



Clingendael

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The Parliamentary Dimension of Defence Cooperation

Background

The European Union is in urgent need of a strategic impulse for its foreign and security policy. The Eastern and Southern flanks of the EU are marked by conflict and instability, with spill-over effects in Europe. The relationship between external and internal security becomes ever more tangible by the recent terrorist attacks in European capitals and growing migratory pressures. Furthermore, international multilateral institutions are under pressure and Europe's position in the global order is being challenged by rising powers. The Global Strategy that is currently being drafted by High Representative Federica Mogherini is urgently needed in order to set out a new strategic course for the EU. The strategy has to address all aspects of the EU's foreign and security policy. Therefore, in an increasingly hostile and conflictual security context, the Common Security and Defence Policy (CSDP) should be the cornerstone of a credible and effective European response.

An often forgotten dimension in this regard is the role of parliaments. The support of parliaments is essential to achieve a stronger CSDP and deeper defence cooperation. It is therefore important to discuss this relatively neglected aspect of European defence. With this aim in mind, the Netherlands Ministry of Defence and the Clingendael Institute are organising the seminar "*The Parliamentary Dimension of Defence Cooperation*" in the context of the Netherlands EU Presidency. The seminar will take place on 14-15 March 2016 in Amsterdam. It was preceded by the seminar "*A Stronger CSDP: Deepening Defence Cooperation*" (Amsterdam, 20-21 January), which discussed the challenges, ambitions and instruments for strengthening CSDP by deepening defence cooperation. The March seminar will provide an opportunity to explore the contribution that parliamentarians can make to strengthen European defence.

To ensure a lively and thought-provoking debate, the Clingendael Institute is issuing this Food-For-Thought Paper. The paper consists of three parts. The first part will discuss why the parliamentary dimension of defence cooperation is important to achieve a stronger CSDP and deeper defence cooperation. Subsequently, the paper discusses the principles that are vital to bring this about. In the third and final part, these principles are translated into actionable proposals for a stronger parliamentary dimension of defence cooperation.¹

¹ The responsibility for the contents of this Food-For-Thought Paper lies solely with the Clingendael Institute.

Why is the parliamentary dimension important?

Defence cooperation is the business of governments, but it is equally that of parliaments. Successful defence cooperation at the multilateral or bilateral level is dependent on support and consent from national parliaments. The deepening of defence cooperation requires a solid parliamentary commitment and extensive cooperation between parliaments from partner countries across borders. This commitment spans the phases from cooperation on defence planning and procurement to the readiness phase of forces, including deployments.

The deepening of defence cooperation in Europe is already affecting individual countries' ability to take autonomous decisions. No individual European country, large or small, can safeguard its security and defence on its own in a world of complex threats and challenges. This is not a new phenomenon. During the Cold War, European countries were dependent on each other and the United States for their defence and nuclear deterrence. This has not changed. However, the fact that security challenges have become so diverse and complex, in combination with the growing responsibility of Europe for its own security and the lack of resources available for defence, now necessitate more and deeper cooperation.

That defence cooperation is not an option but a necessity is starting to be understood. However, the fact that it has consequences for sovereignty in an area which touches upon the heart of the state's decision-making autonomy has not yet fully sunk in. 'Share sovereignty or lose sovereignty' is an often heard warning, which entails accepting a certain dependency on other countries. When sovereignty is understood as the 'ability to act' rather than as the ability to be able to independently make decisions, the concept is more open to working together. This will increase the collective ability of Europe to respond to its security challenges.

The outsourcing of the air policing of the Baltic countries to NATO partners and the pooling of Renegade and Quick Reaction Alert (QRA) tasks for the Benelux air space are vivid examples of operational cooperation with consequences for sovereignty. Governments hatch these initiatives, which often originate from bottom-up in the defence organisation, and despite the fact that eventually parliamentary support is needed, the legislature is often only informed post-hoc. In order for parliaments to be more engaged, they have to better understand the consequences of deepening defence cooperation. This implies that they have to be involved from the outset.

So far, the most extensive progress in defence cooperation has been achieved in the operational area, such as in training, education, exercises and the combined deployment of capabilities. Armament cooperation is more difficult to achieve, due to the predominance of national economic interests but also to the different timelines of national planning. To be able to make progress here, the first demand is for the alignment of multilateral initiatives and national plans. Partner countries will have to abandon national defence planning in isolation. National procedures and regulations on planning, budgeting and procurement are ultimately a matter where parliaments decide. If parliaments are not taken on board with this important prerequisite, progress on collaborative capability planning, acquisition and maintenance will be difficult. Often, parliamentarians are prone to focus on national industrial and economic gains to be had from procurement. A better understanding of the operational, financial and industrial advantages of collaborative procurement would bring a different perspective.

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Moreover, as the role of parliaments in some countries is crucial in deciding on the deployment of troops (e.g. in Germany, Spain and the Netherlands) and is becoming more prominent in others (e.g. in the United Kingdom and France), they have to be engaged during the whole process and not just at the point where they can accept or reject the result. This constitutes a balancing act between creating sufficient parliamentary involvement and avoiding that military operations are micro-managed by political compromises, which could hamper military effectiveness.

This is even more important as today's security challenges demand a rapid response. Rapid Reaction Forces such as the EU Battlegroups (EUBG), the NATO Response Force (NRF)/Very high-readiness Joint Task Force (VJTF) and standing multinational forces are dependent on decision-making in various countries for their swift deployment. A EUBG should be able to be deployed within five to ten days of the acceptance of the Crisis Management Concept and the VJTF even has a 48-hour 'notice-to-move' ambition. Have the troop contributing countries to these Rapid Reaction Forces adjusted their decision-making to these short timeframes? And if one country has done so, will other contributors be just as quick? Both the EUBGs and the NRF/VJTF are part of a system of deterrence and assurance, which makes it vital that there is confidence among friends and potential foes that they can be as rapid as they claim to be.

One of the most obvious responses to the question of why parliaments are central to European defence cooperation is, in short: 'money'. In European democracies, parliaments hold the power of the purse in allocating budgets. With the rising costs of equipment and the need for modernisation and innovation, there is a clear case to be made for a reversal of the downward trend to defence budgets across Europe. Parliaments are key in the recognition that sufficient investment in defence is a prerequisite for our security. Moreover, parliaments play an important role in mustering public support for defence spending, but also for European defence cooperation and CSDP.

Another area where parliaments are indispensable is the role that they can play in ensuring that the promises by governments to implement defence cooperation are actually kept. The Netherlands' EU Presidency has opened the debate on issues such as peer pressure, accountability and benchmarking to provide more teeth to the usual method of voluntarism. Lawmakers could demand that their national governments are keeping up their end of the bargain and hold them accountable for progress in, for example, achieving EDA's collaborative spending benchmarks.

Principles to strengthen the parliamentary dimension

It follows from the previous section that for defence cooperation to succeed, the parliamentary dimension of defence cooperation has to be strengthened. A number of principles are central to be able to achieve that. Trust and transparency are the most important among them.

The building of trust between parliaments across countries, particularly between regular clusters of defence cooperation, is a prerequisite to bring about a mutual beneficial cooperation. It makes the acceptance of dependencies easier, and lessens worries about assured access to capabilities. Some like-minded countries that have a history of working together in various fields are more likely to trust each other, also in the defence field. Trust has to be earned and longer-term experiences of predictability and trustworthiness are helpful. Learning about each other's cultural-political attitudes and sensitivities as well as the formal and material obstacles to cooperation are important.

Policy makers and officials from cooperating countries see each other regularly. The intensification of contacts among European policy makers, however, is not matched by increased contacts between parliaments. More trust-building contacts with partner countries across policy-makers and parliamentarians are needed. Regular contacts and information-sharing would foster the awareness of mutual dependencies across EU and NATO nations and are of particular importance for countries that work closely together in clusters.

Deepening defence cooperation impinges on sovereignty in the sense that independent decision-making becomes more limited. Important elements to counter these limitations and to provide for alternative accountability and legitimacy are transparency in defence cooperation policies by governments. This entails regular and extensive information-sharing at early phases of cooperation initiatives and parliamentary involvement. More and earlier parliamentary involvement seems to be contrary to the constitutional role of lawmakers, which is to oversee the policies of governments post-hoc. Yet, ex-ante awareness is indispensable to grasp the responsibilities and dependencies involved in far-reaching defence cooperation.

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Ways to strengthen the parliamentary dimension

Strengthening the parliamentary dimension of European defence cooperation requires action on the intra-parliamentary and inter-parliamentary level, but on the part of governments as well. Governments need to provide the necessary support to parliaments to enable them to engage in informed debates and to make informed decisions. Notably with regard to international defence cooperation, governments could supply their parliaments with regular overviews of international defence obligations and their implications.

Within parliaments, the interrelationship between defence and other areas such as the economy, finance, justice and home affairs and transport (including the maritime sector) needs to be taken into account. This can be done by regularly holding joint committee meetings and organising other combined activities such as work visits and briefings. This should bring defence out of its relative isolation, connect it also in parliaments to other government sectors and put it more prominently on the political agenda. This can help build awareness and public support for defence, as well as create broader consensus on defence-related issues within parliaments.

Building on such *intra*-parliamentary exchanges, parliaments can bolster cooperation even further by implementing national multi-year defence agreements. This practice can create several years of stability and clarity on the purpose, policy direction and budgets for the armed forces and the defence sector. These agreements reflect a broad consensus on defence, encompassing coalition and opposition parties and governments, based on all stakeholders, including experts. Based on the examples of Denmark and Sweden, defence agreements promise to increase political commitment, strengthen parliamentary involvement, and foster public support for defence. The stability and clarity provided by multi-year defence agreements also increase opportunities between countries for an alignment of their defence

planning and procurement, operational cooperation, and joint exercises, training and education.

Parliaments should be involved in the early stages of the deepening of defence cooperation, in particular in the case of the cross-border integration of armed forces. The first step is to increase the level of information provided to parliaments, in particular on the (resulting) mutual dependencies between countries. This includes regular reports on defence cooperation obligations, visits to partner countries and also to EU institutions such as the European External Action Service, the European Defence Agency and the national Permanent Representations to the EU.

In particular in clusters, where the deepening of defence cooperation results in mutual dependencies, information-sharing and raising awareness of obligations needs to be complemented with building trust between parliaments. This can be achieved through regular exchanges such as structural information-sharing between parliamentary defence committees and holding joint committee sessions, work visits and decision-making exercises.

One area where these initiatives are particularly needed is that of rapid response forces. Decision-making procedures of the national parliaments for the preparatory phase of rapid reaction mechanisms and the readiness phase of multinational

operational formations need to be streamlined. Thus, the rapid deployment of multinational formations such as the integrated German-Netherlands air mobile force or the UK-led Joint Expeditionary Force should be preceded by quicker parliamentary procedures. This could involve the pre-delegation of parliamentary consent under certain circumstances, such as the preparation or prepositioning of forces or in particular scenarios, such as humanitarian crises and hybrid warfare.

These initiatives on intra-parliamentary and interparliamentary cooperation can feed into, and receive feedback from, parliamentary bodies at the European level. The Inter-Parliamentary Cooperation (IPC) on CFSP/CSDP and the European Parliament (EP) have a role in ensuring effectiveness, coherence and broad support for defence cooperation. Because national parliaments continue to play the key role in European defence cooperation and CSDP, strengthening their interaction implies an increased role for the IPC. For that purpose, a permanent IPC secretariat could be established, or alternatively, the role of the existing COSAC secretariat could be reinforced to that end. The EP subcommittee on defence (SEDE), given its strong information position on defence matters at the EU level, should seek to actively share information with national parliaments.

A stronger CSDP, as well as the related aspects belonging to the Community level such as defence technology and industry and the defence equipment market, require that the EP steps up its involvement in these matters as well. In view of the Preparatory Action on CSDP-related research and the aim to dedicate a substantial part of the post-Horizon 2020 programme to this sector, defence needs to be integrated into the budgetary discussion. This also requires close interaction between SEDE and the Budget Committee. Furthermore, for these discussions the EP needs to have access to all relevant information and advice on defence planning, research and technology, and industry, to be provided by the EDA.

Parliaments should be involved in the early stages of the deepening of defence cooperation

The overlap between defence and other areas such as the economy, home affairs and transport, as mentioned earlier in the national context, applies to the EP as well. The EP should consider structural joint committee meetings, following the example of the joint BUDG/AFET/SEDE meetings on 'Financing the Common Security and Defence Policy'. In acknowledgement of the importance of defence as being broader than just a subsidiary to foreign affairs, SEDE should be upgraded to a fully-fledged committee. This would increase SEDE's capacity to issue its own reports, arrange contacts with national parliaments, and engage with the plenary. It would show that in the European Parliament 'defence matters'.

About Clingendael

Clingendael is the Netherlands Institute of International Relations. We operate as a think-tank, as well as a diplomatic academy, and always maintain a strong international perspective. Our objective is to explore the continuously changing global environment in order to identify and analyse emerging political and social developments for the benefit of government and the general public.

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