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CONTRIB 314

COVER NOTE

from Secretariat

to The Convention

Subject : Contribution submitted by Ms Ana Palacio, alternate member of the Convention:
"European Security and Defence Policy"

The Secretary General of the Convention has received the attached contribution from Ms Ana Palacio, alternate member of the Convention.

European Security and Defence Policy

Spanish Contribution

We see a growing consensus within Europe on the need for the Union to take action more decisively in the international field. European public opinion demands a common foreign, security and defence policy which is more effective and coherent, demonstrates true solidarity among Member States and is fully capable of dealing with today's crises and security challenges. We welcome the debate on this matter which is already taking place within the Convention on the Future of Europe. Only a policy which is put forward within the Institutions can claim to be a European policy. Any other approach, however interesting it might be, is not a true European Security and Defence Policy and is not entitled to the name of ESDP.

Spain welcomes recent progress in the field of ESDP. The successful launch of the first military crisis management operation of the EU on 31 March in the Former Yugoslav Republic of Macedonia is a clear indication of the operational capability of the Union.

This achievement has been made possible through the intensive work undertaken in the Union in order to put in place the politico-military structures of ESDP, to develop the necessary military capabilities under the European Capabilities Action Plan, and to establish a framework for cooperation with NATO through the implementation of the *Berlin plus* arrangements.

The strengthening of the transatlantic link is essential in order to face new threats to our common security. EU-NATO cooperation will increase the effectiveness of both organizations in crisis management and allow a mutually reinforcing development of military capabilities. This process should lead to a true strategic partnership between the Union and the Alliance. We welcome the dialogue on present security challenges as illustrated by the recent meeting of EU and NATO Foreign Ministers on 3 April.

Europe needs to do more for its own security and defence. Spain considers that the EU should now focus on improving its own capacity for autonomous crisis management action, where NATO as such is not involved, as well as its ability to face the new security challenges. The time has come to take bold new steps in the development of ESDP. This is a common challenge, a non exclusive project, which all Member States should undertake together together.

Spain proposes i.a. the following measures in order to achieve further progress in ESDP, both in the short term and in the context of the Treaty reform:

- Building on the experience in FYROM and as the EU's capabilities are further developed, the EU should progressively engage in military crisis management operations, in order to increase the Union's contribution to international peace and security. The EU has already expressed its willingness to take over from SFOR in Bosnia-Herzegovina.

- The EU should take steps to reinforce the command and control assets and capabilities available for EU operations. This would allow the Union to launch at short notice autonomous crisis management operations which require rapid response, there where NATO is not involved.
- Work should intensify in order to achieve the initial targets for military capabilities set in the Helsinki Headline Goal in 2003. Building on the results of the European Capabilities Action Plan, new capability targets should be developed by the EU. These targets should aim at ensuring that the forces available to the Union are able to meet the high military standards required in the new security context, including the necessary flexibility, rapid deployability, capacity to face terrorist or WMD threats, and ability to deal with concurrent tasks. Any new capabilities should be available both for EU and NATO-led operations.
- The role of European Defence Ministers in managing the military aspects of ESDP should be further reinforced. The possibility of a Council formation of Defence Ministers should be envisaged.
- A Minister of Foreign Affairs of the Union should be instituted. As representative of the Council, he should contribute towards framing and implementing the Common Foreign and Security Policy, including ESDP.
- The security and defence aspects of the Seville mandate on the contribution by CFSP, including ESDP, to the fight against terrorism should be fully implemented. More attention should be given to the security and defence related aspects. The possibility should be envisaged of developing a military concept on defence against terrorism and other new threats.
- As already proposed at the Convention on the Future of Europe, a solidarity clause should be included in the new Constitutional Treaty. This should set out the principle of solidarity and mutual assistance between Member States in the face of the threats which confront our common security, including in particular the threats posed by terrorism and the proliferation of weapons of mass destruction.
- A broader definition of the Petersberg tasks should include other tasks that imply the use of military means, i.a. conflict prevention, post-conflict stabilization operations, military advice, disarmament operations and support to third countries in the fight against terrorism. It should also include the use of military means in support of Member States against the threat of terrorism and weapons of mass destruction.
- While preserving the rule of unanimity for decisions regarding ESDP, the new Constitutional Treaty should provide a flexible framework for different mechanisms of closer cooperation open to all Member States willing and able to move forward. In particular, we advocate the following arrangements:
 - The implementation of Petersberg tasks by a group of willing Member States which have the necessary capabilities.

- The establishment of a European Agency for Military Capabilities, possibly building on already existing frameworks of multinational armaments cooperation (OCCAR., LOI, etc). This agency would identify requirements and evaluate performance in achieving capability targets. It would promote cooperation in achieving these targets as cost-effectively as possible. And it would provide the framework for multilateral armaments projects, as well as for a more coordinated research and development effort by Member States in this field.
 - The establishment of a structured cooperation between Member States which are able and willing to fulfil higher criteria on military capabilities, in particular in quality terms, with a view to undertaking more demanding military operations.
 - The establishment of a mutual defence clause in a Protocol annexed to the Constitutional Treaty, to which willing Member States can opt in under certain conditions and fully consistent with NATO commitments. This would reproduce in the EU framework the commitment already existing between WEU Members in the Brussels Treaty, without conflicting in any way with NATO.
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