission was purely political, so that Germany could put its initial mission under European flag, despite the warning of the EU delegation in Kabul that conditions on site are poor.

The initial strength of the mission was only ten people and the first (German) commander resigned after six months. Several EU member states have kept their own police contingent under their national flag, and the mission fought basic logistical problems (inadequate materials and accommodation). (WAGNER 2016, 259-264.)

The European Union planned to deploy troops outside the capital under the protection of the PRTs as well, "*yet the specter of Berlin Plus reared its head*" Turkey vetoed the idea. The EU was unable to conclude agreements with Turkey (heading two Provincial Reconstruction Teams) and the United States (heading ten PRTs). As Lagadec writes

"...the breakdown of EU-NATO relations was instrumental in restricting EUPOL`s mandate to Kabul. Yet in truth the EU struggled even to staff its headquarters in the capital: this augured poorly of its capacity to be effective in the provinces, whether or not PRTs were authorized to underwrite EUPOL`s security beyond Kabul. In other words, the EU`s civilian ambitions in Afghanistan did not fail primarily because of NATO, Turkey, or Berlin Plus: but

because the Union`s disunity condemned it to irrelevance." (LAGADEC, 2012 138–145)

NATO-led ISAF helped create a secure and stable environment in which the Afghan government and other international actors can build democratic institutions, expand the rule of law, and rebuild the country.

The EU has funded civilian projects managed by NATO-run PRTs led by an EU member country. In view of the inadequacies of the EU mission, to create a simultaneous mission ("*no duplication*", once again) NATO created its own training mission in 2009 (NATO Training Mission-Afghanistan, NTAM-A), incorporating the American mission CSTC-A (Combined Security Transition Command-Afghanistan).

To coordinate the missions, the IPCB (International Police Coordination Board) was set up; this resulted in total chaos, because IPCB and EUPOL were systematically confused. (WAGNER, 2016 259–264) EU and NATO also conducted separate training missions in Iraq. The aim of NTM-I (NATO Training Mission-Iraq, 2004-2011) was to assist in the development of Iraqi security forces training structures and institutions.

EUJUST LEX-Iraq (2005-2013) was the first integrated rule-of-law mission of the EU. EUJUST LEX trained nearly 6,000 Iraqi officials out of Iraq up until 2009, and the total cost of the mission was around €118 million. Thanks to the mission, the traditional, *witness-based* practice of judgment has been led towards *evidence-based* practice. (WAGNER 2016, 259–264)

III.5. Rivalry in Africa and naval operations

Both NATO and the EU supported the African Union's mission in Darfur Sudan, (UNAMID, 2007-), particularly with regard to airlift rotations that enabled strategic airlift capacity, but they lost several weeks because of the debate over sharing of skills. The European Union's logistical assistance was achieved with minimal cooperation from NATO.

The two assistance operations remained independent and outside the Berlin Plus framework. Although officially the EU and NATO administration denies any disagreements and emphasizes that the Berlin Plus agreements would not have been adoptable (because it is "simply" technical and logistical support to the African Union, and not an operation) the transatlantic organization's first operation on the African continent provoked strong opposition from France and Belgium.

France opposed NATO's contribution because the EU already was helping the AMIS African Union Mission in Sudan (Darfur). The slightest interest of NATO in Africa is seen by the French as an offense, a violation of their *chasse gardée*. Negotiations between the EU and NATO for a common chain of command and a joint action plan failed. Under the general direction of the African Union, the EU and NATO planned and carried out their missions quite separately, with two different chains of command.

To ensure the minimum necessary relationship within the framework of "flexible coordination" a unit has been established in Addis Ababa (DITF) to which both parties have sent delegates. Cooperation was without problems. The DITF was in charge of air movements and controlled the movements of troops arriving on the ground. (TÜRKE, 2007 1–18)

Since September 2008, NATO and EU naval forces have deployed alongside other actors off the coast of Somalia in Operation Atalanta to carry out anti-piracy missions. NATO's Operation Ocean Shield and EUNAVFOR Atalanta cooperated for eight years, until the conclusion of Ocean Shield in December 2016.

In February 2016, NATO defence ministers decided NATO should assist with the growing refugee and migrant crisis in Europe. On 11 February, NATO deployed a maritime force to the Aegean Sea to conduct reconnaissance, monitoring, and surveillance of illegal crossings, supporting Turkish and Greek authorities, along with the EU's FRONTEX agency in Greece, as part of Poseidon Rapid Intervention.

Enhanced cooperation was launched between NATO's Operation Sea Guardian (9 November 2016-) and the EUNAVFOR Operation Sophia (since 2015) in the Mediterranean. This support is on-going, with ships and maritime patrol aircraft providing information and logistics.

This recalls the duplication of the Sharp/Maritime missions in the 1990s, and France has already doubted the importance of the NATO mission escorting EUFOR ATALANTA. CSDP and FRONTEX cannot fulfil their role of defender of the immediate borders of the European Union with the European units of the maritime border guard alone. Such a project was developed in the 2000s but the realization is still blocked by lack of political will.

Conclusion

The European Union, given the realities of BREXIT and the military reforms in France and Germany that provide for a significant reduction in the forces, is further away from setting up an "autonomous" European force for the defence of the continent than it was in the 1990s or 2000s. Relations between allied parties have been characterized by mutual distrust.

Even in 2009 the "*entente cordiale*" between France and the United Kingdom was not enough to harmonize the patrol of their SSBN or to avoid, for example the collision of the submarines *Le Triomphant* and *HMS Vanguard*, which patrolled in secret.[14]

From the 1990s, the number of French combat aircraft decreased by 10 percent; France has only one aircraft-carrier instead of two, so a continuous presence is impossible, and without US aid (air-to-air refuelling) it is no longer able to act even in its *chasse gardée* in Africa.

After the fall of the Berlin Wall and until the outbreak of the war in Ukraine, Europe was a pacified space, so the development of traditional forces for territorial defence in the EU was seen as a waste of money. With the incredible weakening and the loss of political weight of France since the Sarkozy era and German reluctance in military matters, it seems France must abandon the project of an autonomous defensive capability for the Union for some time; this will lead to the development of NATO's defensive role in Europe. (TÜRKE 2014a, 64–70)

Over the past three years, the range of subjects discussed between NATO and the EU has expanded considerably. Since the crisis in Ukraine, both organisations have regularly exchanged views on

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[14] The exchange of this information is the responsibility of two officers, one British and one French, in Northwood, to an NATO Allied Maritime Command cell, but either they remain on the spot or they arrive only belatedly at the national level. (TÜRKE 2014a, 64–70.)

their decisions, especially with regard to Russia, and consultations have covered the Western Balkans, Libya, and the Middle East. NATO`s *Enhanced Forward Presence* posture in Eastern Europe, adopted at the 2016 summit in Warsaw, is designed to protect and reassure Eastern member states of their security with the deployment four multi-national battalion battle groups.

Today, NATO is both the inter-governmental and political-military means of collective defence in the transatlantic space, as well as the means of counter-terrorism and out-of-area peacekeeping. But also it is a tool of United States' power politics. As Brzezinski wrote, NATO provides

"the main mechanism for the exercise of U.S. influence regarding European matters" and *"unlike America's links with Japan, the Atlantic alliance entrenches American political influence and military power directly on the Eurasian mainland. […] a real choice in favor of a united Europe will thus compel a far-reaching reordering of NATO, inevitably reducing the American primacy within the alliance."* (BRZEZINSKI, 1997. 50 and 59–60)

Brezinski summarizes that *"the Europeans deplore American « hegemony » but take comfort in being sheltered by it."* With the reintegration of France and the considerable military decline of Europe, there are few left that could question the role of NATO in Europe. With BREXIT, the creation of a powerful and projectable European army will be much more difficult.

So with a NATO policy led by the United States that appreciably affects Russia's *cordon sanitaire*, the European Union is obliged to take more immediate risks close to its border. This decision is taken far "above his head". Georgia (in May 2013) and Ukraine (on July 2017) stated that their goal is to get a Membership Action Plan (MAP) from NATO. The crisis in Ukraine since 2013 reinforced the primacy of NATO in Europe.

From the beginning, NATO's enlargement policy in Europe (Eastern Europe, Balkans) preceded that of the EU. This resulted in the predominance of the U.S. and put pressure on the union. Some European countries will be integrated earlier and more deeply in a transatlantic framework under U.S. domination than in a European framework. This can disrupt the integration and sovereignty of the EU.

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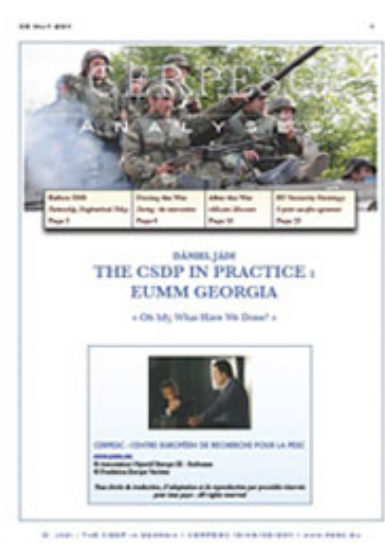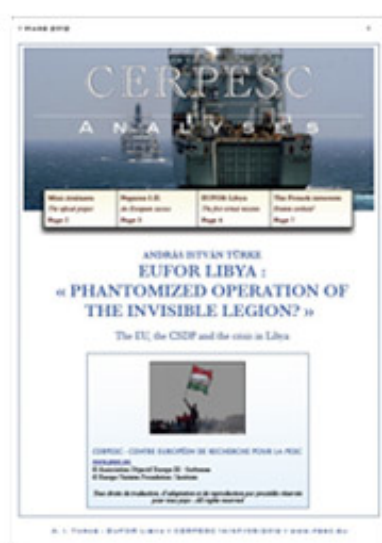
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ANDRÁS ISTVÁN TÜRKE
UE-RSS/EUSSR GUINÉE-BISSAU

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FRANCE - OTAN/NATO : DANS LE CONTEXTE DE LA DÉFENSE EUROPÉENNE (1966 - 2009)

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SOUDAN - LA COMPLEXITÉ DE LA CRISE DU DARFOUR

ANDRÁS ISTVÁN TÜRKE
THE EU AND NATO :
A STRANGE MARRIAGE

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THE DEFICIENCIES, MISTAKES AND CONTRADICTIONS OF THE NEW EU FOREIGN AND SECURITY STRATEGY

ANDRÁS ISTVÁN TÜRKE
THE EVOLUTION OF EUROPEAN DIPLOMACY IN THE BALKAN REGION AND THE REASONS FOR THE DISSOLUTION OF YUGOSLAVIA

ANDRÁS NETTYEY
LIVING WITH A FAILED STATE :
SOMALIA

ANDRÁS ISTVÁN TÜRKE
EUFOR LIBYA :
« PHANTOMIZED OPERATION OF THE INVISIBLE LEGION? »

DÁNIEL JÁDI
THE CSDP IN PRACTICE :
EUMM GEORGIA

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MARIA GIANNIOU

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Les missions de l'Union européenne dans les territoires palestiniens

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LA STRUCTURE DE COMMANDEMENT DES MISSIONS ET DES OPÉRATIONS DE LA PSDC

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Une mission "borderienteln" et ses dimensions

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SOUDAN - LA COMPLEXITÉ DE LA CRISE DU DARFOUR

Les différentes méthodes de la gestion d'une crise complexe, et le soutien diplomatique et logistique de l'Union européenne

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L'OPÉRATION ARTEMIS EN RÉPUBLIQUE DÉMOCRATIQUE DU CONGO

La gestion de crise de l'Union européenne et de l'ONU en Ituri, dans le contexte des conflits de la région des Grands Lacs en 2003

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FRANCE - OTAN/NATO : DANS LE CONTEXTE DE LA DÉFENSE EUROPÉENNE (1966 - 2009)

De la défense de l'espace transatlantique sous la formule 14+1 à la réintégration française

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L'OTAN ET L'AFRIQUE - PLUS D'ENGAGEMENT EN AFRIQUE = PLUS DE SÉCURITÉ EN EUROPE (?)

Conclusion du soutien de l'OTAN pour l'Union africaine au Darfour et les enjeux et défis de l'élargissement de la zone de défense de l'OTAN

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L'UEO, L'UE, ET LA CRISE ALBANAISE EN 1997 (LA MISSION ALBA)

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LES PREMIÈRES MISSIONS DE LA PESD DANS LES BALKANS (2003-2007)

CERPESC ANALYSES

BENOIT DUFFORT

QUESTIONS D'ARMEMENTS AU SEIN DE L'UNION EUROPÉENNE

ANDRÁS ISTVÁN TÜRKE

LES MISSIONS DE L'UEO DANS LES BALKANS (1991-2002)

ELISABETH DU RÉAU

ENJEUX ET DÉFIS POUR LA PESC DANS LES BALKANS (1991-)

CERPESC ANALYSES

CERPESC ANALYSES

Abstract

This analysis, beyond giving an outline of the historical, legal, and political frameworks of EU-NATO relations, is to draft by some examples that behind the scenes which fault lines make internal cooperation difficult, with a strong emphasis on French opinions, as a key state of European integration.

With the reintegration of France and the considerable military decline of Europe, there are few left that could question the role of NATO in Europe. With BREXIT, the creation of a powerful and projectable European army will be much more difficult.

Over the past three years, the range of subjects discussed between NATO and the EU has expanded considerably.

Since the crisis in Ukraine, both organisations have regularly exchanged views on their decisions, especially with regard to Russia, and consultations have covered the Western Balkans, Libya, and the Middle East.

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