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## REPORT

on the European Security Strategy  
(2004/2167(INI))

Committee on Foreign Affairs

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## CONTENTS

	<b>Page</b>
MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION .....	3
EXPLANATORY STATEMENT.....	15
MINORITY OPINION OF THE GUE/NGL - CONFEDERAL GROUP OF THE EUROPEAN UNITED LEFT - NORDIC GREEN LEFT .....	21
OPINION OF THE COMMITTEE ON INDUSTRY, RESEARCH AND ENERGY .....	22
OPINION OF THE COMMITTEE ON CIVIL LIBERTIES, JUSTICE AND HOME AFFAIRS .....	25
PROCEDURE.....	32

## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

### on the European Security Strategy (2004/2167(INI))

*The European Parliament,*

- having regard to the Treaty establishing a Constitution for Europe, signed in Rome on 29 October 2004,
  - having regard to the European Security Strategy adopted by the European Council on 12 December 2003, following an initiative in this connection by the Greek Presidency, the informal Council of Foreign Ministers (Kastellorizon, May 2003) and the conclusions of the Thessaloniki European Council (19-20 June 2003),
  - having regard to its resolution of 30 November 2000 on the establishment of a common European security and defence policy after Cologne and Helsinki<sup>1</sup>,
  - having regard to its resolution of 10 April 2003 on the new European security and defence architecture - priorities and deficiencies<sup>2</sup>,
  - having regard to the Proposal for a White Paper on European defence as presented by the EU-Institute for Security Studies in May 2004,
  - having regard to the report on a Human Security Doctrine for Europe as presented to the EU High Representative on 15 September 2004<sup>3</sup>,
  - having regard to the various programmes on conflict prevention as made public by all the European Institutions,
  - having regard to Rule 45 of its Rules of Procedure,
  - having regard to the report of the Committee on Foreign Affairs (A6-0072/2005),
- A. considering the milestone marked in the evolutionary development of European Security and Defence Policy (ESDP) as set out within the Franco-British St Malo Declaration of 3–4 December 1998;
- B. considering the subsequent ESDP development agenda as expressed during the European Council Summits in Cologne (3-4 June 1999), Helsinki (10-11 December 1999) and Goteburg (15-16 June 2001);
- C. considering the need to strengthen arms exports control in and from the EU and at global level,
- D. recognising the important role played by various EU assistance programmes and the

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<sup>1</sup> OJ C 228, 13.8.2001, p. 9.

<sup>2</sup> OJ C 64 E, 12.3.2004, p. 599.

<sup>3</sup> The Barcelona Report of the Study Group on Europe's Security Capabilities

indispensable contribution they make to economic development, to supporting the growth of democratic institutions, to the implementation of reconstruction measures, to drawing up macro-economic programmes and to promoting human rights;

- E. acknowledging that the comprehensive approach advocated in the European Security Strategy is already being actively pursued in the Balkans as demonstrated by the scale of EU instruments currently being applied to bring stability to the region: the CARDS assistance programme; the civilian missions PROXIMA and EUPM; and the military mission ALTHEA;
- F. recognising the consistent support levels established over a ten-year period of public opinion surveys, which have shown that more than 60% of EU citizens are in favour of a common EU foreign policy and more than 70% in favour of a common defence policy;
- G. noting and regretting that the level to which the Common Foreign and Security Policy (CFSP) is accountable before the European Parliament in accordance with Article III-304 of the Treaty establishing a Constitution for Europe has not significantly been increased and that the Parliament is and has never been consulted on numerous Council decisions and actions ; recognising nevertheless the goodwill demonstrated by the High Representative and his services in keeping the Parliament informed and engaging in dialogue with the Parliament; urging the High Representative and his services to continue and strengthen this transparent dialogue with the Parliament,
- H. observing, without prejudice to the previous point, the continued accountability of actions undertaken within the Union's CFSP framework to the national parliaments, particularly with regard to those Member States where parliamentary approval is required in order to undertake any military action,
- I. acknowledging that all actions and measures undertaken in the framework of the Union's CFSP are to be exercised in strict adherence to international law and with respect to the principles of the UN Charter, as stated clearly in Articles I-3 and III-292 of the Treaty establishing a Constitution for Europe;
- J. whereas many EU Member States (including the United Kingdom, Germany, Spain, Italy and Greece) have had, and in some cases are still having, their own experiences with various forms of terrorism and the philosophies which underlie them,
- K. whereas, for the foreseeable future, Islamist terrorism represents the greatest challenge to the EU, as to other regions, particularly if terrorists should succeed in gaining control of weapons of mass destruction;
- L. whereas the European Security Strategy forms part of the comprehensive CFSP and ESDP, in which the whole spectrum of political activities available to the EU, including those of a diplomatic, economic or development nature, may come into play;

### *The European Security Environment*

- 1. Emphasises that only a comprehensive understanding regarding the definition of 'security' can properly take into account both the influence of issues of political democratic concern

(e.g. violation of human rights, wilful discrimination against particular groups of citizens, the existence of repressive regimes) and the wide range of social, economic and environmental factors (e.g. poverty, famine, disease, illiteracy, scarcity of natural resources, environmental degradation, inequitable trade relations, etc.) in contributing to existing regional conflicts, the failure of states and the emergence of criminal and terrorist networks, though the actions of the latter may not be seen as being justified in any way, shape or form by the above-mentioned factors;

2. Welcomes, therefore, the comprehensive understanding of the concept of 'security' as expressed within the European Security Strategy (ESS); shares the view expressed within the ESS that key threats to our global security presently include terrorism, the proliferation of weapons of mass destruction (WMDs), unresolved regional conflicts, failed and failing states and organised crime; emphasises that these threats can neither be primarily addressed nor exclusively resolved by military means;
3. Draws, therefore, the same conclusion as that expressed within the ESS that a combination of the various assistance programmes and instruments, including those of development policy, at both the EU and Member State level in conjunction with diplomatic, civilian and military capabilities and expertise can best serve to contribute to a more secure world;
4. Consequently urges the practical transposition of this concept of the security environment within the existing structures of the Union, so that the Union is capable of detecting crises well enough in advance to act in a pro-active manner; expresses its view in this regard that the establishment of "tension detection centres" in regions particularly susceptible to crises would be one of many sensible ways of addressing the roots of conflicts and in thus preventing any violent escalations; stresses further in this regard the importance which it attaches to the integration of conflict prevention as well as the fight against terrorism as components within all EU policy areas;

#### ***Strategic objectives for the EU***

5. Agrees fully with the strategic objectives for the Union expressed in the ESS: addressing the threats; building security in the Union's neighbourhood; and strengthening the international order via effective action through effective multilateral structures;
6. Notes that in addressing the threats it will be necessary to determine those of a regional and/or those of a global nature so that the Union can effectively mobilise its available instruments and resources to address the problem; notes that the pursuit of building security in the Union's neighbourhood will serve in large measure to deal with the threats of a regional nature whereas those of a global nature must be tackled through effective multilateral international structures in which the EU is a driving force; notes, however, that multilateral organisations and structures may also be called upon to address regional threats;
7. Shares fully the assessment expressed in the Union's New Neighbourhood Policy and the ESS that the Union's neighbourhood should be understood in more far-reaching terms, covering not only those Eastern European countries sharing borders with the EU, but also regions further east and south, such as the Caucasus, the Middle East and Northern Africa; notes the congruency of this policy with the continuing activities of the Union in seeking a

resolution of the Arab-Israel conflict also through the Barcelona process; stresses that democracy and the rule of law are the most important preconditions for the peaceful coexistence of peoples;

8. Emphasises the primacy of the UN within the multilateral institutional framework and the need for the EU to play a leading role in reinvigorating the structures and capabilities of this indispensable institution; takes note in this connection of the Report of the High-level Panel on Threats, Challenges and Change presented to the UN Secretary General on 1 December 2004; greets this report - without prejudice to any future detailed assessment by the Parliament - as the starting point for an open discussion on reforming the UN for the challenges of the 21st Century; urges the EU and the Member States to coordinate their position within the framework of these discussions in full awareness of the consistent support demonstrated by public opinion surveys for a stronger representation of CFSP/ESDP through the EU than that which currently exists;
9. Underlines further the need for the Union to play a leading role in cooperating with other international and regional organisations that foster peace and security in the world; underlines in particular the need for full co-operation with the OSCE;
10. Underlines the importance of the EU pursuing a firm and fair development policy in order to efficiently contribute to the universally agreed Millennium Development Goals;

#### ***Recent ESDP Milestones***

11. Notes the valuable experience gained in civilian and police missions over the course of the last two years including: the assumption of control by the International Police Task Force (now EUPM) in Bosnia-Herzegovina since 2003; PROXIMA in the former Yugoslav Republic of Macedonia (FYROM) and EUJUST THEMIS in Georgia; welcomes also the forthcoming deployment of a European Union police force in the Democratic Republic of the Congo (EUPOL Kinshasa);
12. Recognises the significant progress made in expanding the military capabilities of the Union; at the same time notes the importance of the Berlin Plus Framework agreed with NATO, which made the first EU military mission CONCORDIA in FYROM and the ALTHEA mission to Bosnia-Herzegovina possible; acknowledges the advantageous flexibility of the Union's ESDP framework in further allowing the execution of Operation ARTEMIS in the Democratic Republic of Congo;
13. Emphasises the positive contributions already made by the EU Situation Centre (SITCEN) in combining all available civil, military and diplomatic intelligence to produce cogent background analyses of any given situation; urges the Member States to further intensify their information sharing with the SITCEN, so as not to unduly hinder the fulfilment of ambitions expressed within the ESS;
14. Notes, in observance of the aforementioned accomplishments, that the EU will in future be increasingly challenged to find a good and proper balance between military and civilian components in order to fulfil the objectives and the spirit of the ESS; takes the view that the ALTHEA mission in Bosnia-Herzegovina will provide valuable experience in this regard, insofar as the Union will be able to coordinate its military efforts with the civilian

operations and programmes currently underway;

***Progress towards Headline Goal 2010 and towards a Civilian Headline Goal 2008***

15. Agrees with the targets set out in the Headline Goal 2010 as formally adopted by the General Affairs and External Relations Council (GAERC) on 17 May 2004 and the agreement to work out a Civilian Headline Goal 2008 as approved by the GAERC on 13 December 2004 as a means of concentrating efforts to empower the EU with the necessary capabilities to pursue the ESS strategic objectives; considers that these substantive and time-related targets should be given concrete form in a White Paper;
16. Recognises in this connection the progress made at the GAERC on 22 November 2004 in the further development of the rapid deployment 'Battle Groups' concept for high-intensity military operations; notes that these Battle Groups are to be primarily derived from the bi-national and multinational forces already existing within the EU; also notes the agreement to work out a Civilian Headline Goal 2008, approved by the GAERC, and welcomes the intention expressed there to render the existing civilian instruments more comprehensive and effective, so that the combination of various integrated contingents can take place on the basis of specific needs on the ground; thereby recognises that future civilian crisis management in the framework of the ESDP will in effect go beyond the four priority areas set out in Feira (police, rule of law, civil administration and civil protection);
17. Underscores, in particular with respect to achieving the full operational mobility of the Battle Groups by 2007, the importance of the Global Approach on Deployability (GAD) and, in this context, welcomes the contributions made by the coordinating centres of Athens and Eindhoven in the military transport sector;
18. Welcomes further in this regard the formal adoption by the European Council of the proposal for a Civilian/Military Cell (Civ/Mil) within the European Union Military Staff (EUMS); notes that Civ/Mil will play a particularly crucial role in the strategic planning of all operations (i.e. civil, military and joint civil/military) and - as of 2006 - in setting up an operations centre for autonomous EU missions in cases where no national HQ has been designated; emphasises further the importance of Civ/Mil in developing principles and models for the management of the civilian/military interface; acknowledges, however, that many of these principles and models will be derived as a result of ongoing and future operations;
19. Draws attention, as regards the planning for future EU mixed civil/military missions, to the proposals and ideas in the Report "A Human Security Doctrine for Europe"; welcomes in this regard not only the current developments in the field of ESDP, such as the establishment of Civ/Mil, which are in congruence with the general direction of this report, but also the future creation of a European Voluntary Humanitarian Aid Corps as provided for in Article III-321(5) of the Treaty establishing a Constitution for Europe; notes, however, that the European Voluntary Humanitarian Aid Corps is primarily envisaged, in that article, as "a framework for joint contributions from young Europeans"; demands therefore that the framework of this be either expanded or complemented by the creation of a complementary "Corps" so as to draw upon the experience and expertise of mid- and post-career professionals in attaining a functional corps more along the lines of the European Civil Peace Corps - as proposed on several occasions by the Parliament;

20. Notes that on 7 January 2005 the GEARC also – partly on the basis of provisional proposals by the Foreign Affairs Commissioner – called on its competent subsidiary bodies and on the Commission to assess the scope for boosting the EU's crisis reaction capabilities as regards disaster aid;
21. Urges the Council and Commission to guarantee the complementarity and cohesion of existing instruments and capabilities as well as those of new proposals, particularly regarding the close link between conflict protection and crisis management; considers that measurable success in this as yet uncompleted task may be regarded as progress with a view to the future establishment of the European Foreign Service;
22. Welcomes the initiative of some Member States to establish a European Gendarmerie Force and their readiness to make it available for ESDP purposes; highlights the particular usefulness of this force in ensuring the transition from an essentially pure military phase of operations to a mixed or purely civilian phase;
23. Emphasises the need to develop a European security culture through an effective implementation of the EU Training Concept in ESDP which increases the interoperability among all actors involved in EU crisis management. Underlines in this context the need for the establishment of a European Security and Defence College (ESDC) which provides EU instances and Member States with knowledgeable personnel able to work efficiently on all ESDP matters. This College must be based on sound organisational and financial modalities;
24. Notes with satisfaction the rapid action taken in creating the European Defence Agency (EDA) in advance of the formal adoption of the Treaty establishing a Constitution for Europe; notes that the activities of the EDA should benefit the Union, not only in further developing defence capabilities in crisis management, but also in bringing about a rationalisation of research and development costs within the Member States and, in the long run, helping to contribute to the creation of a European armaments market; considers that the Armaments Agency should pay particular attention to the arming and equipping of combat groups and should ensure their compatibility; calls for the combat groups to be supplied as a first priority with new, common equipment; cautions, however, that any future achievements of the EDA will, in large measure, be dependent on the (political) goodwill of the Member States, calls for the availability of sufficient budgetary means to permit the realisation of EDA-led armaments initiatives; notes further in this connection that the EDA must not be hindered from pursuing longer term capability goals - goals beyond the Headline Goal 2010 - in order that the Union may benefit from pursuing the ESS objectives;
25. Regards a European Space Policy as one of the most important strategic challenges facing the EU in the 21<sup>st</sup> century; notes that, in the field of telecommunications and intelligence, many projects have been developed in parallel, reducing efficiency and increasing costs; calls for these projects, such as the French Helios satellite system and the German Sar Lupe system, to be merged in the framework of European Security Research;
26. Welcomes the Commission's efforts to promote security research within the EU in the near future; points out, however, the risk of duplication with research initiatives of the EDA; calls, therefore, on the Commission, the Council and the Member States to maintain



close working relations with a view to avoiding this risk;

### ***Capability deficiencies***

27. Takes note of the following three categories of material deficiencies, which could seriously affect the Union's ability to conduct both civilian crisis management operations and humanitarian intervention operations of high-intensity dimensions using mainly military means, such as halting humanitarian catastrophes of similar dimensions to that in Rwanda:

- a) lack of deployable forces required for maintaining the rotation needed (1/3 on deployment, 1/3 on training, 1/3 resting) in such long-term/high-intensity operations;
- b) lack of permanent large-scale airlift capabilities for transporting forces abroad;
- c) lack of sufficient deployable command, control and communications capabilities as well as intelligence, surveillance and reconnaissance resources within the collective framework of ESDP;

28. Notes that the continuing development of the 'Battle Groups' will address the first deficiency in large measure; notes that the foreseen construction of the A400 M transport aircraft will not resolve the second deficiency completely and urges that measures be undertaken to address the deficiency further; urges, nonetheless, that consideration be given to establishing a rotation scheme for the deployment of forces; demands, in view of a rotation scheme of this kind, common standards in training, as regards helicopters, for instance; operational capability could be increased and costs reduced by a joint training system; urges strongly, in regard to the final deficiency, that measures be undertaken to enable the EU to conduct missions requiring the assistance of military forces without recourse to NATO or any single Member State's resources; points out that such measures could realistically entail the pooling of existing resources and capabilities within the Member States with the goal of establishing a dual-use communications base or network at the service of the ESDP;

29. Emphasises further that the goals and aims expressed within the Headline Goal 2010 would not be sufficient to undertake missions of a more intense nature or of a duration of more than one year; therefore urges the Commission, in close cooperation with the Council, to submit a White Paper on the practical requirements for the development of the ESDP and the ESS, so that a debate concerning the development of a future European Defence Strategy can also be further promoted;

### ***Arms export control and non-proliferation of WMDs and light weapons;***

30. Acknowledges, within the framework of the Union's CFSP, the overall coherence of the European Strategy against the proliferation of WMDs, as formally adopted by the European Council in December 2003, with the strategic objectives of the European Security Strategy; notes with satisfaction the work undertaken by the Personal Representative of the High Representative in pursuing the implementation of Chapter III of this Strategy, particularly as expressed in the priority list endorsed by the European Council in December 2004;

31. Agrees with the European Security Strategy that the proliferation of weapons of mass destruction is potentially the greatest threat to our security and urges, in accordance with the provisions of the European Security Strategy, that the EU use the full panoply of instruments at its disposal in defeating the WMD threat, noting in this regard, that the possible combination of terrorism and weapons of mass destruction requires an early response;
32. Stresses the need for the European Union to take over the initiative of strengthening the international arms control regime thereby contributing to the reinforcement given to effective multilateralism within the international order; notes further the congruence of efforts to integrate aspects of non-proliferation within the EU Neighbourhood Policy with that of the overall strategic objective of building security within the Union's neighbourhood;
33. Welcomes the intended integration of WMD non-proliferation clauses within all future partnership and cooperation agreements between the EU and third countries as exemplified by the Partnership and Cooperation Agreement with Tajikistan of 11 October 2004 as well as the draft Association Agreement with Syria now awaiting approval;
34. Welcomes the fact that the EU's negotiations with Iran as a regional power, aimed at preventing the proliferation of nuclear weapons, were carried out in connection with legitimate economic and regional security interests; notes that this policy is an expression of foreign and security policy based on the principles of international law and multilateralism in the best interest of the international community; begrüßt, dass sich die Positionen der EU und der USA gegenüber dem Iran erheblich angenähert haben;
35. Takes note of the Peer Review currently being undertaken of the EU export control system; notes that the main finding derived from the first stage of this review, conducted in Spring 2004, was the need for Member States to collectively (i.e. the EU) and individually adopt a more pro-active approach in controlling the export of dual-use items; urges the Member States to follow up without delay the recommendations based on this finding and to make more use of the EU Situation Centre in this regard, as well as in general, as a base for exchanging information; greets the efforts undertaken by the EU to coordinate and organise as much as possible a common EU position within the various export control regimes and welcomes further the efforts undertaken by the EU to include the new Member States within the various export control regimes;
36. Takes note of the current practical difficulties in implementing the strategy against the proliferation of WMDs, due in particular to the various sources and procedures through which budgetary means are to be mobilised; urges the Council and Commission together with the Parliament to engage in a dialogue on streamlining and simplifying these procedures with a view to adopting such changes within the framework of the relevant new financial instrument for the budgetary period 2007-2013;
37. Underlines the need to further strengthen the EU Code of Conduct on Arms Exports as well as to maximise the EU's contribution to countering the proliferation of small arms and light weapons, notably by the establishment of an international arms trade treaty;

### ***Budgetary challenges***

38. Notes that the greatest threat to the coherence and success of the ESS remains the possible lack of sufficient budgetary resources made available across the entire spectrum of EU policies and instruments; notes in this connection the particular importance of EU assistance programmes and their substantial contribution to the pro-active comprehensive approach expressed within the ESS; demands that this point not be forgotten within the framework of the current negotiations concerning the Future Financial Perspective for 2007-2013;
39. Notes further that the effectiveness of the ESS, and in particular that of the ESDP, is dependent to a large extent on the expenditure of the Member States outside the framework of the EU; recommends in this connection, firstly, a more sensible and more effective use of national expenditure in the defence field, which might be achieved in some Member States, for example, by a speedier modernisation and restructuring of their armed forces, and secondly the establishment of a mechanism for assessing the proportion of a Member State's GDP spent on defence; urges the Member States, therefore, to cooperate with the EDA to that end;
40. Regrets that Article III-313 of the Treaty establishing a Constitution for Europe has maintained the status quo of dual budgeting for CFSP operations; observes the Council's efforts to ensure more transparency of the mechanism (ATHENA) by which common costs for operations of a military or defence nature are to be administered outside of the Union's budget<sup>1</sup>; emphasises, nonetheless, its strongly held view that the continued separation of financing for common costs in civil operations through the budget of the Union from those with military or defence character outside of the Union budget will prove increasingly untenable given the fact that missions conducted within the framework of CFSP will be increasingly mixed in nature as evidenced by the establishment of the Civil/Military Cell;
41. Points out in this connection the substantial problems that current tendering procedures create regarding organisation of rapid actions within the ESDP; therefore urges the Commission and the Council to conclude as soon as possible their thorough examination regarding special procedures or exemptions for future ESDP measures and operations within the Financial Regulation<sup>2</sup>;

### *Transatlantic Relations*

42. Takes note of the substantive congruity in the global threat assessments presented in both the ESS and the American National Security Strategy; takes the view that this congruity should be seen as a basis upon which both the EU and the United States can re-establish a dialogue of equal partners in attaining a common understanding for resolving particular issues of concern, such as the authorisation and use of military force in relation to the relevant provisions of the UN's Founding Charter and its legitimising role, and for reinvigorating Transatlantic security cooperation in general;

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<sup>1</sup> OJ L 63, 28.2.2004, p. 68.

<sup>2</sup> Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 248, 16.9.2002, p.1).

43. Stresses that a major element of the Transatlantic security dialogue must be focused on empowering other international organisations such as the OSCE and, in particular, the African Union to make their own contribution to global security; stresses in this regard the utility of informal multilateral formations such as the Quartet in achieving a lasting resolution of the Israel-Palestine conflict;
44. Welcomes existing cooperation with the United States in the fields of non-proliferation and the fight against terrorism; urges the EU and the US nonetheless to continue with their positive dialogue in these areas and to fully pursue an action plan for further cooperation as reflected in the EU-US Declarations on combating terrorism and on the non-proliferation of WMDs adopted at the EU-US Summit on 26 June 2004; considers that these points should be addressed in the context of all EU-US meetings relevant to security policy;

### *NATO*

45. Notes the continued recognition by many Member States of NATO as the cornerstone of their security in the event of an armed aggression; takes the view that cooperation and complementarity should be the key words upon which EU/NATO relations are based; proposes in this vein discussions - taking into account the different character of each organisation - concerning improved coordination of national contributions to the NATO Response Force and those of the EU Headline Goals in order to avoid any duplication; urges Member States to continue reforming their armed forces with a view to making the forces more deployable, transportable and sustainable; notes in this regard that for the foreseeable future most Member States will continue to commit the same units to both NATO and the EU owing to the lack of units possessing the right skills and capabilities; urges Member States to continue deepening their pool of readily available forces so that in the future the operational needs of both the EU and NATO can be readily satisfied;
46. Notes that the current problems which are regrettably hampering the necessary cooperation between the EU Military Committee and NATO, can be very speedily resolved given political goodwill on the part of the decision-makers involved;
47. Calls on Turkey, in the context of NATO, to create the conditions to promote better cooperation – which is urgently needed – between the EU Military Committee and the relevant NATO bodies;
48. Encourages the new European Defence Agency to examine the possibilities for cooperation with NATO in the area of armaments and to explicitly provide for the possibility of such co-operation within the framework of the Administrative Agreement to be signed in due course between the two as provided for in Article 25 of Common Action 2004/551 establishing the European Defence Agency;
49. Takes note of the complementary nature of certain policies and programmes of NATO (Partnership for Peace and the Istanbul Cooperation Initiative, Mediterranean Dialogue) and the EU (Neighbourhood Policy and the Barcelona Process); encourages both parties to examine how these programmes and policies can more effectively serve to mutually reinforce each other;

## *Homeland Security and combating terrorism*

50. Observes that the ESS draws significant attention to the blurring of previously static boundaries existing in the traditional conceptions of internal and external security; notes, however, the sparsity of content within the ESS on linking the two concepts to coherently address threats; is nevertheless aware, in spite of this conceptual omission, of the many and varied efforts made by the Council, the Commission and the Member States in the fields of home and foreign affairs;
51. Takes note, in the field of prevention of terrorism, consequence management and protection of critical infrastructures, of the proposals put forward by the Commission for the ARGUS system, which would be capable of circulating information and coordinating action responses, and its possible linkage both with a crisis centre and with an alarm network (CIWIN) for the protection of critical infrastructures within the EU;
52. Notes in the same connection the European Council's call, in the 'Hague Programme' of 4-5 November 2004, for the Council and the Commission to set up, while fully respecting national competences, integrated and coordinated EU crisis-management arrangements for crises with cross-border effects within the EU, to be implemented at the latest by 1 July 2006.
53. Welcomes the work accomplished or initiated so far on the basis of the above-mentioned proposals and calls, as well as a number of other measures and proposals which traditionally form part of national internal policy; also welcomes in this connection the special role which SITCEN will have in creating risk assessments and analyses in connection with potential terrorist targets; calls in this connection for unrestricted cooperation between all intelligence departments attached to national defence ministries so as to create a corresponding capability within SITCEN;
54. Welcomes in particular the objective of arranging for the cross-border exchange of intelligence and security service information in accordance with the principle of availability set out in the Hague Programme – where it relates to the future exchange of law-enforcement information – a principle whereby, taking into account the special nature of these services' methods (e.g. the need to protect the information-gathering procedure, information sources and the continued confidentiality of data after exchange), information available to a service in one Member State should be made available to the corresponding services in another Member State;
55. As regards internal security policy, is deeply concerned by the inadequate implementation by the Member States of all of the measures and instruments listed within the original anti-terrorism plan adopted on October 2001;
56. Takes note of the report by the EU High Representative to the European Council on 16-17 December 2004 on integrating the fight against terrorism into EU External Relations Policy; notes in that report that the capabilities in the context of the Headline Goal 2010 and the Civilian Headline Goal 2008 should be adapted to the requirements of the various possible terrorist threats and scenarios – including a possible intervention under the Solidarity Clause (Article I-43 of the Constitution);
57. Calls, within the framework of the New Neighbourhood Policy and in the context of EU

foreign relations in general, for an enhanced political dialogue with third countries on terrorism, to cover not only the need for their unrestricted cooperation with international and regional organisations but also the strict application of the clause on combating terrorism contained in agreements with third countries where there is evidence of terrorist threats or specific terrorist activities;

58. Is however concerned – with all due respect for the work accomplished so far in seeking a line between the two fields of home and foreign affairs – about the coherence and coordination of this work and, in particular, the degree to which democratic freedoms and the rule of law are taken into account; urges therefore its Committees on Foreign Affairs and on Civil Liberties to find an appropriate procedure to prepare recommendations on the matter to be addressed to both the Council and the Commission in order not only to check the coherence and coordination of such work but also to ensure that the civil and political rights of citizens and organisations are not compromised in any way and thus, where appropriate, to make recommendations to Parliament's relevant committees, for forwarding to both the Council and the Commission;

### *External Action Service*

59. Salutes the Treaty establishing a Constitution for Europe as an important basis for pursuing the ESS and its ongoing development; considers that the creation of the new external action service will be a vitally important instrument for external action under the CFSP and therefore for the ESS; emphasises that an effective ESS must fully utilise available diplomatic capabilities (i.e. EU Minister for Foreign Affairs and European External Action Service (Articles I-28 and III-296(3)) and, if necessary, military capabilities (i.e. permanent structured cooperation between Member States for the fulfilment of high-intensity missions demanding higher military capabilities (Articles I-41(6), III-312 and the Specific Protocol);
60. Urges the Council and the Commission to undertake immediately the necessary efforts to integrate their activities in a spirit of cooperation prior to the final ratification of the Treaty establishing a Constitution for Europe; emphasises that the Parliament will seek to assess these efforts in a positive and constructive manner and will judge all proposed actions and measures in the transitional period on the basis of quality rather than origin, with a view to creating a functioning and effective European External Action Service (deletion); stresses that Parliament will also judge these efforts in the light of whether they respect the political will expressed in the Constitution to formulate a common policy so that Europe may speak with a single voice in the world;

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61. Instructs its president to forward this resolution to the Council, the Commission, the Parliaments of the Member States, the Secretary General of the United Nations, of NATO and the OSCE and the President of the Council of Europe.

## EXPLANATORY STATEMENT

### I. Introduction

On 12 December 2003, the European Council formally adopted the European Security Strategy (ESS) as outlined in the report "A Secure Europe in a Better World" as presented by the Secretary General of the Council/High Representative Mr Javier Solana. Marking a further milestone in the evolutionary development of the European Security and Defence Policy (ESDP), as first set out within the Franco-British St-Malo Declaration from 3–4 December 1998, the ESS seeks to define the way forward for Europe to play a more active and responsible role in establishing and maintaining global security.

### II. ESS - Redefining the Security Environment

In distinction to previous security doctrines based almost exclusively on the military dimension, the ESS takes a holistic approach as reflected in the following phrase: "*security is a precondition of development.*" In thus identifying the key threats to global security (i.e. terrorism, WMD, regional conflicts, failed states and organised crime) the ESS seeks to elucidate a wider concept of security drawing upon the role played by factors, which heretofore had not been considered as being of primary relevance to security policy. In thus also acknowledging the destructive forces of poverty, malnutrition and disease (not merely AIDS, but also malaria and tuberculosis as well) and their deleterious effects on the stability of states and their civil societies, the ESS argues that only a mix of military capacities with civilian capabilities and know-how can be the basis for contributing to a more secure world.

### III. ESS Strategic Objectives

In line with the redefined security environment, the ESS emphasises three strategic objectives: identifying threats; building security in the Union's neighbourhood; and strengthening the international order via effective action through multilateral structures.

In identifying threats, the ESS makes clear the need for the EU to be capable of taking swift action through military as well as non-military means. Of particular significance to this objective is the need for the Union to do so in a more preventative (not pre-emptive) manner.

In terms of building security in the neighbourhood, the ESS highlights the need to promote stability not only within its immediate border areas, but also those of the future as well. It is within this framework that areas of the former Soviet bloc, the resolution of the Arab-Israeli conflict as well as the continuation of the Barcelona process are cited.

In pursuing the latter objectives, the ESS emphasises the need to strengthen the effectiveness of multilateral international structures. Though the ESS stresses the primacy of the UN, the transatlantic relationship is also cited as a core element of this order. Other international institutions and regional organisations are also mentioned in their capacity in contributing to international peace and security.

Although the presentation of these objectives as part of a strategy is indeed a novelty, it must be pointed out here that all three of these objectives have been implicitly pursued by the EU in recent past actions. This being the case, your rapporteur fully supports these objectives.

## **VI. ESDP Achievements and Headline Goal 2010**

As your rapporteur is in general agreement with the redefinition and objectives of the ESS, the question comes next as to what should be done to achieve them. In particular, an assessment must be made of the current and future means available to the Union as well as those which are missing or in need of (re-)organisation. It thus makes sense to take stock briefly of achievements already made or under way in the field of ESDP and their contribution toward accomplishing the ESS-objectives.

Before touching upon the achievements in terms of physically tangible assets and capabilities, mention must be made of the European Strategy against proliferation of WMD as adopted concurrently with the ESS by the European Council in December 2003. In line with the strengthening of multilateral international structures foreseen in the ESS, this strategy document emphasises the key role of the UN in sanctioning noncompliance and acknowledges the possibility of resorting to force as a last resort if - and only if - such force is sanctioned by the UN. The document also makes explicit the support of the Union for additional verification instruments not (yet) foreseen in the International Atomic Energy Agency's regime, such as those currently being applied in the case of negotiations with Iran.

Through its experiences of civil administration and police missions in Bosnia/Herzegovina and Albania and through the assumption of control of the International Police Task Force in Bosnia/Herzegovina in 2003, the EU, as a collective entity of its Member States, has been able to acquire a profound level of expertise in civilian crisis management. On the military side of this coin, the EU has also gained important experience through its successful execution of Operation CONCORDIA (Macedonia) and, more recently, Operation ARTEMIS (Congo). Of particular relevance in taking upon the former mission was the use of NATO capabilities and assets, which were made possible by the agreements reached between the EU and NATO within the Berlin Plus Framework, as formally adopted in March of 2003.

Though the EU has gained experience from both sides of the coin, it will need in the future to find a proper mix of the two in order to fulfil the objectives and spirit of the ESS. Clearly the ALTHEA mission in Bosnia/Herzegovina will provide valuable experience as the EU will be concurrently running civilian and military operations. Of more significance though, will be the successful establishment of the civil-military planning cell within the European Union Military Staff (EUMS), which will be responsible for setting up such future operations. Of further utility will be the future access to a Gendarmerie Force, as approved by the General Affairs and External Relations Council (GAERC) on 17 September 2004, for ensuring the transition from an essentially pure military phase to a mixed or purely civilian phase.

In line with the actual achievements of ESDP, there are a number of other establishment and implementation aims currently underway - like the civil-military planning cell - as expressed in the Union's Headline Goal 2010, as formally adopted by the GAERC on 17 May 2004, which, upon completion, would empower the EU to more fully pursue the ESS strategic objectives. Of crucial importance in realising the Headline Goal 2010 will be the complete development of the "battle groups" concept which foresees the deployment of numerous stand alone groups of forces of up to 1,500 soldiers prepared for high-intensity military operations. In accordance with the Headline Goal, these forces should become fully available in 2007 and be capable of deployment within 15 days of a decision adopted by the Union. In creating these battle groups, it would be worthy to consider how the structures of existing bi- and



multinational forces within the EU could be adapted for fulfilling this goal.

Another significant step taken towards this Headline Goal was the formal adoption of the statute of the European Defence Agency on 12 July 2004, as foreseen in the Constitutional Treaty. Through the future activities of this Agency, the Union should - in principle - not only benefit in further developing its defence capabilities in the field of crisis management, but also in bringing about a rationalisation of research and development costs within the Member States and, in the long run, help to contribute to the creation of a European armaments market. At this point in its development however, attention should be drawn not only to the essential failures of previous European armament cooperation agreements and agencies to bring about more added value, but also to criticism within the defence industry, that the current budget allotted to this agency - as well as to funding for armaments research within the Union's Research Framework programme - remains insufficient for achieving the goals desired. Indeed, if the Agency is to truly have any real benefit to the Union, it must be empowered to actively undertake efforts to bring about long-term co-operation going beyond the short-term capabilities of Headline Goal 2010, which, though a significant achievement, would not confer upon the Union the capabilities needed to truly pursue ESS goals and objectives.

## **V. Deficiencies and Challenges**

In fulfilling the Headline Goal 2010 there remain a number of challenges and deficiencies to be addressed. Though the establishment of the civil-military planning cell undoubtedly represents an ESDP milestone, questions of policy and instruments within ESDP structures remain of vital importance. In the estimation of your rapporteur, addressing the possible responses to the following questions should be a focal point of our work in Committee:

- ? What instruments will the Union have at its disposal for detecting possible conflicts and crises in advance, so that it is truly capable of reacting in a preventative manner?
- ? How can the Union increase its capabilities for taking strategic decisions?
- ? Will the Union establish a policy for organising the deployment of civil and military forces in a combination commensurate with the conflict at hand?
- ? Will the Union eventually undertake some sort of "force packaging" not just for the military forces, but for entire missions including the civilian component?
- ? How can the Union further expand on the positive experience that it has so far gained through civilian missions so as to fulfil the demands placed upon it by the ESS?

Without prejudice to the responses to these questions, it would also be wise for the Committee to consider the practical implications of the proposals found within the report "A Human Security Doctrine for Europe." Of particular significance within this report to the latter question posed is the proposed creation of a "Human Security Volunteer Force" - the civilian component of the proposed civilian-military "Human Security Response Force" - consisting of a Civil Peace Corps (an idea already proposed and supported by the Parliament) composed of mid- and post-career professionals and a Humanitarian Aid Volunteer Service composed of students and those having recently completed their studies.

In terms of military capabilities, attention must be drawn to the fact that the Union still has significant deficiencies, which would severely impinge on its ability to undertake humanitarian intervention of high-intensity dimensions, similar to that which would have

been required to halt the humanitarian catastrophe that took place in Rwanda. Among these deficiencies are:

- **Deployable forces** - Currently there is an insufficient number of forces for maintaining the rotation necessary (1/3 on deployment, 1/3 on training, 1/3 resting) to conduct long-term/high intensity operations. It is also imperative that a binding rotation scheme of forces be established for future actions, rather than obliging the EU to go "begging" for troops.
- **Mobility of forces** - Here there is a particular need for increased airlift capabilities. Though there are interim solutions being applied (e.g. Ukrainian transport jets), only with the delivery of the first A400M transport planes will this problem be truly resolved.
- **Sustainability of operations** - At this point there are still deficiencies in terms of logistical capabilities required such as medical support and transport.
- **Effective engagement** - In order to ensure such an engagement, more modern electronic devices at disposal of the forces will be required.
- **C4ISR (command, control, communications, computers, intelligence, surveillance and reconnaissance)** - Though certain Member States have sufficient capabilities, these *are insufficient within the collective framework of ESDP*. Though one could rely on national capabilities, the risks of problems of interoperability are not negligible. Reliance on NATO assets is an option here, but in view of the political negotiations involved in making use of these assets, this could unduly impede the necessary rapid response to the crisis itself.

While the fulfilment of the target dates and aims set out in the Headline Goal 2010 (e.g. full deployment of battle groups in 2007) would substantially resolve these deficiencies, it must be made clear here that the Headline Goal itself is - in practical terms - deficient, as it is based on the assumption of undertaking missions of only a one year duration. In reality, the duration of many (Petersberg) missions would be substantially longer. In this connection, it is worth noting that there is the beginning of a debate seeking to go beyond the so-called Petersberg tasks towards the search for a European *Defence* Strategy with questions like "what are the possible scenarios?" and "what does the EU need to cope with them?" This debate should be further encouraged within the Parliament and also within the other institutions as well, so that the Union can undertake a more long-term view.

## VI. Homeland Security

Though the coherence of the ESS deserves praise, there is a remarkable paucity of content concerning the link between internal and external security. Though the Constitutional Treaty essentially does away with the odious "pillar system" for interpreting the EU, it offers no basis for any co-operation between the areas of Home Affairs and GASP. Though the solidarity clause of Article I-43, offers a legal basis for a concerted *post*-terrorist attack reaction, the question must be raised as to not only how the EU would respond in reaction to such an attack, but, more significantly, what the Union can do to *prevent* such an attack?

It must be said that the Commission has put forward some proposals for discussion here including: (a) the creation of a central alarm system (ARGUS) for circulating information and co-ordinating action responses to all sorts of crisis, be they natural, accidental or terrorist inflicted and (b) an alarm-network (CIWIN) for the protection of critical infrastructures within the EU that could be linked to the ARGUS system. While these proposals are welcome

as starting points, it is critical that the Commission and the Council engage in a more profound and result-oriented dialogue, so as not only to give more substance to enacting the solidarity clause (e.g. further responsibilities for the EU Counter-terrorism Co-ordinator), but also towards actively linking the broader areas of internal and external security.

In terms of prevention, a more long-term emphasis is clearly needed in giving the Union technological capabilities to better analyse possible threats and better protect the resources and networks so vital to our everyday world. An important step in this direction will be the European Security Research Programme, which is to begin in 2007. Besides the issue of sufficient funding for this programme, your rapporteur would encourage the Commission and the Member States to make use of the valuable experience gained through GALILEO in the realisation of future technological applications and systems.

## **VII. Transatlantic Relations**

Given the substantive congruity in the threat assessments presented in both the ESS and the American National Security Strategy, it would seem evident that efforts should be undertaken to allow for both the EU and the US to re-establish, as equal partners, the dialogue, which, for all intents and purposes, has no longer existed between the two since the end of the Cold War.

## **VIII. NATO**

As regards relations with NATO, co-operation and complementarity are the key words. In terms of the former, a serious discussion should be undertaken in extending the Berlin Plus framework. The primary example of this would be making available the NATO response force, which currently consists of only European forces, for EU actions. Another example of co-operation could be in the area of armaments via the new European Defence Agency. In terms of complementarity, it should be pointed out that such a state theoretically exists between certain policies and programmes of NATO (Partnership for Peace and the Istanbul Co-operation Initiative) and the EU (Neighbourhood Policy and the Barcelona Process). Efforts should be made to see how these programmes can mutually reinforce one another.

## **IX. Perspectives for the Future of the ESS**

With the promulgation of the Constitutional Treaty, the EU has a solid basis for pursuing the ESS. An effective ESS would be able to make use of the full diplomatic capacities (i.e. the new post of Minister for Foreign Affairs and of a European External Action Service (Articles I-28 and III-296(3))) and military capabilities (i.e. permanent structured co-operation between Member States for the fulfilment of high-intensity missions demanding higher military capabilities (Articles I-41(6), III-312) and the Specific Protocol) currently foreseen within. In harmony with the ESS, the use of these capacities and capabilities are to be exercised in strict adherence to international law and in respect of the principles of the UN Charter, as stated clearly in Articles I-3 and III-292, thus giving the lie to claims of an imminent "militarisation" of the EU. In the interest of giving life to the ESS, your rapporteur therefore urges the Council and the Commission to begin integrating their activities in a spirit of co-operation (i.e. no sidelining of the Commission) *prior* to the final ratification of the Constitutional Treaty.

That having been said, the Constitutional Treaty has particular shortcomings in the area of

parliamentary accountability (failure to extend current Community procedures to CFSP within the treaty) and the failure to remedy the issue of transparent budgeting (joint costs for ESDP-military operations remain funded through subsidiary budgets or start-up funding derived from the Member States' budgets rather than the Community's). Your rapporteur regrets these omissions and can only hope that they will be remedied at the nearest opportunity.

## MINORITY OPINION OF THE GUE/NGL - CONFEDERAL GROUP OF THE EUROPEAN UNITED LEFT - NORDIC GREEN LEFT

The report lacks the requirements for a Europe of peace, focusing on how best to prepare for military intervention. For example it:

- ? emphasises the EU - NATO cooperation especially regarding armaments and the Berlin - Plus Framework;
- ? does not mention dangers to the status of neutral EU states arising from a close EU - NATO cooperation;
- ? urges the EU to bind its actions *only* to principles of the UN Charter,
- ? encourages military preventive and pre-emptive actions and generally the use of military force to tackle problems even outside the EU's external borders;
- ? recognises the congruity in EU-US global threat assessments, emphasising the need for common understanding in resolving issues of concern such as security and use of military force;
- ? plays down the dangers of ESS, remaining silent about the implicit commitment to and real cost of arming the military intervention forces, while urging European tax payers to cover this;
- ? does not at least separate civil and military action instead pushes for greater and faster steps to be taken;
- ? points to the draft EU Constitution to demonstrate that militarization of the EU will be required by law.

Tobias Pflüger, Jaromír Kohlíček, Erik Meijer, Miguel Portas and Athanasios Pafilis

17.3.2005

## **OPINION OF THE COMMITTEE ON INDUSTRY, RESEARCH AND ENERGY**

for the Committee on Foreign Affairs

on the European Security Strategy  
(2004/2167(INI))

Draftsman: Jan Christian Ehler

### **SUGGESTIONS**

The Committee on Industry, Research and Energy calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Renews the call to create the conditions required to develop a competitive European defence equipment industry; proposes, with a view to pursuing a harmonised European approach, that obstacles to the transfer of defence equipment within the Community be removed, the public procurement rules applying to defence equipment harmonised, the defence industry opened to more competition, and export controls regulated uniformly throughout the EU and enforced effectively where dual-use goods are concerned; considers that budgetary regulations should be drawn up in keeping with the measures specified above; encourages the promotion of standardisation and interoperability of security systems and the effective implementation of export controls for dual-use goods; is convinced that this means that Article 296 EC should be modified such that free competition between industrial arms companies in the EU can no longer be distorted, and artificial duplication and uneconomical spending can be avoided;
2. Advocates that, in parallel to technology-driven research, efforts should be focused with a view to developing shared modelling and simulation competence and the capability to analyse threats and security plans, utilising the comparative advantages enjoyed by Member States in every given instance; recommends that tasks, including budgetary and decision-making responsibilities, be transferred in stages to the European Defence Agency; is seeking in the long term to pursue a unifying policy and develop a distinct, self-determined EU security identity;
3. Requests that the Council and the Commission give consideration to the development of more efficient and interoperable surveillance systems and to the improvement of EU communication and reconnaissance capabilities;

4. Calls for the setting up of a self-contained European security research programme with instruments, regulations and funding models appropriate for security questions, as recommended by the Group of Personalities in the security research field, subject to special legal conditions and financed by specific sources of funding;
5. Proposes that a joint strategy be drawn up to transform and unify European armed forces and that joint armed forces equipment planning be based on that transformation strategy;
6. Recommends that increased efforts be made to set up an early warning system for threats, using innovative technologies from the civil IT field for data analysis and evaluation, an exchange of information between the civil and military spheres, the multilateral planning and leadership of operational units and the creation of a corresponding project group in the EU and a coordination body in the EU Military Committee;
7. Emphasises the "space" dimension as a contribution to Common foreign and security policy;
8. Requests that the Council and the Commission consider security in its broadest sense and ensure that they have given careful thought to and considered initiatives relating to issues concerning the protection of EU territory, protection of the economy, environmental protection, security of energy supplies, law enforcement and humanitarian aid.





22.2.2005

## OPINION OF THE COMMITTEE ON CIVIL LIBERTIES, JUSTICE AND HOME AFFAIRS

for the Committee on Foreign Affairs

on the European Security Strategy  
(2004/2167(INI))

Draftsman: Stavros Lambrinidis

### SUGGESTIONS

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Foreign Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

***First set of suggestions: To reinforce the legitimacy and effectiveness of the European Security Strategy, both internally and externally***

The Committee on Civil Liberties, Justice and Home Affairs:

1. Notes with satisfaction the recognition given by the new European Security Strategy ("ESS") to the need to address a multitude of social factors affecting security, including those that can threaten fundamental freedoms and human rights, violate the rule of law and lead to the alienation of young people; in this context, notes that the respect for human and fundamental rights in the context of all actions to enhance security, both internally and externally, constitutes, apart from being an international obligation, a necessary ingredient of any ESS aspiring to maximise its legitimacy and effectiveness among the general population; considers, therefore, that in order to enhance the legitimacy and effectiveness of ESS actions, it is of paramount importance that the European Union both act, and insist that others act, in full respect of the rule of law, the United Nations Charter and European and international human and fundamental rights accords; ;
2. Emphasises that the legitimacy of the ESS ultimately depends on the accountability of EU institutions to the citizens of Europe; such legitimacy is undermined by the fact that the European Parliament is not formally consulted on international agreements, common positions and joint actions implementing the ESS; this Council approach is incompatible with the principles enshrined in Article 6 of the TEU and creates a clear gap between the

democratic control at EU level and the existing rules in the Member States; the lack of judicial review by the European Court of Justice of second pillar instruments only serves to strengthen Parliament's concerns in this domain;

3. Recalls that according to Article 47 of the TEU, "...nothing in this Treaty shall affect the Treaties establishing the European Communities"; considers that, as a consequence of that constitutional principle, the implementation of the ESS must not lead to a weakening, directly or indirectly, of the fundamental rights as protected by Community law (for instance, the European standards on data protection) by measures based on the second or the third pillar;
4. Stresses that the ESS, as a complement to national security strategies, and while having due regard to transatlantic relations, should be designed to counter threats at a European level;
5. Notes that a coherent ESS, once defined, ought to be defended by the EU institutions and the Member States at the international level; this is of particular importance in the case of Member States that are also members of the UN Security Council and of all Member States when negotiating international conventions dealing with international crimes (such as the UN and COE convention on terrorism or on cyber crime, trafficking in human beings, corruption, money laundering, etc.); the Member States should also promote the formal representation of the EU or of the Community in the administrative bodies of the UN Agencies (such as UNDOC or UNHCR);
6. Reiterates that, in order to achieve the goals defined in the ESS, it is necessary to establish a European Civil Peace Corps, as has been recommended by the European Parliament on various occasions since 2000, in order to assure the possibility of civilian rapid reaction in crisis situations that risk escalating into violence and terrorism and for carrying out humanitarian tasks in response to natural or manmade disasters such as the 2004 tsunami; the task of the Civil Peace Corps would be to coordinate at a European level the training and deployment of civilian specialists to carry out practical peace-making measures such as arbitration, mediation, distribution of non-partisan information, de-traumatization, confidence-building between warring parties, provision of humanitarian aid, reintegration, rehabilitation, reconstruction, education, and monitoring and improving the human rights situation, including human rights accompaniment measures;

***Second set of suggestions: To strengthen and simplify EU policy against organised cross-border crime and terrorism, while ensuring full respect for fundamental rights***

7. As regards internal security policy, is deeply concerned by the inadequate implementation by the Member States of the anti-terrorism plan adopted on October 2001, as noted in the last European Council conclusions on this subject<sup>1</sup>; moreover, considers that the Council and the Commission are not sufficiently proactive in reorganising the EU strategy, procedures, agencies and tools to be mobilised against international crime and terrorism;

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<sup>1</sup> Declaration on combating terrorism adopted by the European Council on 25 March 2004.

8. Considers that an effective ESS must be based on a clear and well founded assessment of emergent threats and needs at national, European and international levels;
9. Regrets that the Council continues to ignore Parliament's suggestions of establishing a true European internal security strategy founded on the concept of a European internal legal order, transforming Europol into a true European body and creating a solid legal framework for data exchanges between the security and intelligence services at national and European levels that would allow the fight against organised crime and terrorism to be efficient, while fully complying with data protection requirements and respecting the fundamental rights of EU citizens;
10. Recalls its suggestion from October 2002, of launching a comprehensive reform of the instruments of police and judicial cooperation, including a revision of the Europol Convention to bring it into line with the higher standards and methods of democratic control of the police forces of the Member States; recalls that comprehensive reform should gradually aim to communitarise these instruments, to strengthen judicial control by the Court of Justice and to fund the instruments through the Community budget, even before the entry into force of the Constitutional Treaty;
11. Considers the Europol reports on organised crime insufficient and suggests that, from 2007, Europol should, in close cooperation with the Member States, collect, on a continuous decentralised basis, data on trends in international crime on the territories of the Member States; this data should be incorporated in the Europol annual reports referred to in Article 28(10), first subparagraph, of the Europol Convention and in special reports such as the report on terrorism; the reports should refer to the primary objectives to be achieved at European and national level regarding cross-border crimes and should be forwarded to the European Parliament for the annual debate referred to in Article 39 of the EU Treaty; the reports should then be published, together with the opinions of the European and national Parliaments and Eurojust and any observations and appraisals from individual Member States;
12. Requests, therefore, that the implementation of the ESS be subject to continuous parliamentary scrutiny at European and national level; asks to be kept directly informed about the policies or mechanisms of the ESS, especially those containing weaknesses or a lack of resources;
13. Agrees with the European Council on the need to create a European central alert system before the end of 2006 which could collect and analyse all the information needed to prevent cross-border crises (whether ensuing from natural causes or terrorists attacks); supports the Commission's idea of creating an ARGUS system which could collect and diffuse this information online (also linked to the alarm network protecting critical infrastructures - CIWIN - along with the ENISA); considers it of primary importance that all the investment and research currently envisaged be co-ordinated, regardless of its source;
14. Supports the recent European Council conclusions aiming to:
  - set up integrated and coordinated EU crisis-management arrangements for crises with

- cross-border effects within the EU,
- establish "a Solidarity Programme" addressing the consequences of terrorist threats and attacks,
- assess the capabilities that Member States could make available to the Civil Protection Mechanism in the event of an attack,
- develop civil protection capabilities, including joint exercises and coordination of public information, and improved availability of medical resources,
- adopt a European Programme for critical infrastructure protection with potential trans-boundary effects,
- strengthen the rapid response mechanism for cooperation between the competent authorities in police investigation;

recalls that all these activities are of fundamental importance to the development of a coherent and complete ESS and should be pursued on a sound legal basis which involves the European Parliament as a legislator and budgetary authority and comes under the scrutiny of the national parliaments.

### **RAPPORTEUR'S EXPLANATORY NOTE**

1. The European Security Strategy ("ESS") adopted by the European Council in December 2003 outlines a very general scope for the Union and its Member States in improving the Union's internal and external security.

The ESS, to its credit, recognises that a number of social factors – including poverty, malnutrition, disease, and economic collapse – all contribute to a climate of instability and increased security threats, as they can often lead to regional conflict and failed states and, as a consequence, fuel support or tolerance for organised crime and terrorism.

The ESS identifies five "key threats" against Europe today: (a) Terrorism; (b) Proliferation of Weapons of Mass Destruction; (c) Regional Conflicts (which, according to the ESS, by threatening minorities, fundamental freedoms, and human rights, can lead to extremism, organised crime and terrorism); (d) State Failure; and (e) Organised Crime.

In addressing these threats, the ESS explicitly recognises that a whole host of means (including economic, humanitarian, civilian, diplomatic, judicial, intelligence, police, trade, development, cultural, and others) should be utilised in conjunction with each other, and that military means may be only one of many methods to be used in an effective European threat-averting strategy.

The ESS further notes that the pursuit of building security in the Union's neighbourhood can largely help in addressing regional threats, whereas threats of a global nature must be tackled through effective multilateral structures where "strengthening the United Nations, equipping it to fulfil its responsibilities and to act effectively, is a European priority."

Significantly, regarding Europe's security goals, the ESS stresses that the EU must appropriately utilise all the means available to it in "spreading good governance,

supporting social and political reform, dealing with corruption and abuse of power, establishing the rule of law and protecting human rights". This is of paramount importance, according to the ESS, as these are "the best means of strengthening the international order." However, the ESS makes no reference to the human and fundamental rights obligations of the EU when implementing ESS actions.

Finally, with regard to the specific competencies of the Committee on Civil Liberties, Justice and Home Affairs, the ESS references are few and far between. The ESS notes with satisfaction recent measures, including the adoption of the European Arrest Warrant, steps to attack terrorist financing, and the EU-US agreement on mutual legal assistance. The ESS also mentions that "common threat assessments" are the "best basis for common actions" and states that "this requires improved sharing of intelligence among Member States and with partners." (The AFET Rapporteur agrees on this point and states that, in his view, any contributions by the Union in this regard "must be initially limited in scope and in nature in order to have full effect."). Finally, the ESS Report also concludes, without elaboration, that "better co-ordination between external action and Justice and Home Affairs policies is crucial in the fight both against terrorism and organised crime." (The AFET Rapporteur takes note of this provision but notes, appropriately, the "sparsity of content within the ESS on linking the two concepts to coherently address threats.")

2. From the European Union point of view, the AFET Report indicates a slow but sure improvement in the cooperation among Member States (whether on the level of heads of state, Defence ministers, or heads of national armies) towards the goal of strengthening external security. Indeed, the interaction between the political, the institutional and the operational layers in this domain has arguably created a momentum which could increase the Union's gradual ability to establish a real common defence policy as outlined in the Constitutional Treaty.

By contrast, the push factors and political will present in external security-building are either weak or inexistent as far as the establishment of a credible and democratically accountable internal security policy is concerned, even as the Constitutional Treaty (which is planned to enter into force in November 2006) foresees a solidarity clause in case of terrorist attacks or natural catastrophes.

This situation was denounced in the Working Group X "Freedom, Security and Justice" final report to the Convention which broadly acknowledged that "... *current operational collaboration lacks efficiency, transparency and responsibility,*" and became even more pronounced in the analysis of the European Council after the Madrid attacks and in the recent Hague five-year plan.

3. This gap between aspirations and reality in dealing with internal security matters is not surprising, as the internal security order has been treated from the beginning (and still is) as a "forbidden area" for the European Institutions. Having said that, it is beyond doubt that the cultural, legal and institutional barriers presently blocking the European security area will have to be appropriately addressed if the Union is ever to establish an internal security policy that fully respects its democratic values and of the demands of its citizens.

A so-called "pragmatic" or piecemeal approach in this domain is a false shortcut, as is currently arguably demonstrated by our experience with Europol, the new Schengen System and the External Borders Agency. In fact, Europol was negotiated before the Amsterdam Treaty but was not updated thereafter, the Schengen System was created for controlling external borders but now the Member States plan to transform it into a multi-purpose police tool, without a redefinition of its mission, while the External Borders Agency will be operational in a few months, but without having taken into due account the links needed with police services. So it is not surprising that the lack of a long term perspective and of possible interactions between these initiatives has created an even more confusing situation that raises serious questions of democratic accountability, protection of fundamental rights, and efficiency.

4. From the Rapporteur's point of view, the internal security strategy (more than the external security domain) can only be founded on a strong political commitment and on a more solid legal framework, as provided for by the European Constitution. Particular emphasis must be given to the respect of citizens' fundamental rights, as enshrined in the Constitution, within any discussion of internal police or other cooperation. Before the Constitution's entry into force, the Union can only continue the preparatory work according to what has already been suggested in the EP recommendation on the future of the Freedom Security and Justice Area.
5. The suggested amendments to the Kuhne report are aimed at:
  - ? Enhancing the legitimacy and effectiveness of ESS and minimising negative spill-over effects that could undermine European security, by ensuring that, when acting to avert security threats, the EU ensures that international law and fundamental and human rights obligations are fully respected.
  - ? Reinforcing the legitimacy of European Union action in this domain by establishing real democratic control by the European and the national parliaments.
  - ? Reinforcing the coherence between European Union and Member States in international fora, when negotiating international agreements or participating in fora dealing with freedom, security and justice.
  - ? Defining a European internal security plan to be understood as a complement to national security strategies, with a clear role for European Agencies (such as Europol), in order to enhance transparency, democratic accountability for policy and actions.
  - ? Building a central alarm system inside the Commission which could collect the appropriate information for preventing and combating transboundary threats.

## PROCEDURE

<b>Title</b>	European Security Strategy	
<b>Procedure number</b>	2004/2167(INI)	
<b>Committee responsible</b>	AFET	
<b>Committees asked for its opinion</b> Date announced in plenary	ITRE 28.10.2004	LIBE 28.10.2004
<b>Enhanced cooperation</b>		
<b>Drafts(wo)man</b> Date appointed	Stavros Lambrinidis 18.1.2005	
<b>Discussed in committee</b>	21.2.2005	
<b>Date suggestions adopted</b>	21.2.2005	
<b>Result of final vote</b>	for: 37 against: abstentions:	
<b>Members present for the final vote</b>	Alexander Nuno Alvaro, Edit Bauer, Johannes Blokland, Mario Borghesio, Kathalijne Maria Buitenweg, Maria Carlshamre, Michael Cashman, Giusto Catania, Jean-Marie Cavada, Carlos Coelho, Rosa Díez González, Kinga Gál, Ewa Klamt, Ole Krarup, Wolfgang Kreissl-Dörfler, Barbara Kudrycka, Stavros Lambrinidis, Henrik Lax, Sarah Ludford, Edith Mastenbroek, Jaime Mayor Oreja, Claude Moraes, Hartmut Nassauer, Martine Roure, Inger Segelström, Ioannis Varvitsiotis, Manfred Weber, Stefano Zappalà, Tatjana Ždanoka	
<b>Substitutes present for the final vote</b>	Frederika Brepoels, Richard Corbett, Luis Francisco Herrero-Tejedor, Bill Newton Dunn, Vincent Peillon, Marie-Line Reynaud, Boguslaw Sonik, Kyriacos Triantaphyllides	
<b>Substitutes under Rule 178(2) present for the final vote</b>		

## PROCEDURE

<b>Title</b>	European Security Strategy		
<b>Procedure number</b>	2004/2167(INI)		
<b>Basis in Rules of Procedure</b>	Rule 45		
<b>Committee responsible</b> Date authorisation announced in plenary	AFET 28.10.2004		
<b>Committee(s) asked for opinion(s)</b> Date announced in plenary	ITRE 28.10.2004	LIBE 28.10.2004	
<b>Not delivering opinion(s)</b> Date of decision			
<b>Enhanced cooperation</b> Date announced in plenary			
<b>Motion(s) for resolution(s) included in report</b>			
<b>Rapporteur(s)</b> Date appointed	Helmut Kuhne 13.9.2004		
<b>Previous rapporteur(s)</b>			
<b>Discussed in committee</b>	29.11.2004	17.1.2005	15.3.2005
<b>Date adopted</b>	16.3.2005		
<b>Result of final vote</b>	for:	46	
	against:	11	
	abstentions:	1	
<b>Members present for the final vote</b>	Bastiaan Belder, Monika Benová, André Brie, Elmar Brok, Philip Claeyns, Simon Coveney, Véronique De Keyser, Giorgos Dimitrakopoulos, Anna Elzbieta Fotyga, Ana Maria Gomes, Alfred Gomolka, Anna Ibrisagic, Toomas Hendrik Ilves, Ioannis Kasoulides, Bogdan Klich, Helmut Kuhne, Joost Lagendijk, Vytautas Landsbergis, Armin Laschet, Willy Meyer Pleite, Francisco José Millán Mon, Annemie Neyts-Uyttebroeck, Raimon Obiols i Germà, Vural Öger, Justas Vincas Paleckis, Tobias Pflüger, Miroslaw Mariusz Piotrowski, Bernd Posselt, Michel Rocard, Raúl Romeva i Rueda, Libor Roucek, José Ignacio Salafranca Sánchez-Neyra, György Schöpflin, Gitte Seeberg, Ursula Stenzel, István Szent-Iványi, Charles Tannock, Paavo Väyrynen, Inese Vaidere, Geoffrey Van Orden, Ari Vatanen, Karl von Wogau, Jan Marinus Wiersma, Luis Yañez-Barnuevo García, Josef Zieleniec		
<b>Substitutes present for the final vote</b>	Alexandra Dobolyi, Árpád Duka-Zólyomi, Milan Horáček, Jaromír Kohlíček, Jaime Mayor Oreja, Erik Meijer, Pasqualina Napoletano, Janusz Onyszkiewicz, Doris Pack, Rihards Pīks, József Pinió, Aloyzas Sakalas, Inger Segelström		
<b>Substitutes under Rule 178(2) present for the final vote</b>			
<b>Date tabled – A[6]</b>	23.3.2005	A6-0072/2005	
<b>Comments</b>	...		