

ESDP and German Contributions

ESDP and German Contributions Back on Earth?

LCol (GS) Helmut Fritsch

Centre for International Relations, Queen's University
Kingston, Ontario, Canada

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shedding its inhibitions and assuming a greater role in ESDP operations. It is in fact the lead nation in the current ESDP mission to the Democratic Republic of Congo. Fritsch's study reveals a constructive, increasingly assertive Germany contributing to regional and global security as part of an important new multilateral instrument.

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Charles C. Pentland
Director, QCIR
October 2006

1. Introduction

In his provocative, frequently discussed and often cited essay, *Of Paradise and Power*, Robert Kagan investigates the gap between Europe and the United States. He declares that “Americans are from Mars and Europeans are from Venus.”¹ Kagan argues that Europe, with its “highly educated and productive population ... has the wealth and technological capability to make itself more of a world power in military terms” if it wished.²

Besides Kagan, many high ranking military experts, both from Europe and the United States, including the former German chief of defence and chairman of the NATO Military Committee, retired General Klaus Naumann, and former vice chairman of the Joint Chiefs of Staff and former Supreme Allied Commander Europe, General Joseph Ralston, argue that, “the EU, whose 25 member states combined control the second largest military force in the world, is still struggling to sustain less than 5 percent of its overall military manpower on vital peace support tasks, a sign that a number of key shortfalls remain.”³

This criticism is not new and has often been repeated in the past, especially from American politicians and commentators.⁴ However, it can be observed that in recent years the intensity and frequency of this critique decreased over time. Moreover, a positive signal was sent recently from the United States to Germany and the European Union (EU). In his speech to the 42nd Munich Conference on Security Policy, Deputy Secretary of State Robert B. Zoellick remarked that in relation to “Germany and the European Union ... I think it is very notable to recognize the changes in Germany’s willingness to conduct military operations beyond its border. This was not the Germany of 1989 or 1990; and credit on this belongs to all the major parties in Germany that have led to a significant shift. This is

very important for the future of NATO and Germany and the transatlantic relationship.... For those who have worked closely with Germany and Europe, this is a change from the traditional focus on *Stabilitaet* — stability. So I think this could be a change that accords with the shifting ground of 2005 and 2006.”⁵

Although European and German contributions are many — United Nations (UN), North Atlantic Treaty Organization (NATO), the EU, and the Organization for Security and Cooperation in Europe (OSCE), for example — this paper will focus on the EU’s European Security and Defence Policy (ESDP) and the German contribution. This focus is highly relevant as the maturation and consolidation of the ESDP is a key element in further development of the EU. Furthermore, it evaluates whether the EU is able to meet its own European security strategy requirements: “As a union of 25 states with over 450 million people producing a quarter of the world’s gross national product (GNP), the European Union is a global actor; it should be ready to share in the responsibility for global security.”⁶

When we talk about ESDP and the German contribution, it is not enough to just look at the military contribution, the ESDP “remains a unique and complex phenomenon.”⁷ It is comprehensive and therefore requires investigation on multiple dimensions:

First, is the historical dimension. The European and German strategic culture is a product of recent history. It “represents a conscious rejection of the European past, a rejection of the evils of the European *Machtpolitik*.”⁸ Second, is the civil dimension, which is of utmost importance for ESDP and Germany. In this dimension are the police, the rule-of-law, the civilian administration and protection, the monitoring and supporting of crisis-management missions, and the EU special representatives. Third, there are the organizational/institutional dimension and a legal and constitutional dimension. The latter is especially important to Germany.

Part two and three of the paper will describe and comment on these dimensions by first considering the European interests and then the German. In using Kagan’s metaphor, the hypotheses are: ESDP has made remarkable progress, but there is still a lot to do and the EU is not yet back on earth; and German contributions to ESDP operations are significant, varying, and reliable. As one of the leading members of the EU and an engine of European integration, Germany fulfils its responsibilities and obligations; it is back on earth. The fourth part of the paper analyzes all ESDP operations and the respective German contributions. The paper concludes with a discussion of the future of ESDP and Germany.

2. *From Maastricht to Kinshasa: The European View*

Building a Common Foreign and Security Policy

The Europeans sought to replenish the economic integration with a politico-security integration.⁹ On 27 May 1952 they signed a treaty that called for an integrated armed forces under a combined command. The European Defence Community should have come into force in 1954, but failed due to the French National Assembly veto on 30 August 1954. In 1969 the foreign policy integration began again. During the Hague Summit in December 1969 the foreign ministers were asked to investigate possibilities for further integration outside the economic sphere. In 1970, the Davignon Report formed the basis for the European Political Cooperation (EPC), which was limited to mutual information about national foreign policies. With the adoption of the *Single European Act* (SEA) on 17 and 28 February 1986, European Political Cooperation found its way into European treaties. The SEA included the term “security,” but only in reference to its economic implications. At this time, the general assumption was that territorial defence functions were to be carried out by the North Atlantic Treaty Organization (NATO) and/or by national armed forces. While the Western European Union (WEU) was a forum for discussing security matters, its military relevance and political role remained marginal.

Meanwhile, the real world did not stand still. The war in the former Yugoslavia, June 1991, when the parliaments of Slovenia and Croatia voted for independence, underlined for the first time the inability of the Europeans to properly manage a crisis. The situation was not improved when the fighting in Bosnia began in the spring of 1992.¹⁰

At the Maastricht Summit (9 and 10 December 1991) the newly established EU saw the birth of its Common Foreign and Security Policy (CFSP), which replaced the European Political Cooperation but remained inter-governmental and not supranational. The Maastricht Treaty specified for the first time the five general objectives of the CFSP:

1. Safeguard the common values, fundamental interests, independence and integrity of the Union in conformity with the principles of the United Nations Charter.
2. Strengthen the security of the Union in all ways.
3. Preserve peace and strengthen international security, in accordance with the principles of the United Nations Charter, as well as the principles of the Helsinki Final Act and the objectives of the Paris Charter, including those on external borders.
4. Promote international cooperation.
5. Develop and consolidate democracy and the rule-of-law, and respect for human rights and fundamental freedoms.¹¹

Since then, the CFSP has formed the second pillar of the EU.¹² An additional outcome was that the CFSP should also include a common defence policy in the long term, which could eventually lead to a common defence. However, the EU had still to request that the WEU elaborate and implement decisions and actions with defence implications. The WEU was the “military arm” of the EU and was thus seen as an integral part of further development of the Union.

In June 1992, the foreign and defence ministers of the WEU member states released a common declaration, setting the new missions for the organization to concentrate on the Petersberg Tasks. Besides their contributions to traditional, common territorial defence in accordance with Article 5 of the Washington Treaty and Article V of the WEU Treaty, the military forces of the WEU could be used for: humanitarian and rescue tasks; peace-keeping tasks; and combat tasks in the form of crisis management, including peacemaking operations.¹³ In principle, this covers a wide range of possible missions: from Chapter VI to Chapter VII of the United Nations Charter and from low- to high-intensity conflict. However, the Europeans lacked the necessary military capabilities to act autonomously in the wider frame. The Petersberg Tasks marked the first recognition of the new strategic environment in Europe after the end of the Cold War and became the core of the ESDP.¹⁴

Meanwhile, life continued in the Balkans. The Kosovo conflict emerged on 22 April 1996, when a number of Serbs were murdered in a café in Decani. These were the first victims of the (Albanian) Kosovo Liberation Army.¹⁵

The treaty review was completed in Amsterdam in 1997, and came into force on 1 May 1999, giving a decisive push to the CFSP and making it more operative. The relevant guidelines were incorporated in Articles 11 to 28 of the EU treaty. The Petersberg Tasks were incorporated into the new Article 17, thus significantly broadening the scope of the CFSP. The inclusion/integration of the WEU functions necessary for the EU concerning the Petersberg Tasks signified the accomplishment of the WEU's mission, but did not mean the end of the WEU as such.¹⁶

The situation in Kosovo deteriorated and on 5 March 1998 the Serbs started their first offensive in Drenica.¹⁷ This specific conflict provided confirmation of the European weaknesses: a lack of a professional armed force, a focus on territorial defence, an inability to project significant forces, a lack of suitable institutions within the Union to cope with crisis management, and a growing technological gap in comparison to the US.

The failure of the European Union and its member states to produce a common strategy in order to end the barbaric conflicts on its doorsteps led to the development of the European security and defence policy.

The Birth of the European Security and Defence Policy in 1999

The development of the CFSP made little progress during the early and mid-1990s. The United Kingdom, under a conservative government favouring NATO primacy was extremely reserved about transferring competence in security matters to the EU (while acknowledging the need for greater coordination). France, on the other hand, wanted to strengthen an autonomous European Security and Defence Identity outside NATO.¹⁸

The British attitude changed significantly after the Blair government came to power. Furthermore, the deterioration of the Kosovo conflict highlighted the need for greater efforts in the field of common security and defence policy.¹⁹ The British-French Declaration of St. Malo (3 and 4 December 1998) called on the EU to develop "the capacity for autonomous action, backed up by credible forces, the means to decide to use them, and the readiness to do so, in order to respond to international crises."²⁰ Collective defence should remain the key task of NATO. Unnecessary duplication with the Alliance's structures should be avoided during the

development of new European capabilities and structures. The European pillar of NATO and/or non-NATO member countries should contribute the military forces.²¹ This declaration showed a change in London's approach to Europe as well as a concession to NATO legitimacy by Paris. Now the gate was open to the rapid establishment and strengthening of ESDP.²²

At the Cologne Summit (3 and 4 June 1999), the spirit of St. Malo took possession of the European Council. Under German presidency, the British-French bilateral initiative was transformed into European reality, thus changing the European Defence Identity into a European Security and Defence Policy:

the European Union shall play its full role on the international stage. To that end, we intend to give the European Union the necessary means and capabilities to assume its responsibilities regarding a common European policy on security and defence ... 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 crisis without prejudice to actions by NATO.²³

The European Council agreed upon several institutional changes at the Cologne Summit in order to achieve these ambitious objectives: first, Javier Solana, the secretary general of the European Council, was nominated to the additional post of high representative for the CFSP in order to ensure a closer coordination of Europe's security and defence policy. Second, the Political and Security Committee (PSC) was created, which was made up of the ambassadors of each member state. They met twice a week in Brussels.

The PSC deals with all aspects of the CFSP and ESDP in managing a developing crisis, organizing evaluation and planning, as well as giving political advice to the Council. In the event of a deployment of military forces, the PSC would exercise political control of military operations and give strategic direction.²⁴ Third, the European Military Committee (EUMC) was created. Fourth, the European Military Staff (EUMS) was established.²⁵ Fifth, it was decided that the General Affairs Council (GAC), consisting of the foreign ministers and defence ministers, would hold regular sessions if deemed necessary.²⁶

ESDP Operational Developments

The trademark and significant strength of ESDP is the parallel and balanced build up and employment of complementary civil and military

capabilities — the comprehensive approach in crisis management. Many developments have taken place since the birth in 1999 of ESDP at Cologne both in civil and military crisis-management capabilities. With the European Security Strategy (ESS) adopted in December 2003, the EU affirmed the primary role it wanted to play in the world, supporting an international order based on effective multilateralism within the UN. In addition to the Petersberg Tasks, disarmament operations, support to third countries in combating terrorism, and security sector reform (as part of a broader institution-building) are mentioned in the ESS, envisaging a wider spectrum of ESDP missions.²⁷ Nevertheless, further work must be done in order to define the conduct of such operations.²⁸ Initially, I focus on the civil dimension and thereafter research the military dimension of ESDP crisis-management capabilities in more detail.

ESDP Civilian Crisis Management

Civil protection. In the field of civil protection, the community mechanism was developed and established in order to facilitate reinforced cooperation in civil-protection assistance interventions. The community mechanism is a tool for interventions either inside or outside the EU. Still, work must be carried out in order to clarify the practical aspects of such civil-protection assistance in the context of an ESDP crisis-management operation. The member states committed over 570 experts and over 4,400 personnel for intervention teams, which is a strong over commitment in some areas of civil protection.³⁷

Monitoring. In June 2004, the European Council approved the Action Plan for Civilian Aspects of ESDP, which envisaged that the European Union would develop its own capacity to conduct monitoring missions. At present, the EU is still working on the development of a solid and effective monitoring capability. Member states have already committed over 500 monitoring experts.

Generic support for civilian crisis-management missions and EU special representatives. The Action Plan for Civilian Aspects of ESDP also identified the need to broaden the range of expertise in the field of human rights, political affairs, security sector reform (SSR), mediation, border control, disarmament, demobilization and reintegration (DDR), and media policy in order to better reflect the multi-faceted tasks that it will face. The EU has therefore begun to identify experts in these fields to be incorporated into future missions and to provide support to EU special representatives. The member states committed almost 400 experts, including political advisors, police advisors, rule-of-law advisors, legal advisors, military advisors, and media advisors/spokespersons, etc.

Civilian Headline Goal 2008. In December 2004, the European Council in Brussels approved the launch of the Civilian Headline Goal 2008 process, the most important and far-sighted endeavour to improve the EU's civilian crisis-management capabilities.³⁸ The Civilian Headline Goal 2008 has set the following key ambitions:

- The EU must be able to act before a crisis occurs.
- A coherent use of Community and civilian ESDP instruments is of utmost importance.
- The EU will seek to deploy integrated civilian crisis-management packages which respond to the specific needs on the ground and make use of the full range of its crisis-management capabilities.

- The EU must have the ability to conduct concurrent civilian missions at different levels of engagement.
- Sustainability and the high-quality of personnel involved in civilian crisis management are of crucial importance.
- It is the ambition of the EU to be able to take the decision to launch a mission within five days of the approval of the crisis-management concept by the Council. Specific civilian ESDP capabilities should be deployable within 30 days of the decision to launch the mission.
- ESDP civilian crisis-management missions can be deployed autonomously, jointly or in close cooperation with military operations.

In June 2005, the setting up and, if needed, employment of multi-functional civilian crisis-management resources in an integrated format, including rapidly deployable civilian response teams (CRT) was decided upon by the European Council. Member states should create a pool of approximately one hundred experts with completed CRT training until the end of 2006 to man the CRTs. Crisis response teams should be mobilized and deployed within five days of a request by the secretary general/high representative, Political Security Committee, or the Council. A deployment should not be longer than three months.³⁹ The military dimension of ESDP will be discussed in more detail in the next section.

ESDP Military Crisis Management

EU Military Committee. The European Military Committee in Brussels is the highest military body within the Council. It is composed of the chiefs of defence (CHODs) represented by their military delegates (MilReps). The EUMC provides advice and recommendations on all military issues to the Political and Security Committee (PSC). This includes the development of the overall concept of crisis management in its military aspects, the risk assessment of a potential crisis, as well as the elaboration, assessment, and review of capability goals. Upon request of the PSC, the EUMC will task the European Military Staff (EUMS) with developing and presenting strategic military options. In the case of a Council decision, the

EU Military Staff. The EU Military Staff (EUMS) is an integral part of the General Secretariat of the Council directly attached to Secretary General/High Representative Javier Solana and operates under the military direction of the EUMC.⁴² The EUMS provides military expertise and support within the Council structure. The EUMS will perform early warning, situation awareness, and strategic planning as tasked by the EUMC. It will be responsible for peacekeeping tasks and tasks of combat forces, including peacemaking as well as those identified in the European Security Strategy.⁴³

Additionally, the EUMS is in charge of identifying European and multinational forces and implementing policies and decisions as directed by the EUMC.⁴⁴ In the field of operations, the EUMS has seen a rapid development as will be shown later on in this paper. In the field of capabilities, the creation of its Civil/Military Cell is most remarkable. The Civil/Military Cell undertakes strategic contingency planning if tasked by PSC or by the secretary general/high representative. Further, it helps to develop doctrines for civil/military operations and prepares concepts and procedures for the EU Operations Centre. The cell could also generate the capacity to plan and run an operation. This, however, would entail the setting up of the Operations Centre. The permanent staff of the Operations Centre is already part of the Civil/Military Cell.⁴⁵

The European Union and NATO: Berlin Plus. The cooperation between the WEU and NATO rested on the arrangements introduced in Brussels in January 1994 and concluded in Berlin in June 1996.⁴⁶ On 13 November 1999, in Marseille, the WEU decided to hand over its main tasks to the EU. With the transfer of the Petersberg Tasks, the EU was dependent on support from NATO.⁴⁷ Based on the arrangements between WEU and NATO, the Berlin Plus agreement was reached, which opened the way for a strategic partnership between the EU and the Alliance for crisis-management operations. The agreement was signed at the EU Copenhagen Summit in 2002.⁴⁸

The Berlin Plus arrangements cover three elements directly linked to the combined operations: EU access to NATO planning, NATO European command options, and use of NATO assets and capabilities.⁴⁹ EU and NATO are complementary and have committed themselves to a transparent and mutually reinforcing development of their common military capability requirements.⁵⁰ The ESS acknowledges that many of the EU's crisis-management operations will be undertaken in cooperation with NATO.⁵¹

The EU-NATO permanent agreements, in particular Berlin plus, enhance the operational capability of the EU and provide the framework for the strategic partnership between the two organizations in crisis management. This reflects our common determination to tackle the challenges of the new century.⁵²

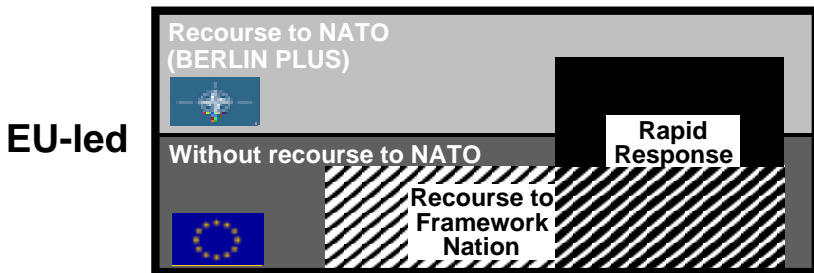
The cooperation between NATO and the EU at the military level is developing usefully, whereas cooperation and talks at the political level are extremely limited to current operations under the Berlin Plus agreement. In this respect, NATO and EU should widen their focus and their discussions to developing crises, in order that their cooperation becomes more effective.⁵³

Helsinki Headline Goal 2003. In December 1999, at the Helsinki European Council meeting, the EU member states set themselves a military capability target called the Helsinki Headline Goal (HHG). The aim was for the EU and its members to be able to deploy 60,000 troops within 60 days and to sustain for a year in support of the Petersberg Tasks. The HHG was to be met by June 2003, December of that year at the latest.⁵⁴ At the Capabilities Commitment Conference in Brussels one year later, the member states made national contributions to the EU rapid reaction capabilities. The analysis of the HHG catalogue, which specified the operational requirements to fulfil the Petersberg Tasks and the Force Catalogue revealed considerable shortfalls, especially in terms of air transport, precision-guided munitions, suitably deployable headquarters, mobility in general, and intelligence. The result of this evaluation was the Helsinki Progress Catalogue, which identified capability shortfalls.⁵⁵

Eventually the European Capability Action Plan (ECAP) was launched by the Leaken European Council in December 2001 to address and eliminate these shortfalls. During the ECAP process, the work of the different panels was coordinated by the Helsinki Goal Task Force (HTF), supported by the EUMS. During the capability conference on 19 May 2003, the EU defence ministers declared a limited (and by shortfalls, constrained) operational capability across the full range of the Petersberg Tasks.⁵⁶ The

military crisis-management operations requiring a rapid response. EU member-state-led operations were also addressed in the concept because based on a political decision taken case-by-case, the EU might wish to react to such situations.⁵⁹ Whereas according to the HHG, reaction forces should be ready in the joint operations area (JOA) within 60 days of a Council decision to launch an operation, rapid reaction in this context takes about 5 to 30 days and immediate reaction less than five days for readiness in the JOA.

Rapid response tasks (as a subset of the HHG) could be required as a response to a fast-arising crisis (as a primary goal), while on the other hand, could possibly be part of a longer operation enabling follow-on phases (as a means of contributing to the achievement of the goal). Immediate response, being a subdivision of rapid response, could be required in the case of an emergency. There are two basic command options for EU-led operations that also apply to the EU military rapid response concept: with recourse to NATO common assets and capabilities, or without.



As the European Rapid Response Forces (EU RRF) are not to be seen in competition with NATO forces (e.g., NRF), each national force contribution and commitment target have to be closely coordinated between NATO, the EU, and the member states, in order to avoid duplication of capabilities and forces. Moreover, NATO and the EU would make use of the same pool of forces (single set of forces!⁶⁰).

Headline Goal 2010 and EU Battle Group Concept.⁶¹ As the logical outcome of the lessons learned during the Balkan conflicts and corresponding to the strategic imperative of the 1990s, the HHG seemed over-ambitious and inadequate in view of the strategic demands of the twenty-first century.⁶² Therefore, the Headline Goal 2010 was endorsed by the European Council in Brussels on 17 and 18 June 2004. It was aimed at improving qualitative aspects of military capabilities in terms of interoperability,

deployability, and sustainability with regard to material and human logistics.⁶³ Also, a wider spectrum of missions, in addition to the Petersberg Tasks, was defined, including joint-disarmament operations, support of third countries in combating terrorism, and security sector reform.

The following goals were set by the Headline Goal 2010:

- Establishment of the Civilian/Military Cell within the EUMS.⁶⁴
- Establishment of the European Defence Agency (EDA).
- Coordination of EU's strategic transport (land, air, and sea⁶⁵).
- Transformation of the European Airlift Coordination Cell (EACC) into the European Airlift Centre (EAC)/European Air Transport Command (EATC), in order to have a fully operational EAC/EATC until 2010.
- Establishment of the EU Battle Group Concept with full operational capability (FOC) until 2007.
- Availability of an aircraft carrier, including aircraft and support ships until 2008.
- Until 2010, improvement of overall efficiency of ESDP operations through establishing the necessary network and compatibility in respect to communication means and equipment.
- Determining quantitative level of ambitions and criteria for committed national forces in the areas of deployment and multinational training.

The Headline Goal 2010 gives binding guidance for the improvement and development of the EU's rapid crisis-response capabilities. Although it is only partially successful in further developing the positive attempt of the HHG at interdisciplinary crisis management to a comprehensive crisis-prevention capability of EU, it leaves enough scope for respective initiatives in the longer run.

Overall, the EU and its ESDP aim to become more capable, more coherent, and more active. The development of rapid response battlegroups is part of becoming more active.⁶⁶ The EUMS developed the EU Battlegroups (BG) Concept, based on a French/British/German initiative. In June 2004, the EUMC agreed upon the BG Concept.⁶⁷ This is a remarkable milestone in the development of ESDP because it demonstrates a developing strategic coherence between Britain, France, and Germany and represents a convergence of NATO and ESDP strategic concepts.⁶⁸ The EU BG Concept seeks to be complementary to NATO (NRF) documents. "The BG is the minimum militarily effective, credible, rapidly deployable, coherent

state and one non-EU NATO country.⁷² The responsibility for training and certification according to fixed EU-agreed procedures remains the national responsibility of the contributing member states. They also have to ensure that their contribution includes strategic lift assets — pre-identified, earmarked, and available to meet the EU goals.

These solutions are comfortable for the EU, but they also assume a high grade of responsibility from the contributing states. If member states lack

3. From Berlin to Kinshasa: The German View

German Foreign, Security and Defence Policy

The German history and the lessons learned during the first half of the twentieth century remain an integral part of German foreign and security policy. This means in particular a pronounced interest in multilateralism,

The German reservation in clearly defining and formulating its national interests is historically well founded, though often cause for criticism. Allies, partners, and friends expect Germany to define its interests.⁸¹ In German politics there is no legal obligation to review the national interests within certain predefined time intervals and to summarize it in publicly accessible documents. Therefore, the Weißbuch 1994, White Paper 1994, is the latest source regarding German security policy. This gap was partially closed by the so-called Defence Policy Guidelines 2003 (*Verteidigungspolitischen Richtlinien 2003*), but this document is formally valid only within the area of responsibility of the federal Minister of Defence.⁸²

The Defence Policy Guidelines 2003 define the German security inter-

task falls within the remit of the Federation in accordance with Article 32 of the Basic Law.⁸⁷ Within the German government, the Federal Foreign Office has an overall coordination function between all federal ministries and departments with respect to foreign affairs. This also applies to all matters related to EU and ESDP.

Basically, the interests and general direction of German foreign, security, and defence policy remain valid despite the change of government in 2005; however, some changes in priorities have been announced by the new coalition of the Christian Democratic Party (CDU/CSU) and the Social Democratic Party (SPD). I will refer to this in more detail later in the paper.

The discussion about interests and aims of German security policy is still ongoing, as well as the practical coordination of all policy fields in the understanding of a comprehensive security policy. Civil crisis prevention and management remain at the core of Germany's stability and the peace policy places stress on civilian instruments as the preferred instruments, whereas the employment of military forces is always carefully weighed up against these civilian means.⁸⁸

It can be seen that the instruments and procedures in Germany regarding ESDP are best developed for the military, whereas on the civilian side, the police are as developed as any other civilian ESDP instrument. As German civil contributions to past and ongoing ESDP missions are significantly higher for police forces than for other personnel in the civilian sector, the police will be discussed in detail in the next section.

Civil Institutions: The Civil Sector

Adapting to the rapid developments and the related changes in the world's security environment and preparing to take part in crisis-management operations occupied only a small part of the German civil sector when compared to the transformation process in the federal armed forces.⁸⁹

The Police

In Germany, in principle, it is the duty of the police forces of the individual Federal States, along with other authorities, to maintain public safety and order.⁹⁰ The German Constitutional Law, as well as federal laws, however, charge the federal government with police duties in important areas of

public order and security. Therefore, a federal police (Bundespolizei) exists for special duties, particularly at the borders, along with a federal criminal police office (Bundeskriminalamt). These forces are the responsibility of the Federal Ministry of the Interior. There are additional authorities within the sphere of other federal ministries that also have police duties, such as Customs at the Federal Ministry of Finances and the Water and Shipping Directorates at the Federal Ministry of Transport.⁹¹ The German police are made up of around 266,000 officers.⁹² However, due to the fragmentation of the federal police and the 16 state police forces, Germany has a problem maintaining leading police commanders (the police forces of the federal states [Länder] have few high ranking leading police officers).⁹³

As already mentioned, Article 32 of the Constitutional Law allocates foreign policy issues to the federal level and not to the individual federal states.⁹⁴ Therefore, the participation of German personnel in international missions and operations rests within the responsibility of the Federal Republic of Germany (FRG). Article 24 II of the Constitutional Law enables and legitimates the participation of the FRG in systems of mutual collective security.⁹⁵ These two articles of the German Constitutional Law form the basis for the employment of police and military forces in this context, especially in ESDP missions and operations.⁹⁶

The German police force can be employed abroad only in limited use due to constraints of constitutional authorization and use of arms.⁹⁷ German police officers/force must not operate under a military command, like the French Gendarmerie or the Italian Carabinieri forces. Moreover, they can only be employed on a voluntary basis in a militarily secure environment.⁹⁸

Within the framework of the mutual collective security systems, the Permanent Conference of the individual Federal States ministers of Interior and the federal minister of Interior decided on 25 November 1994, that individual Federal States may contribute to and participate in overseas missions involving police. They agreed to establish a joint working group which meets as soon as a possible mission is announced.⁹⁹ The wording of the agreement clearly indicates that this is a common task of the individual Federal States and the FRG and that decisions and contributions are to be made jointly. This requires the coordination of 16 Federal States, which could impair overall flexibility. In the case of a joint police contingent, police officers of the Federal States are under the responsibility of the

foremost, it operates as special trained unit for police missions abroad, and means: (i) special training with regard to language capabilities, intercultural competence and other special demands for missions abroad; (ii) readiness for deployments on short notice for civil crisis-management missions; (iii) sustainability and autarky for missions up to six months; and (iv) in principle, the unit can be deployed as a whole working unit or in mission-tailored parts.¹⁰⁶ Whereas the German police focus on the building-up and commitment of rapid deployment forces, German contributions to the crisis response teams are made by the “other contributors” only.

The German Armed Forces: Die Bundeswehr

Historical Developments

The German forces were planned and built up in 1955 as pure defence and alliance forces. In comparison to German military history, this was a fundamental change. Primacy of politics (*primat der politik*) and political control through the German Parliament (German Bundestag) have been established as basic principles of Germany’s new forces. The “concept of leadership and civic education” (*konzept der inneren führung*) and the model of the “citizen in uniform” are further mandatory pillars for the Bundeswehr. A logical implication of the model of the “citizen in uniform” was the introduction of compulsory military service in Germany.¹⁰⁷ In sum, the Bundeswehr was founded as a defence force, an alliance force, a parliamentary force and a citizen force in uniform.¹⁰⁸

The role of the Bundeswehr as a tool of German foreign and security policy changed significantly over the past decades. The Cold War era, with its bloc confrontation, saw the Bundeswehr as a solid part of NATO and its deterrence strategy, not designated for other tasks. The end of the Cold War terminated this static role.¹⁰⁹ The reunification of Germany in 1990 produced new international and domestic challenges that fundamentally changed the parameters of the foreign and security policy.¹¹⁰ Now it was time for a general review of the German foreign and security policy and in particular the role of the Bundeswehr. The safeguarding of German interests was no longer merely the defence of German territory. German interests had to be defined in broader terms of geography and subject matters. This process was (and sometimes still is) demanding and difficult for Germany.

The politicians carefully familiarized the armed forces with their newly expanded role. The first mission outside Germany began after the 1990

Gulf War where German minesweepers travelled in the Persian Gulf to alleviate the consequences of the war. More missions followed in Cambodia, Somalia, and in the Balkans. In 1999, the Bundeswehr participated in a war for the first time in its history: the war in Kosovo. The Bundeswehr was not equipped or trained for missions abroad; therefore, limitations quickly became obvious. Legal regulations were missing for care of wounded and fallen soldiers and their families. But more missions fol-

But how should “defence” be defined? Broadly or narrowly? Second, Article 24 II¹¹⁸ enables and legitimates the participation of the FRG in systems of mutual collective security¹¹⁹ and accepts associated limitations upon its sovereign powers.¹²⁰

In 1994, after the German government, under political pressure, agreed to participate in three missions, the Federal Constitutional Court declared the deployment of German armed forces constitutionally outside the definition and declaration of a state of defence.¹²¹ The deployment of German armed forces requires that it take place within an alliance of collective

and is subject to extensive examination by the judicial experts of both ministries. Before it can be discussed by the Bundestag, the request must also be assessed by the Federal Ministry of Justice, the Ministry of the Interior, and the Ministry of International Development. Naturally, this entire process involves consultation within the governmental coalition partners and Alliance partners through the respective channels. Procedures have been optimized over time.

The constraints governing the deployment of the Bundeswehr are defined by a mandate given by the Bundestag. It combines national and international legal bases of the deployment with a mission statement, goals

support and sustainability, survivability, and force protection.¹²⁹ The overall capabilities of the Bundeswehr take priority over the capabilities of the individual organizational areas and services. The capability to restore national defence readiness must be retained in the event of a deterioration in the political situation. The basic ability for this is ensured through universal conscription.¹³⁰ The creation of three force categories constitutes the core of transformation: Response Forces, Stabilization Forces, and Support Forces.¹³¹ These force tiers will be specifically trained and equipped for their respective missions. Their overall capability will fully develop from the joint action of the Army, Air Force, Navy, Joint Support Service, and Central Medical Service. The Bundeswehr will now be consistently oriented to the enhancement of its capabilities. The majority of the necessary measures will commence in 2007 and will be reflected in new structures, adapted planning of materiel and equipment and demand-oriented stationing.¹³²

In order to be able to cope with the dynamic nature of the transformation process, the Centre for Transformation (Zentrum für Transformation) and the Response Force Operations Command (Kommando Operative Führung Eingreifkräfte) have been established. They are tasked with the coordination of the transformation process and the development of joint capabilities. Significant progress was made in the intelligence capabilities with a new agreement on further and deeper cooperation between the Federal Intelligence Service (Bundesnachrichtendienst) and the Bundeswehr in order to satisfy the increased informational needs of the Bundeswehr and the federal minister of Defence. The capability for network-centric operations is very important in the future joint, combined, and multinational environment; therefore, a joint command, control, and information system is being established within the Bundeswehr. Improvement in the field of command and control will be made within the individual services.

With the procurement of the satellite-based strategic reconnaissance system SAR-Lupe and in cooperation with the French HELIOS system, the Bundeswehr gains the capability for worldwide, independent strategic reconnaissance. This was also organizationally manifested with the formation of the Strategic Reconnaissance Command (Kommando Strategische Aufklärung). The maritime reconnaissance aircraft, ORION, and combat vehicle, FENNEK, are being procured. As a substitute for the old BREGUET ATLANTIC aircraft in the signals intelligence (SIGINT) role, unmanned aerial vehicles are under consideration.

In the capability categories of support, sustainability, and mobility the main emphasis is on a strategic airlift capability with the AIRBUS A 400 M. In the meantime, a leasing arrangement with AN 124 has been established (Strategic Airlift Interim Solution, SALIS). Additionally, the first NH90 helicopters came into service.

Another priority is set on the procurement of armoured vehicles like the DINGO and DURO. In the capability categories of effective engagement, survivability, and force protection progress will be made with the procurement of the new weapon systems like EUROFIGHTER, MEADS (Medium Extended Air Defence System), Frigates Class 124 and 125, Submarine Class 212 A, armoured personnel carrier PUMA and the helicopter, UH TIGER. The equipment for the “Future Infantryman” will also be procured.¹³³

At least in the medium term, the Bundeswehr will be equipped with modern, sophisticated and, for the new task spectrum, appropriate equipment and weapon systems. The key to success will be the maintenance of the invested portion of the national defence budget and the simultaneous reduction of the operating costs under strapped defence budgets in the future. The structure of the Bundeswehr, which is still too oriented toward territorial defence, needs some additional time for change. That is one of the reasons why the Bundeswehr admittedly still has problems today in coping with its missions abroad in terms of sustainability.¹³⁴ Nevertheless, “newly shaped along these lines, the Bundeswehr will be better prepared to meet the challenges of the twenty-first century and ensure security and protection for Germany’s citizens.”¹³⁵

Contributions to the Headline Goals and the Battle Group Concept

At the Capability Commitment Conference on 20 November 2000, the nations reported their contributions to the Helsinki Headline Goal. These have been summarized in the *Helsinki Force Catalogue* (HFC). In total, approximately 100,000 military personnel, 400 combat aircraft, and 100 combat vessels have been committed to the HFC. Germany volunteered to participate in operations with up to 18,000 military personnel¹³⁶ (from a force pool of approximately 32,000 military personnel: about 12,000 Army,¹³⁷ 7,000 Air Force, 4,000 Navy, 3,000 medical, and 6,000 other military personnel, 90 airplanes, and 20 ships¹³⁸). According to media sources, this is the largest force committed by one nation, and is followed

by the United Kingdom (12,500 troops, 72 airplanes, and 18 ships), France (12,000 troops, 72 airplanes, and 15 ships).¹³⁹ In comparison, the German contribution equals its political weight within the European Union.

In this context, the FRG also reported in 2001 the provision of an Operations and Force Headquarters (OHQ and FHQ). The OHQ function will be provided by the Bundeswehr Operations Command (Einsatzführungskommando der Bundeswehr) in Potsdam. The FHQ function will be provided by the Response Force Operations Command (Kommando Operative Führung Eingreifkräfte) in Ulm. France, Great Britain, and Germany are the only EU member states with an OHQ and FHQ capability available. The OHQ symbolizes the military-strategic level and remains headquartered in Germany. The FHQ stands for the operational level leading the Component Commands (CC) of the "single services."¹⁴⁰ The German Army (with the HQ EUROCORPS in Strasbourg and the HQ I.GE/NL Corps in Münster), the German Air Force (with the German Air Force Air Operations Command in Kalkar), and the German Navy (with the Fleet Command in Glücksburg) provide HQs, which could serve as nuclei for Joint Forces Land/Air/Maritime Component Command Headquarters ((JF) LCC/ACC/MCC HQ).¹⁴¹

Germany and France will act as framework nations for the development of a multinational European Air Transport Command (EATC) and both intend to assign the main part of their national air transport assets to the EATC. The respective procedures are under development. The goal is to start the EATC in 2007, with Initial Operational Capability (IOC) in 2008.

Under the German lead, the capability gap in the area of strategic airlift could be closed until suitable national air transport assets are procured and operational (e.g., A 400 M).¹⁴² With the official commissioning of the Strategic Airlift Interim Solution, (SALIS) on 23 March 2006, the 16 participating EU and NATO nations (15 European states and Canada), have ensured timely and reliable access to strategic air transport assistance. For this, up to six AN-124 aircraft are available for multinational NATO or EU missions. Two AN-124 (the largest transport aircraft in the world) will be constantly stationed in Leipzig, Germany.¹⁴³ It is of particular importance that SALIS serves both EU and NATO. This is in line with the development of the strategic partnership between both organizations. SALIS reflects the demands of the current security situation in the world and avoids duplication.

As a result of the European Headline Goal 2010 process in June 2004, the European Council decided on the Battlegroup Concept. Since January

2006, a German battlegroup with French participation, including the German OHQ and FHQ, has been on standby. From July onwards a French battlegroup with German participation will be ready. The BG Concept will be fully operational (FOC) at the beginning of 2007. From then on, two battlegroups shall be on standby in each six-month period. Battlegroups will then be formed by a framework nation with two or more partners. In I/2007 Germany will contribute one battlegroup (incl. OHQ and FHQ) with the Netherlands and Finland as partners. As FOC is predicted for I/2007 this battlegroup will serve as a template. Further German contributions are planned for I/2008 as part of a Spanish BG, and for II/2008 together with France based upon the German/French Brigade and with Belgium, Luxemburg, and Spain as partners. In the medium period, further contributions are planned for I/2010 as a significant part of the Polish BG. After 2012, a German BG with Austria and the Czech Republic is under consideration. With the above-mentioned contributions toward the BG Concept, Germany committed itself until 2012. Taking the other commitments (NATO NRF and current operations) into consideration, this is a significant contribution. Germany, once again, was and is a driving factor in the EU's crisis-response capabilities, conceptually and with commitments, so that within one year from design, the BG Concept could be transformed into a reality.

4. *ESDP Operations and German Contributions*

Completed Operations

EU Military Operation in the Former Yugoslav Republic of Macedonia (FYROM) (CONCORDIA)

Operation CONCORDIA, launched on 31 March 2003, was the first military operation of the EU and was part of the European Union's overall commitment to assist the efforts of the Government of FYROM to move closer to EU integration.¹⁴⁴ With the aim of further contributing to a secure, stable environment, and ensuring the implementation of the August 2001 Ohrid Framework Agreement, which settled the conflict between Macedonian Slavs and Albanians, EU forces took over from NATO's Operation Allied Harmony. France initially acted as the framework nation. The EU force patrolled the ethnic Albanian populated regions of the FYROM that border Albania, Serbia, and the Kosovo. The operation was requested by the FYROM government and backed by the United Nations Security Council Resolution 1371. Of the 15 EU member states at the time, all except Ireland and Denmark participated. Furthermore, 14 non-member states contributed forces to the mission. In total, 357 military personnel were committed; 308 from EU members and 49 from non-EU member states. Germany deployed 26 soldiers or 7.3 percent (8.5 percent) of the overall forces. As this mission was conducted with full recourse to NATO assets, it was the first example and test case for the strategic NATO-EU partnership and the Berlin Plus Agreement.¹⁴⁵

The Deputy SACEUR (DSACEUR), German Admiral Dieter Feist, was the Operations Commander at the military-strategic level. The position of the Force Commander (operational level) on the ground was held by a two-star general. Normally a troop body the size of CONCORDIA is commanded by a lieutenant colonel or full colonel. In this case, the operational and tactical levels came together because of the small force package. As this mission was a test case for the EU and all participants with significant political implications, this high-level leadership seems justified, notwithstanding some opinions that talked of the command and control set-up as “blown out of proportion.”¹⁴⁶

CONCORDIA was a classic peacekeeping operation when the EU took over. The necessary forces were already deployed in theatre as part of the larger NATO force. As such, it was not a challenging mission, but it was ideal for the purpose of forcing politicians and militaries to apply new procedures and to set a symbolic positive signal for following ESDP Operations.¹⁴⁷ Operation CONCORDIA was completed on 15 December 2003.

*EU Police Mission in the Former Yugoslav Republic of Macedonia
(PROXIMA)*

the Federal States — about 14 percent of the overall mission strength of 150 personnel (in total, 36 German police officers served for PROXIMA).¹⁵⁰ Taking into account the German problem with committing leading police commanders, this was a considerable contribution in relation to Germany's weight within the EU.

*EU Military Operation in the Democratic Republic of Congo
(ARTEMIS)*

The first autonomous EU military crisis-management operation, code-named ARTEMIS, was conducted in accordance with the UN Security Council Resolution 1484 (30 May 2003).¹⁵¹ On 12 June 2003, the European Council adopted the plan and launched the operation. It ended officially on 1 September 2003. The UN Resolution authorized the deployment of an interim emergency multinational force in Bunia (Ituri region) until 1 September 2003. The European military force worked in close coordina-

Africa, Canada, and Brazil. Further personnel were attached to the headquarters in Paris from additional countries, including the Netherlands and Hungary.¹⁵⁶

Germany seconded in total about 100 soldiers: 35 for air transport tasks, about 60 for medical evacuation (MedEvac) and two to the headquarters in Paris. Their task was the logistical support of the ARTEMIS force via the route: Germany-Uganda (Entebbe) through C-160 Transall. Further-

The estimated total size of EUJUST THEMIS was about ten international civilian experts plus local staff.¹⁶¹ Germany seconded one (female) judge.¹⁶²

Current Operations

EU Military Operation in Bosnia and Herzegovina (EUFOR – ALTHEA)

On 25 November 2004, following NATO's decision at the Istanbul Summit in June of that year to conclude its SFOR mission in Bosnia and Herzegovina (BiH) the EU Council adopted a decision to launch an EU-led follow-on operation with recourse to NATO assets under the Berlin Plus Agreement. The decision was based on the unanimous adoption of the UN Security Council resolution 1575 on 22 November 2004.¹⁶³ The military operation ALTHEA was launched on 2 December 2004. A robust military force (EUFOR) — at the same force levels as SFOR (7,000 troops) — with a UN-mandated Chapter VII mission to ensure continued compliance with the Dayton/Paris Agreement. EUFOR is the largest force ever launched by the EU (in total 33 countries contributed, including 22 EU member states and 11 non-member states).¹⁶⁴ The key objectives of ALTHEA were to provide deterrence and continued compliance with the responsibility to fulfil the role specified in the Dayton/Paris Agreement (General Framework Agreement for Peace in BiH) and to contribute to a safe and secure environment in BiH. This contribution must be in line with the mission's mandate and must achieve core tasks in the OHR's (Office of the High Representative) Mission Implementation Plan and the stabilization and association process (SAP). The key supporting tasks are to provide support to the International Criminal Tribunal for the Former Yugoslavia (ICTY) and relevant authorities, including the detention of persons indicted for war crimes (PIFWCs), and provide the security environment in which the police can act against the organized criminal network. The operation is part of a coherent EU approach.¹⁶⁵

The Council of the European Union makes basic decisions concerning the operation with assistance from the Secretary General of the Council/High Representative for the CFSP. Political control and strategic direction of operation ALTHEA is exercised by the Political and Security Committee (PSC). The EUMC monitors the proper implementation. The Deputy Supreme Allied Commander Europe (DSACEUR) is appointed as the EU

Operation Commander¹⁶⁶ and the current EU Force Commander is Major General Gian Marco Chiarini (Italian Army).¹⁶⁷

On 17 November 2004, the German Bundestag decided upon the Bundeswehr's participation in Operation ALTHEA. Of the maximum of 3,000 German troops to be seconded, 1,000 are currently deployed.¹⁶⁸ The German troops support ALTHEA's mission to ensure continued compliance with the Dayton/Paris Agreement, to contribute to a safe and secure environment in BiH, and to ensure freedom of action of its own troops, international organizations and non-governmental organizations (NGOs). Furthermore, the German contingent is tasked to monitor the compliance with arms control agreements.¹⁶⁹ Of the overall EUFOR strength of about 6,300 troops, the Bundeswehr provides the largest troop contribution.¹⁷⁰ In March 2006, 969 German soldiers (about 15.4 percent of the overall strength) are deployed in Bosnia.¹⁷¹

As already mentioned, this operation is a huge step forward in the development of ESDP in terms of size and ambition. It indicates that a (in this case!) united EU is willing to take over more responsibility, especially in the Western Balkans. But two challenges still remain for operation ALTHEA. First, it must maintain its credibility in terms of being able and willing to back up words with actions. Second, as the EU is now in charge of the whole spectrum of crisis-management tools, it must ensure coherence with the EU's wider objectives in BiH and especially the concurrent EUPM mission.¹⁷² The integration of civil and military operations in a region vital to European interests allows the EU a significant shift from peacekeeping to peace-building. Therefore, military operation is not the main challenge; rather, the challenge has become the development of the integrated crisis-management approach in BiH, as a foundation for future missions.¹⁷³

In sum, operation ALTHEA was conducted without significant problems and Berlin Plus is functioning properly. It is now important to further develop and foster local ownership.

EU Police Mission in Bosnia and Herzegovina (EUPM)

The European Union Police Mission (EUPM) in Bosnia and Herzegovina (BiH) was formed in March 2002 by Council decision on UN Security Council Resolution 1396 (5 March 2002). On 4 October 2002, a respective agreement was signed with the BiH authorities defining the conditions and terms of EUPM.¹⁷⁴ EUPM began on 1 January 2003, and followed the

UN's International Police Task Force (IPTF). The capacity-building EUPM, as the first civilian crisis-management operation under ESDP, supports reform and modernization of the BiH police forces as well as provides training and assistance in the fight against organized crime and corruption. As with all ESDP police missions so far,¹⁷⁵ EUPM has no executive mandate.¹⁷⁶ Approximately, 530 police officers (about 80 percent from EU member states) perform monitoring, mentoring, and inspection activities. The police officers are supported by about 400 support staff.¹⁷⁷

In light of the end of EUPM's mandate on 31 December 2005, the EU reviewed the mission and decided to put in place a follow-on mission beginning on 1 January 2006 with a two-year mandate. As part of the broader rule-of-law approach it will mentor, monitor, and inspect the BiH police forces, with the goal of establishing a professional, sustainable, and multi-ethnic police service, which operates in accordance with the highest international and European standards. The tasks of the mission will be focused on the fight against organized crime, the main problem in BiH.¹⁷⁸

Germany participates with up to 90 police officers from both the federal police units and the individual federal states (about 20 percent of the EU member states' contribution and about 17 percent of the overall strength). In total, 262 police officers had been seconded by 28 February 2006.¹⁷⁹ Since 31 January 2006, the former German politician, Christian Schwarz-Schilling, has been the EU Special Representative (SR) to BiH.¹⁸⁰

EU Police Advisory Team in the Former Yugoslav Republic of Macedonia (EUPAT)

The launch of the capacity-building police mission EUPAT followed the termination of the mandate of the EU Police Mission PROXIMA on 14 December 2005. EUPAT includes around 30 police advisors and supports the development of an efficient and professional police service based on European standards of policing.¹⁸¹ The EU's Political and Security Committee (PSC) will provide the political control and strategic direction. The Secretary General/High Representative (SG/HR) will give guidance to the Head of EUPAT through the EU Special Representative (EUSR). Head of Mission is the German police officer, Brigadier General Jürgen Paul Scholz.¹⁸² "Under the guidance of the EU Special Representative and in partnership with the host government authorities, EU police experts monitor and mentor the country's police on priority issues in the field of border police, public peace and order, accountability, the fight against corruption,

*EU Border Assistance Mission at Rafah Crossing Point in
the Palestinian Territories (EU BAM Rafah)*

On 15 November 2005, Israel and the Palestinian Authority concluded an

The mission consists of integrated training in the fields of management and criminal investigation to be given to a representative group of senior officials and executive staff. The objective is the training of 520 judges, investigative magistrates, senior police, and penitentiary officers in 13 senior management courses, and of 250 investigating magistrates and senior police in seven management of investigation courses. In total, approximately 770 persons should be trained over a period of a year.¹⁹⁷

The EU has taken the lead on the reform of the criminal justice sector because it is the key to further stability in Iraq. Hence, follow-on missions under community programs are already under consideration to ensure the sustainability of the justice system and the strengthening of the rule-of-law sector.¹⁹⁸

By the end of 2005, 300 Iraqi officials had been trained. The first review outlined that the feedback on the courses has been positive with lessons learned by both sides. The mission is making overall progress toward its target:¹⁹⁹ 20 courses conducted within the EU and in the neighbouring region (in Arabic and Kurdish).²⁰⁰ Germany will conduct two courses, each four to five weeks long and for approximately 40 participants. To date, one senior management course was conducted in Germany.²⁰¹

EU Police Mission in Kinshasa (DRC) (EUPOL Kinshasa)

The government of the Democratic Republic of Congo (DRC) addressed an official request to the EU for assistance in setting up an integrated police unit (IPU), in October 2003.²⁰²

In response, the capacity-building police mission EUPOL Kinshasa was launched. Its purpose was to contribute to ensuring the protection of the state institutions, reinforce the internal security apparatus in support of the transition process, and provide assistance and guidance to the Congolese IPU. The mission consists of approximately 30 staff members.²⁰³ In light of the presidential elections in the DRC expected in June 2006, the EU decided to extend EUPOL Kinshasa's mandate until 31 December 2006. According to the

organizations in order to achieve a more orderly world, as stressed in the ESS.²¹¹

Germany supports the civilian police contribution to AMIS II with five police officers from both the federal police units and the individual federal states. One high-ranking police officer supports the development of a planning unit within the AU Secretariat in Addis Ababa. The others support the police chain of command within the AU mission. The emphasis is placed on the enhancement of the mission related to the training of the AU police personnel.²¹²

A German Colonel acts as liaison officer of the EU to the AU in Addis Ababa. The mission began in December 2004 with its first airlift support for the AU, transporting approximately 200 Gambian troops and four tons²¹³ of freight to El Fashir in the Darfur region.²¹⁴ The Gambian troops were brought directly from Banul (Gambia) to N'Djamena (Tschad) with an Airbus A-310. From N'Djamena the personnel were brought with special protected Transall C-160 aircraft to El Fahir. The materiel was flown via the Banul — Niamey (Niger) — N'Djamena route and then on to El Fashir with C-160.²¹⁵ In October 2005, a similar support operation was conducted by the Bundeswehr. This time, 280 police officers from Ghana were flown from Accra (Ghana) to N'Djamena with A-310 and then continued on with special protected C-160 to El Fashir.²¹⁶ In March 2006, another airlift support took place. This time about 540 soldiers and over 59 tons of freight from Senegal were deployed in the region. In contrast with the previous missions, France ensured the transport to N'Djamena, where the Bundeswehr took over the airlift with a C-160 aircraft to El Fashir.²¹⁷ Each mission lasted about two weeks. By making the critical resource airlift available, Germany highlighted its growing global responsibility and its support for the development of ESDP.

EU Monitoring Mission in Aceh (AMM)

The EU-led monitoring mission in the Indonesian province, Aceh, is of a civilian nature and the first ESDP mission to take place in Asia.²¹⁸ The deployment of the Aceh Monitoring Mission (AMM) followed an official invitation addressed to the EU and the five ASEAN contributing countries by the Government of Indonesia. The Free Aceh Movement (GAM) leadership also stated its full support for AMM. On 15 September 2005, the European Union, together with Norway, Switzerland, and five contributing countries from ASEAN, launched the AMM. The mission was designed

to monitor the implementation of various aspects of the peace agreement set out in the memorandum of understanding (MoU) signed by the Government of Indonesia and the GAM on 15 August 2005. The AMM became operational on 15 September 2005, the date on which the decommissioning of GAM armaments and the relocation of non-organic military and police forces began. On 27 February 2006, the EU Council decided to extend the duration of the mission by three months to 15 June 2006.²¹⁹

from EU member states, as well as some 50 local support staff, bringing the total to nearly 120. The aim is to build confidence, strengthen cross-border cooperation, and facilitate the exchange of information between the two countries. This mission helps to prevent smuggling, trafficking, and customs fraud by providing advice and training to improve the capacity of the Moldovan and Ukrainian border and customs services.²²⁵

Germany sends five police officers from the federal police and five customs officers (15 percent from the total number of experts).

Planned Operation: EU Support to MONUC in the Democratic Republic of Congo

On 27 December 2005, the United Nations asked the EU for European troops in support of the United Nations Organization Mission in the Democratic Republic of Congo (MONUC) during this year's upcoming elections.²²⁶ The European Union contributed preparations for this process to enable the rescheduled elections to take place in the summer of 2006.²²⁷

The request of the United Nations triggered an intense political discussion within the European Union and between its member states. Controversial political discussions also arose in Germany, where overstretched German federal armed forces (Bundeswehr) and the possible confrontation with "child-soldiers" were causes for concerns.²²⁸

The result was a severe reluctance within the EU member states to make any commitments in this respect. At first, Germany refused to take over the operation lead. Great Britain opted out because of a military overstretch due its engagement in Iraq and Afghanistan. France also showed resistance. But opinions changed at the end of January 2006, especially in Germany. Increasingly, politicians indicated a shift toward German participation.²²⁹ As crisis prevention in a multilateral context is an elementary part of German foreign and security policy, the question of credibility is immediately connected to Germany's decision in this respect. Moreover, it is in Germany's best interest, as one of the most prominent advocates of CFSP and ESDP within the EU, to strengthen the credibility of the EU as a reliable partner of the UN and guarantor of the promotion of international peace. The German-supported BG Concept is strongly focused on the support of the UN.²³⁰ Furthermore, in Africa, Germany is recognized as a neutral power without colonial interests which would favour Germany as the leader of the operation.²³¹

On 6 March, after the EU Defence Ministers Meeting in Innsbruck, optimistic signals for the conduct of an EU operation were sent out.²³² Defence Minister Jung confirmed the German willingness to take over the lead of the mission under the following four prerequisites: first, a common commitment of the EU member states; second, a geographical concentration on Kinshasa as well as a timely limitation of the mission to four months; third, consent from the Congolese government; and fourth, a clear UN mandate for the mission. Initially, 17 countries, including Great Britain and Italy, presumably did not want to participate. Except for Poland and Austria, EU member states made only general and non-binding assurances. Military overstretch and sloppy preparation of the operation were given as reasons for the reluctance.²³³

By mid-March communication problems and misjudgements had led to discord between Brussels and Berlin. Germany wanted to see its demands fulfilled prior to making further commitments. It expected France to take charge of the force headquarters in Kinshasa and to contribute one-third of the troops. The remaining third was to be contributed by other nations. These states, however, were not willing to make commitments until an operational plan was elaborated. This could only be done by the assumed operations headquarters, the Bundeswehr Operations Command in Potsdam, after a decision of the German Bundestag in favour of the operation.²³⁴ But as of 14 March, no clear approvable concept was presented by the EU;²³⁵ however, for the first time, German and European interests in DRC's resources were articulated by German politicians to promote political consent in Germany.²³⁶

On 19 March 2006, the president of the DRC agreed upon the operation.²³⁷ On 23 March 2006 the EU approved the mission on the condition that it be UN-mandated. Under German leadership, approximately 2,000 troops will participate.

The UN Security Council voted unanimously for the mission and issued Resolution 1671 (2006) on 25 April 2006. Two days later the mission EUFOR RD CONGO was decided upon by the EU Council. The Council appointed the German Lieutenant, General Karl-Heinz Viereck, as Operation Commander and the French Major General Christian Dammay as Force Commander. The mission will officially start with the first round of the parliamentary and presidential elections, and continue for a period of four months.²³⁸ Reportedly, the parliamentary scheduled presidential elections in the DRC originally planned for 18 June 2006 were now to take place on 30 July 2006.²³⁹ The mission will support MONUC, support a possible

Besides Germany and France, who will contribute 780 and 854 troops, 16 more partner nations (e.g., Spain, Poland, Sweden, Belgium, Italy, Greece, Austria, Ireland, Great Britain, Finland and Portugal)²⁴¹ will participate with a total of 400 troops.²⁴²

On 1 June 2006, the German Bundestag decided upon the German contribution.²⁴³ Germany will contribute its operations headquarters (OHQ) in Potsdam and a maximum of 780 troops (500 combat/response forces and 280 support forces).²⁴⁴ Presumably, 320 German soldiers will be sent to Kinshasa. The rest will stay as reserve and for logistical support in Libreville, Gabon or serve as part of the OHQ in Potsdam.²⁴⁵ The area of operation of the German troops will be limited to the “area of Kinshasa,” whereas the area of operations for EUFOR RD CONGO will be the DRC including its territorial waters.²⁴⁶

Despite the foreign and security policy reasons in favour of an operation in support of MONUC, there are some military arguments, that do not support a deployment to the DRC. First, one has to ask what an additional 2,000 EU soldiers could contribute in this huge country where 17,000 UN soldiers are already overburdened. This concern is increasingly legitimate if the EU — as the plans indicate — only deploys approximately 800 to 1,000 troops as “deterrence force” into Kinshasa while the rest wait outside on ships or in a safe neighbouring state. Moreover, if the main goal of the EU force is to secure the airport in Kinshasa and to evacuate Europeans in case of an emergency, any deterrence component of the mission can hardly be identified.

The second argument against the mission is provided by military crisis-management history. If one looks at past operations, it can easily be seen that no mission can be limited to a short period of time. It is always easier to go in than to pull back. That is a striking argument because nobody can rule out the possibility that the result of the upcoming elections will be an intensification of the existing chaos.²⁴⁷ Also, some scepticism has been observed within the Bundeswehr. The German military is worried because of overstretching personnel due to non-EU commitments to NATO and UN; the nature of the mission is different from the traditional peacekeeping to which German forces are accustomed; armed conflicts with child soldiers cannot be ruled out; the climate necessitates many vaccinations from which many soldiers become ill; and the Bundeswehr lacks experience in this region.²⁴⁸

Therefore, the only legitimate reason for the EU support of MONUC is to send a political signal to the international community.

Summary and Assessment

The first ESDP mission and ESDP police mission (EUPM) began in January 2003 in Bosnia and Herzegovina (BiH). It was also in the Balkans that the first military mission, CONCORDIA, in FYROM took place from March to December 2003. This was a test for the strategic partnership between NATO and Berlin Plus. CONCORDIA was followed up by the police operation, PROXIMA. These operations had a manageable size of 150 to 500 personnel. In FYROM, the ESDP strategy was obvious: the military test-mission was followed by a manageable police operation for two years. Thereafter, the smaller police mission, EUPAT, took over in December 2005 and simultaneous community programs were launched to achieve long-term stability. In Bosnia and Herzegovina, the largest operation was launched with the military operation, ALTHEA, with recourse to NATO. Approximately 7,000 troops took over responsibility from the NATO Stabilization Force (SFOR) in December 2004. With ALTHEA the EU took a step forward to more large-scale, complex operations. This was a milestone for ESDP military operations in terms of credibility. In BiH, the EU is now exercising its comprehensive understanding of crisis management while simultaneous military (ALTHEA) and civil (EUPM and community programs) means are employed successfully.

In military terms, from June to September 2003, another example was set with operation ARTEMIS in the Democratic Republic of Congo (DRC). This operation was EU's first autonomous military operation without NATO support that took place more than 6,000 km away from Brussels. In this 1,800-troop operation, the framework nation principle was tested successfully for the first time. Civilian and military EU resources were combined in operations for the first time as civilian EU personnel were already present in the DRC. It is also in DRC, where the increased cooperation between the EU and the UN is reflected, based upon the Joint Declaration on UN-EU Cooperation in Crisis management (September 2003). Consequently, after the termination of ARTEMIS, the capacity-building police mission EUPOL Kinshasa was launched in October 2003 and the first security sector reform (SSR) mission EUSEC DR Congo was launched in June 2005. Both missions remain small (8 to 30 experts). The continuous effort and ongoing engagements in the DRC are a symbol for EU's willingness to take on more responsibility as a global actor, especially in Africa, and to intensify the cooperation with the UN. This is also confirmed through the EU support to MONUC in DRC. This mission will be a first test for EU's

Battlegroup Concept. This concept is a step in the right direction, especially in the context of constrained European (military) budgets.²⁴⁹ An increasing number of international and regional organizations ask the EU for support. During the ongoing EU support to AMIS II, the EU is cooperating for the first time with another regional organization, the African Union (AU).

The first rule-of-law mission, EUJUST THEMIS, with only ten participating experts, successfully took place in Georgia from July 2004 to July 2005. This was followed by another rule-of-law training mission in Iraq, EUJUST Lex, which started in February 2005, and is larger in size and level of ambition. This dimension of ESDP needs further development and resources.

The first mission in Asia (Southeast Asia) was conducted through the civil and military Aceh Monitoring Mission (AMM) beginning in September 2005. This mission illustrates Europe's active commitment to solving a long-lasting conflict on another emerging continent. The EU Border Assistance Mission to Moldova and Ukraine, which began in November 2005, is a sign for the further development of EU monitoring capabilities.

The EU and ESDP are also engaged in the Middle East in support of the peace process. In November 2005, the Border Assistance Mission at Rafah Crossing Point in the Palestinian Territories was launched. This mission was followed by the capacity-building police mission EUPOL COPPS, the first-ever police mission conducted by a third party in the Palestinian Territories. These missions, although small (70 and 33 personnel), show the willingness of the EU to take on greater active responsibilities in the Middle East peace process aside from being the largest donor to the Palestinian Authority.

The ESDP operations and missions show that the EU and its ESDP is able to react to ongoing or emerging crises and contribute to peace enforcement, reconstruction, and stabilization, as long as timely information and decision-making can be ensured. A problem that becomes important as the number of ESDP operations grows is the question of financing these missions.²⁵⁰

ESDP operations are not just simply one success story; with the operations conducted so far, a real multinational EU force has not been pushed to its limits. So far all ESDP police missions have been consultative or strengthening (and not executive) policing missions only. The results of these were partially unsatisfactory. The EU seems to not yet be ready for executive policing missions.²⁵¹ The EU support to MONUC and the chaotic preparation for the mission give reason for concern. Additionally, many

capability shortfalls still exist, for example, in C4ISR (Command, Control, Communications, Computers, Intelligence, Surveillance, and Reconnaissance) as well as in strategic sealift, deployable logistics, and special operations forces, to name the most important ones.²⁵² So far, for more complex and demanding operations NATO support is crucial.

The EU tries to continuously develop its ESDP operations. Although operations very often are small and limited, the EU seeks to increase the complexity of its operations and to combine military and civil means in order to come to an integrated approach in the medium term (e.g., in BiH, FYROM, and DRC). Especially in FYROM and BiH, ESDP strategies are identified in order to achieve a comprehensive, holistic crisis-management operation. It is clear that the EU prefers an evolutionary and secure approach, rather than one that is risky and adventurous, in developing its capabilities. Nevertheless, the ESDP acts globally: in Europe and its neighbourhood, in Africa, in Asia, and in the Middle East. Therefore, its course is heading back to earth, even if the space ship still needs some refurbishment.

The German contributions to ESDP operations are significant, various, and reliable. Germany, as one of the leading members of the EU and the “engine of the European integration,” fulfills and, in most cases, exceeds its oblig

Participation Act, Germany shows its willingness to improve on its shortfalls. I argue that extensive German parliamentary participation is even better than none. The constitutional constraints for the Bundeswehr and the police need further discussion and time to be improved. Nevertheless, Germany is increasingly willing to take over leading roles in operations as the EU support to MONUC in the DRC demonstrates. But the German contributions must also be seen in light of its distinctive multilateralism. Germany contributes increasingly to UN and NATO operations: 3,150 troops in Kosovo and 2,700 troops in Afghanistan. In total, some 7,500 troops have been deployed globally in 2006.

In addition, according to its comprehensive foreign and security policy approach, Germany also sends a significant number of civilian personnel to the different organizations and their respective operations as well as giving materiel support. Germany is already back on earth and guiding the EU spaceship back to its home base in Brussels.

5. *Conclusion: The Way Ahead*

ESDP

The summary of an article by Nicole Gnesotto, states:

ESDP is not a military policy that is separate or distinct from the Union's other instruments of intervention and international influence. Nor is the Union a mere provider of civil and military services. As the European Security Strategy (ESS) makes clear, the Union is a global power, capable of mobilizing economic, commercial, diplomatic, and military resources for the purposes of crisis management and in order to maintain international stability. The Union's primary objective, therefore, is coherence and effectiveness in terms of the instruments used in the pursuit of a common European policy, which makes any form of specialisation in the area of conflict resolution, whether civil or military, both irrelevant and impossible.²⁵³

The reality, however, shows some inadequacies. In contrast to the relatively homogeneous and distinct military component, the civilian side of ESDP, with its various instruments, developed more hesitantly. Moreover, a significant difference in regard to ranks and number of personnel at the working level can be observed in favour of the military component of ESDP. The development of the civilian ESDP sometimes seems pale in comparison to its military counterpart.²⁵⁴ The military could be graded with a B, the police a C, and the rest a D.

The worldwide employment of police forces in crisis management increased steadily during the last decade(s). Police missions seem to have become the noticeable core of stabilization missions.²⁵⁵ During the first

police missions, mandate, personnel, equipment, and financing issues caused the greatest number of problems. Also, cooperation with local authorities and international partners was not without difficulties. All these existing challenges show that the European police forces are not yet ready for their missions. The importance of police in crisis management is still underestimated.²⁵⁶

Reasons for existing deficits in the execution of ESDP in general, and ESDP operations in particular, can be found in unsolved structural issues within the EU. The Council and the Commission step in at different stages of the crisis cycle, but lack an efficient division of labour. Due to its better funding, only the European Commission is capable of handling long-term crisis management, which is necessary in most cases. Both institutions seem unable to coordinate overlapping actions and to overcome competitiveness and historically grown blockades. This could be best solved if the Council of the European Union would oblige both the Commission and the Council (of the ministers) to perform integrated crisis management.²⁵⁷ If the EU wanted to improve its overall performance with respect to crisis prevention and management, the coordination and enhancement efforts may not be limited to ESDP alone. The often confusing and unclear responsibilities and competences within the overall system of the EU need to be clarified and simplified.²⁵⁸ An institutional reform is overdue, especially with regard to streamlining and simplification.²⁵⁹

mistrust, competition, and information-sharing blockades between the two organizations.²⁶³ In his speech at the 42nd Munich Conference on Security Policy, the new German Federal Minister of Defence, Dr. Franz-Josef Jung, stressed the need for better cooperation and coordination between NATO and EU:

NATO and the EU must better coordinate the development of their capabilities, and we must adopt a jointly harmonized crisis management, as laid down in the Comprehensive Political Guidance. Berlin-Plus makes possible and calls for political consultations between these two organizations at an early stage; we must make a greater effort to put this into practice, that is to say, we must jointly determine objectives, parameters and who is to take action.... Altogether, however, we must achieve a higher efficiency of the common bodies of the two organizations. It is vital to explore all options for cooperation and to do more than merely exchange information. Possible areas of cooperation range from intelligence sharing to coordinated force planning to joint training of the NATO Response Force and the EU Battlegroups. One of these possibilities is the right of either organization to speak before the bodies of the other, another is the further development of diplomatic capabilities and, where possible, the pooling of military capabilities, and to make an even greater effort to pursue transformation.²⁶⁴

Mr. James Appathurai's (NATO HQ spokesman) comments during the Conference of Defence Associations Institute (CDAI) 22nd Annual Seminar in Ottawa on 23 February 2006 support this argument. Mr. Appathurai answered a question by stating that the cooperation between NATO and the EU at the military level is developing very fruitfully, whereas the cooperation and talks at the political level are now extremely limited to current operations under the Berlin Plus agreement.²⁶⁵ In this respect, NATO and EU should widen their focus and their discussions to developing crises, so that their cooperation becomes more effective.

As part of Berlin Plus, the (military) Capability Development Mechanism (CDM) of the EU was developed and endorsed as an expression of the limited resources in the sense of a "single set of forces." Hence, it is of the utmost importance that the capability requirements of EU and NATO and *vice versa* are harmonized continuously and that both organizations adhere to the agreed capability-development procedures. This applies especially, but not only, to military capabilities.

"All in all, Europe must become a strong partner. The European Security Strategy provides a solid foundation for that. Thus we can present ourselves as a true partner, and turn the European Union into a tangible

experience in these times where there is so much talk of Europe being in crisis.”²⁶⁶ In this sense, the Berlin Plus agreement should be reviewed with a mid-term perspective in order to enhance the mutual availability of capabilities and means for both EU and NATO.

One proposal could be to reverse the Berlin Plus agreement in order to make the civilian crisis-management instruments (particularly police forces) not only available for the UN but also for NATO (especially in situations where police and military forces have to work closely). This could enhance the weight and professionalism of the unique EU civil crisis-management apparatus, as well as the strategic partnership between both organizations on an equal level.²⁶⁷

A qualified division of labour, wherein the EU and NATO concentrate on capabilities where each has a comparative advantage seems to be feasible. A geographical division of labour is already going to be apparent: NATO concentrates on Afghanistan and increasingly on Iraq while the EU focuses on the Balkans (Macedonia, Bosnia, and probably in future Kosovo) and takes over more responsibility in Africa.²⁶⁸ The *Presidency Report on ESDP* (19 December 2005) invited the new Austrian presidency among others to start preparations for the EU’s possible future ESDP role in Kosovo and to further reinforce EU’s civilian crisis-management capabilities (especially rapid deployment, mission support, CRT and rapid deployable police elements).²⁶⁹

Anthony King goes beyond this when he writes that, “there are several political transformations which suggest that in future, NATO and the NRF, in particular, will subsume the ESDP,” and “there are further political developments which promote NATO as the most likely vehicle for European defence.”²⁷⁰ Nevertheless, he argues that a viable ESDP requires missions that unify military professionals and consolidate collective interests.²⁷¹ Germany, France, and Britain are the key players in this respect. Even if they converge on a strategic consensus, it is crucial for the future of ESDP that these three European powers “cooperate sufficiently closely to produce a distinctively European defence capability.”²⁷²

Unfortunately, the EU support to MONUC in the DRC serves as a negative example for the EU’s existing lack of experience in translating its valuable ESDP goals into practice. The mission in the DRC should have served as a glorious example of the EU’s dexterity, its seriousness about the strategic partnership with Africa and its deep loyalty to multilateralism. On the contrary, it currently serves as an example of the EU’s still young security and defence policy.²⁷³ Communication problems, misjudgement

of national peculiarities and needs, as well as half-baked decision-making processes are still a reality. These shortcomings remain even if some missions and operations in the past have proved the opposite and given legitimate reason for hope. This negative example makes it clear that a globally acting EU needs its own foreign minister with adequate personnel to be able to cope successfully with all future challenges.²⁷⁴

ESDP represents “a very different approach to doing international relations. It is decidedly post-Westphalian. It is comprehensive, radical, and potentially transformative. It is worth keeping an eye on.”²⁷⁵ In the end, strategic considerations and additional stimuli for further integration will decide a successful future for ESDP,²⁷⁶ as well as the future development of the US security policy and the role of NATO.²⁷⁷

Germany’s Role

As the largest member of the EU and the highest fee-paying member, Germany contributes to nearly all ESDP missions and operations. The standard for German (civilian) contributions is a minimum of 10 to 20 percent of the overall personnel strength.²⁷⁸ Moreover, Germany is normally the largest, or one of the largest, contributors of troops to military ESDP operations. This reflects its position in Europe and is in accordance with Germany’s own level of ambition.

In her speech at the 2005 Munich Conference on Security Policy, then Chairwoman of the Christian Democratic Party (CDU), Dr. Angela Merkel, outlined the four coordinates of German foreign policy for her party: own economic power and prosperity, European integration, transatlantic alliance, and a functioning and active United Nations.²⁷⁹

In its coalition treaty, the new German coalition government under the new Federal Chancellor, Dr. Angela Merkel, indicated the way ahead for Germany regarding the foreign and security policy and the role of the European Union. The coalition treaty unambiguously connects German policy to multilateralism and international organizations, thus excluding independent German efforts.²⁸⁰ Although the new coalition underlines the great importance of the EU as a European Pillar, it clearly takes a secondary position in the treaty behind NATO. This indicates a clear shift in comparison to the previous politics, where former Foreign Minister Fischer stated in several speeches that the first priority of German foreign and security policy is the strengthening of the EU.²⁸¹

- Further development of ESDP into a European Security and Defence Union (ESDU).²⁸⁶

ESDU may be sacrificed in order to keep up the transatlantic partnership and to show at least a little shift toward NATO preference, as indicated.

In his speech on the occasion of the Commanders' Conference of the Bundeswehr, the president of the Federal Republic of Germany, Horst Köhler, demanded "a broad discussion throughout the German society — not only about the Bundeswehr, but also about the Foreign, Security and Defence Policy of our country." At the same time, he demanded an active rather than reactive German foreign, security and defence policy.²⁸⁷

Germany should clearly identify its national interests, and then summarize them as a comprehensive German foreign, security, and defence policy in an interministerial/ interdepartmental coordinated document. Other states such as the United States do this on a regular basis. Canada did this in April 2004 by publishing Canada's national security policy,²⁸⁸ reviewing it one year later in April 2005,²⁸⁹ and publishing Canada's international policy statement (IPS), *A Role of Pride and Influence in the World* (19 April 2005). The Canadian IPS is composed of an overview and four documents that outline how Canada will deliver on its priorities through diplomacy, defence, development, and international commerce strategies.²⁹⁰

This example could serve as a basis for a German national security policy document and a German international policy statement clearly outlining Germany's interests, aims, and role in the world. The new German coalition government has taken a first step in the right direction: in its coalition treaty, it agreed that the Bundeswehr would provide a *Weißbuch* (White Paper) regarding Germany's security policy and the future of the Bundeswehr (*Weißbuch zur Sicherheitspolitik Deutschlands und zur Zukunft der Bundeswehr*) under the lead of the federal Ministry of Defence by the end of 2006.²⁹¹

It is important that this White Paper be decided upon by the overall government and that it does not remain just a Ministry of Defence document.²⁹² In an interview on 3 March 2006, federal minister of defence, Dr. Franz-Josef Jung, stressed that the new White Paper will be coordinated between all relevant ministries, decided upon and endorsed by the government cabinet as a governmental document (intended) before this year's parliamentary summer break.²⁹³

In the overall context of CFSP in general and ESDP in particular Germany has a clear leading role alongside Great Britain and France, which in contrast to the latter is exercised in a more reserved way. German history

demanding and still demands a certain level of reservation in foreign and security policy matters, and this has led to a culture of discreet leadership by mediation with strong contributions in materiel terms. Germany's place and role with Great Britain and France can be best described in a metaphorical way, imagining a seesaw with the latter states at each end trying to include their well-articulated and supported national interests and weights and Germany in the middle trying to keep the balance.

This is the role Germany was expected to play after the Second World War. I argue that over time, German governments have developed many skills in filling this mediation role and established a kind of "comfort zone," leaving public posturing to allied governments. Nonetheless, this should not be contrary to an active, not reactive, German foreign, security and defence policy as legitimately demanded by President Horst Köhler.

Notes

1. Robert Kagan, *Of Paradise and Power: America and Europe in the New World Order* (New York: Vintage Books, 2004), p. 3.
2. *Ibid.*, pp. 53-54.
3. Center for Strategic and International Studies (CSIS), *European Defense Integration: Bridging the Gap Between Strategy and Capabilities* (Washington: CSIS, 2005), p. 11.
4. See Robert J. Samuelson, "Drifting Apart," *The Washington Post*, Editorial, 5 May 2004; and Ivo Daalder/Robert Kagan, "The Allies Must Step Up," *The Washington Post*, Editorial, 20 June 2004.
5. Robert B. Zoellik, Deputy Secretary of State, United States, Speech to the 42nd Munich Conference on Security Policy, 4 Feb 2006 in Munich. At http://www.securityconference.de/konferenzen/rede.php?menu_2006=&menu_konferenzen=&sprache=en&id=176&.
6. Council of the European Union, *European Security Strategy: A Secure Europe in a Better World*, p. 1. At <http://ue.eu.int/uedocs/cmsUpload/78367.pdf>.
7. Klaus Becher, "Has-been, Wannabe, or Leader: Europe's Role in the World after the 2003 European Security Strategy," *European Security* 13 (2004): 345.
8. Kagan, *Of Paradise and Power*, p. 55.
9. See especially, Günter C.F. Forsteneichner, *Europäische Sicherheits- und Verteidigungspolitik*, Informationen zur Sicherheitspolitik ISP, Sonderheft I/2004 (Report Verlag, Bonn, June 2004), pp. 11-14; Antonio Missiroli, "Background of ESDP (1954-1999)." At <http://www.iss-eu.org/esdp/02-am.pdf>. Jan-Yves Haïne, *ESDP: An Overview*." At <http://www.iss-eu.org/esdp/01-jyh.pdf>.
10. Misha Glenny, *The Balkans: Nationalism, War, and the Great Powers, 1804-1999* (New York: Penguin Books 2001), p. 637.
11. Consolidated Version of the Treaty on European Union, Article 11. At http://europa.eu.int/eur-lex/lex/en/treaties/dat/12002M/htm/C_2002325EN.000501.html#anArt11.

12. The first pillar (supranational) is the European Community (economic, social, and environmental community), the third pillar (intergovernmental) deals with police and judicial cooperation.
13. Ernst-Christoph Meier, Richard Rosmanith and Heinz-Uwe Schäfer, *Wörterbuch zur Sicherheitspolitik* (Hamburg: Verlag E.S. Mittler & Sohn, 2003), p. 310.
14. Benjamin Zyla and Ulrich Scholz, "Europe's Military Capability in Crisis Management," in *Cornwallis X: Analysis of New and Emerging Conflicts*, ed. Ted Woodcock (Ottawa: Pearson Peacekeeping Press, 2005).
15. Glenny, *The Balkans*, p. 652.
16. Until 1 July 2001, the transformation of the WEU to its residual structures and functions was completed. The WEU lost its operational function, but the Parliamentary Assembly still meets. Meier, Rosmanith and Schäfer, *Wörterbuch zur Sicherheitspolitik*, p. 416.
17. Glenny, *The Balkans*, p. 655.
18. Führungsakademie der Bundeswehr, FB SPS, Hamburg, *Reader Sicherheitspolitik Ausgabe SOL 1-05*, p. 106.
19. Forsteneichner, *Europäische Sicherheits- und Verteidigungspolitik*, p. 14.
20. Missiroli, "Background of ESDP."
21. Forsteneichner, *Europäische Sicherheits- und Verteidigungspolitik*, p. 15.
22. Denmark participates in ESDP only in special individual cases. See: Forsteneichner, *Europäische Sicherheits- und Verteidigungspolitik*, p. 15 and the Protocol to the EU treaty.
23. Haïne, *ESDP: An Overview*. The quote comes from the common declaration of the European Council meeting in Cologne, 3–4 June 1999.
24. Jean-Paul Perruche, "The European Union Military Staff on its Way Ahead," *EUROFUTURE* (Autumn 2005): 50.
25. I will refer to EUMC and EUMS later in more detail.
26. Decided at Cologne, further elaborated at Helsinki in December 1999 and finalized at Santa Maria da Feira in June 2000, these institutional changes were agreed upon at Nice in December 2000.
27. *European Security Strategy: A Secure Europe in a Better World*, p. 12.
28. Perruche, "The European Union Military Staff on its Way Ahead," p. 52.
29. The basic information for this paragraph was gained from official EU sources, where a specific author could not be assigned.
30. Forsteneichner, *Europäische Sicherheits- und Verteidigungspolitik*, p. 18.
31. The EU does possess a wide variety of instruments. The EU crisis-management capacity benefits from the complementarity between actions implemented within both European Commission and ESDP instruments.
32. Göteborg targets:
 - provision of up to 200 experts from the rule-of-law sector (judges, prosecutors, correctional officers),
 - building up of a pool of civil administration experts, and

- building up of civil protection teams for deployment on short notice (up to 2,000 personnel in total).

Arbeitsgruppe IPTF – Geschäftsstelle - *Informationsblatt Ziviles Krisenmanagement der EU*, as of 28 February 2006, p. 4.

33. *Ibid.*, p. 18. Arbeitsgruppe IPTF – Geschäftsstelle states the number as 1,413 police officers for rapid deployment within 30 days.
34. The Police Action Plan included:
 - the development of concepts for planning and police C2 aspects of EU crisis management,
 - the development of comprehensive concepts for police missions, including strengthening and substitution scenarios,
 - guidelines for training and selection criteria, and
 - models for Status of Forces Agreements and principles for Rules of Engagement for police officers participating in EU crisis-management operations.
35. See also Reinhardt Rummel, *Krisenintervention der EU mit Polizeikräften*, SWP-Studie Stiftung Wissenschaft und Politik, Deutsches Institut für Internationale Politik und Sicherheit (Berlin, August 2005), p. 8. Rummel talks of only 282 rule-of-law experts, of whom 60 could be mobilized within 30 days.
36. See also Rummel, *Krisenintervention der EU mit Polizeikräften*, p. 8. Rummel says that the overall size of this pool cannot be defined completely, because the field of civil administration is too large and diverse.
37. Forsteneichner, *Europäische Sicherheits- und Verteidigungspolitik*, p. 18.
38. Brussels European Council, 16 and 17 December 2004, *Presidency Conclusions*, p. 20. At http://www.ue.eu.int/ueDocs/cms_Data/docs/pressdata/en/ec/83201.pdf.
39. Gustav Lindstrom, “The Headline Goal.” At <http://www.iss-eu.org/esdp/05-gl.pdf>.
40. Antonio Missiroli, *ESDP Bodies*. At <http://www.iss-eu.org/esdp/08-bodies.pdf>.
41. Forsteneichner, *Europäische Sicherheits- und Verteidigungspolitik*, p. 16.
42. Perruche, “The European Union Military Staff on its Way Ahead,” p. 51.
43. These are joint disarmament operations, support for countries in combating terrorism, and security sector reform.
44. Perruche, “The European Union Military Staff on its Way Ahead,” p. 50.
45. *Ibid.*, pp. 51-53.
46. See especially, Jean-Yves Haine, *Berlin PLUS*. At <http://www.iss-eu.org/esdp/03-jyhpercent2B.pdf>.
47. Führungsakademie der Bundeswehr, FB SPS, *Reader Sicherheitspolitik Ausgabe SOL 1-05*, 211.
48. According to present state of affairs, the Berlin Plus agreements only apply to those EU member statbttTJvFc49333 0 TD/of af.

50. Jean-Paul Perruche, "European Security and Defence Policy," *NATO's Nations and Partners for Peace V*(2004): 29.
51. Martin Ortega, "Petersberg Tasks and Missions for the EU Military Forces." At <http://www.iss-eu.org/esdp/04-mo.pdf>.
52. *European Security Strategy: A Secure Europe in a Better World*, p. 12.
53. Information gathered at the Conference of Defence Associations Institute (CDAI) 22nd Annual Seminar, Ottawa, 23 February 2006, during panel discussion from James Appathurai (NATO HQ Spokesman).
54. Gustav Lindstrom, *The Headline Goal*.
55. Burkard Schmitt, "European Capabilities Action Plan (ECAP)." At <http://www.iss-eu.org/esdp/06-bsecap.pdf>.
56. Ibid. See shortfalls and panels in detail.
57. Lindstrom, *The Headline Goal*.
58. Information was gained from official EU sources, where a specific author could not be assigned.
59. Launched unilaterally and conducted by one or more member states.
60. "Countries that are both members of NATO and the EU, have only one set of armed forces which must be equally available for NATO and ESDP. This applies particularly to the build-up of reaction capabilities within the framework of the NATO Response Force and the European Rapid Reaction Capabilities," Michael Schaefer, "NATO and ESDP: Shaping the European Pillar of a Transformed Alliance." Speech to German Federal Foreign Office, 15 March 2004. At http://www.diplo.de/www/en/ausgabe_archiv?archiv_id=5500.
61. The information for this paragraph came from official EU sources, where a specific author could not be assigned.
62. Haine, *ESDP: An Overview*.
63. Schmitt, "European Capabilities Action Plan (ECAP)."
64. See above under II.C.2.b) EUMS.
65. European Airlift Coordination Cell and Sealift Coordination Cell in Eindhoven. See CSIS, *European Defense Integration*, p. 32.
66. Perruche, "The European Union Military Staff on its Way Ahead," p. 52.

75. Ibid., p. 11.
76. Former Federal Minister of Defence Dr. Peter Struck called this pronounced interest a multilateral imperative for Germany in his speech, "Internationale Herausforderungen der deutschen Sicherheitspolitik," at the 16. Forum Bundeswehr und Gesellschaft in Berlin on 24 October 2005.
77. Führungsakademie der Bundeswehr, FB SPS, *Reader Sicherheitspolitik Ausgabe SOL 1-05*, 141.
78. Auswärtiges Amt, *Deutsche Außenpolitik*. At http://www.auswaertiges-amt.de/www/de/aussenpolitik/index_html.
79. Federal Foreign Office, *Facts about Germany: Germany's position in the world economy*. At <http://www.tatsachen-ueber-deutschland.de/641.55.html>.
80. Führungsakademie der Bundeswehr, FB SPS, *Reader Sicherheitspolitik Ausgabe SOL 1-05*, pp. 142-43.

97. Rummel, *Krisenintervention der EU mit Polizeikräften*, p. 16. Therefore *defence politicians* of the German CDU/CSU faction, who do not want the Bundeswehr to carry out police functions during missions argue that Germany should participate in the paramilitary EU Gendarmerie Forces. But this would assume the necessary legal amendments within the German law. See *ibid.*, p. 16, footnote 27.
98. Arbeitsgruppe IPTF – Geschäftsstelle - *Informationsblatt Ziviles Krisenmanagement der EU*, p. 6.
99. Bund-/Länder-Arbeitsgruppe “Internationale Polizeimissionen” (AG IPM). See Bund-/Länder-Arbeitsgruppe, Internationale Polizeimissionen, *Leitlinien für den Einsatz deutscher Polizeibeamtinnen und –beamter im Rahmen internationaler Friedensmissionen*, as of 23 November 2005, p. 9.
100. *Ibid.*, pp. 5-6.
101. This will be discussed in more detail in the next section.
102. Bund-/Länder-Arbeitsgruppe, Internationale Polizeimissionen, *Leitlinien für den Einsatz deutscher Polizeibeamtinnen und –beamter im Rahmen internationaler Friedensmissionen*, p. 7.
103. Bundesministerium des Inneren, Website.

114. Burkard Schmitt, "Defence Expenditure." At <http://www.iss-eu.org/esdp/11-bsdef.pdf>. The planned military budget is 23.88 billion for FY 2006; for FY 2007, 24.28 billion; for FY 2008, 24.58 billion; and for FY 2009, 24.88 billion. (In comparison, the military budgets FY 2001/04 have been 24.3 billion; 24.5 billion; 24.4 billion and 24.2 billion.) The main problem is the ratio of operating costs to investments. In 2006 the operating cost portion of the overall military budget is 72 percent; the investment portion is only around 25 percent. In this respect, a decrease to 67.5 percent and an increase to 29.1 percent in 2009 is predicted. The Bundesministerium der Verteidigung Website: http://www.bmvg.de/portal/a/bmvg/kcxml/04_Sj9SPykssy0xPLMnMz0vM0Y_QjzKLt4w3MrUASUGY5vqRMLGglFR9b31fj_zcVP0A_YLciHJHR0VFAJ4BvKE!/delta/base64xml/L2dJQSEvUUt3QS80SVVFLzZfOV8yRlY!/?yw_contentURL=percent2FC1256F1200608B1Bpercent2FW26M7J7F080INFODEpercent2Fcontent.jsp.
115. Führungsakademie der Bundeswehr, FB SPS, *ReaderSicherheitspolitik Ausgabe SOL I-05*, p. 160.
116. The information for this paragraph was also gained from presentations and informations delivered by Commander s.g. Jan Kaack, Politico-Military Aspects of Operations, Federal Ministry of Defence (FüS III 6).
117. See German Constitutional Law Article 87(a) at <http://www.bundesregierung.de/pureHtml-,413.429818/Grundgesetz-fuer-die-Bundesrep.htm>.
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126. This document is classified for official use only, therefore no citations are possible.
127. Führungsakademie der Bundeswehr, FB SPS, *ReaderSicherheitspolitik Ausgabe SOL 1-05*, p. 166.
128. These are:
- International conflict prevention and crisis management
 - Support of Allies
 - Protection of Germany and its citizens
 - Rescue and evacuation
 - Partnership and cooperation
 - Rendering supplementary assistance in case of natural disasters and very serious emergencies at home (if constitutional requirements are met)
- Bundesministerium der Verteidigung, *Verteidigungspolitische Richtlinien für den Geschäftsbereich des Bundesministers der Verteidigung*, (BMVg, Berlin, 2003), no. 77-83.
129. Führungsakademie der Bundeswehr, FB SPS, *ReaderSicherheitspolitik Ausgabe SOL 1-05*, pp. 161-62.
130. Bundesministerium der Verteidigung, Website.
131. See *ibid.* Using a joint approach, the Bundeswehr will be subdivided into
- Response Forces (about 35,000) for multinational high-intensity operations.
 - Stabilization Forces (about 70,000) for peace stability measures in low- and medium-intensity operations.
 - Support Forces (137,500 personnel, to include 40,000 undergoing training at any given time) to support all operations and ensure routine duty operations of the Bundeswehr at home.
- The number of Stabilization Forces shall guarantee the possibility of a simultaneous and sustainable employment of up to 14,000 German military personnel in up to five geographically separated areas of operation.
132. Bundesministerium der Verteidigung, Website.
133. Wolfgang Schneiderhahn, CDS German Armed Forces, speech on the occasion of the Forum "Bundeswehr und Gesellschaft," "Transformation der Bundeswehr: Eine erste Bilanz auf dem weg zur Verbesserung der Einsatzfähigkeit," Berlin, 25 October 2005. At <http://www.bmvg.de/C1256F1200608B1B/CurrentBaseLink/W26HHDMA145INFODE>.
134. Wolfgang Schneiderhahn, CDS German Armed Forces, speech on the occasion of Bundesarbeskreis Studierender Reservisten-Arbeitskreise Sicherheitspolitik an Hochschulen, "Einsatz Deutscher Streitkräfte im 21. Jahrhundert," Berlin, 25 April 2005. At <http://bmvg.de/C1256F1200608B1B/CurrentBaseLink/W26BUF8X618INFODE>.
135. Bundesministerium der Verteidigung, Website.
136. Forsteneichner, *Europäische Sicherheits- und Verteidigungspolitik*, p. 17.
137. *Ibid.*
138. Zyla and Scholz, "Europe's Military Capability in Crisis Management."
139. *Ibid.*
140. Kommando Operative Führung Eingreifkräfte, INTRANET Bw Website: <http://176.13.3.71/KdoOpFueEK/DasKommand/Auftrag>.

141. Kommando Operative Führung Luftstreitkräfte, INTRANET Bw Website: <http://167.96.87.110/page0.htm>.
142. Website for the Bundeswehr, SALIS Website: http://www.bundeswehr.de/portal/a/bwde/kcxml/04_Sj9SPykssy0xPLMnMz0vM0Y_QjzKLd4w3dPMHSUGYfvqRMLGglFR9b31fj_zcVP0A_YLciHJHR0VFAFIKLis!/delta/base64xml/L2dJQSEvUUt3QS80SVVFLzZfQV9HVdk!?yw_contentURL=percent2FC1256EF4002AED30percent2FW26N4KA9836INFODEpercent2Fcontent.jsp.
143. Luftwaffe, SALIS Website: <http://www.luftwaffe.de/portal/a/luftwaffe/kcxml/>

192. Council of the European Union Website for EU BAM Rafah. At <http://ue.eu.int/showPage.asp?id=979&lang=en>.
193. "MEMO: EU 2005 Operations and Missions," p. 28.
194. Council of the European Union, *Presidency Report on ESDP*, p. 6.
195. EU Council Secretariat -Factsheet EU BAM Rafah, at <http://ue.eu.int/uedocs/>

220. "MEMO: EU 2005 Operations and Missions," p. 28.
221. Bundeswehr im Einsatz. At http://www.einsatz.bundeswehr.de/C1256F1D0022A5C2/Docname/Aktuelle_Einsaetze_Home.

242. Intranet Bundeswehr, Intranet aktuell, "Gesamteuropäischer Einsatz im Kongo möglich." At <http://www.infosys.svc/01DB130000000002/Print/W26N4JZ9009INFODE>.
243. "Parlament beschließt Kongo-Einsatz," *Süddeutsche Zeitung* Nr. 126, 2 June 2006, p. 1.
244. Antrag der Bundesregierung, *Beteiligung bewaffneter deutscher Streitkräfte an der EU-geführten Operation EUFOR RD Congo ...*,

263. Ibid., p. 12.
264. Bundesverteidigungsminister Dr. Franz-Josef Jung, Rede auf der 42. Münchner Konferenz für Sicherheitspolitik am 04.02.2006 in München. At http://www.securityconference.de/konferenzen/rede.php?menu_2006=&menu_konferenzen=&sprache=en&id=168&, p. 3.
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280. Clement, "Die Verteidigungspolitik der neuen Regierung," p. 8.
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About the Author

Born 2 March 1964 in Munich, LCol (GS) Helmut Fritsch joined the German Air Force in October 1984. After completing his basic military training and attending the Air Force Academy, he graduated from the University of the German Armed Forces in Hamburg, and received his Diplom-Kaufmann, Dipl.-Kfm (Masters Degree in Business Administration) in 1989. He then worked for seven years as an air traffic control officer at the military airbase in southern Germany.

LCol (GS) Fritsch attended the General Staff Officers course at the German Command and Staff College, Hamburg from 1996 to 1998. After completion he was assigned to several military intelligence assignments both within the Air Force and the joint military environment.

From November 2003 to February 2004 he served as CJ2 Chief Collection within the HQ SFOR in Sarajewo, Bosnia-Herzegovina. Before he joined the Queen's Centre for International Relations in 2005, LCol (GS) Fritsch was assigned as Deputy Branch Chief A2 and Section Chief A2a Plans & Policy Military Intelligence to the German Air Force Command, Cologne.

