The need for an EU "Defence Minister", "Defence Council" or a "Commission Director General (DG) on Defence

Essay

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Abstract

European Parliament's proposal to delegate part of Member States' security and defence competencies on decision making to the European union and thus matching institutional developments with the Common Security and Defence Policy (CSDP). The change includes creating a permanent Council of Ministers configuration of the Council, a Directorate General for Defence in the Commission and a fully-fledged Committee on Security and Defence in the European Parliament. This proposal would mean some changes in the decision making processes. Furthermore, by creating a Defence Minister's post the possibilities of an intergovernmental as well as a supranational work order are considered.

This essay aims to seek justifications of such an institutional change with the case study method and a qualitative content analysis. In the empirical part of the essay, the author illustrates how the new institution will fit in the current order of CSDP institutions and that the change in institutions will either be positive or unnoticeable. If the Defence Minister would work as a supranational body, it would mean another step in the line of federalization and create new opportunities for cooperation with NATO.

These institutional changes and their political consequences can help fulfil the European ambition of becoming a stronger force in the world, and support a more independent approach for defending Europe's borders and values.

Keywords: CSDP, supranationalism, intergovernmentalism, federal European Union, NATO.

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1.   Table of Contents

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2.   Preface

The topic of military capability development is a difficult subject to convey to the public. Especially if the understanding is constrained by the state's budget and the sense of security. What we learned from the last century wars and capability development, is that it is important to keep the discussion going and not forget the lessons we have learned. Between the world wars, many pilots were afraid, that with the disarmament and shutting down aircraft industries the state would also lose their knowledge of air battles.[1] In the Falkland's War Royal Air Force discovered that they have not been developing the right kind of aircrafts to send to the Falkland's, because most preceding conflicts had been closer to base.[2]

When discussing the future of Europe and Common Foreign Security Policy (CFSP), the same framework applies. Once proposing a change, the conversation dies with pessimism disguised as realism. This loop of conversation is evident from the ever persistent message for European Countries to be more independent, start looking out for itself, become an important player in world politics. To break the vicious cycle, it is important to start thinking along with the Union and start finding solutions. The proposal to create the post for a Defence Minister could be a change with great impact to world politics and unifying Europe.

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[1]   Budiansky, S. (2004). Air power: the men, machines, and ideas that revolutionized war, from Kitty Hawk to Gulf War II. London. Penguin Books Ltd. P. 125-126.

[2]   Anderson, D. (2014). The Falklands War 1982. Osprey Publishing. Passim.

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3.   Introduction

European Union's external action and defence policy has been an intergovernmental forum, where decisions are made unanimously. On the other hand, European Union's strategy reacts to the world politics and shows an understanding for the need to cooperate. In order to fulfil the promise in the Global Strategy, Common Security and Defence Policy needs more power to urge as well as support the Member States' capability development and collaborations in fighting common threats. On the 26th of February 2021 the Members of the European Council stated:

> "11. [...] Specifically as regards security and defence, we want to promote the EU's interests and values as well as its resilience and preparedness to effectively tackle all security threats and challenges. We reaffirm that, in the face of increased global instability, the EU needs to take more responsibility for its security. " [3]

The European Parliament has suggested to make institutional developments to match policy developments: a Council of Defence Ministers, a Directorate General for Defence, and a Committee on Security and Defence.[4] This could mean delegating Member States' power to decide on defence related issues to the Union which is not something most states would do without hesitation. The need for change would be justified if it would make things better: the decision process faster and more efficient, integrate the common values and help respond with joint action. Most importantly, Member States need to perceive the new order as empowering them.

This essay will look at the proposed developments in the Union's work order and look at wider political consequences. In the first part the author will describe the new work order in intergovernmental and supranational decision making procedures and what role each institution plays. The second part looks at a Federal Europe and the nature of CSDP-NATO possible cooperation.

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[3]   European Council (2021). Statement of the Members of the European Council SN 2/21. Brussels. Version as of 26-2-21. P. 4.

[4]   Federal Ministry of Defence of the Republic of Austria. (2021). Handbook on CSDP. Vienna. Directorate for Security Policy of the Federal Ministry of Defence of the Republic of Austria. 4th edition. P. 62.

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4.   Current State of Research

4.1 Supranationalism and intergovernmentalism[5]

Studies conducted on the European Union have their roots in integration theories, which firstly focused on the world in its entirety, but since the mid-fifties they started looking specifically the European Communities, hence making the theories less normative and more descriptive. Neo-functionalism an intergovernmentalism have been in the centre of European integration debate and thus is widely used as a theoretical framework.

(New neo-functionalism) supranationalism, as shown by Tranholm-Mikkelsen, is about the relation between de-regulative and re-regulative integration: deconstructing barriers urged the need for new rules to balance economic discrepancies. Burley and Mattli found spillover effect, because the existence of complex Union law, enforced Member States' expectations towards the EU. Neo-functionalism is based on an understanding of a spillover effect and they see that supranational institutions help define common interests.

Intergovernmentalism was based on the criticism of neo-functionalism mainly pointing out that the theory has excluded the effects of external environment and neo-functionalism was not able to successfully differentiate low politics (trade, culture, and healthcare) from high (diplomacy, external affairs). By which they meant, that in high politics no integration was evident. The subsequent theory of liberal intergovernmentalism is based on the matters that Member states focus on their own interests and represent lower level interests on an international arena.

Two theories asking different questions: neo-functionalists try to find out how to explain the birth of a supranational political community and intergovernmentalism focuses on the motivation behind state cooperation. Their opposition lies in the locus of most information about the preferences of Member States, whether it is the supranational institution or the states themselves. Both theories can be used to examine

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[5]   Author's note: this entire chapter is based on Eilstrup-Sangiovanni, M. (2006). Debates on European Integration: A Reader. Basingstoke. Palgrave Macmillan. Passim.

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the integration process of the EU, they are not just conflicting theories, but also complement each other.

4.2 Studies on CSDP

Studies on CSDP look for ways to show the way to handle future crisis, to redefine concepts already known and analyse world event impacts on the policy's resilience.

A lot of research tries to find new meaning to policies and relations between organizations. A research report on crisis management stresses the inevitable that the EU's foreign policy objectives are driven by politics and adds the need for a permanent military capability for the CSDP in order for the Union to become a serious power. The authors found the Europeans' reactive attitude as their biggest handicap.[6] Interestingly, Kashmeri's brief redefined NATO's role and in light of its relevance, suggested to merge it with the CSDP.[7] This shows that change can be welcomed from both sides.

Reports on crisis management issues tackle the influences of creating objectives and defining new threats. Biscop and Coelmont found the need for crisis management and reinforcing transparency linked to CSDP operations' objectives, which are ultimately political and not military.[8] In 2016 the answer to what the EU should be doing to handle the refugee crisis was to start using hard power, start supporting Frontex and to further build partnership with NATO and the United States.[9] Recent studies write about how to better support the defence industry[10], predicts Frontex agencies displacing CSDP

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[6] Simon, L. & Mattelaer, A. (2011). 'Crisis Management' Just Won't Cut It Anymore: Military Planning and CSDP After Lisbon. . In A Strategy for CSDP Europe's Ambitions as a Global Security Provider. Egmont Institute. P. 12.

[7] Cf: Kashmeri, S. A. (2010). Save NATO: Merge it with CSDP. Atlantic Council.

[8] Cf: Biscop, S. & Coelmont, J. (2010). The Benefits of a CSDP Strategy. In A Strategy for CSDP Europe's Ambitions as a Global Security Provider. Egmont Institute. P. 9-12.

[9] Bakker, A. & Drent, M. & Landman, L. & Zandee, D. (2016). A Stronger CSDP: Deepening Defence Cooperation. Hague. Netherlands Institute of International Relations. Passim.

[10] Maulny, J.-P. (2020). No time like the present: Towards a genuine defence industrial base for the CSDP. The CSDP in 2020: The EU's legacy and ambition in security and defence. European Union Institute for Security Studies. P. 124-134.

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deployments[11] and names climate change, rapid urbanisation and disruptive technologies as the trends for new threats.[12]

Frequently studies looked at CSDP's resilience to world events. For example, in 2016 Tsertsvadze applied Putnam's Two-Level Game theory to analyse why Britain backed the launch of the CSDP but did not consistently support it.[13] She found that Britain's decisions relating to the CSDP have been influenced by domestic politics and developments within the EU.[14] The Danish Institute for International Studies concluded their report stating that while Brexit enhanced the willingness for military cooperation between Member States, it also reduced EUs military and political weight.[15] This is explains why Brexit did not have much of an influence on CSDP further developments. Another endurance test for CSDP was COVID-19. European Union Institute for Security Studies published a report which stated that on the outbreak of the pandemic missions with a stabilisation or security mandate were more resilient than training and capacity building to local partners.[16]

The trend in research findings is that most situations are calling for the EU to start using more hard power and become a more serious actor on world politics. It shows that CSDP is not dependent on any particular state and that it is willing to learn from every crisis, every event.

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[11]   Cf: Parkes, R. (2020). Reading the runes: The future of CSDP and AFSJ. The CSDP in 2020: The EU's legacy and ambition in security and defence. European Union Institute for Security Studies. P. 97-109.

[12]   Cf: Lindstom, G. (2020). Emerging security challenges: Four futures for CSDP. The CSDP in 2020: The EU's legacy and ambition in security and defence. European Union Institute for Security Studies. P. 88-96.

[13]   Tsertsvadze, I. (2017). Britain and the Common Security and Defense Policy of the European Union. Connections. Volume 16. No. 3/2017. Passim.

[14]   Ibid. P 85-86.

[15]   Cf: Nissen, C. (2017). The CSDP and the UK's role in it. Forged in Crisis: The EU's Common Security and Defence Policy after Brexit. Danish Institute for International Studies. P. 13-25.

[16]   Pietz, T. (2021). The Impact of Covid-19 on CSDP. European Union Institute for Security Studies. Passim.

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5.   Research Gap

Discussions about European integration leading to a Defence Union and steps that need to be taken in order to develop the Union into a globally substantial player are ever relevant. Research so far has focused on the realization of the need for a United Europe. The gap in research is with European Parliament's proposal to delegate part of member state's autonomy to decide on security related questions and thus creating a supposed Directorate General for Defence to work within the Commission as well as other institutional changes to the work order. This proposal is waiting on Member States' response and needs an assembled view on the necessity and of said change. This essay aims to close the gap by giving sense to these shifts in work order and what it would mean institutionally, politically, and legally.

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6.   Research Questions

The purpose of this essay is to investigate the need to impose institutional changes by creating bodies to work on defence issues on the European Union's level. By studying the existing decision making models and the EU institution's work order should give an overview on how big of a change it would mean institutionally and legally. In order to assess the necessity, the author will also look what this change would mean politically.

 Thus four research questions are proposed:

1) What are the weaknesses of the existing security and defence policy institutions on a decision making level and what are the strengths of the new work order?

2) What sorts of weaknesses could the new order compensate?

3) What could be the political consequences of delegating defence related powers to the European Union?

4) How justified are the needs for a new work order considering its capabilities and political consequences?

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7.   Methodology

This essay uses mixed methods to draw conclusions. Starting with a case study on the work order of the institutions working in the field of the Common Security and Defence Policy and continuing research with a qualitative content analysis for identifying the consequences and their scope.

7.1   Case study[17]

Case studies are used to examine a phenomenon in its natural environment. The author applies this method to illustrate the supranational and intergovernmental decision making model. The new work order will be fitted into the existing model and given an overview of its function and ability to influence the process. The shortcoming of this method lies in the high demands on the ability to ask relevant questions, understand the problem's political and theoretical tendencies when collecting data as well as disregard pre-existing opinions.

7.2   Qualitative content analysis

Qualitative content analysis focuses on meaning and context. It investigates the clearly stated a well as hidden messages. Conventional content analysis is used to describe a phenomenon.[18] The analysis starts with the first reading of documents trying to understand the whole and follows with the second reading aims to find the most important idea.[19] This approach to content analysis addresses research in the discussion section of the essay. The challenge of this method lies in full comprehension of context and the possibility to confuse this method with other qualitative methods.[20]

[17]   Author's note: this sections is based on Yin, V. R. (2003). Case study research: Design and methods. Thousand Oaks. Sage. Passim.

[18]   Hsieh, H. & Shannon, S. (2005). Three Approaches to Qualitative Content Analysis. Qualitative health research. Volume 15. No. 9/2005. P. 1279-1281.

[19]   Cf: Mayring, P. (2000). Qualitative Content Analysis. Forum Qualitative Sozialforschung / Forum: Qualitative Social Research. Volume 1. No. 2/2000. Passim.

[20]   Hsieh, H. & Shannon, S. (2005). Three Approaches to Qualitative Content Analysis. Qualitative health research. Volume 15. No. 9/2005. P. 1279-1281.

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8.   Research and Results of Research

8.1 Institutions in connection with CSDP

8.1.1 Intergovernmental institutions in the EU

8.1.1.1   The European Council and the Council of the European Union

The European Council does not exercise legislative functions and takes its decisions by consensus, except in the area of CFSP where the European Council acts unanimously. The main function for the European Council is to drive the Union's developments and to define the strategy of CFSP and CSDP.[21] The European Council consists of Head of States.

The Council of the European Union's competences lie in policy making and coordinating functions as laid down in the Treaties. The council usually acts by a qualified majority, except in the area of the CFSP and CSDP, it acts by consensus and unanimity. The Council consists of representatives of the Member States ministerial level and meets in 10 configurations, one of which is the Foreign Affairs Council (FAC). This configuration ensures the consistency in the Union's external actions including foreign policy, security and defence, trade, development cooperation and humanitarian aid.[22] The HR/VP occupies the central institutional role, chairing the Foreign Affairs Council in its 'Defence Ministers configuration' (the EU's CSDP decision-making body) and directing the European Defence Agency (EDA).[23]

8.1.1.2   Intergovernmental decision-making procedures in the EU

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[21]   Consolidated version of the Treaty on European Union (2016) OJ C 202 7.6.2016, p. 13. Version as of 1-3-2020. Art 15 & Art 26.

[22]   Federal Ministry of Defence of the Republic of Austria. (2021). Handbook on CSDP. Vienna. Directorate for Security Policy of the Federal Ministry of Defence of the Republic of Austria. 4th edition. P. 50

[23]   Ibid.

In the CFSP (and several others) the decision-making procedure is different from that of the ordinary legislative procedure and its dominant feature is the stronger component of intergovernmental cooperation.[24] There are several procedures set for decisions in the field of CFSP: procedure for amendment of the Treaties[25], enhanced cooperation procedure[26] [27] and procedure for decisions in foreign affairs[28].

8.1.2 Supranational institutions in the EU

8.1.2.1 The Commission and the European Parliament

The Commission's role regarding CSDP lies mainly in achieving set goals and managing other related external action policies. The Commission plays a direct role by managing the budget and an indirect role by ensuring cooperation with non-CSDP instruments in implementing the CSDP.[29] The Commission is run by the college which takes decisions on the Commission's political and strategic direction.[30] Their work is organised into Directorate-Generals which develop, implement and manage EU policy.

The European Parliament (EP) has established an important relation to the development of CSDP, yet its main role is to advise and ensure its support to the CSDP. The parliamentary committees put together and adopt legislative proposals. They consider

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[24] Homepage of European Parliament. Page Intergovernmental decision-making procedures. URL: https://www.europarl.europa.eu/factsheets/en/sheet/9/intergovernmental-decision-making-procedures. [6-11-21].

[25] Consolidated version of the Treaty on European Union (2016) OJ C 202 7.6.2016, p. 13. Version as of 1-3-2020. Art 48.

[26] Ibid. Art 20.

[27] Consolidated version of the Treaty on the Functioning of the European Union. (2012). OJ C 326, 26.10.2012, p. 47–390. Art 329.

[28] Consolidated version of the Treaty on European Union (2016) OJ C 202 7.6.2016, p. 13. Version as of 1-3-2020. Art 22 & Art 42 (2).

[29] Federal Ministry of Defence of the Republic of Austria. (2021). Handbook on CSDP. Vienna. Directorate for Security Policy of the Federal Ministry of Defence of the Republic of Austria. 4th edition. P. 53-54.

[30] Homepage of European Commission. Page How the Commission is organised. URL: https://ec.europa.eu/info/about-european-commission/organisational-structure/how-commission-organised_en. [6-11-21].

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Commission and Council proposals.[31] The EP adopts CFSP report drafted by the Committee on Foreign Affairs (AFET) and a report on CSDP drafted by the Subcommittee on Security and Defence (SEDE). The EP hosts Joint Consultation Meetings with the Council, the EEAS and the Commission for exchanging information on CSDP operations and CFSP budget.[32]

8.1.2.2 Supranational decision-making procedures in the EU

The Member States have agreed to transfer some of their powers to the EU institutions and allow them to make supranational binding decisions in certain policy areas.[33] The procedures relevant regarding decisions on CSDP are: consent procedure[34], ordinary legislative procedure, conclusion of international agreements and a quasi-constitutional procedure called system of own resources[35].

8.1.3 The European External Action Service (EEAS)

The EEAS is specifically dedicated to external action and like other European Commission directorates it is involved in EU external policy implementation. Its main focus is to assist the HR in fulfilling his mandate.[36]

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[31] Homepage of European Parliament. Page The Committees of the European Parliament. URL: https://www.europarl.europa.eu/about-parliament/en/organisation-and-rules/organisation/committees. [6-11-21].

[32] Federal Ministry of Defence of the Republic of Austria. (2021). Handbook on CSDP. Vienna. Directorate for Security Policy of the Federal Ministry of Defence of the Republic of Austria. 4th edition. P. 54.

[33] Homepage of European Parliament. Page Supranational decision-making procedures. URL: https://www.europarl.europa.eu/factsheets/en/sheet/8/supranational-decision-making-procedures. [6-11-21].

[34] European Parliament. (2019). Rules of Procedure of the European Parliament. Version as of 26-8-2021. Rule 105.

[35] Consolidated version of the Treaty on the Functioning of the European Union. (2012). OJ C 326, 26.10.2012, p. 47–390. Art 289 & Art 294 & 218 & Art 311.

[36] Consolidated version of the Treaty on European Union. (2016). OJ C 202 7.6.2016, p. 13. Version as of 1-3-2020. Art 27.

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8.1.4 Proposed Institutional developments in the EU

Figure 1 illustrates how proposed institutional developments would fit in the workings
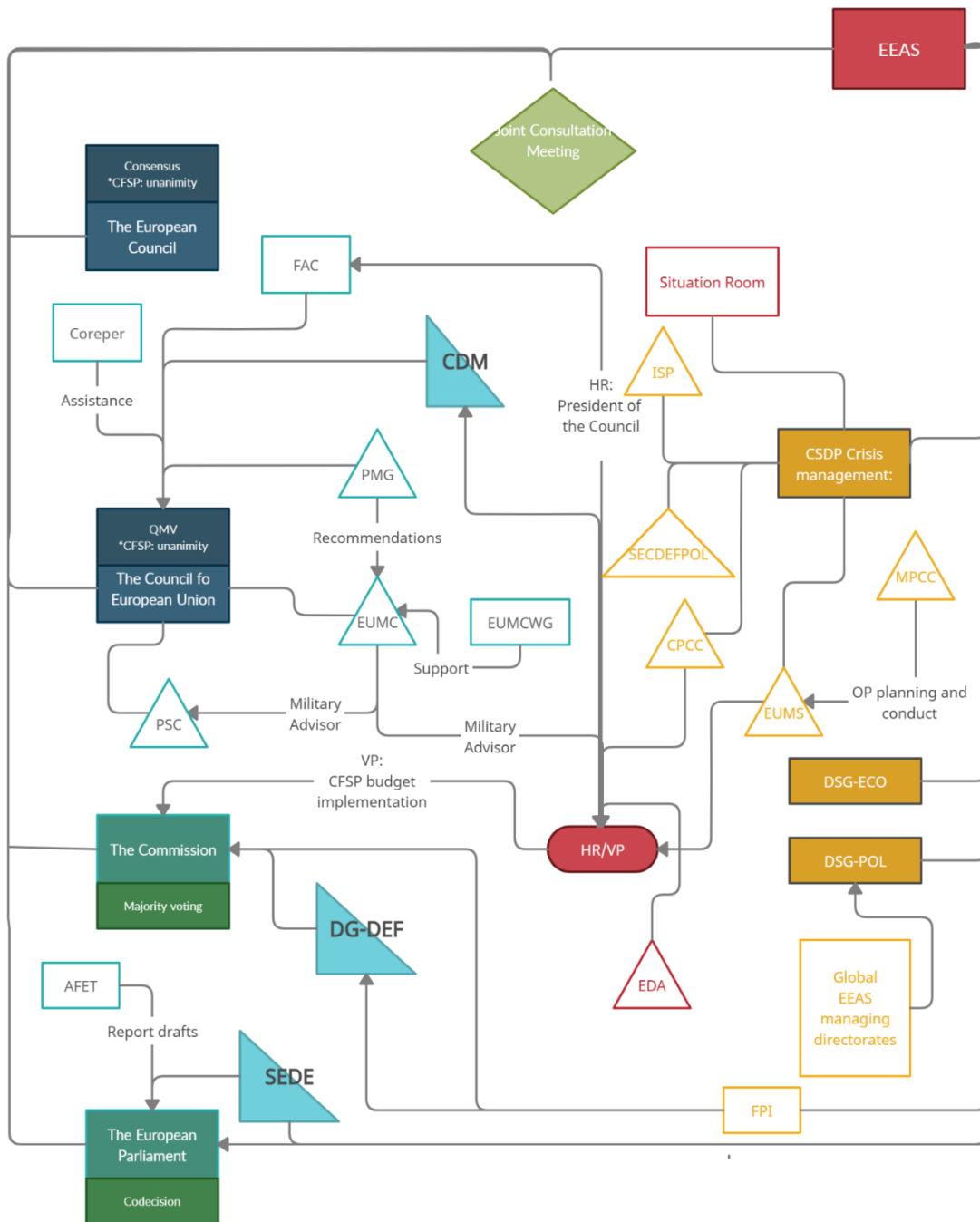
of all the institutions relating to CSDP.

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8.1.4.1   Council of Defence Ministers (CDM)

With the creation of a permanent Council of Defence Ministers it will start to function separately from the FAC and could presume its position as the main CSDP decision-making body. The new configuration would consist of defence ministers of each member state and decide on security and defence matters unanimously unless relating to the EDA and permanent structured cooperation (PESCO), where decisions are taken by qualified majority voting (QMV).[38] It will be chaired by the HR/VP. The new council would enhance the work done by the Political and Security Committee (PSC). When creating the Defence Ministers Configuration, it would also increase its influence to the CSDP compared to the FAC.

8.1.4.2   Directorate General for Defence (DG-DEF)

The work of the Commission is organised into Directorate-Generals. During the weekly meetings decision-making is done in oral procedure.[39] The Oral procedure involves a debate and agreement on the initiative by the Commissioners. The Commission may delegate the adoption of management to the Directors-General acting on its behalf.[40]

The work of the Directorate-General for Defence should operate similarly to the Directorate-General for Defence Industry and Space[41], leading the European Commission's activities in common defence and towards a European Defence Union as stated in the 2022 Commission Work Program:

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[37]   Figure created by the author.

[38]   Homepage of EUR-Lex. Page Glossary of summaries. URL: https://eur-lex.europa.eu/summary/glossary/european_security_defence_policy.html. [6-11-21].

[39]   Homepage of European Commission. Page How decisions are made. URL: https://ec.europa.eu/info/strategy/decision-making-process/how-decisions-are-made_en. [12-11-21].

[40]   European Commission (2000). Rules of Procedure of the Commission. Version as of 23-4-2020.

[41]   Homepage of European Commission. Page What the Commission is doing. URL: https://ec.europa.eu/info/topics/defence_en. [12-11-21].

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"The different global crises have confirmed that we need to strengthen partnerships with allies, and we will present a new EU-NATO Joint Declaration and will seek to accelerate work on a genuine European Defence Union." [42]

8.1.4.3 Committee on Security and Defence (SEDE)

The European Parliament's work is supported by committees and directorate-generals which examines questions referred to them. [43] For example, the Directorate-General for External Policies of the Union focuses on foreign policy providing expertise to the Parliament's main actors in this field. It ensures the secretariat of the Parliamentary committees in the field of security and defence among others.[44] Thus the function of the Security and Defence Committee lies in ensuring support to the European Parliament. The European Parliament's work on Security and defence is currently supported by AFET and its subcommittee SEDE. When constructing the new fully fledged Security and Defence Committee, it will probably put together and adopt legislative proposals concerning its sector. The AFET and SEDE can jointly consider matters falling within their competence, but they may not take a decision jointly.[45]

8.2   Federalization of the European Union

The European Union is described as a supranational organization, with features of an intergovernmental organization and increasingly of a federal system.[46] Kim and Jung say that the most important difference between a federal state and a confederation is whether central government and members share sovereignty especially in the defence

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[42]   European Commission (2021). Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions. COM 645. Strasbourg.

[43]   European Commission (2000). Rules of Procedure of the Commission. Version as of 23-4-2020. Rule 210.

[44]   Homepage of Alumniportal Deutschland. Page Working for the EU: European Parliament. URL: https://www.alumniportal-deutschland.org/en/career/working-for-the-eu/. [12-11-21].

[45]   European Commission (2000). Rules of Procedure of the Commission. Version as of 23-4-2020. Rule 210.

[46]   Cf: Levrant, N. (2010). EU: Intergovernmental Relations in a Supranational Federation. In Dialogues on Intergovernmental Relations in Federal Systems. McGill-Queen's University Press. P. 26-30.

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area.[47] It would seem that the European Union is on its path to federalization and giving more powers to decide on defence issues, if not bringing a qualitative change at once, certainly speeds up the process.

The first big debate about federalization lies in the concept itself. There are ideas on centralized European superstate and their opposition with views on rejecting the European project and returning to nation-states.[48] It is not important how long politicians have planned to gradually federalize the European Union. Even more, a large part of the federalization process may have gone unnoticed.[49] Either way by creating a European Union's Defence Minister's post, a lot more power will be given to the Union.

Why should we bring about this change? Firstly, federalization requires the insistence on individual freedom and responsibility, it favours the voluntary cooperation in solving mutual problems.[50] Reho & Dalibor say that federalization is feared because of transferring national power to the European level, but actually a federal Europe would be able to keep national policies in line and promote individuals and communities.[51] To add on, the reliance on harmonization destroys diversity – the main substantive feature of federalism.[52] In other words, because economic powers would be given back to the local level, federalism would mean greater autonomy.[53]

Why not go ahead with this change? It has been argued by Joseph Weiler that the EU has witnessed hidden constitutionalisation already, e.g. the Court having adopted several constitutional principles like direct effect and supremacy. Weiler has, however, also offered a version of supranationalism which does not necessitate full-blown

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[47]   Kim, N. & Jung, S. (2010). Democratic Deficit, European Constitution, and a Vision of the Federal Europe: The EU's Path after the Lisbon Treaty. Journal of International and Area Studies. Volume 17. No. 2/2010. P. 53.

[48]   Reho, F. O. & Rohac, D. (2017). The Case for a Federal Europe. American Enterprise Institute. P. 2.

[49]   Weiler, J. (1999). The transformation of Europe. In The constitution of Europe: 'Do the New Clothes Have an Emperor' and Other Essays on European Integration. Cambridge. Passim.

[50]   Reho, F. O. & Rohac, D. (2017). The Case for a Federal Europe. American Enterprise Institute. P. 4.

[51]   Ibid.

[52]   Cf: Ibid. P. 5-7.

[53]   Siedentop, L. (2001). Democracy in Europe. London. Penguin Books. Passim.

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federalization.[54] Negative solidarity lies in members believing fiscal consequences of solidarity are more important than the social consequences and it protects the sovereignty of the Member States against the delegation of competencies to a higher level of government.[55]

What would it mean in the field of CSDP? The Treaty of Lisbon converged more sectors with the European Union's and policy areas including CFSP, to which from now on QMV was extended, making the decision process faster and more efficient.[56] To change intergovernmental bodies with supranational structures[57] has enough support, because it is seen as the solution for empowering Europe. [58] This is where decentralized federalism comes into play. Giving the Union policy competences and allowing majority decision-making in policy areas such as military command and at the same time granting flexibility and discretion to the states in the application of central rules.[59]

To conclude, more power to the European Union, would help to better stand by the common values and take on more responsibility over security, and other functions would be decentralized in turn.

8.3 CSDP cooperation with NATO

EU strategy for the 2020s[60] urges Europe to take a position in the great power rivalry. Biscop called Europe out for being either a puppet of the USA or a *"cynical free-rider on American military might, which, behind a façade of lofty rhetoric on values, pursues*

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[54]   Weiler, J. (1999). The transformation of Europe. In The constitution of Europe: 'Do the New Clothes Have an Emperor' and Other Essays on European Integration. Cambridge. Passim.

[55]   Trein, P. (2020). Federal dynamics, solidarity, and European Union crisis politics. Journal of European Public Policy. Volume 27. No. 7/2020. P. 1.

[56]   Kim, N. & Jung, S. (2010). Democratic Deficit, European Constitution, and a Vision of the Federal Europe: The EU's Path after the Lisbon Treaty. Journal of International and Area Studies. Volume 17. No. 2/2010. P. 64.

[57]   Reho, F. O. & Rohac, D. (2017). The Case for a Federal Europe. American Enterprise Institute. P. 7.

[58]   Biscop, S. (2013). Europe and the World or Snow White and the Seven Fallacies. Egmont Paper 61. Gent. Academia Press. Passim.

[59]   Hix, S. (2018). Decentralised federalism: A new model for the EU. In B. Martill & U. Staiger (Eds.), Brexit and Beyond: Rethinking the Futures of Europe. UCL Press. P. 72-73.

[60]   Biscop, S. (2020). No peace from corona: defining EU strategy for the 2020s. Journal of European Integration. Volume 42. No. 8/2020.

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only its own economic advantage"[61]. The author said that Europe should maintain NATO alliance but at the same time not simply join the USA's rivalry against China, EU needs to defend its interests as well.[62]

In the light of the 2008 Financial Crisis, Kashmeri suggested NATO's merger with the CSDP.[63] At the time, people had differing beliefs on NATOs relevance. Its dream of becoming a world-cop was said to be dying "_a slow death in the mountains of Afghanistan_".[64] Although the years to follow, less so with Georgia in 2008 but then more acutely with Ukraine in 2014 have changed the image of NATO a lot. In 2015 Biscop wrote about Europe's dependence in the area of defence and encouraged Europeans to take responsibility for their crisis management, reminding that NATO's purpose has evolved a great deal from trying to stop Soviet invasion.[65] Furthermore, NATO is said to see the VJTF as an Article 5 measure that has to be initiated by the Europeans and the EU.[66]

Kashmeri reason for making the CSDP primary force in Europe is that neither EU nor NATO has an army, both use the input from their member states, the organizations' military staffs cannot officially collaborate due to Cyprus-Turkey conflict, and the duplication is largely paid by the European taxpayers.[67] The pressure on Member States' defence budgets creates small clusters of cooperation, because cutting off a little from every capability no longer works, they are facing a choice which units to disperse completely.[68] On the other hand, NATO's value is being an alternative option when a

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[61] Biscop, S. (2020). No peace from corona: defining EU strategy for the 2020s. Journal of European Integration. Volume 42. No. 8/2020. P. 1011.

[62] Ibid. Passim.

[63] Cf: Kashmeri, S. A. (2010). Save NATO: Merge it with CSDP. Atlantic Council.

[64] Ibid. P. 1.

[65] Biscop, S. (2015). The state of defence in Europe: dependence, deterrence and deployment. Global Affairs. Volume 1. No. 2/2015. Passim.

[66] Biscop, S. (2015). The state of defence in Europe: dependence, deterrence and deployment. Global Affairs. Volume 1. No. 2/2015. P. 171.

[67] Kashmeri, S. A. (2010). Save NATO: Merge it with CSDP. Atlantic Council. P. 3.

[68] Biscop, S. (2015). The state of defence in Europe: dependence, deterrence and deployment. Global Affairs. Volume 1. No. 2/2015. P. 178-179.

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CSDP operation is not preferred and gives the possibility to select the structure for an operation case-by-case[69].

In his 2020 article[70], Sven Biscop says that there is no lack in initiative, just ambition. In addition to PESCO and its EUFOR Crisis Response Operation Core (CROC), there is continually a role for NATO. Or rather, CROC could play a part for NATO as one of its army corps. Biscop suggests that in order to meet the targets for NATO Defence Planning Process and EU's Capability Development Plan, the processes should be joined. What is more, working on NATO and EU's co-decision on defence planning is also feasible. The article ends similarly to the ones preceding it: reminding that Europeans should be able to fight for their interests and not hope for others to do it for them.[71]

EU-NATO relations need to align with what is actually happening, addressing e.g. China's aggressions in South-China Sea in a way that is aligned with respective interests and be able to have different opinions without using sanctions. Therefore, Europe needs to increase its dependence from other powers to defend its sovereignty and be able to choose its battles.

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[69]   Biscop, S. (2015). The state of defence in Europe: dependence, deterrence and deployment. Global Affairs. Volume 1. No. 2/2015. P. 172-173.

[70]   Biscop, S. (2020). Battalions to Brigades: The Future of European Defence. Survival, Global Politics and Strategy. Volume 62. No. 5/2020.

[71]   Ibid. Passim.

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9.   Discussion of Results and personal Conclusions

9.1   Discussion of Results

In this chapter the author will answer the research questions. What are the weaknesses of the existing security and defence policy institutions on a decision making level and what are the strengths of the new work order? What weaknesses could the new order compensate? The first two questions will be answered by looking at the summary of decision making procedures and the institutions' roles which is presented in Table 1.

The columns below "importance of institutional developments" illustrate whether the new committee, directorate-general or the council of ministers could affect the decision (+) or not (-).

Table 1 shows that the biggest role is played by the Council. If the decision process remains unchanged, they will be the biggest force behind fulfilling CSDP and CFSP goals. Most decision are made unanimously and could slow down the implementation process. Admittedly the importance of the European Parliament lies in supranational decision-making procedures. The Commission's role remains the same.

When considering the European Parliament's proposal to develop institutions to match the policy, the change would be positive in work efficiency and neutral in inter-institutional cooperation. The CDM, DG-DEF and SEDE would be able to do more with the new work order and defined responsibility. Proposals will be more impactful and better coordinated across the main institutions. Figure 1 shows that creating new institutions will not make the work order more complicated.

The reasons for "needing a defence minister" are now evident. But under which institution will he be placed? When working in an intragovernmental setting within the Council, the Defence Minister would coordinate defence related questions similarly to the HR/VP and decisions would still be mostly taken unanimously. On the other hand, if the European Union wants to become a Defence Union, decisions about common defence will need a supranational process and the creation of the Defence Minister post would be within the powers of the Commission.

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Decision making procedures		Roles of existing institutions			Developments		
		The Council	The Commission	EP	CDM	DG-DEF	SEDE
Intragovernmental	Enhanced cooperation procedure	QMV	Proposal	Consent	+	+	+
	Enhanced cooperation procedure in the field of CFSP	Application to the Council, HR opinion Unanimity	-	Informed	+	-	-
	Procedure for decisions in foreign affairs	Unanimity	Proposal	Informed	+	+	-
Supranational	Ordinary legislative procedure	QMV/ Unanimity *	Proposal	Simple majority	+	+	+
	Consent procedure	Forward the draft	Proposal	Absolute majority	+	+	+
	Conclusion of international agreements	QMV/ Unanimity CFSP*	(HR)/Presents recommendations	Informed/ consent CFSP*	+	+	+
	Quasi-constitutional procedures	Unanimity	Proposal	Consultation	+	+	+

Table 1: Summary of roles in decision-making procedures.[72]

What could be the political consequences of delegating defence related powers to the European Union?

Giving authority to decide on defence matters to the European Union level could be considered a big step towards the federalization of the Union. A federal Europe is seen as a satisfactory outcome in the pursuit for an "ever closer union". Many authors support a decentralized federal European Union, because if it is able to lessen Euroscepticism, it could also improve solidarity and that in turn furthers the Common Security and Defence Plan.

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[72]   Table created by the author.

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European Union's most important partner is NATO and its support to Europe's defence is important. Will the creation of a Defence Minister diminish cooperation between the two organizations? That is difficult to predict because as seen from reports, most states' ambitions are related to their budget. If the new work order could give the same or even better service, EU-NATO joint operations would continue. A stronger and more unified message sent by the EU through the Defence Minister could help align respective goals and enhance the merger that was suggested in 2010 by Kashmeri[73] and also in 2020 by Biscop[74].

The cons of delegating defence related powers to the EU are the danger of fragmentation due to democratic deficit and lack of Member States' solidarity when a region should feel that their needs are not met or well represented. Regarding cooperation with NATO, Member States could start investing in the Union's military industry and a clearer European message could create more diverging opinions. Since membership of the two organizations overlaps to a great degree, conflicts should nor arise. Stronger cooperation among the European states would mean a stronger NATO. In the end, the most valuable shared aspect between NATO and the CSDP is cooperation and while enhancing cooperation among European states, this should be done without weakening the transatlantic relations.

9.2   Conclusions

The last research question combines the answers to the previous three and concludes this essay. How justified are the needs for a new work order considering its capabilities and political consequences?

When looking at the possible rise in decision making efficiency and speed, things could either get better or stay relatively same. So a hope for a better work order is justifiable enough. Even when the proposal ends in just creating new bodies to help coordinate CSDP related policies between the institutions, it would still create a positive change. And yet there is considerable hope of these structural changes to go hand in hand with

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[73]   Cf: Kashmeri, S. A. (2010). Save NATO: Merge it with CSDP. Atlantic Council.

[74]   Cf: Biscop, S. (2020). Battalions to Brigades: The Future of European Defence. Survival, Global Politics and Strategy. Volume 62. No. 5/2020.

enhancing defence cooperation and joint capability building. By creating the position of HR/VP, the new "foreign minister" offered more stable relations for the European Union[75], there is a strong belief that the defence minister can further this cause.

Political consequences are in accordance with the EU's strategic priorities: a stronger Europe protecting itself from terrorism, cybercrime and hybrid threats and strengthening security research and innovation. [76] The possible federalization of the Union as well as a stronger message and coordination with NATO can have positive impact on holding priorities. Federalization would help capability development and EU-NATO codecision would make the EU a stronger power. And therefore, also a stronger ally of the USA.

„Specifically as regards security and defence, we want to promote the EU's interests and values as well as its resilience and preparedness to effectively tackle all security threats and challenges. We reaffirm that, in the face of increased global instability, the EU needs to take more responsibility for its security."[77]

These institutional changes and their political consequences can help fulfil the European Council's statement.

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[75] Kim, N. & Jung, S. (2010). Democratic Deficit, European Constitution, and a Vision of the Federal Europe: The EU's Path after the Lisbon Treaty. Journal of International and Area Studies. Volume 17. No. 2/2010. P. 54.

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10. Annexes

10.1 List of Abbreviations

1. AFET – Committee on Foreign Affairs

2. CDM – Council of Defence Ministers

3. CFSP – Common Foreign and Security Policy

4. CSDP – Common Security and Defence Policy

5. DG-DEF – Directorate-General for Defence

6. EDA – European Defence Agency

7. EEAS – European External Action Service

8. EP – European Parliament

9. EU – European Union

10. EUFOR CROC – European Union Force Crisis Response Operation Core

11. FAC – Foreign Affairs Council

12. HR – The High Representative of the Union for Foreign Affairs and Security Policy

13. NATO – North Atlantic Treaty Organization

14. PSC – Political and Security Committee

15. QMV – qualified majority voting

16. SEDE – (sub)committee on Security and Defence

17. USA – United States of America

10.2 List of Figures

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10.3 List of Tables

10.4 List of Literature

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11. Affidavit

I declare that I have written the present essay independently and on my own. I have clearly marked any language or ideas borrowed from other sources as not my own and documented their sources. The essay does not contain any work that I have handed in or have had graded as a previous scientific paper earlier on.

I am aware that any failure to do so constitutes plagiarism. Plagiarism is the presentation of another person's thoughts or words as if they were my own – even if I summarize, paraphrase, condense, cut, rearrange, or otherwise alter them.

I am aware of the consequences and sanctions plagiarism entails. Among others, consequences may include nullification of the essay, exclusion from participation in the CSDP Olympiad. These consequences also apply retrospectively, i.e. if plagiarism is discovered after the essay has been accepted and graded. I am fully aware of the scope of these consequences.

………………………………

(Sergeant Iida Elise Murumets)

Tartu, Estonia in November 2021

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