

The role of the German Presidency in promoting ESDP

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Germany is confronted with special expectations for the outcome of its six-month EU presidency. Holding the G8 presidency at the same time, Germany is considered by its EU partners to be capable of pushing forward an ambitious agenda, not least in the field of foreign and security policy. As it is both pro-European and transatlantic in outlook, Germany is perhaps uniquely placed to further develop an accentuated role for ESDP. While the government is playing down expectations about how much can be achieved in such a short period, German diplomacy has laid the groundwork for pragmatic progress in the following fields: improvement of the coherence of external relations; stabilization of the Western Balkans; launch of a mission to Afghanistan; development of European capabilities.

1. Smoothing the institutional framework

The future of the Constitutional Treaty is the most important item on the German agenda. Finding ways out of the current impasse will be the main indicator for assessing the failure or success of its Presidency. So far the German ‘grand coalition’ government has shown itself committed to preserve as much as possible of the substance of the Constitutional Treaty and has therefore repeatedly ruled out proposals to implement only parts of it. The exclusion of this ‘cherry picking’ approach will therefore make any substantial progress in Europe’s Common Foreign and Security Policy (CFSP) impossible. However, to avoid a complete institutional standstill, the German government plans to take modest, but concrete steps inside the existing legal framework to strengthen the coherence between CFSP and European community instruments.¹

First, High Representative Solana’s closer contacts with the Commissioner for External Relations, Ferrero-Waldner, and his regular participation in the Commission external relations meetings, should further improve the inter-institutional cooperation between the Council and the Commission and foster better policy planning.² Following the precedent of the EU Special Representative to Macedonia – who serves both the Council and the Commission – the head of the EU delegation to a third country could be merged with the post of the Special Representative and so assume greater responsibility for the coordination of all EU actors in the field. Steps in this direction area already been prepared for the civilian ESDP mission to Afghanistan.

More than previous presidencies, Germany plans to entrust Solana to represent the EU position in international conferences and in international organizations. Exercising its right to make its own organizational arrangements, Germany could also – on a trial basis – transfer the chairmanship of the External Relations Council to Solana. Along the same lines the chairing of the COREPER meetings in all matters relating to the EU’s foreign affairs and of the CFSP/ESDP working groups could be transferred to a member of Solana’s staff.

Together these practical measures could achieve greater continuity and coherence in the EU's external action and facilitate the day-to-day future management of CFSP/ESDP. They would be even more effective if linked with the agendas of the successor presidencies of Portugal and Slovenia.³

Nevertheless, Germany, while pushing these changes forward, will want to avoid being perceived by other Member States to be introducing elements of the Constitutional Treaty via the backdoor.

2. ESDP in Action

Stabilization in the Western Balkans

A key focus of the German Presidency is the stabilization of the Western Balkans. Already committed to a strong engagement in the region, the EU will continue to play an active role in both a political and military context. Being both a member of the Kosovo Contact Group as an individual state and representing the EU through the Presidency, Germany will have a double role during the negotiations on the status solution for Kosovo and, once an agreement has been reached, in the subsequent implementation phase.⁴

Although there are no signs yet from Serbia that it will accept the Ahtisaari proposal that puts Kosovo on the road to statehood, the EU continues to intensify its preparatory work for its largest civilian ESDP mission so far.⁵ On 11 December 2006, the Council approved a Crisis Management Concept (CMC), thereby allowing planning to proceed to the next step with the development of a concept of operations.

On the ground, the EU Planning Team for Kosovo (EUPT Kosovo), the mandate of which has been reinforced and extended until May 2007, continues its work in the field of police, justice and correctional service. Faced with the difficulty of getting an adequate number of police officers (depending on the security environment the size of the executive policing element will be between 300-600), a significant share of EU nationals currently serving in the UNMIK Police contingent will probably remain in Kosovo, but under an EU flag. The deployment of the European Gendarmerie Force (EGF) is also currently being considered. As the EGF is outside the ESDP framework, possible tensions vis-à-vis its personnel coming under the EU's civilian command structure, as well as its relationship with those under NATO's KFOR command, still have to be resolved.

With a view to alleviate overstretched European capacities, the German Presidency pushed a scaling down of Operation Althea in Bosnia and Herzegovina. In line with the decision of principle of 12 December 2006, the EU formally agreed by written procedure on February 27 to scale back the number of troops from the current 6,100 to a force of roughly 2,500 by the start of June. Citing an improved security situation, the UK and Germany will be the first to pull out their troops. To be able to reverse the effects of the force reduction, two battalions will be held in reserve should there be any need for rapid intervention in the event of a crisis. The infrastructure that will allow these reinforcements to be accommodated will remain at the disposal of the EU for six months. Afterwards the remaining in-country EU troops will be supported by a reserve stationed outside the region.

Although the decision to reduce the EU's military force was welcomed by the chairman of the tripartite presidency, Nebojsa Radmanovic, the inter-ethnic peace in Bosnia and Herzegovina remains fragile. The political stability of the country is further burdened by the unclear outcome of the Kosovo status talks. With the risk of a potentially violent spillover if Kosovo gains independence, the decision to reduce troops by almost two thirds at the current stage remains risky to say the least.

Launch of an ESDP mission to Afghanistan

The envisaged civilian mission to Afghanistan will be a further ESDP challenge for the German Presidency. On February 12 the Council approved the CMC for a police mission with linkages to the wider rule of law.⁶ On this basis a Concept of Operations has been developed. The mission will work towards the development of Afghanistan's security forces and justice system under local ownership. To this end, the number of EU police instructors is to be more than tripled to around 160. Germany, leading the efforts to train the local police, already has around half of its police instructors in the country. In addition, some 70 EU legal advisers are to be seconded to Afghanistan, many of whom would be located outside Kabul in a total of 19 provinces. In a novel move, so as to improve the degree of information exchange between the Commission and the Council, the EU Special Representative to Afghanistan Francesc Vendrell will be required to play an enhanced role in the mission.

Similar to the mission in Kosovo, Afghanistan will constitute an important test case for the 'strategic partnership' between NATO and the EU.⁷ Their different membership structure and the desire of some EU Member States to keep NATO at a distance have led to strained relations between the two organizations in the recent past. With Berlin Plus arrangements only encompassing cooperation at a military level and thus excluding EU civilian crisis management operations from the formal EU-NATO dialogue, the ability for meaningful political dialogue and strategic planning in both theatres is strongly hampered. Here the German Presidency must contribute to developing a new framework for increased political cooperation that will allow for the effective interlinking of civilian measures provided by the EU and military measures provided by NATO.

3. Pushing forward European Capabilities

The Civilian Domain

Clearly, the EU has to make increased efforts to ensure that it is able to conduct successfully ever-more complex civilian missions in a non-benign environment. A major focus of the German Presidency in the field of civilian ESDP, therefore, will be to ensure that the pledges of the Member States towards the fulfillment of the ambitious Civilian Headline Goal 2008 are met. The tight timetable in this domain will require close cooperation with the following Presidencies as well. In view of the specific challenges of the upcoming civilian ESDP missions in Kosovo and Afghanistan, the key categories of personnel that are most urgently needed in this area are judges, prosecutors, prison personnel, police officers and border guards.⁸

At the ESDP conference in Berlin on 29-30 January 2007, new ideas for restructuring the Council Secretariat with a view to creating a new civilian headquarters capacity were discussed.

In particular, the option of a civilian operations commander at the strategic level of command has been introduced. The holder of the new post could – as with military ESDP missions – be responsible for the planning and conduct of all civilian crisis management operations. The leaders of the individual civilian ESDP mission would be answerable to this individual.

Solana stressed that the post should be built upon present structures and contribute to enhanced civilian-military cooperation. Hence, current efforts are centred on determining which kind of structure would best allow the Civilian Operation Commander to fulfill his/her task. In particular the relationship with the head of the EU Military Staff, the head of the Civilian Military Cell and the new EU Operation Centre has to be clarified. Although the creation of the post appears to have been agreed in principle, it is not yet clear if this can be put into action before the launch of the Kosovo mission.⁹

Civil – Military Co-ordination

The German Presidency is also committed to take forward the work on civil-military coordination in ESDP. Several workshops are planned to consider how to achieve more coherent and frictionless CMCO (Civil Military Cooperation). Moreover, work has already begun on IER (Information Exchange Requirements) for the civilian and military parts of the Council Secretariat and the Commission.¹⁰

The German Presidency has stressed the importance of the military exercise MilEx 07 in June to evaluate the activation of the EU Operations Centre (ready for use since 1 January this year) and its interaction with a EU force headquarters provided by Sweden in a EU-led crisis management operation.

The Military Domain

Regarding military capabilities, progress towards fulfilling the Headline Goals 2010 is patchy. As part of the capability development process, shortfalls are currently being assessed by comparing the actual contributions of Member States in the Force Catalogue 2006 with the Requirements Catalogue 2005. The result of this process will be presented in the Progress Catalogue 2007 later in the year.

Particular attention will be given to the implementation of the Battle Groups. As from 1 January, the EU has two Battle Groups of 1,500 troops fully operational that can be deployed simultaneously and at short notice. Germany will have to present an interim appraisal of the contributions made by the Member States to the Battle Groups. It must also address the lack of clarity regarding the circumstances and scenarios in which the Battle Groups could be used, as well as the problems stemming from the rigid rotation system and insufficient strategic reserves.

4. Progress without miracles

Despite the well-prepared German agenda, inevitably ESDP will be shaped by external events. So Germany has to stay flexible in case of unexpected events, such as a further deterioration of the situation in Iraq, or in the Horn of Africa, or a possible attack on Iran.

Chancellor Merkel has already shown a willingness to put European interests before national ones, as over the EU budget negotiations, and to try to accommodate the variant goals of the Council Secretariat, the Commission and the 27 national foreign policies. Hopefully, this approach will help the German Presidency to deliver results and thereby avoid a big ‘expectations-achievements gap’.

One should not expect miracles, but as a country committed to advance European integration, Germany may well be in a position to use its Presidency to shape the agenda and move ESDP forward via small, yet concrete steps. In doing so, it might also help to dissipate the atmosphere of crisis that is prevalent amongst some Europeans following the two negative verdicts in France and the Netherlands.

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¹ See The Federal Government, ‘Europe – succeeding together’, Presidency Programme, 1 January to 30 June 2007, p. 22.

² These measures would be in line with the ideas of the European Commission on “strategic planning” laid down in the document ‘Europe in the World – Some Practical Proposals for Greater Coherence, Effectiveness and Visibility’, COM (2006) 278 final.

³ The three subsequent presidencies – Germany, Portugal and Slovenia – were presenting an 18-month work programme for their team-presidency. See Note to the Council of the European Union, 16541/06, Brussels, 8 December 2006.

⁴ See speech of State Secretary Reinhard Silberberg, A preview of Germany’s EU Presidency, Berlin, 4 October 2006.

⁵ See Damien Helly and Nicoletta Pirozzi, ‘The EU’s changing role in Kosovo – What’s next?’ and Milan Sekuloski, ‘A New EU Mission to Kosovo: Political Context’, *European Security Review*, No. 29, June 2006.

⁶ See Council Press Release, General Affairs and External Relations, Brussels, 12 February 2007, 6037/07, p. 12.

⁷ Chancellor Angela Merkel has repeatedly stressed the importance of the cooperation between EU and NATO. See her speech on 10 November 2008, ‘Rede von Bundeskanzlerin Merkel anlässlich der Tagung “Impulse 21 – Berliner Forum Sicherheitspolitik”’.

⁸ See Council Press release, ‘Civilian Capabilities Improvement Conference 2006 – Ministerial Declaration’, Brussels, 13 November 2006, p. 2.

⁹ See closing remarks by Michael Schaefer, Political Director, German Federal Foreign Office, Berlin, 30 January 2007.

¹⁰ See ‘Résumé de briefing à la presse de général Henri Bentegeat, Président de Comité militaire de l’Union européenne’, Brussels, 16 February 2007, p. 3.