



European Security and Defence Assembly  
Assembly of Western European Union

**Address by the President of the Assembly, Robert WALTER MP,  
at the joint session of the European Affairs Committee  
and the Foreign Affairs, Defence and Armed Forces Committee  
of the French Senate**

Paris, 20 January 2010

*[I. Welcome and introduction]*

It is a great pleasure for me to accept your invitation to address this joint session of your important committees and to discuss with you a number of essential points following the entry into force of the Lisbon Treaty on 1 December last year.

I am grateful to the members of the Senate delegation to the Assembly for their support. Mrs Josette Durrieu and Mr Yves Pozzo di Borgo, to mention only two of them, are among the most active Rapporteurs of our committees. My friend Jean-Pierre Masseret was President of our Assembly as my immediate predecessor. It was under his decisive leadership that we brought the membership of the WEU Assembly into line with that of the EU and transformed it into the European Security and Defence Assembly. In the European Security and Defence Assembly, parliamentarians of all 27 member states have equal participation and voting rights with respect to parliamentary scrutiny of all matters pertaining to European security and defence policy.

In the European Security and Defence Assembly our aim is to work, in parallel and in cooperation with the European Parliament, and our own national parliaments to support and scrutinise the European Security and Defence Policy (ESDP), or Common Security and Defence Policy (CSDP) as it is now called, and our governments' actions in the wider issues of European defence. We also want to provide the necessary link between the EU and our citizens. But we need to be aware that the European Parliament has its own interests, which are not necessarily in line with those of national parliaments and we have to accept that its members will act accordingly.

President de Rohan, President Haenel, ladies and gentlemen, I and my parliamentary colleagues appreciate your interest in the future role of national parliaments in European security and defence. It is crucially important that the national parliaments make optimum use of the new provisions of the Lisbon Treaty, both for the further development of that policy field and to ensure proper parliamentary scrutiny of intergovernmental cooperation at EU level.

Allow me to make my presentation in two parts: I will first share with you some thoughts about what has been achieved and give some indications of the challenges that lie ahead. I know how important the European Security and Defence Policy has always been for France. In fact the overall success of ESDP would not have been possible without the considerable impetus and contribution made by France.

In the second part of my presentation I will take a look at the implications of the entry into force of the Lisbon Treaty for the involvement of national parliaments in the EU in this field and the democratic accountability of the policy actors: the High Representative, the European Council and the member state governments.

### *[II. Innovations of the Lisbon Treaty]*

The hearings of the candidates for the new European Commission and the ongoing discussions about the establishment of the European External Action Service are among the more visible signs that the implementation of the Lisbon Treaty is progressing.

For the first time, the Treaty of the European Union covers all aspects of the EU's external action with a common set of principles and objectives. The responsibilities of the new High Representative, Baroness Ashton, who is a member of the British upper chamber, the House of Lords, were extended under the Lisbon Treaty and will allow for a much more coherent implementation of the Common Foreign and Security Policy as far as the Council and the Commission are concerned. However, she will need time to fully assert herself and certainly in this transition period the impetus will still come from the rotating Presidency, currently held by Spain and to be followed in July by Belgium. I think we can expect that the Presidencies will continue to be a dominant factor in shaping the EU's agenda although as far as foreign policy is concerned, it is increasingly driven by events and less by policy initiatives stemming from the individual presidency country.

A further important innovation under the Lisbon Treaty is the possibility for member states to engage in "Permanent Structured Cooperation". This is meant to involve those member states with stronger military capabilities that are willing to enter into more binding commitments in view of undertaking more demanding crisis-management tasks.

### *[III. The role of France and the UK for promoting EU defence cooperation]*

It is clear, particularly to France and the United Kingdom that our countries need to continue to play an important role if the European Union is to remain a relevant actor in the world. Between us, we account for about half the defence spending of the European Union members. Together we must form the core of Defence Europe. But

in both our countries we have aspirations which are now beyond our budgetary capabilities.

The effects of the economic and financial crisis do not bode well for the armed forces, with major cuts in defence spending on equipment already visible for 2010: minus 3% in France, minus 5% in the United Kingdom and minus 7% in Italy and Spain. Only a few member states are spending more than 2% of their GDP on defence. And the British government makes no secret of the fact that UK defence expenditure will continue to decline. It is therefore only logical to seek better cooperation among ourselves and with our European partners.

I am aware that some influential voices in the UK have suggested that a future Conservative Government might no longer wish the UK to play a leading role in European defence cooperation, in particular with respect to the European Defence Agency.

I would caution against any simple extension of the Eurosceptic position of the Conservative Party through 13 years of opposition and what its attitudes will be in government. The rhetoric of opposition is very different from the reality of government.

That said there is a belief in the Conservative Party that the cornerstone of European defence is NATO and that there must be greater burden sharing and development of capabilities by European NATO members in the overall strategy of the Alliance. But there is also a clear understanding of what has been achieved by the EU in ESDP in undertaking "Petersberg" tasks, but a clear desire to see CSDP develop in harmony with NATO.

David Cameron last week launched a policy document on our National Security Strategy, which states, and I quote.... "The Conservative Party will work for more effective European policies on security issues and, in the context of NATO's review of its Strategic Concept, work for better integration of these with NATO force planning and operational capabilities"

There is a British belief, shared by both Labour and Conservative parties, that we need to maintain the highest possible degree of interoperability between our forces and those of the United States. However, close cooperation with the United States does not exclude deep involvement in CSDP and defence cooperation with our European allies.

Forgive me, I have digressed a little to talk about future British policy, but I believe that a greater understanding between the United Kingdom and France is essential if we are to make any progress in this area.

There is a very simple reason for defence cooperation with the United States: we need to maintain the highest possible degree of interoperability between our forces. However, close cooperation with the United States does not exclude deep involvement in CSDP and defence cooperation with our European allies.

A report submitted by the European Security and Defence Assembly's Technological and Aerospace Committee welcomes the growing role of the European Defence Agency as the central organisation for shaping a European policy for defence and technological research and development programmes, but it rightly criticises the fact that, with a budget of 31 million euros only, the Agency's financial resources are insufficient. They are in fact lower than those of the smallest member states.

The UK has been a pioneer and driving force of military modernisation in Europe, and we all know that the British engagement in ESDP was based first and foremost on pragmatic considerations. In particular, the UK was keen to strengthen European military capabilities in order to maintain Europe's relevance as a strategic partner for the US in global security matters. Under the present circumstances, British participation in CSDP remains a prerequisite for the EU's ambition to develop an enhanced military capability.

The transformation of armed forces in order to adapt them to different operations is a slow and protracted process and a number of key shortcomings still have to be remedied. If the member states are serious about putting flesh on the bones of CSDP, they will have to provide the appropriate financial means.

In today's environment, soft power alone is not enough to shape the world around us to our advantage. I am not arguing in favour of aggressive hard power, but we will certainly need more military capabilities than at present and we must be prepared to use them if required.

The present geopolitical situation is far from reassuring: not only is the world still feeling the shock waves of a very serious financial crisis and its aftermath, but there is also an ongoing war in Afghanistan and growing tensions in a number of regions: the Middle East, large parts of Africa and also in the EU's eastern neighbourhood.

In this fragile environment, it is important for the EU's foreign and security policy to be sustainable. This will depend on a joint political assessment of the challenges and threats facing the EU's member states, on their ability to identify their key common interests and on a decision as to whether they want to use the Common Foreign and Security Policy as the instrument to respond to those threats and challenges. The EU should now make a dedicated effort to close the gap between discourse on CFSP and how it is actually put into practice.

The Council Conclusions on ESDP issued after the General Affairs and External Relations Council on 17 November 2009 show that at present any progress depends first and foremost on the activities of a plethora of expert committees and working groups. All of them are doing useful work on a vast number of detailed technical questions but one has the feeling that the Council needs encouragement to exploit to the full the bold opportunities now offered by the Lisbon Treaty.

National parliaments could provide the necessary impetus to take the political leap forward which is now needed.

In the long term, the EU has no choice other than to become a committed and autonomous actor, as envisaged in the founding documents of ESDP agreed in Saint Malo, Cologne and Helsinki ten years ago. We need an EU ever more determined to promote stability in the world and to play an increasingly important role in safeguarding its member states' security.

#### *[IV. ESDP operations, Afghanistan]*

On the practical side, progress has recently been made in a number of areas, and I welcome the fact that an overall agreement on the flexibility and deployability of battlegroups was reached among member states under the Swedish Presidency. States taking part in a battlegroup may authorise the use of an element or of a whole battlegroup in situations not involving a rapid response. This use will, however, require the unanimous agreement of all 27 member states.

Under the Swedish Presidency of the EU, remarkable progress was made towards the establishment of a Europe-wide maritime surveillance system from the northern maritime basin to the Mediterranean Sea. This system will cover a range of issues from border control to emergency response.

The European Council has also acknowledged the growing need to ensure that civilian CSDP missions are an effective tool for crisis management and are able to be deployed rapidly alongside other instruments. A positive development is that the member states have made progress in implementing national measures facilitating the deployment of civilian personnel.

The Council has also created an integrated civil-military Crisis Management and Planning Directorate which will be established within the European External Action Service and which is expected to give important impetus to improving the efficiency of CSDP operations.

A logical consequence of the creation of this directorate will be the gradual establishment of a civil-military headquarters, the civilian dimension of which, by the way, exists already.

The EU has indeed made considerable progress in developing its capabilities for deploying troops for CSDP missions abroad and can boast a number of successes such as those in Chad and the Democratic Republic of Congo, and also the anti-piracy operation off the coast of Somalia, as well as the long standing mission in Bosnia and Herzegovina. However, we must not lose sight of the shortcomings which still need to be addressed: the EU's civilian action in Afghanistan is a case in point.

The EU Police mission in Afghanistan has encountered many of the problems that have plagued other civilian missions: political indecisiveness in Brussels, logistics problems in this naturally difficult theatre and slow planning and deployment due to the reluctance of member states to contribute the requisite staff.

EUPOL Afghanistan has not been able to achieve the channelling or better coordination of the EU member states' police reform efforts that would seem to be the logical consequence of an integrated European mission. Even inter-institutional relations between EUPOL, the Office of the EU Special Representative and the European Commission have proved to be complicated.

The EU has had and is still facing problems in framing a genuine common policy on Afghanistan; as a result of political differences between member states its approach remains piecemeal.

#### *[V. What the Lisbon Treaty is not about: territorial and strategic defence]*

At this point it is also important to emphasise what the Lisbon Treaty does not do and what CSDP is not yet about. CSDP is not *Defence Europe*. There is no territorial or strategic defence policy and no binding mutual assistance clause in the classic sense. The strategic culture of the 27 EU members is too divergent to allow for such a move at this moment in European history. There is, for instance, no taste in the EU for a debate on the role of our countries' nuclear forces for the security of Europe. In the past, such a debate had its rightful place within the WEU.

Lisbon does stipulate on the Common Security and Defence Policy in Article 42 of the Treaty on European Union (TEU) reasserting the "*progressive framing of a common Union defence policy*" that "*will lead to a common defence, when the European Council, acting unanimously, so decides*" but that reflects the seemingly eternally embryonic nature of EU military ambitions with language that has by and large remained the same since the 1991 Treaty of Maastricht.

In fact, as far as common defence is concerned, Article 42 of the treaty refers specifically to NATO. That is one reason why, in my view, more energy should go into improving relations between the EU and NATO and between the EU and the United States. That is also why I welcome France's decision to take its full place in NATO.

As regards the EU's relations with NATO, there is no denying that they are still problematic, which is pretty incredible when you reflect that 21 EU member states are full NATO members and a further 4 are in Partnership for Peace. As a consequence, among other things, the Berlin Plus Arrangement does not today, if it ever has, satisfactorily serve as the basis for close cooperation between the two bodies.

In Afghanistan, due to the problems in EU-NATO relations, there is no comprehensive EU-NATO agreement on the provision by ISAF of security for EUPOL staff and no possibility to exchange classified and often vital information.

As a consequence, the EUPOL mission in Afghanistan has had to conclude individual agreements with Provincial Reconstruction Team (PRT) lead nations and has even been obliged to hire a private company to guarantee its security and to adopt an extremely tight security policy. Moreover, Turkey and the US have not concluded technical bilateral agreements with it. All this has slowed down EUPOL's deployment and hampered its effectiveness.

#### *[VI. Relations with the US, Russia and third countries]*

The EU's relations with the United States are another very important issue. We need to pay closer attention to the way we dialogue with the United States if Europe wishes to be considered as a serious partner and ally of a country which is playing a determining role in addressing the world's most serious problems.

Another important issue for the EU's CFSP is its relations with Russia. So far, the EU has been clearly failing in its ambition to conduct a coherent and effective foreign policy towards Russia – a vital partner for the Union and its member states – mainly because of continuing internal strife over how to deal with Russia, which for different member states has different connotations which I do not need to explain here. Despite many efforts, the EU has not yet been able to conclude a new Partnership and Cooperation Agreement with Russia and there is currently no appetite for seeking a more robust cooperation framework for our security relations with that country.

We risk ignoring the urgent need to deepen practical security cooperation with Russia. This is particularly important in view of the proposal made by President Dmitry Medvedev for a new European security architecture and the draft treaty Russia recently presented at the OSCE Foreign Ministers' meeting in Athens.

I take the view that we should respond openly and seriously to President Medvedev's interest in a debate on European security, while bearing in mind that the difficulties the existing security architecture has in responding to crises and conflicts are not primarily institutional in nature, but rather the result of an unwillingness on the part of the countries within that architecture to seek compromise.

### *[VII. Working group with the Russian Parliament]*

Our Assembly has created a working group with the Russian parliament. It is chaired on the Russian side by Alexander Torshin, who is First Vice-Chairmen of the Council of the Federation, which is the equivalent of the Senate in the Russian constitutional system.

The members of the working group agree that the existing Partnership and Cooperation Agreement between the EU and Russia needs modernising. The considerable interdependence between both partners justifies the development of a meaningful strategic partnership. What we really need is a mature and predictable relationship based on mutual trust.

There can be no question that the EU's relationship with China and other powers such as India and Brasil will become increasingly important, but for reasons of time I would now like to turn to the second part of my presentation and deal more in detail with the core question of this audition: the future role of national parliaments in the EU as far as the Common Security and Defence Policy is concerned.

### *[VIII. Parliamentary scrutiny of CSDP]*

Regarding parliamentary scrutiny of the CSDP, we are entering a transitional period during which different options will need to be studied. These include consideration of the contribution our Assembly could make to bridging the gap between the present situation in which CSDP is an intergovernmental policy for whose scrutiny the national parliaments are fully competent and a situation in the more distant future in which CSDP could have evolved into what the Lisbon Treaty calls in Article 42.2, and I quote: a "common Union defence policy". Such a future common Union defence would imply that competence for its scrutiny will then have been transferred to the European Parliament. But we are not there yet. If the Lisbon Treaty confirmed anything, it was the intergovernmental character of CSDP, no nation being willing to transfer its own sovereignty to Brussels where the life and death of its soldiers and the security of its citizens is concerned.

As I mentioned earlier, under the chairmanship of my predecessor Jean-Pierre Masseret, and in anticipation of further developments, the WEU Assembly adopted a new Charter in May 2008 and transformed itself into the European Security and Defence Assembly (ESDA). The ESDA/WEU Assembly now offers equal rights, including full voting rights, in terms of interparliamentary information and participation for parliamentarians from the 27 EU member states. It also offers appropriate participation for candidate countries and European NATO members and for the European Parliament. But ESDA still awaits de jure recognition by the EU and its activities continue to be rooted in the legal framework provided by the modified Brussels Treaty. Were the WEU Treaty to disappear, as some in particular within the European Parliament are calling for, national parliaments would instantly

lose the benefits of the only tried and tested interparliamentary tool available to scrutinise CSDP.

The ratification and entry into force of the Lisbon Treaty marks a decisive step in the ongoing institutional overhaul of the European Union. This overhaul started with the Laeken Declaration (December 2001) whose aim was to achieve a more democratic, transparent and effective Union. The future role of national parliaments in the European architecture was established as one of the key issues of this reform process and a response to our citizens' alienation from the EU.

The Lisbon Treaty is the first EU treaty to include a specific role for national parliaments, the provisions of which are set out in a special protocol which, as you know, is called Protocol No. 1 on the role of national parliaments. While the protocol goes into detail on national parliaments and subsidiarity, the provisions dealing with intergovernmental policy-making, in particular CFSP (the Common Foreign and Security Policy) and CSDP (the Common Security and Defence Policy), are less clear. The reform process therefore needs further reflection. It is likely that the implementation of the Lisbon Treaty will give rise to developments that make the final outcome unknown at this stage and one should therefore be wary of drawing premature conclusions.

The first reason is that the provisions on the role of national parliaments are open to interpretation. Secondly, divergent views are likely to emerge between national parliaments and the European Parliament about each other's place in the interparliamentary system.

The interpretation of what can be done under the Lisbon Treaty can be timid or bold. A timid interpretation would lead to a limited involvement of national parliaments, for instance if only one annual conference on CFSP was held in Brussels, in the absence of a written report by governments and without any follow-up mechanism. The bolder interpretation would lead to a fully fledged system of parliamentary scrutiny involving the adoption of reports drafted and voted in committees. This would increase transparency. The further development of CSDP would be ensured because it would be based on the full participation of national parliaments. It is national parliaments who decide on the financial resources and national capabilities allocated to CSDP and it is national parliaments who have the final say when it comes to the deployment of soldiers for CSDP operations. It is first and foremost we, as national parliamentarians, and not anyone else, who are called to account when lives are lost.

Many argue that the Lisbon Treaty would appear to promote a conference model – despite the acknowledged limits conferences have for proper parliamentary scrutiny. The Assembly and its members have engaged in a communication drive to ensure a continued role for the tried and tested assembly-style model of interparliamentary

scrutiny. It is our view that the assembly model best serves the interests of national parliaments in this field of intergovernmental policy.

We have developed a number of options on how to serve both national parliaments and the EU in implementing the Lisbon Treaty. These suggestions are presented in the paper distributed ahead of today's meeting. I will not go into detail now but I am happy to discuss these proposals during the discussion later.

The decision on how to take forward interparliamentary cooperation on CSDP lies with the EU Council, in consultation with the national parliaments and the European Parliament. I believe that our Assembly can make a constructive contribution to the implementation of the Lisbon Treaty and to interparliamentary cooperation on CSDP.

I am in favour of providing our Assembly with the necessary legal and financial basis so that it can fully serve in the EU context. This would be a derivative of Option No 4 as presented in the paper I mentioned. This would require a Decision by the EU Council to recognise the interparliamentary role of our Assembly and to give it a status and financial basis alongside the European Parliament. It would not be a second European parliamentary chamber, just as COSAC was never one for Community affairs.

I am aware that there are other possibilities for involving national parliaments, including the idea of establishing a COSAC for Defence made up of members of the national parliaments' defence committees. Of course, COSAC as it exists today would have to be adapted. In its current form it is difficult to imagine how it could exercise proper parliamentary scrutiny of CFSP and CSDP. COSAC has no committees, it does not vote recommendations and, until now, it has not produced any detailed reports on political issues. It has been concerned only with practices and procedures. COSAC suffers from the same weakness inherent in most conference models, i.e. while it may be a vehicle for exchanges of views between parliamentarians, it does not necessarily make provision for a structured dialogue with the EU executive. An obligation on the EU Council to provide COSAC with oral and written reports on its intergovernmental activities would help increase transparency and establish a starting point to initiate and facilitate the dialogue between parliamentarians and governments. If we examine and discuss the best way forward, we will, I am sure, find a solution whereby these and other ideas can be made compatible with what we are suggesting.

What is important to me and my colleagues is that you, as fellow national parliamentarians, are aware of the expertise our Assembly can bring on board and recognise that it does not stand in the way of implementation of the Lisbon Treaty but rather offers a cost-effective and readily available tool for national parliaments.

Thank you for your attention and I am looking forward to our discussion.