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POLICY BRIEF

The Role of National Parliaments in EU Defence Cooperation

Introduction

Are national parliaments engaged in the preparations of EU defence projects? And if so, what are the perspectives of their cooperation in this policy field? Do they act more as an active engine towards an enhanced common EU defence policy or do they function more as a brake? Providing sufficient answers to such complex questions is not an easy task. Defence is a policy field in Europe with many intricacies. On the one hand, the policy area per se remains an intergovernmental bond under the political jurisdiction of the member states; on the other hand, the consolidation of a Common Security and Defence Policy (CSDP) has been fundamentally rejuvenated, especially after the latest developments with the formation of the Permanent Structured Cooperation (PESCO) at the EU level. In this respect, a twofold process is always present when it comes to the question of EU defence cooperation: the impact of the EU level on national security policies and, reciprocally, how member states and their parliaments may have an effect on security/defence evolutions at the EU level.

On 25 of October 2018, the School of Transnational Governance at the European University Institute in Florence organised a High-Level Policy Dialogue to address the role of national parliaments in EU defence cooperation. Academics and practitioners gathered around the same table to provide adequate answers and share their knowledge on a number of different, but closely inter-related, questions: Do national parliaments play a significant role in EU defence policy? What are the past and present practices? Are there differences among national parliaments in defence affairs? What kind of expectations have been formulated for inter-parliamentary cooperation across Europe? Are national parliaments and/or the European Parliament necessary to provide legitimacy for the EU action? The current analysis is the outcome of those discussions, which took place under Chatham House Rule and summarises the key points raised from the participants in the dialogue room.

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The opinions of the authors represent personal opinions and do not represent the position or opinion of the European University Institute



Current Developments at the EU Level

Europe is confronted with enormous security challenges. From the publication of the 2003 European Security Strategy, in which the European leaders managed to pencil a common document considering the security threats of Europe and a strategy to counter them, the security threat spectrum has been tremendously enlarged at the current moment. Security hazards have been broader (i.e. migration and energy), more dispersed (i.e. cyber attacks) and more intense (i.e. terrorism). Europe's periphery is an even more dangerous place to live in: recent regional conflicts and tensions such as the Syrian civil war, the Ukraine imbroglio and the Arab Spring revolutions are the most prominent examples the hard times Europeans experience concerning security during the last decade.

Despite the exacerbation of the security dimensions, the European response has been less than swift. It was hard to find something interesting and promising with regard to the EU defence cooperation after the European Council in Helsinki in 1999. However, with developments in the last years, there is light in the EU defence policy tunnel. The start of the security awakening for Europe can be traced back to the 2016 announcement of 'A Global Strategy for the European Union' by Federica Mogherini.

This strategy can be considered as a crucial step towards a more coherent component of a military dimension of EU security policy and a harbinger of the establishment of PESCO. The latter has created an innovative institutional framework for the involvement of member states in common EU defence projects and, at the same time, has marked a new era regarding the future role of the EU as a leader in the world security arena.

In the same vein, the conclusions of the European Council in June 2018 have articulated the need for a stronger role of Europe regarding its own security by reinforcing defence investment, capability development and operational readiness. In addition, they have highlighted the requirement of a close collaboration between the EU and NATO on the basis that PESCO will complement, foster

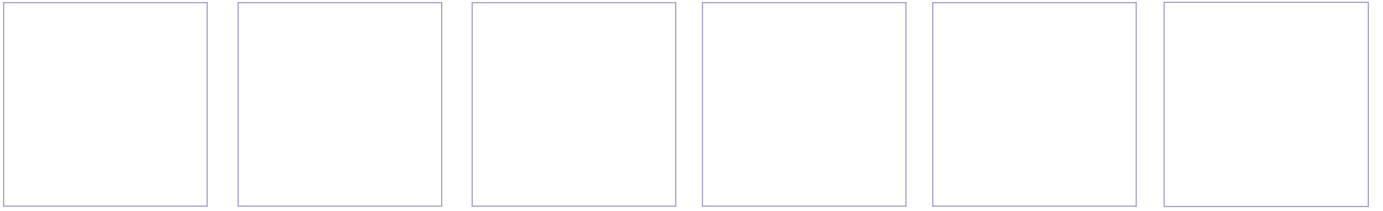
and promote the existing activities of NATO. What is still puzzling is how effective these sort of initiatives would be in the domain of defence.

National Parliaments and the EU Defence Puzzle

With the entry into force of the Lisbon Treaty, almost a decade ago in December 2009, new provisions have been set up for the role of national parliaments in the determination of the EU decision- and policy-making process. For the case of defence, the question that is fair to be asked is whether national parliaments influence the formation of EU defence policy and, consequently, what is their role concerning the enhancement of EU security cooperation. In the same vein, understanding the opportunities and challenges posed by the new defence initiatives at the EU level for the national parliaments is also essential.

When it comes to defence policy and the role of national parliaments, the first thing we need to take into account is whether the defence policy is a 'special' or 'normal' policy issue for national parliaments. Defence is a policy area that presents a degree of distinctiveness compared to other policy areas because, traditionally, the executive is the dominant player for this policy field across the majority of parliaments. Since defence policy is about national interests, the supremacy of the executive and, consequently, the exclusion of parliaments, cannot be substantially justified. Voters are always sensitive to national security issues. For this reason, parliaments ought to be interested in having a strong engagement in security and defence affairs.

Regardless, though, of voters' preferences, why should national parliaments be essential for security and defence? Parliaments preserve democracy, represent people, control public spending, review the executive, legitimise the use of force, and deal with troop deployments. At the EU level, they act as policy shapers, as watchdogs, and as public forums where security and defence matters are formed and scrutinised.



However, there are diverse parliamentary systems across Europe with different powers and roles; and, therefore, the democratic control of the security sector varies. One common aspect across different parliamentary systems in Europe is that there is a fundamental degree of ignorance in both governments and parliaments about security and defence affairs.

The knowledge about security and defence issues is becoming even more complicated because a big number of policy areas are linked to each other. Migration and energy are salient cases that go hand in hand with security and defence. This amalgamation of policy issues further increases the complexity of the decision-making process in the realm of security and defence: for instance, why are member states always very hesitant to join joint actions under broader European initiatives?

Looking at the macro-level context

There are a couple of reasons to support the view that national parliaments play a slight role in EU defence cooperation. Looking first at the macro-level horizon: despite the recent evolutions at the EU level as described above, EU defence cooperation is a business in Europe with decreased enthusiasm by all involving parties, either European or national. The case of Libya provides clear evidence about the unwillingness of the EU to face jointly a tension very close to its borders. Similar conclusions can be drawn for the tension in Ukraine or even the migration crisis. Coupled with that, NATO is still the key security forum in Europe; a state of affairs that has been further reinforced by Trump and indicates the influence of the United States (US) in European security. Brexit is not a positive factor either: the exit of the United Kingdom from the EU family will most likely diminish the global role of the EU as a security and defence actor.

Ad hoc coalitions of the EU member states at the international level, especially under the United Nations hat, comprise also difficult tasks for parliamentarians. These coalitions, typically initiated from specific member states, depict the divergences and compromises politicians face when they have to create common missions at the EU

level. For this reason, parliamentary decisions often have to deal with role and responsibility sharing among alliance partners and, more than that, with questions of partners' reliability.

The puzzling equation of EU defence cooperation is even more complex if we think of the number of players involved in defence affairs. In that regard, information sharing and dissemination about defence issues is a major issue. On the one hand, there are many centres of information and, therefore, information reliability is not an assumed matter. On the other hand, information is rather low, in both quantity and quality, and not shared given the large number of actors engaged in the defence arena (e.g. the executive, lobbies, the EU actors etc.). One could say that this sort of disinformation leads to a kind of insecurity.

Considering the micro-level environment

Turning our radar to the micro-level context, things are also not in favour of a strengthened role of national parliaments in EU defence affairs. Do parliaments share the willingness to commit resources from the national to the EU level? Security cultures are not similar across Europe and this is a fundamental drawback for a common commitment toward resource sharing at the EU level.

Political contestation in security and defence issues is more the rule than the exception in all parliaments across Europe. Typically, left-wing political parties ask for control of public spending. With the rise of Eurosceptic parties, the debate has changed because the concept of sovereignty is at the forefront of the political agenda: the sensitive question is about bringing sovereignty back to the state. Likewise, a growing fragmentation can be witnessed in how different EU member states perceive the notion of threat perception and, consequently, how they build their local security contexts.

In addition to this, the academic landscape does not help. There is a clear division between those studying national parliaments and those studying defence. This situation has



become even more complex when other fields enter this academic division: Artificial Intelligence and cyber-security are two scientific areas that have been dominating the discussions across academia about security and defence at least over the last decade. The problem becomes larger when we think about the connection between academics and policy-makers. Put bluntly, one would say that the policy-making world is fully detached from the academic context and their interaction is less than scarce.

Finally, members of parliaments (MPs) have major real constraints to take into account in defence affairs. Very often, they cannot cross some very distinct lines, which is why there are the generals who take hard choices and decisions. For instance, MPs need a tremendous amount of detail about deployment of troops to act; but, most of the time, the choices that have to be made are extremely sensitive for which only the chiefs of armed forces could take when advising governments. This severe accountability issue frequently arises when MPs come across numerous defence affairs.

Avenues for EU defence cooperation across National Parliaments?

The apparent diversity of parliaments across Europe does not leave flexible space for cooperation, especially with regard to sensitive policy areas such as security and defence. However, one would argue that the emergent security state of play today creates the necessity for more cooperation across member states and parliaments. Common threats are visible, and they need common solutions; but, despite this reality, cooperation is far from perfect. If we exclude successful cases such as the strong parliamentary cooperation in security affairs among Nordic national parliaments, most would agree that this is not the case for the majority of parliaments across Europe.

Are there avenues to be opened for stronger cooperation among national parliaments in defence affairs? One optimistic note is that we witness a lot of convergence, both from the EU and its member states, regarding stronger cooperation in the EU defence field. The case of the newly established PESCO could lead the way. The pessimistic

note is that there is not a lot of show on ground: only NATO is active. Therefore, we lack very practical forms of cooperation. The mutual defence clause of the Treaty of the European Union, i.e. Article 42.7, is nevertheless a good starting point for a stronger cooperation in EU defence affairs.

Developments via the EU member states

An essential objective of the President Macron's famous 'European Intervention Initiative' is to create a common strategic culture amongst European leaders. Despite the fact that Macron's initiative is considered a competitive defence evolution to existing EU common ones such as PESCO, it is important in the sense of strengthening the political willingness among EU leaders. In essence, several means and/or structures of defence are evident, upon which EU leaders could build a common EU defence cooperation context; the missing point is the political willingness to do so. As experts on EU defence field would argue: the difficulty is not getting EU troops together, either within NATO or apart from it, but getting them within a reasonable amount of time (e.g. within 48 hours).

Very successful examples exist from which parliaments can draw interesting conclusions in creating a common defence culture, and, therefore, a collective active approach towards mutual security threats. One interesting case is the Dutch-German cooperation in tanks management. Another successful example is the external border management. Therefore, as the coordination in defence steps typically stem from individual member states, examples should be drawn from defence partnerships across different member states. That is why inter-parliamentary cooperation is more than necessary in this case.

The European path of cooperation

The sharing of information with national parliaments is a very serious component for the enhancement of EU defence cooperation. A bigger number of MPs from different member states should be informed about EU security and defence policy issues. Do key EU institutions



help towards this goal? The role of key EU institutions in the defence domain is certainly quite limited. This is evident, primarily, from the limited impact of CSDP toward the communitarisation of defence policy: EU defence cooperation remains an intergovernmental business to a large extent.

In theory, there are many venues for inter-parliamentary cooperation: party politics, assemblies, the IPEX platform, the COSAC structure (the Conference of Parliamentary Committees for Union Affairs). The Rotating Presidency of the Council also has an enhanced parliamentary dimension. Most of these venues seem to work well as avenues of networking among different national parliaments. However, the crucial aspect is whether these venues are efficient in decision-making progress and policy formulation cooperation across parliaments. For instance, the interaction between the European Parliament and the national parliaments has a very limited effect. The Inter-Parliamentary Conference on CFSP-CSDP acts more as a discussion forum than a decision-making actor.

The NATO parliamentary assembly comprises the most successful case among the existing inter-parliamentary conferences. One basic reason is that it has an effective secretariat that deals with all crucial organisational aspects of an inter-parliamentary dialogue (e.g. language differences, large number of participants and their logistical organisation). Several times, via this venue, the parliamentarians have tried to influence the political agenda and obtain concrete results: one case in mind is when the NATO parliamentary assembly pushed for recognition that certain cyber-attack issues could be conveyed under Article 5.

Having said that, is a new forum within the EU necessary, since there is one in NATO? Despite apparent similarities, especially concerning the personnel of delegations (the same people normally attend these sorts of conferences), fundamental differences could be evident with the creation of an EU forum compared to the NATO setting. These include the degree of institutionalisation (for instance, the NATO parliamentary assembly does

not have a clear institutional status), the secretariat and its function, and the degree of cohesion and socialisation among the MPs to name but a few.

Conclusion: Some proposals for an enhanced EU defence cooperation across diverse parliaments

The majority of the participants in the High-Level Policy Dialogue fundamentally agreed on the importance of national parliaments as crucial actors in defence and security affairs. EU cooperation and enhancement in the defence and security realm can be rigorously improved if parliaments play a vital and proactive role towards this direction. Nevertheless, how could this happen?

A first idea would be a **closer collaboration between the academic world and the policy-making environment**. Policy-makers from the security and defence policy areas should build bridges and communicate more often with the academic world. Especially within the area of procurement, both policy-makers and academics should work harder together to elaborate more on this policy agenda.

Secondly, **members of different national parliaments need to focus on successful areas of CSDP and highlight the common elements of success that could be implemented toward a more enhanced cooperation in security and defence at EU level**. External borders management is one example of such fruitful cases of achievement from which existing mutual knowledge would facilitate parliamentarians in the formation of joint defence projects.

A third note would be an **extended engagement of the European External Action Service toward the deployment of joint EU troops**. This should be done under the political authority of the European Parliament and the stronger involvement of national parliaments as initiators of such defence campaigns. PESCO seems to act as an innovative harbinger toward this direction but stronger

inter-institutional and inter-parliamentary cooperation is necessary for this scope to be pragmatic.

Finally, **Europe needs strategic autonomy in the policy area of defence.** This sort of autonomy is crucial because it opens the door to the creation of an autonomous EU defence industry. But, this is not apparently an easy task due to the close dependence of European defence key technologies on the US. The solution is more cooperation at the EU level, but always with a balance with the US.

The School of Transnational Governance

The European University Institute's School of Transnational Governance (STG) brings the worlds of academia and policy-making together in an effort to navigate a context, both inside and outside Europe, where the challenges of governance extend beyond the state.

The STG policy brief series, published by the School of Transnational Governance at the European University Institute, provides topical perspectives on thematic issues of relevance to transnational governance. The contributions result from the proceedings of events hosted or sponsored by the STG. The briefs are policy-oriented and diverse in terms of the disciplines represented. They are authored by STG staff or guest authors invited to contribute on particular issues.

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