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25 years of "Saint Malo Declaration", cornerstone of EU Common Security and Defence Policy

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Abstract:

Within the framework of a bilateral summit between France and the UK, held in the French city of Saint Malo on December 4th, 1998, a Declaration was approved which became the key element for the subsequent development of the European Security and Defence Policy (ESDP), later renamed as the Common Security and Defence Policy (CSDP).

This document, agreed between just two member states without the participation of the institutions of the EU, established the key elements that have become the foundation for the development of not the defence dimension but the security dimension of the EU's foreign policy over the last 25 years. This new policy has triggered the launch of 37 civilian and military operations and missions on crisis management, turning the EU into a relevant player in security at regional level. These principles, although subjected to criticism by different actors who advocate their review, turn 25 years old in a fairly good state of health, and could be the starting point to advance towards an EU with global ambitions in security, but with a long way to go in the defence dimension.

Keywords:

Saint Malo, CSDP, ESDP, security, defence, territorial defence, crisis management, autonomous action capability, intergovernmental, sovereignty, NATO, defence industry.

***NOTE:** The ideas contained in the **Analysis Papers** are the responsibility of their authors. They do not necessarily reflect the thinking of the IEEE or the Ministry of Defence.

25 años de la "Declaración de Saint Malo", piedra angular de la Política Común de Seguridad y Defensa de la UE

Resumen:

El 4 de diciembre de 1998, en el marco de una Cumbre bilateral entre Francia y Reino Unido, celebrada en la ciudad francesa de Saint Malo, se aprobó la Declaración del mismo nombre, que se convirtió en elemento clave para el desarrollo de la Política Europea de Seguridad y Defensa (PESD) de la Unión Europea, posteriormente rebautizada como Política Común de Seguridad y Defensa (PCSD).

Este documento, acordado únicamente entre dos Estados Miembros, sin participación de instituciones de la Unión, estableció unos principios básicos que han sido durante estos 25 años los cimientos que han permitido el desarrollo de la dimensión de seguridad, y apenas la de defensa, de la Política Exterior de la Unión, que se ha materializado en el lanzamiento de 37 operaciones y misiones, civiles y militares de gestión de crisis, convirtiendo a la UE en un actor relevante en seguridad a nivel regional. Estos principios, sometidos a críticas por distintos actores que abogan por su revisión, cumplen 25 años con una salud aceptable, y podrían ser el punto de partida para avanzar hacia una Unión con ambiciones globales en seguridad, y con mucho camino por recorrer en defensa.

Palabras clave:

Saint Malo, PCSD, PESD, seguridad, defensa, defensa territorial, gestión de crisis, capacidad de acción autónoma, intergubernamental, soberanía, OTAN, industria de defensa, capacidades militares.

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INTRODUCTION

Next Monday, 4 December, marks the 25th anniversary of the "Saint Malo Declaration" (hereafter referred to as the "Declaration"), a key document in the birth and development of the "European Security and Defence Policy" (ESDP), later renamed the "Common Security and Defence Policy" (CSDP) in the Treaty of Lisbon¹ (ToL).

It is somewhat surprising that a document resulting from a bilateral "summit", between France and the UK, was, as many authors consider, the catalyst² of the ESDP, which sets out the guidelines and establishes the limits of the new EU policy on security and defence.

The "Declaration" is the starting point for developing the EU's capacity to conduct military operations outside NATO, and without the explicit approval of the United States (U.S.).

At the time, in 1998, both, British Prime Minister Tony Blair and French President Jacques Chirac, saw their countries as the two key elements in shaping a possible European security and defence policy, believing that no progress would be made without the agreement of the two European countries with the greatest defence capabilities³. To this effect, what was sought was a meeting point between France's traditional emphasis on "autonomous action" by Europe and the UK's unwavering support for NATO, and an impetus for the member states⁴ that advocated, sometimes rhetorically, developing an EU defence dimension, increasing its military capabilities, which would also be largely at NATO's disposal⁵.

Significantly, the "summit" did not involve any institutions of the EU, which was itself trying to develop a Common Foreign and Security Policy (CFSP) on the basis of the Treaties, and the ESDP as part of the CFSP. The *Maastricht* Treaty (1992) thereby incorporates the bases for the Western European Union (WEU)⁶ to formulate and implement this

¹ The ToL entered into force on 1 December 2009.

² *Handbook on CSDP*. Volume I. 4th Edition. P. 17. <https://esdc.europa.eu/documentation/handbook-on-csdp/>

³ At the time, France and the UK were the only two nuclear powers in the EU.

⁴ In standard security and defence parlance, countries that belong to the EU are referred to as 'member states', while those that make up the Atlantic Alliance (NATO) are referred to as 'Allies'.

⁵ Parry, Emyr Jones. "The St. Malo declaration 10 years on". *Financial Times*, December 1st, 2008

⁶ The WEU (Western European Union) was a European defence organisation created in 1954 (modified Treaty of Brussels), with a minor role and subordinate to NATO. In the mid-1980s it was reorganised, and during the 1990s it was transformed into the "armed wing of the EU", becoming the key element for the future development of the ESDP. The WEU ceased to exist on 30 June 2011. For more details on the WEU in Europe, consult: Alcaraz Albero,

security and defence policy; and the *Amsterdam* Treaty (1997) codifies the scope of potential operations of a humanitarian, peacekeeping and peace enforcement nature, the so-called "Petersburg tasks", which were already mentioned in *Maastricht*, while also establishing the legal basis for future common security and defence operations of the EU. Last, as a consequence of the Declaration itself, the *Nice* Declaration (2000) softens the most conflictive points in an attempt to give the project real and viable form⁷.

The strategic scenario of the moment must be considered to understand the relevance and importance of the "Declaration". The "summit" was to some extent a response to the events in Kosovo in the late 1990s, and to a certain sense of the inability of the international community, particularly the European community, to intervene in a timely manner in crises. There was a certain fear of a total breakdown of regional stability in the Balkans and Eastern Europe, compounded by the deep imprint left by the Rwandan genocide (1994), which is possibly one of the causes of the high number of missions and operations the EU has launched in Africa⁸ in the last 25 years.

WHAT DID THE SAINT MALO STATEMENT REALLY WANT TO SAY?

Much has been written and is still being written on issues such as European defence, common defence, the European Army, the Army of Europeans, strategic autonomy and other concepts that are not always well explained, using ambiguous language that leads to confusion, misunderstandings and the pursuit of unattainable goals and objectives, in a rhetoric that is sometimes more in the world of wishful thinking than in the world of reality.

Saint Malo set out realistic principles, the fundamental pillars, the key points enabling the development of an ESDP, which were subsequently reflected in the provisions of the Lisbon Treaty, and are still in force today.

Francisco "La configuración del marco defensivo europeo tras la II GM: el papel de la UEO". IEEE. Framework Doc. 07/2011. https://www.ieee.es/temas/recursos-documentales/2011/DIEEEM07_2011_EIPapelDeUEO.html

⁷ Houghton-Carter, David. "The Saint Malo Declaration and its impact on ESDP after 20 years". UK Defence Forum, 9 January 2009.

⁸ Ibid.

Of particular interest is the analysis of these key points by Peter Ricketts⁹, a British diplomat who was directly involved in the drafting of the "Declaration", which he describes in an interesting paper¹⁰.

The point of origin, allowing this project to begin, was the inclusion in the *Maastricht* Treaty of an article (J.4.1) that established the objective of implementing a CFSP, including the eventual framework of a common defence policy, which could eventually lead to a common defence. As is often the case in Brussels, this language was able to be agreed upon because it could be interpreted in different ways, the classic "ambiguity" in EU texts. This allowed a group of countries led by France to see it as a European defence capability independent of NATO, in a line that has traditionally been called "Europeanist", while for others, led by the UK, the so-called "Atlanticists", the development of a defence capability of the EU's own was out of the question.

At the NATO Foreign Ministers' meeting in Berlin (1996) two years before the "Declaration", it was agreed to build a "European Security and Defence Identity"¹¹ (ESDI) as part of the Alliance's post-Cold War modernisation process, and the U.S. accepted for the first time that part of NATO's command structure could be "loaned" to the WEU to plan and conduct European operations in which the U.S. did not want to be involved. We must not forget that the "Dayton Agreements" (November 1995), promoted by the U.S. as a response to European inoperativeness, which put an end to the Bosnian war, were still very recent, and that in a short time (February 1998) the cycle of conflicts in the Balkans would be reactivated, this time in Kosovo.

In this framework, Ricketts considers that the meeting point between "Atlanticists" and "Europeanists" was established through the aforementioned role of the WEU, where its members were to develop the ESDI and assume greater European responsibility in defence matters. This was to prevent the European institutions from ever having defence competences, making the WEU the EU defence component as an instrument to

⁹ He subsequently served as UK Ambassador to Paris, and Ambassador Permanent Representative of the United Kingdom to NATO.

¹⁰ Ricketts, Peter. "The EU and Defence. The Legacy of Saint Malo". RUSI Journal June/July 2017. Vol. 162 Nº 3 pp 30-38

¹¹ See definition at: <https://eur-lex.europa.eu/EN/legal-content/glossary/european-security-and-defence-identity.html> and explanation of content at: <https://www.ifri.org/sites/default/files/atoms/files/notes04.pdf>

strengthen the European pillar of NATO. European defence was thus outsourced to a third body, the WEU, which was subordinate to NATO¹².

This scenario led the French and British governments to try to find convergent ways forward, but despite months of work they arrived at Saint Malo with nothing agreed and no hope of reaching a grand bargain. Nonetheless, in just seven hours of negotiation, the content of a text was agreed upon, which is reproduced verbatim as an annex at the end of this document, and which managed to bridge the gaps in understanding, once again using "Brussels diplomatic" language where each side has some leeway to interpret the text with its own bias.

The **first point of the Declaration** is a clear example of the concessions made by the two sides. It unequivocally conveys the willingness of the two leaders to develop an EU capacity for military action, and while France includes that a 'common defence policy' is a legitimate aspiration for EU action, the UK balances this by making decision-making entirely intergovernmental, thereby preventing either the European Commission or the Parliament from having any relevant role in security and defence matters.

The first paragraph of the **second point** clearly delimits the scope of the EU's autonomous capacity, which is limited to "international crises". And likewise, the EU's action is confined to crisis management, to the exclusion of defence tasks. The next paragraph details that the collective defence of NATO territory is an exclusive task of the Alliance, which was a key point for the UK, and that the EU would have no competence in the territorial defence of the member states committed to the Alliance. The last paragraphs of this second point are more procedural, but serve to prevent any attempt by the Commission to claim competence in the areas covered by the Declaration.

The **third point** was controversial, and not entirely well defined. It stated that the EU could take decisions on military action where NATO was not involved, without directly prejudging whether NATO had the right to refuse any military operation in the first place. Did NATO have an initial right of first refusal to launch or reject a crisis management operation before the EU could speak out? This is an issue that was never clearly resolved, as France saw it as infringing on the EU's decision-making autonomy, and the final text

¹² Ricketts, *Op Cit.*

agreed simply states that the EU would only act where NATO had decided not to (without prejudging whether or not NATO had the right of first refusal).

The issue of structures, covered in the same point and which for France were essential, was also controversial. Means were needed to carry out situation analysis, to have intelligence sources and to have the capacity for strategic planning¹³. For the UK, it was a red line that the new structures should not duplicate NATO's planning apparatus in SHAPE, nor the Alliance's command structure with its various HQs. The finally agreed text was underpinned by a solution based on the aforementioned Berlin NATO Ministerial agreements (1996), where the Alliance could "lend" part of its structures to the EU.

The **fourth point**, also promoted by the UK, was intended as an incentive for member states to maintain its defence spending. The reference to the defence industry was worded ambiguously, again because of London and Paris's wariness of possible Commission initiatives in the area of defence equipment.

In conclusion, the "Declaration" was an attempt to align NATO's interests with the EU's ambitions, simultaneously giving space to both organisations while setting the "limits" of ESDP. Whatever the case, and regardless of the semantic ambiguities, the idea of developing an ESDP with a view to launching EU military operations, limited to crisis management, and where the territorial defence of Europe was not envisaged, a task that remained within the NATO framework, was made clear. The governance of this new policy would be intergovernmental, led exclusively by European capitals (by the EU Council), with no significant involvement of either the Commission or the European Parliament.

In simple terms, the lines were drawn between NATO, which would deal with deterrence and defence, crisis management and cooperative security, and the EU, which would take responsibility for the latter two - crisis management and cooperative security. European deterrence and territorial defence remained NATO's exclusive task.

It could be said that Saint Malo managed to bring together two previously unaligned elements: on the one hand, the development of an ESDP as a way for the EU to play its

¹³ All of which would later lead to the creation of the EU Military Committee, the EU Military Staff and the EU Intelligence and Strategic Planning Capability.

role in the international arena, adding to the instruments it already had¹⁴, an autonomous capacity to take decisions and actions in the field of security and defence; and on the other hand, the fact that NATO remained the basis for the collective defence of the allies, and that it would also be able to play an important role in crisis management tasks¹⁵.

We can thereby assume that the four fundamental pillars of the "Declaration" were:

1. The EU Council may decide to develop a common defence policy in the framework of the CFSP, with decision-making on an **intergovernmental** basis.
2. The EU must equip itself with a **capacity for autonomous action** (both institutional and military), based on credible military force, and **limited to the framework of international crises** (crisis management). **Territorial defence** commitments remain as **NATO's** responsibility.
3. The EU's military actions (crisis management) will be developed where NATO is not involved (without clarifying priorities), and **duplication** of command and planning structures will be avoided.
4. Europe needs to strengthen its armed forces, relying on a competitive **European defence industry**.

DEVELOPMENT OF ESDP. FROM SAINT MALO TO THE LISBON TREATY (2009)

It is interesting to analyse how in the 25 years since the "Declaration", the ESDP/CSDP has materialised on the basis of these four pillars, not without ongoing and recurrent tensions between "Europeanists" and "Atlanticists" on various issues, particularly "European autonomy" and "duplicity".

The rapid but somewhat tumultuous launch of the ESDP. The early years.

It is a fact that the intentions set out in the "Declaration" were very quickly transformed into concrete structures at EU level. The Political and Security Committee (PSC) was created, and on the military side, the Military Committee (EUMC), the General Staff

¹⁴ Diplomacy, development cooperation, among others.

¹⁵ Howorth, Jolyon. "Saint Malo plus five. An interim assessment of ESDP". Groupement d'Études et de Recherches. Notre Europe. Policy Paper n° 7. November 2003. P.4 <https://institutdelors.eu/wp-content/uploads/2020/08/policypaper7-2.pdf>

(EUMS) and various other civilian and military structures¹⁶, all of which were intergovernmental in nature, with the idea of being able to plan and direct military operations (always within the framework of crisis management). The EU is setting up structures at the political and strategic-military levels to direct and control future actions.

In relation to the idea of an "autonomous capability based on credible military forces", the Helsinki Summit of December 1999 decided on the creation of a military force for crisis management in what was called the Helsinki Force Goal¹⁷, which made clear the intention to ensure that by the year 2003 (HLG 2003) the EU should be able to deploy in less than 60 days a military force of up to 60,000 troops, sustainable for at least one year (implying the availability of 120,000 men, counting rotations). The forces would be provided by the member states, and it should be kept in mind that the scenario that was the yardstick for the design was still Kosovo.

The ambitious HLG 2003 was being delayed, postponed until 2010 (HLG 2010), although in the end it did not come to fruition. To the lack of contributions from the member states should also be added the change of strategic scenario¹⁸, and the friction and mistrust between European ambitions and NATO itself, particularly towards two allies, the United States and Turkey.

In little less than five years, there had been a move from a strategic scenario dominated by the Balkans, and in particular Kosovo (1999 crisis), to one in which the main players were Afghanistan (after 9/11) and Iraq (spring 2003).

Added to this was the additional variable of a NATO in a unipolar world dominated by the U.S. that had no military adversary, wherein its primary task, deterrence and defence, had lost some meaning. The Alliance needed to reinvent itself, and the Strategic Concept¹⁹ adopted at the Washington Summit (1999), stressed that while deterrence and defence remained NATO's core tasks, it also pointed out that crisis management and partnerships were also relevant tasks for strengthening security and stability in the Euro-

¹⁶ The current CSDP structures, which are not the subject of this paper, are detailed on the website of the European External Action Service. https://www.eeas.europa.eu/eeas/csdp-structure-instruments-and-agencies_en

¹⁷ *Helsinki Headline Goal* - Helsinki HLG, also called HLG(*Headline Goal*) 2003

¹⁸ The HLG was designed to deal with a Kosovo-type crisis, and not so much with the new crises that were emerging (Afghanistan, Iraq, counter-terrorism, etc.).

¹⁹ In the part referring to the 1999 Strategic Concept. https://www.nato.int/cps/en/natohq/topics_56626.htm

Atlantic area. This situation opened up a scenario of "some kind of competition" between NATO and the EU for "crisis management" missions.

United States mistrust, and tensions with Turkey.

From the outset, the "Declaration" itself and the subsequent and foreseeable development of the ESDP generated some concerns and mistrust in the United States and among other allies. Just three days after Saint Malo, on 7 December 1998, following the NATO foreign ministers' meeting in Brussels, U.S. Secretary of State Madelaine Albright made a statement²⁰ in which, while acknowledging European initiatives to develop their own foreign and security cooperation policies, she emphasised that these should be consistent with the basic principles that had underpinned the Alliance for 50 years, thereby avoiding what have come to be known as the "three D's" (decoupling, duplication, discrimination). The aim was to avoid "disengagement", so that decision-making at European level would not be independent of that of the Alliance; to avoid "duplication", with reference to scarce defence resources for force planning, operational command structures, and military procurement; and to avoid "discrimination" against any NATO member that was not a member of the EU.

Only a few months later in October 1999, and even more directly, U.S. Deputy Secretary of State Strobe Talbott stated²¹ that "*they do not want an ESDP that starts out as part of NATO but grows out of NATO, and eventually moves away from NATO, because that would lead to an ESDP that would at first duplicate NATO, but could compete with NATO*".

The U.S. was pushing for limits on European ambitions, and while it supported the European initiative, it did not want it to overshadow NATO. It wanted a development more in line with the spirit of the ESDI, more subservient to the Alliance. The new brainchild would have to grow up following the family rules (NATO and the U.S.), and it could not be allowed to grow up with no control and out on its own, as it could become independent and even end up competing with the family itself.

Among this web of difficult balances and a certain latent distrust, the 2003 Iraq crisis arose, with the UK, Portugal and Spain, among many others, supporting the American invasion, and Germany and France rejecting it, causing new tensions between allies and

²⁰ ISS-WEU. Chaillot Paper 47, May 2001. "*From St Malo to Nice. European defence: core documents*".

²¹ Howorth, *op. cit.* 5

deepening the discrepancies between "Atlanticists" (who mostly supported the invasion) and "Europeanists".

To all this, a new element must be added, that of the countries of the East, of the former Warsaw Pact, which during these years were integrating into NATO and the EU. In March 1999, Hungary, Poland and the Czech Republic joined the Alliance, followed in March 2004 by seven other countries from the former Soviet orbit (Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia, Estonia, Slovenia and Latvia). In May 2004, ten new member states joined the EU: Slovakia, Slovenia, Estonia, Hungary, Latvia, Lithuania, Poland, Czech Republic, in addition to Malta and Cyprus, and in 2007 Bulgaria and Romania. The ten countries of the former Soviet orbit, which felt strongly that they owed their liberation above all to the U.S., joined first NATO rather than the EU, the "Atlanticists" thereby gaining new supporters.

These accessions had a major influence on the further development of cooperation between NATO and the EU, and thus on the development of the ESDP itself. Mention should be made of the situation of Turkey, a NATO ally since 1954 and a perennial candidate country for EU membership (despite Greece's opposition on historical grounds), which in view of the aforementioned accession of Cyprus to the EU, was causing a *de facto* blockage in relevant aspects of cooperation between the two organisations.

In addition to all these mainly political elements, it is important to add some objective data that provide a certain degree of objectivity. Of the 27 EU member states, 22 (arguably 23)²² are simultaneously NATO allies, which in terms of numbers means that of the 448 million EU citizens, 435 million²³, more than 96% of the EU population, are protected by the Washington Treaty, by NATO.

If we expand the data to defence spending, the figures are quite similar. The 27 member states spend €220 billion ²⁴annually on defence, of which almost €215 billion is spent by those that are also NATO allies. This means that 98% of EU countries' defence spending

²² Considering Finland's recent accession to NATO, and Sweden's imminent accession, all EU member states except Austria, Cyprus, Ireland and Malta are now NATO allies.

²³ Data consulted on the Eurostat website. <https://ec.europa.eu/eurostat/web/population-demography/> on 02-11-23

²⁴ Denmark is included, data from the EDA website. <https://eda.europa.eu/publications-and-data/defence-data>

is simultaneously NATO spending. Putting these figures into perspective in terms of NATO, if the Alliance's total annual expenditure is approximately one trillion euros, the 23 EU allies contribute just over 20% of this²⁵. If we focus only on the numbers and disregard the relevant political nuances, we can say that "virtually" all EU defence spending is NATO spending, but that this EU member states spending only accounts for a little more than one-fifth of total Alliance. These are cold facts that should in no way be ignored.

With regard to military capabilities, in March 2003 the so-called "Berlin Plus Agreements" were approved for NATO-EU cooperation in the framework of EU-led crisis management activities, whereby the EU would make use of NATO assets and capabilities, including command structures and planning resources.

These agreements originated at a time when the European security dimension depended on NATO²⁶, and although they were used for two military missions of the newly born ESDP (CONCORDIA, now closed, and ALTHEA, in Bosnia, still open) and are still in force, they have not been used since 2005 for two fundamental reasons²⁷. First, because of the existence of a school of thought in the EU that Berlin Plus is outdated and belongs to an earlier era (when the EU was dependent on NATO rather than its equal in security matters), and second, and more tangibly, because of the dispute between Turkey and Cyprus, which since the latter's accession to the EU in 2004, has made Berlin Plus operations hostage to Greek-Cypriot-Turkish sensitivities²⁸.

From the "Solana Strategy" to the "Borrell Compass", via Lisbon (Treaty).

In this complex and changing strategic environment, with a certain estrangement between part of Europe and the U.S. because of the Iraq war, the first European Security Strategy (ESS), also known as the "Solana document", was approved in December 2003.

This is a historic document, given that it was the first European strategy to address the security dimension, although it should be emphasised that it also came with important

²⁵ Data consulted on the NATO website. https://www.nato.int/cps/en/natohq/news_197050.htm on 02-11-23

²⁶ The origin of the agreements comes from the NATO ESA ministers' meeting in Berlin in 1996, where NATO agreed to "lend" military command and control and planning assets and capabilities to the WEU for its crisis management operations. This cooperation was subsequently extended to the EU at the NATO Summit in Washington in 1999.

²⁷ <https://www.europeanleadershipnetwork.org/commentary/nato-eu-cooperation-dont-forget-berlin-plus/>

²⁸ Although the agreements remain in force, they have not been used since December 2004, when ALTHEA (EU) took over from operation SFOR (NATO). An EU military operation has not been re-launched under Berlin Plus.

limitations. The first reason for this is that it is not really a strategy²⁹ but more of a "vision" document, given that it only identifies a number of challenges and threats, and sets out very general strategic objectives³⁰. It is in line with many of the documents approved in Brussels, which are more declarative than executive in nature, where minimum agreements are reached with significant doses of ambiguity as the way to reach consensus, and where what is said is as relevant as what is not.

The ESS focuses on an approach to security based above all on "soft power", emphasising the "security-development" binomial³¹ as a formula for achieving stability and security itself, very much in line with the idea of the post-modern state³². On what it does not contain, the ESS makes no reference to the "D" for Defence. Defence issues, in the traditional sense, are not addressed, implicitly assuming what was agreed in Saint Malo (the territorial defence of Europe is the task of NATO, and the EU focuses on crisis management, with civilian and military means). Only in its final paragraphs is there an explicit reference to the "Berlin Plus" agreements.

During the first decade of the century, the ESDP gained momentum with the launch of numerous civilian and military crisis management operations. In terms of capabilities, the headline goal did not materialise, and in 2007 the so-called "Battlegroups"³³ were created as the EU's rapid response capability within the ESDP framework. After 17 years of

²⁹ In general terms, a strategy should essentially contain three parts: ends, means and ways in which these means are used to achieve the ends.

³⁰ It also establishes multilateralism as a principle of action, and the need to be more active, more capable and more coherent.

³¹ Lack of security usually impedes development, leading to a vicious circle - less security impedes development, which exacerbates the lack of security. It is a matter of reversing the direction of the circle to make it virtuous, providing the security that enables development, which in turn enhances one's own security, thereby establishing a virtuous cycle in which both variables are mutually reinforcing.

³² According to the definition proposed by Robert Cooper, a British diplomat who was Foreign Affairs Adviser to Prime Minister Tony Blair, and in 2002 Director General for Foreign and Politico-Military Affairs at the Council of the Union, and who actively took part in the drafting of the European Security Strategy, the post-modern state arises from the collapse of the modern state (the latter built on the concept of the nation-state), and although it may seem paradoxical, it drifts towards a situation of greater order. In the case of the EU, which was born out of the Treaty of Rome, a new order is created from the failures of the previous one, which was based on the modern state. This new order is not based on a balance of power, nor does it emphasise sovereignty or the separation of domestic affairs from international relations. Balances of power based on force and mistrust are replaced by a security that is built on mutual trust, transparency and common morals and principles, which apply to both international relations and internal affairs.

These ideas on the concept of post-modernism in international relations can be found, among other works, in his book *"The Breaking of Nations. Order and chaos in the 21st Century"*, London, Atlantic Books (2004).

³³ Battlegroups are military units of 1,500 troops plus support, able to deploy within five days of approval by the Council, for a period of 30 days, which can be extended up to 120 days if the Council approves.

existence, with two Battlegroups on alert every semester, we notably should point out that it have never been able to activate/deploy them.

Going back to the regulatory framework, after ten years of the "Declaration", on 1 January 2009 the current Treaty of Lisbon came into force, whose text clearly sets out the principles agreed at Saint Malo, detailing the ESDP playing field, which was now called the CSDP (the E for "European" replaced by C for "Common").

To this effect, Article 42, on CSDP, point (1) emphasises that the EU will have an operational capability with civilian and military means, to be used "outside" the territory of the EU, in "crisis management missions". Point 2) states that the CSDP will include the progressive framing of a common defence policy for the EU, leading to a common defence "when this is decided" by the Council "acting unanimously". In its second paragraph, it recalls the commitments of the member states that consider their common defence to be within the NATO framework. Last, in point 3), the member states commit to progressively improving their military capabilities.

The foundations of the ESDP (now CSDP), laid down in the 1998 "Declaration", remained unchanged, as reflected in the abovementioned first three points of Article 42. The EU will be fully competent in crisis management missions, but only "outside" the territory of the EU, and the tasks of deterrence and defence, the territorial defence of Europe, remain the responsibility of NATO, although the door is open to move towards a common defence when the Council so decides by unanimity, which realistically is not likely.

The reality is that the U.S. retains complete sovereignty over security and defence issues as the decision-maker on these matters. The fourth point of the "Declaration" on defence spending is strengthened by the above-mentioned spending commitment.

Reality, apart from the usual declaratory rhetoric, is that the Common Security and Defence Policy is neither truly Common (in the sense of Community, since not only is sovereignty not ceded, but it is totally under the authority of the capitals, of the Council), nor is it concerned with Defence, since at present it is limited to crisis management actions (the so-called Petersburg plus missions, detailed in article 43.1) and always outside EU territory. It is simply a security policy, which is no small thing in itself.

Although limited in scope, this framework has allowed for important advances in the field of crisis management, in both civilian and military missions, where the EU has a very

diverse range of instruments (diplomacy, development aid, military, economic, etc.), enabling it to consolidate its position as a leading actor in this field, at least at the regional level.

Following the entry into force of the Lisbon Treaty and the implementation of the European External Action Service, the EU's relevance in Foreign and Security Policy has continued to be consolidated in crisis management, in the security dimension, but without significant progress in the defence dimension, and particularly in the community framework.

Thirteen years after the ESS, the "European Union Global Strategy for Foreign and Security Policy" (EGS) was approved in 2016, representing an advance in relation to the former both, in its geographical dimension, and in the broad spectrum of instruments and policies it promotes, mainly due to its global nature. The EU wants to become a global actor, a defender of the established order and the rules-based world, setting out a number of priorities in its external action. Although, like the ESS, it was an eminently declaratory document, it was complemented by a derived Action Plan, where specific actions were promoted.

The new document re-emphasised that the U.S. remains sovereign in its defence decisions, but cooperation on capability development and building a European defence industry was encouraged.

Moreover, the EGS addressed the European ambition of "strategic autonomy"³⁴, using broadly interpretative language, thereby reopening an old debate, never fully closed, on the meaning of this idea and its application to the defence dimension. The reality is that Warsaw's understanding of "strategic autonomy" in security and defence has little to do with Paris'.

In March 2022, in a scenario marked by the outbreak of the war in Ukraine, the "Strategic Compass" (SC) was approved, which can be considered the third major strategic document in the field of security and defence in these 25 years. It seeks to make what was contained in the ESS more enforceable, and to deepen security, but without going into defence beyond the military capability development component. The creation (to be

³⁴ In particular in its section on "security and defence" in point 3(1) on "security of the Union".

done before 2025) of a Rapid Reaction Force, similar to the Battlegroups but made up of up to 5,000 troops, is promoted. Both, the means and the will to deploy them remain the exclusive decision of the member states, so if they have not been used for 17 years there is no reason to believe that tripling the size of the commitment will make it more viable.

The fourth pillar; the European defence industry

With regard to the fourth pillar, it can be said that this is an area of consensus between "Atlanticists" and "Europeanists". The Commission, although implicitly excluded in the "Declaration" as regards the development of the ESDP/CSDP, has in recent years been gaining some prominence in the defence industry.

In 2004, the European Defence Agency (EDA) was created, also with a strictly intergovernmental character (in line with the "Declaration"), and with a mandate³⁵ to promote cooperation in defence matters between and with the member states, for the acquisition, development and operation of new military means in a more joint manner. In addition to saving costs and promoting cooperation between militaries of different EU countries, it also and above all strengthens NATO itself.

The development of military capabilities is a complex issue. Countries must simultaneously serve three types of interests: national ones, those derived from NATO commitments, and those from the EU crisis management operations. Aligning these three elements in a scenario where (national) industrial interests also enter into the equation is no easy task.

There is little disagreement that European countries' military capabilities are fragmented and very diverse³⁶, and that there is significant duplication.

Twenty-five years after Saint Malo, progress in cooperation between European countries in improving effectiveness and efficiency in the development of military means has been scarce and rather limited. National interests, at both, the industrial and the capacity prioritisation levels, override all others.

³⁵ <https://eda.europa.eu/what-we-do/eda-in-short>

³⁶ As an example of fragmentation and diversity, the EU's total of 120 escort type ships (frigates and destroyers) includes 29 different models (classes) belonging to 11 different countries, while the USA has 103 ships of 4 classes, 83 of which are just 2 classes (*Ticonderoga* class and *A. Burke* class).

However, since 2012³⁷, the Commission (invited by the Council itself) has joined the Council and the EDA in their efforts to develop a European defence industry, and civilian and military capabilities for the CSDP. But it was not until the EGS (2016) that various initiatives³⁸ began to take shape and new instruments began to be consolidated, including the European Commission itself having (from 2021) a Directorate General³⁹ for Defence and Space Industry (DG DEFIS).

Although the Commission is starting to get involved in defence issues, and President Ursula von der Leyen herself has declared⁴⁰ that security and defence is one of the Commission's highest priorities, the reality is that although small steps seem to have been taken in the right direction, the defence industry and the development of military capabilities remain essentially national issues, with the EDA or the Commission itself trying to act as facilitators, but where national interests and priorities still prevail. The EU provides initiatives to promote cooperation, but the major decisions remain within the capitals. Brussels facilitates, but the "intergovernmental" character of Saint Malo is firmly driving the process.

FINAL CONSIDERATIONS

If we look at the development of the ESDP/CSDP from a 25-year horizon, it can be said that the child's birth was a difficult one, although he was growing up and slowly developing in a very changing environment (from the Balkans, to Iraq, to Crimea, to Ukraine), and with certain disputes with its older siblings (due to age as opposed to capacity, although in a sense in terms of capacity, too).

Although during these years there have been recurrent references to "Europe of Defence", "European Army", "Strategic Autonomy" (understood by some almost as independence from NATO), and to other similar concepts, in a sufficiently broad and

³⁷ Council conclusions (December 2012). https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/134353.pdf

³⁸ Initiatives such as PESCO (Permanent Structured Cooperation), EDF (European Defence Funds) join others such as the EDA's CDP (Capability Development Plan) and CARD (Coordinated Annual Defence Review), and the *Civilian CSDP Compact* for civilian capability development https://www.eeas.europa.eu/eeas/civilian-compact_en.

³⁹ https://commission.europa.eu/about-european-commission/departments-and-executive-agencies/defence-industry-and-space_en

⁴⁰ Ursula von der Leyen, Keynote speech at the World Economic Forum, Davos 22 January 2020. Handbook on CSDP. Volume I. 4th Edition. P. 196.

ambiguous rhetoric that has allowed for different interpretations, the reality is that the basic principles⁴¹ that gave birth to the ESDP/CSDP, which are set out in the "Declaration", are maintained, and have allowed for advances that were unimaginable 25 years ago. In crisis management, the EU has become a relevant actor at the regional level, with 37⁴² operations and missions, civilians and military, launched since 2003 (in three continents, Europe, Africa and Asia).

The progress being made in defence industry initiatives at European level is also noteworthy. Although these are still largely conditioned by national interests, they should in any case enable the military capabilities of the member states to be improved, all of which would facilitate action as a global actor in crisis management, and at the same time contribute to the Alliance's capabilities for the territorial defence of Europe (98% of the EU's military capability would be used to defend European territory within the NATO framework).

Despite progress, there have been repeated disagreements between "Europeanists" and "Atlanticists" over the years. Among the latter, the UK's role as NATO's strong advocate for European defence has been in some way taken over by Eastern European countries, led by Poland, currently the U.S.'s preferred defence partner in Europe, which advocates abandoning the illusions of European strategic autonomy⁴³. Russia has contributed to awakening some "Europeanists" from their dream of "European strategic autonomy in defence", understood in the traditional sense of the term, to limit it, at least initially, to the framework of defence industry.

The current geopolitical scenario in Europe is that both, Crimea in 2014 and more importantly the Russian invasion of Ukraine in 2022, are *de facto* causing NATO to reprioritise its main task of "deterrence and defence" (it has again an adversary, a defined threat, Russia), leading it to relegate crisis management tasks to a second level (the abrupt end of the crisis management mission in Afghanistan in 2021 is significant in this

⁴¹Purely intergovernmental policy, territorial defence of Europe as a NATO task and promoting crisis management tasks by the EU outside its territory).

⁴²<https://www.europarl.europa.eu/factsheets/es/sheet/159/la-politica-comun-de-seguridad-y-defensa#Misiones%20Y%20And%20Operations%20of%20The%20PCSD>

⁴³ <https://www.politico.eu/article/us-poland-europe-alliance-foundation-security/>

regard). This new situation may pave a clear path for the EU to develop furthermore its CSDP, while enhancing its military capabilities.

This kind of "division of labour" between NATO and the EU should lead to decreased tensions between the two organisations. It should not be overlooked that more than 96% of the EU's population is protected by NATO commitments, so it can be said that one of the few positives of the current situation is, in addition to the strengthening of the cohesion of the Alliance and the EU itself, is the diminishing symptoms of "political schizophrenia" in some of the 22 members (23 with Sweden) of both organisations regarding the roles of UE and NATO.

The principles established in Saint Malo, limited in scope but realistic, have allowed for a remarkable development of a security and crisis management oriented CSDP, still with significant room for growth, which would allow the EU to progress in its ambitions as a global actor. This 25th anniversary can and should be celebrated as a key event in the EU's political development.

For some years now, there has been talks in Brussels about the convenience of a revision of the Lisbon Treaty, aimed among other things at enlargement or reforming the role of the Commission and the Council. This potential reform would include international affairs, where many voices, including within the European Parliament itself, regret that foreign policy decisions are limited by the 'unanimity' rule, and advocate moving towards 'qualified majorities' on various issues, which could demolish the complex structure erected around security and defence policymaking⁴⁴, which is essentially based on the principles agreed at Saint Malo. These ideas are likely to be opposed by the "Atlanticists" in the area of security and defence, requiring a search for common ground⁴⁵. The new scenario arising from the war in Ukraine and the American presidential elections in 2024, when Donald Trump could be re-elected⁴⁶, are elements to be taken into account, which could bring about significant changes in the way the EU conducts security (and defence) policy.

⁴⁴ DUFF, Andrew. "Towards common accord? The European Union contemplates treaty change". European Policy Centre. Discussion Paper (31 Oct 2023). <https://www.epc.eu/en/Publications/Towards-common-accord-The-European-Union-contemplates-treaty-change~553e44>

⁴⁵ The changes themselves to move from unanimity to qualified majorities must be approved unanimously, which does not seem likely to facilitate the process, at least initially.

⁴⁶ <https://www.nytimes.com/2023/08/19/world/europe/trump-2024-election-europe.html>

As Bzrezinski said, and Baqués reminds us, to be a strategic actor⁴⁷ one must have "will" and "capacity". Regarding the latter, it is more than debatable whether the EU has it⁴⁸, and regarding the former, it seems that the differences between "Europeanists" and "Atlanticists" do not allow us to be optimistic about a "European will", especially when this could significantly damage relations with the United States⁴⁹.

So far, it seems that the fundamental principles of the ESDP/CSDP agreed in Saint Malo will remain in place, and seen from a 25-year horizon with all its ups and downs, we cannot say that we have done too badly.

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⁴⁷ And with the ambition to be a global player, not just a regional one.

⁴⁸ The aforementioned fragmentation, diversity and duplicity, coupled with the limited defence effort of Europeans over the past decades, mean that the EU's military capabilities are rather limited for more than crisis management operations.

⁴⁹ BAQUÉS-QUESADA, Josep. *"Building a common foreign and security policy in Europe. Why is it so complicated?"* Editorial Catarata. Madrid 2023. P. 83-85.

ANNEX I. TEXT OF THE SAINT MALO DECLARATION

Joint Declaration on European Defence

Joint Declaration issued at the British-French Summit (Saint-Malo, December 4th 1998)

The Heads of State and Government of France and the United Kingdom are agreed that:

1. The European Union needs to be in a position to play its full role on the international stage. This means making a reality of the Treaty of Amsterdam, which will provide the essential basis for action by the Union. It will be important to achieve full and rapid implementation of the Amsterdam provisions on CFSP. This includes the responsibility of the European Council to decide on the progressive framing of a common defence policy in the framework of CFSP. The Council must be able to take decisions on an intergovernmental basis, covering the whole range of activity set out in Title V of the Treaty of European Union.
2. To this end, the Union must have the capacity for autonomous action, backed up by credible military forces, the means to decide to use them, and a readiness to do so, in order to respond to international crises.

In pursuing our objective, the collective defence commitments to which member states subscribe (set out in Article 5 of the Washington Treaty, Article V of the Brussels Treaty) must be maintained. In strengthening the solidarity between the member states of the European Union, in order that Europe can make its voice heard in world affairs, while acting in conformity with our respective obligations in NATO, we are contributing to the vitality of a modernised Atlantic Alliance which is the foundation of the collective defence of its members.

Europeans will operate within the institutional framework of the European Union (European Council, General Affairs Council, and meetings of Defence Ministers).

The reinforcement of European solidarity must take into account the various positions of European states.

The different situations of countries in relation to NATO must be respected.

3. In order for the European Union to take decisions and approve military action where the Alliance as a whole is not engaged, the Union must be given appropriate structures and a capacity for analysis of situations, sources of intelligence, and a capability for relevant strategic planning, without unnecessary duplication, taking account of the existing assets of the WEU and the evolution of its relations with the EU. In this regard, the European Union will also need to have recourse to suitable military means (European capabilities pre-designated within NATO's European pillar or national or multinational European means outside the NATO framework).
4. Europe needs strengthened armed forces that can react rapidly to the new risks, and which are supported by a strong and competitive European defence industry and technology.
5. We are determined to unite in our efforts to enable the European Union to give concrete expression to these objectives
