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Development of the common security and defence policy following the entry into force of the Lisbon Treaty

P7_TA(2011)0228

European Parliament resolution of 11 May 2011 on the development of the common security and defence policy following the entry into force of the Lisbon Treaty (2010/2299(INI))

(2012/C 377 E/07)

The European Parliament,

- having regard to Title V of the Treaty on European Union and to the Treaty on the Functioning of the European Union,
- having regard to the Charter of the United Nations,
- having regard to the European Security Strategy entitled 'A secure Europe in a better world', adopted by the European Council on 12 December 2003, and to the report on its implementation entitled 'Providing security in a changing world', endorsed by the European Council on 11-12 December 2008,
- having regard to the Foreign Affairs (Defence) Council conclusions on the CSDP adopted on 9 December 2010 and on 31 January 2011,
- having regard to the outcome of the UK-France Summit on security and defence cooperation of 2 November 2010,
- having regard to the Internal Security Strategy for the European Union, endorsed by the European Council on 25-26 March 2010,
- having regard to the Council Decision of 26 July 2010 establishing the organisation and functioning of the European External Action Service ⁽¹⁾,
- having regard to its resolution of 23 November 2010 on civilian-military cooperation and the development of civilian-military capabilities ⁽²⁾,
- having regard to its resolution of 10 March 2010 on the implementation of the European Security Strategy and the Common Security and Defence Policy ⁽³⁾,
- having regard to Rule 48 of its Rules of Procedure,
- having regard to the report of the Committee on Foreign Affairs (A7-0166/2011),

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1. Recalls that the international system is undergoing rapid and profound change, driven by the shift of power towards emerging international actors and deepening interdependence, encompassing economic and financial problems, environmental deterioration and climate change, energy and resource scarcity, and interconnected security challenges;
2. Recognises that, in a turbulent global context and at a time of economic and financial crisis, the EU is being called upon to enhance its strategic autonomy to uphold its values, pursue its interests and protect its citizens by developing a shared vision of the main challenges and threats and by aligning its capabilities and resources to adequately respond to them, thereby contributing to the preservation of international peace and global security, including by pursuing effective multilateralism;

⁽¹⁾ OJ L 201, 3.8.2010, p. 30.

⁽²⁾ Texts adopted, P7_TA(2010)0419.

⁽³⁾ OJ C 349E, 22.12.2010, p. 63.

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3. Is of the view that enhancing strategic autonomy in security affairs entails, for the EU, the capacity to agree upon common political objectives and strategic guidelines, to establish strategic partnerships with relevant international organisations, including NATO, and States to collect adequate information and generate joint analyses and assessments, to harness and, where necessary, pool financial, civilian and military resources, to plan and run effective crisis management operations across the extended range of the Petersberg-type missions, and to frame and implement a common defence policy, laying the first tangible foundations on which to build common defence;
4. Emphasises that the new provisions on Common Security and Defence Policy (CSDP) introduced by the Lisbon Treaty provide a firm political statement of the Union's intention to act as a force for stability in the world and provide a clear legal framework for reinforcing its capacities to pursue its foreign and security policy through a comprehensive approach drawing upon all the instruments available to the EU and its Member States, to prevent and manage crises and conflicts, and to build lasting peace;
5. In particular, recalls that:
 - (a) the CFSP and the CSDP, which is an integral part thereof, have been placed within the legally binding institutional framework of EU principles (democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and principles of international law, including the Responsibility to Protect), and their objectives have been merged with the general objectives of the EU's external action;
 - (b) when conducting foreign and security policy the EU must ensure consistency and coherence between the different areas of its external action and between external and internal policies; notes that the VP/HR has a special responsibility in this matter;
 - (c) the VP/HR, in close cooperation with the Member States, conducts the CFSP, proposes CSDP decisions, missions and the use of national resources and Union instruments together with the Commission, and, where appropriate, coordinates their civilian and military aspects, and chairs the Foreign Affairs Council, serving also as the Commission Vice-President in charge both of the Commission's external relations responsibilities and of coordinating, and providing consistency in, EU external action as a whole;
 - (d) the HR has powers to make proposals to the Council in common foreign and security policy, either on her own initiative or at the request of the European Council, and under the overall direction of the European Council – in which case the Council may act by QMV;
6. Underlines that the duty of consistency as defined by the Treaty, the new wording of Article 40 TEU (which states that the implementation of both the CFSP and the other EU policies shall not affect the application of the respective procedures) and recent ECJ case law (see the SALW case) protect both the primacy of the Community method and the distinguishing features and prerogatives of the CFSP, while encouraging the convergence of different policies, instruments, resources and legal bases in a holistic, comprehensive approach, whereby contributing to peace and security in the world becomes a cross-cutting objective of EU external and internal action and the CSDP is one of its instruments; notes that military assets can be also deployed in the event of natural and man-made disasters, as shown in practice by the EU Military Staff coordination of military capabilities in support of civilian-led humanitarian relief operations during the Pakistan floods in 2010, in accordance with the applicable UN guidelines on the use of military and civil defence assets in international disaster relief (Oslo guidelines) and following the request by the Commission;
7. Expresses concern, therefore, that, more than one year after the entry into force of the Lisbon Treaty, there are not yet clear signs of a post-Lisbon EU comprehensive approach enabling traditional procedural and institutional barriers to be overcome, while preserving the respective legal prerogatives when European citizens' security is at stake;

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8. Is convinced that a credible external security policy requires deepened interdependence between the Member States and improved internal cohesion and mutual trust and solidarity, similar to what has been achieved in the internal security sphere through Schengen cooperation (whereby Schengen countries, by protecting their own borders, protect the borders of the other Member States, national rules acquire continental scope, and tasks related to the protection of national security can also be performed on the territory of another state or in joint teams operating in accordance with European standards);
9. Regrets the unwillingness of the EU Member States to define a common position on the Libya crisis, on UN Security Council Resolution 1973 and on the ways to implement it; expresses deep concern about the risk of considering ad hoc coalitions of the willing or bilateral cooperation as viable substitutes for CSDP, as no European State has the capacity to be a significant security and defence actor in the 21st century world; recalls that the Lisbon Treaty provides for the possibility to entrust the implementation of a crisis management operation to a group of Member States, but only within the framework of a Council decision defining the objectives, scope and conditions of their implementation, and with the association of the HR/VP; insists that a common response to the developments in Libya is essential to formulate a credible new approach for our southern neighbourhood policy; reiterates that the mandate given in UN Security Council Resolution 1973(2011) to protect Libyan civilians should not be exceeded through the disproportionate use of force; calls on the VP/HR to take concrete measures to secure an early ceasefire in order to stop the bloodshed and suffering of the Libyan people; urges the VP/HR to play a strong and direct role in fostering political initiatives in this direction; considers it crucial to work closely with the Interim Transitional National Council, the African Union and the Arab League in order to channel the current military conflict towards political and diplomatic solutions, including the objective of securing the resignation of the Gaddafi regime; underlines that the elaboration of a strategy for the Sahel region and the Horn of Africa is yet another concrete opportunity to demonstrate the ability of the EU to act both on security and development challenges;
10. Urges the European Council to carry out its task of identifying the strategic interests and political objectives of the EU by drawing up a European foreign policy strategy geared to international developments which should be based on real convergence of the different dimensions of EU external action and subject to regular review; calls on the HR/VP and the Council to build on the concept of human security to make it central to the European Foreign Policy Strategy and translate it into tangible policy guidelines;
11. Calls on the European Council and its President to set about this task by engaging in political dialogue with the European Parliament and to discuss Parliament's recommendations; maintains that such a dialogue is required in the light of the new Treaty provisions and of the need to lay down and implement the foreign policy strategy, proceeding from an effective comprehensive approach; suggests that such a dialogue needs to take place on a regular basis, and to focus on progress achieved as much as on prospects;
12. Points out that the role conferred on the European Parliament as the body directly representing EU citizens makes Parliament a vital source of democratic legitimacy for the CFSP/CSDP and lends weight to its right to expect that its opinions and recommendations will be taken properly into consideration;
13. Points out in addition that, by virtue of the Treaty, the VP/HR is subject to a vote of consent by the European Parliament, and that Parliament participates in the decision-making on the EU external action budget, including CFSP and CSDP civilian missions and the administrative costs arising from EU military coordination, and that its consent is essential in order to translate EU strategies into laws and to conclude international agreements, including agreements relating mainly to the CFSP, the one exception being agreements relating solely to the CFSP;
14. Wishes to enhance cooperation with EU national parliaments in exercising democratic scrutiny over the CFSP and the CSDP, with the goal of mutually reinforcing their respective influence on the political choices made by the other European institutions and by the Member States, while fully respecting existing national parliaments' defence policy prerogatives; regrets the lack of agreement at the EU Speakers' Conference on 4/5 April 2011 on the features of an interparliamentary conference on CFSP/CSDP and looks forward to reaching an agreement with national parliaments on new forms of interparliamentary

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cooperation in this field; recalls that Article 9 of Protocol 1 to the Lisbon Treaty on the role of national parliaments clearly states that the organisation and promotion of any form of effective and regular inter-parliamentary cooperation within the Union shall be determined together by the European Parliament and national parliaments;

15. Emphasises the role which the Treaties have assigned to the Commission in carrying out the policies and measures linked to the other dimensions of EU external action, in proposing legislative initiatives, in implementing the budget and managing Community programmes, and in organising external representation of the EU except in the case of the CFSP; calls on the Council, the Commission and Parliament to strengthen their cooperation in order to ensure, without prejudice to their respective prerogatives, consistency between the different areas of EU external action for more effective use of CSDP instruments;

16. Points out that the powers and responsibilities of the VP/HR do not merely constitute 'double hatting', but represent a merging of functions and sources of legitimacy, making her role central to the process of bringing the various instruments, actors and procedures of EU external action into a coherent relationship; calls on the VP/HR to interpret her role as a proactive one and to pursue a constructive dialogue with Parliament in the framework of the twofold effort to actively foster a political consensus among the Member States on the strategic directions and policy options for the CFSP and the CSDP, and to bring coherence to, effectively coordinate and fully exploit the potential for the CFSP-CSDP to act synergistically with the other sectors of EU external action and with EU internal policies with an impact and implications at the external level;

17. Considers that the EEAS has a key role to play in bringing about an effective comprehensive approach based on full integration of the CSDP, the CFSP and the other dimensions of EU external action, notably development cooperation, trade and energy security policies; welcomes the outcome of the negotiations, which has served to establish the EEAS as a structure to assist the EU institutions and the various dimensions of EU external action and conferred a wide range of powers and responsibilities on it while providing a solid link to the Commission without in any way encroaching on the Commission's prerogatives, and hopes that the responsibility assigned to the EEAS for strategic planning of the main financial instruments related to EU external action will translate into genuinely coherent use thereof to further EU principles and objectives;

18. Reiterates its view that the civilian and military crisis management structures and capabilities should be coordinated more closely and should act more synergistically within the comprehensive approach, without altering the distinctions between civilian and military roles and the different decision-making procedures and chains of command;

19. Regrets the fact that the provisional organisation chart of the EEAS does not include all existing units dealing with crisis response planning and programming, conflict prevention and peacebuilding with the CSDP structures in line with the Madrid agreement; calls in this context first for the organisation of regular meetings of a crisis management board to be composed of the CMPD, the CCPC, the EUMS, the EU SITCEN, the peace-building, conflict prevention, mediation and security policy units, the Chair of the PSC, the geographical desks and other policy departments concerned, placed under the authority of the VP/HR and the executive Secretary-General and with the participation of the Commission humanitarian aid, civil protection and internal security structures according to the circumstances; such meetings would be coordinated by the Managing Director for Crisis Response; calls on the VP/HR and the Commission to equip the board with an efficient alert and emergency system and a large unified operations room, located within the EEAS, so as to enable surveillance to be carried out 24 hours a day, 7 days a week, hence avoiding the present operational overlapping, which hardly squares with the need for a proper surveillance and rapid reaction system to deal with crises; considers that regular coordination and exchange should be ensured between this system and the European emergency response centre currently being developed by the Commission to guarantee appropriate synergies while respecting each other's competencies; secondly, calls for a permanent working structure involving the above-mentioned actors going beyond acute crisis management in order to develop common approaches, in areas such as the rule of law and security sector reform; thirdly, calls for a midterm review of the current arrangements with a view to establishing truly integrated strategic planning and conceptual development in the field of crisis management and peace building for the EEAS;

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20. Believes that the Crisis Management Board should provide the EEAS with unified contingency planning in relation to potential theatres and crisis scenarios and, secondly, also through a crisis platform for practical crisis response management, working both in Brussels and on the ground to coordinate the use of the various financial instruments and deployment of capabilities available to the EU, without undermining the specific decision-making procedures and legal bases applying to the deployment of civilian and military capabilities under the CFSP/CSDP or to the use of Community instruments;

21. Points to the need to strengthen the civilian and military crisis response structures, departments and units within the EEAS and the Commission, spreading them out and organising them in a more rational way, and in particular:

- (a) calls for expansion of the CPCC unit responsible for operational planning of civilian missions;
- (b) renews its call for the Foreign Policy Instruments Service (FPIS) in charge of planning and programming the Instrument for Stability Article 3 crisis response measures to be integrated into the EEAS crisis management and peacebuilding structures and, specifically, for the former Relex/A2 posts assigned to Unit 2 of the new foreign policy instruments (12 AD and 5 AST) to be transferred to the EEAS; points out that this transfer is a condition which has to be satisfied in order to release the reserve under the corresponding heading in the Commission budget;
- (c) supports the establishment of a Shared Services Centre for the management of CSDP missions, that is to say, an interinstitutional office comprising the Commission's Unit 3 (CFSP Operations of the Foreign Policy Instruments – formerly Relex/A3) and the CPCC Mission Support Unit; notes that the new Service, by addressing the personnel, logistics, procurement and financial responsibilities of the civilian CSDP missions and by relieving the Heads of Mission from part of their administrative duties, would guarantee greater efficiency both by pooling administrative functions, starting with the selection and recruitment of personnel, and by centralising procurement and equipment management;

22. Regrets the scant results achieved by the Civilian Headline Goal 2010 process regarding civilian capabilities, and in particular the discrepancy between the personnel assigned by Member States on paper and the numbers actually available for missions and the modest progress as regards the training of human resources (no common standards, limited number of training programmes uploaded to the Schoolmaster training opportunities programme within the Goalkeeper software environment); calls on the VP/HR, the Council and the Member States to take coordinated steps to reactivate the development of civilian capabilities, especially where recruitment, gender balance, training and deployment are concerned; in particular, stresses the importance of continuing to build on the heritage of the two Civilian Headline Goals that the EU has pursued so far in order to face these outstanding challenges; calls for the establishment of a Community mechanism for enhancing civilian capabilities, especially training and increasing the civil part of the European Security and Defence College;

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23. Reaffirms that credible, reliable and available military capabilities are a sine qua non for an autonomous CSDP and a comprehensive approach and that Member States need to provide them; further stresses that those military capabilities can be applied for diverse purposes, not least for civilian ones, in keeping with the principles underlying EU action on the international stage and the self-determined nature of the EU legal order;

24. Regrets the sharp contrast between the EUR 200 billion per year spent by the Member States on defence, the lack of means at the EU's disposal and the painfully protracted force generation conferences for EU military operations at a time when there are redundant capabilities and personnel; deplores the fact that over more than twelve years the method of the force generation process has not yielded any de facto improvements regarding the quantity and quality of military capabilities available for CSDP missions; stresses the need to evaluate the improvements of military capabilities on a regular basis; points out that there is an increasing mismatch between growing demand from abroad and the resources that Member States make available to the Union;

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25. Notes with anxiety that the current economic austerity could lead to cuts that were not concerted at European level and to continuing overlapping that might call the CSDP as such into question, whereas the end effect should be to push the Member States towards smarter defence spending whereby they would pool and share a larger proportion of their defence capabilities, budget and requirements while achieving more security for their citizens; calls on Member States to develop greater transparency regarding their respective defence budgets;

26. Recalls that the CFSP and CSDP, should also lead to disarmament and non-proliferations of weapons ranging from small and light weapons (SALW) to nuclear warheads and ballistic missiles; urges the VP/HR to give this policy priority by promoting a new series of proactive measures addressing the issues of landmines, cluster munitions and depleted uranium ammunition, and small and light weapons, biological, chemical and nuclear weapons of mass destruction and their means of delivery; urges the VP/HR to report to the European Parliament about the implementation of the 2010 NPT Review Conference and its action plan on disarmament and non-proliferation on an annual basis;

27. Deplores the widespread overlapping of defence programmes in the EU, such as the more than 20 armoured vehicle programmes, the 6 different attack submarine programmes, the 5 ground-to-air missile programmes and the 3 combat aircraft programmes, and its consequences, namely that economies of scale are not achieved, limited economic resources are wasted, and the prices of European defence equipment are over-inflated, which moreover leads to continuing fragmentation of the European Defence Technological and Industrial Base (EDTIB), hampers the competitiveness of the whole security-related industrial sector in Europe and in this regard directly endangers technological leadership and employment;

28. Reaffirms that all of the above points should be tackled by means of a clear-cut long-term common political resolve, making full use of the potential offered by the Lisbon Treaty, and that any common defence policy intended to move gradually towards common defence must serve to strengthen the EU's ability to respond to crises and to provide for long-term peace-building, and above all enhance Europe's strategic autonomy and capacity to act; calls for an extraordinary European Council meeting to be given over to European security and defence; renews its call for the drafting of a White Paper on European security and defence, to be set up in a process that includes all relevant EU stakeholders, and to be based on national defence and security reviews in all the Member States which accord with a common template and allow for direct comparability of strengths and weaknesses in current capabilities and planning assumptions;

29. Strongly calls on Member States to support the European Defence Agency as the expert EU agency entrusted with the role of identifying and developing defence capabilities in the field of crisis management and of promoting and enhancing European armaments cooperation;

30. Takes note that the Franco-British agreement of 2 November 2010 on security and defence cooperation has been indeed launched outside the framework of the Treaty on European Union; hopes nevertheless that this latest attempt at Franco-British collaboration can act as a catalyst for further progress at European level in line with the Union's institutional framework and the logical requirements of rationalisation, interoperability and cost-effectiveness; underlines that the EDA should play a supportive role in this context; considers that the current Franco-British defence cooperation should provide a roadmap for more effective European defence cooperation based on capability planning and mutual dependency; urges the governments of France and the United Kingdom to commit to future European multilateral pooling and sharing arrangements;

31. Emphasises that the Permanent Structured Cooperation, as laid down in the Treaty, provides legal safeguards and obligations, and is also an instrument to promote better use of CSDP assets in times of economic austerity and to overcome a lack of consensus among Member States; calls on the Council and the Member States to determine the aims and substance of such cooperation without further delay, involving all the Member States which prove themselves to be both politically willing and militarily capable;

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32. Believes that the role of the Defence Ministers needs to be strengthened within the Foreign Affairs Council configuration;
33. Recalls that the clause on mutual assistance represents a legal obligation of effective solidarity in the event of an external attack against any of the Member States, without conflicting with NATO's role in the European security architecture, while at the same time respecting the neutrality of some Member States; recommends, therefore, that serious thought be given to the real impact of the clause on mutual assistance, tackling the unresolved problems regarding the implementing provisions, which were removed from the draft Treaty on the Functioning of the European Union; calls for political guidelines to be drawn up, an imperative need which has arisen not least from the recent termination of the modified Treaty of Brussels (WEU);
34. Recognises that within the CSDP development process, the time has now come for the political achievement and the institutional achievement to be followed by concrete achievements as regards military capabilities; points out that the provisions introduced by the Lisbon Treaty offer great potential for promoting the development of those capabilities and laying down a progressive framework for the EU's defence policy, and maintains that they need to be put to effective use as a matter of urgency;
35. Recommends that Member States commit themselves fully to the provision and sustainability of military capabilities, matching the trend towards growing emphasis on the qualitative aspects; endorses the requests made at the Ghent informal Defence Ministers' meeting and in the German-Swedish paper and the Weimar initiative and calls for the operative phase to begin without delay, in line with the December 2010 Council conclusions, in which the Defence Ministers agreed that the EDA should intensify its work to facilitate the identification of areas for pooling and sharing military capabilities, including through the support of a team of wise men; stresses the need to make this new approach to capability development a success; calls on the Member States to respect the deadline set by the December 2010 Council; recalls that the Chiefs of Staff of the EU armed forces have been tasked to screen their capabilities by May 2011, that the EU Military Staff has been commissioned to use this data for producing an overview by mid-2011 and that EU Ministers of Defence will reach final conclusions by the end of this year; calls on the Agency to make this new initiative its priority and to list potential new cooperation projects (for instance in areas such as satellite communications, medical support, naval logistics and cyber security) so as to avoid overlapping of costs and increase interoperability;
36. Supports the recommendations of the January 2011 Foreign Affairs Council, which called on the VP/HR to pursue the subjects raised in the Weimar initiative so as to enable practical measures to be taken on the basis of a report that she is to submit to the Foreign Affairs Council by mid-2011, with a view to achieving concrete results by the end of the year as far as possible, including the potential for extending such initiatives to include other interested Member States;
37. Reaffirms the need to overcome the current imbalance in terms of planning and conduct capabilities of civilian and military operations by providing the EU with a permanent civil-military planning and conduct capacity or Operational Headquarters (OHQ) which will allow for a more reactive and cost-effective EU response; points out that the Berlin Plus arrangements have been put to only limited use, having been confined to date to takeovers of pre-existing NATO missions, and draws attention to the problems connected with the framework nation track, which is based on the use of five national OHQs, adding the lack of pre-planning to the difficulties in force generation and increased complexity of coordinating civilian and military capabilities;
38. Considers that the existing Operation Centre, though constituting a welcome first step, falls short of requirements and of the level of ambition of a permanent OHQ and that it must instead be made permanent and put in a position to manage larger missions, that it must be granted adequate staff resources and operational infrastructure and that the unreliability of the EU's communications and information systems infrastructure must be dealt with, the main reason for which is that there is no permanent command and control (C2) structure (and relevant legal framework), a fact which can also adversely affect situational awareness; advocates co-location of the military OHQ with the civilian HQ, in order to allow the whole range of military and civilian operations to be carried out, exploiting potential synergistic effects to the full while respecting the distinctive civilian and military chains of command and the different decision-making procedures and financing arrangements;

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39. Welcomes the fact that, in her reply to the Weimar initiative, the VP/HR recognised the need for an EU military conduct capability; maintains that the cost-efficiency analysis called for by the VP/HR should also factor in the costs arising because the EU has no OHQ; declares its intention of promoting a study on that point and on the possible cost of, and financing arrangements for, the new structure;

40. Recognises the soundness of the Battlegroups, but calls for the concept and the structure of the Battlegroups, which have so far never been deployed, to be carefully reviewed for an increased degree of flexibility and efficiency; believes that

— consideration could be given to specialising one of the two Battlegroups in niche capabilities and/or capabilities suited to low-intensity conflicts entailing mixed civilian-military tasks;

— the operating costs should be charged to the ATHENA mechanism, which is due to be reviewed under the Polish Presidency;

41. Underlines the Treaty reference to a European capabilities and armaments policy to be defined with the participation of the EDA and calls for the cooperation of the EU institutions, bodies and Member States to this end in the framing and implementation of such a policy;

42. Encourages close cooperation between the Agency and the Commission with a view to enhancing dual-use capabilities in order to find the most comprehensive approach to security-related research and to make for better synergic management of civilian-military resources, in particular through the security theme of the Framework Programme for Research and Technological Development; accordingly welcomes the prospect of the Eighth Framework Programme, which will also cover external security; and calls on the Commission to acknowledge the reality of the civil-military nature of crisis management and consider the financing of security and defence research which has civilian applications with Community funds; notes, however, that this cooperation should not exceed what is necessary with a view to civil-military cooperation in peace-keeping, conflict prevention and strengthening international security as well as crisis management activities;

43. Urges the head of the EDA (HR/VP) as well as the Council to deliver in good time a new Council Decision on Establishing the EDA based on the EDA's new role as described in the Lisbon Treaty; questions the current legal basis of the EDA dating back to 2004 in view of the Lisbon Treaty and its implications for the EDA; calls on the Council to inform the European Parliament on the necessary changes to the Council Joint Action on Establishing the EDA resulting from the EDA's inclusion in the Lisbon Treaty;

44. Calls for the establishment of a strong partnership between the Commission, Parliament, the EDA and the participating Member States on the preparations for the Eighth Framework Programme with a view to investments in technology areas of common interest at EU level, bearing in mind not least that the amount spent in Europe on investment in defence-related R&D is currently equivalent to about 10 % of the US figure;

45. Calls for strong cooperation between the EDA and the Organisation Conjointe de Coopération en matière d'Armement (OCCAR); requests information from the head of the EDA (HR/VP) on the results of the negotiations on an Administrative Arrangement for their cooperation which started in April 2009;

46. Reaffirms that one of the prerequisites for an autonomous and credible CSDP is the establishment of a more competitive and efficient European defence and security market open to public procurement, with an enhanced European Defence Technological and Industrial Base (EDTIB) that takes into account key industrial capabilities, security of supply between countries, a deepening and diversifying supplier base and increased armaments cooperation;

47. Points out that it is essential, for the defence market, for the following directives to be transposed into national law by all Member States:

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- (by 30 June 2011) Directive 2009/43/EC on transfer of defence-related products within the Community, and
- (by 31 August 2011) Directive 2009/81/EC on procedures for the award of contracts in the fields of defence and security;

recommends that Member States comply strictly with the deadlines, under the Commission's supervision, and that they draw up the necessary implementing regulations and train the relevant staff to enforce the new rules; calls upon Member States to take the respective Guidance Notes issued by the Commission into account;

48. Recommends that the implementation of the Common Position defining unified rules on the control of technology and military exports adopted on 8 December 2008 be urgently reviewed, in order to ensure strict and consistent compliance by all national authorities involved in each Member State;

49. Urges Member States to abide by the EDA's Code of Conduct on defence procurement and its Code of Conduct on offsets, so as to prevent violations of internal market rules and reduce opportunities for corruption;

50. Underlines that, in order to foster the emerging European security and defence market, a remedy needs to be found for the vacuum in terms of regulations and standards, since this situation limits market opportunities for both large players and SMEs and prevents interoperability among security systems; fully supports the work of the EDA in the framework of the new legal basis provided by the Lisbon Treaty; advocates close collaboration between the EDA and the Commission to create a European defence market; calls for the Commission to launch, in cooperation with the EDA, a first reflection on an European industrial policy in the field of security and defence;

51. Urges the participating Member States to regard their participation in the EDA as a permanent commitment and to provide the Agency with the necessary human and economic resources; calls for the expenditure earmarked for operational projects and studies (which has hitherto accounted – on average – for about 25 % of the budget) to be raised in the unwelcome event that vetoes on budget increases were to continue for a lengthy period;

52. Calls on the EDA's participating Member States to add to the work and initiatives to be presented by the VP/HR in her capacity as head of the Agency and urges the VP/HR to establish working methods improving the capacity of the participating Member States to take responsibility as decision-makers, and consistent with the intergovernmental nature of the Agency and the provisions of the Treaty, the idea being to build a political consensus;

53. Considers that the adoption of EU regulatory measures, including a comprehensive normative system for the establishment, registration, licensing, monitoring and reporting on violations of applicable law by private military and security (PMS) companies - both at internal and external level –, is necessary;

54. Calls therefore on the Commission and the Council to initiate appropriate actions:

- for the internal level, the drafting of a Recommendation paving the way for a Directive aimed at harmonising national measures regulating PMSC services, including service providers and the procurement of services;

- for the external level, the drafting of a Code of Conduct paving the way for a Decision regulating the export of PMSC services to third states to the extent not covered by the above-mentioned Directive;

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External and internal security

55. Considers that the internal and external aspects of EU security should be treated as complementary dimensions of the same strategy, as the European Council has made clear since its meetings in Tampere (1999), Feira (2000) and Stockholm (2010), when it adopted the European freedom, security, and justice area objectives for the period 2010-2014; stresses that under no circumstances are core values and norms such as human rights, fundamental rights and freedoms and humanitarian law negotiable in the context of the fight against international terrorism and that one of the conclusions of the European Parliament's Temporary Committee on the alleged use of European countries by the CIA for the transportation and illegal detention of prisoners is that national and EU anti-terrorism policies and measures need more parliamentary oversight;

56. Considers that it has become increasingly clear in modern times, and especially since September 11, that many transnational threats such as terrorism, proliferation of weapons of mass destruction, organised crime, cybercrime, drugs and trafficking in human beings cannot be addressed without coordinated action involving 'external' security policies and 'internal' legislative and political measures and tools, as already highlighted in the first European Union Anti-Terrorism Action Plan (2001) and the European Union Counter-Terrorism Strategy (2005); recalls that the 2008 Council implementation report on the European Security Strategy points out that State failure affects European security, as the Somalia case illustrates;

57. Acknowledges that the connections between external and internal security policies have become more and more apparent in the Member States and notably in third countries such as the US, where the Department of Homeland Security, established in 2003 by the merger of 22 federal agencies, now employs more than 200 000 officials and has an annual budget of more than USD 40 billion; considers it to be no surprise that the main missions of the DHS are to some extent the same as those which the European Union has linked to the creation of the area of freedom, security, and justice (protection of external borders, migration, anti-terrorism);

58. Welcomes the fact that key provisions of the Lisbon Treaty reflect the adaptation to the abovementioned context and the need to exploit the synergies between external and internal security, including the following:

- expansion of the CSDP to include wider Petersberg-type missions that could contribute to counter-terrorism, not least through support to help third countries fight terrorism on their territory; recommends that these provisions be interpreted in sweeping terms in line with the relevant UN resolutions and with full respect for human rights and fundamental freedoms; recalls, however, that a military response it is not by itself enough to defeat international terrorism and calls for sustained international efforts to identify and deal with legitimate grievances behind the phenomenon, enhancing, at the same time, dialogue and broadening understanding among civilisations;
- solidarity clause: agrees that this mechanism must be made operative and welcomes the fact that the Commission and the VP/HR have pledged to submit a cross-cutting proposal in 2011 in order to provide the basis for the EU's collective commitment to put the solidarity clause into practice;

59. Considers that the European Security Strategy (2003) and the Internal Security Strategy (2010) coherently identify a number of common areas – such as terrorism, organised crime and cybersecurity – which have implications in both security dimensions; agrees, therefore, that the way of bringing together the internal and external dimensions needs to be improved, an idea which has been developed by the Commission in its Communication entitled 'The EU Internal Security Strategy in Action: Five steps towards a more secure Europe'(COM(2010)0673);

60. Considers that the complementarity of external and internal security objectives is mirrored by the fact that:

- the PSC and the COSI (the Internal Security Committee, established by the TFEU), as well as SITCEN, the Commission and security-related agencies such as EUROPOL, EUROJUST and FRONTEX will work together and submit a common threat assessment to the EU institutions;

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- a security information model will be developed by connecting the Schengen Information System to all the other relevant Europe-wide networks such as the VIS and Eurodac, using the experience and best practice from other countries; stresses that the risks to privacy and the ethical implications of this need to be taken into account;
- the tracking of terrorism financing has been provided for by the EU-US TFTP agreement and by all the legislative measures imposing the traceability of suspect transactions;
- the definition of the European critical infrastructures takes into account the impact of man-made actions such as terrorist attacks and cyber attacks;

61. Is of the view that all the initiatives listed above could therefore be launched only with a sound legal basis and legislative measures which can be adopted under the ordinary internal EU competence, for which a qualified majority in the Council is the rule and which also involves codecision in Parliament and, last but not least, judicial review by the Court of Justice;

62. Is of the view that logic will then imply that, when the same threat requires the activation of external and internal security measures, the EU should give priority to the more efficient – and legally sound – measures available, the latter being those arising from internal competence; considers that Parliament's role should also be decisive as regards the related specific CFSP strategies and measures;

63. Reminds the Council and the VP/HR that they are obliged to keep Parliament informed about the state of external relations and in particular relations with third countries and international organisations with which international agreements are being negotiated or have been concluded in the EU's interest; reminds the Council that, where they do not relate exclusively to the CFSP, agreements on the exchange of confidential information with third countries and international organisations must be negotiated and concluded in such a way as to enable Parliament to be informed and involved in accordance with Article 218(6) TFEU; bearing that point in mind, reserves the right to determine whether the Agreement between the Member States of the European Union, meeting within the Council, regarding the protection of classified information exchanged in the interests of the European Union does not interfere with the exercise of the prerogatives conferred on it by the Treaty;

Security through operations

64. Welcomes the fact that since 2003 the EU has undertaken numerous operations (24) in three continents involving different types of intervention, the bulk being accounted for by civilian missions specialising in policing, security sector reform (SSR) and consolidation of the rule of law; notes that out of 24 CSDP missions so far 16 have been of a civilian nature;

65. Notes that this trend is confirmed by the features of the 13 missions currently under way and that, above and beyond this classification, missions are increasingly being required to assume a 'multifunctional' character, as in the case of EULEX Kosovo, which combines several functions (police, customs and judicial systems) with training, monitoring and assistance functions as well as executive tasks, or the more recent EUTM Somalia mission, based in Uganda and intended to provide military training to security forces of the Transitional Federal Government, which is an example of the increased emphasis on SSR-related tasks in military crisis management;

66. Welcomes the ongoing revision of the existing civilian CSDP concepts; notes in particular that the rule of law will be seen as a central concept for civilian missions covering police, justice, civilian administration, customs, border monitoring and other relevant areas of use to planners and experts on the ground in setting up and conducting missions with strengthening and/or substitution (executive) tasks; endorses the work being done to develop the concept of CSDP justice missions, while observing that needless overlapping with possible Community programmes has to be avoided; calls, in this light, for urgent detailed information to be provided by the HR/VP to the European Parliament on the hiring of private security and military companies (PMSCs) in CSDP and CFSP missions, specifying professional requirements and corporate standards demanded from contractors, applicable regulations and legal responsibilities and obligations, monitoring mechanisms, effectiveness evaluation and costs involved;

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67. Recognises also that the Lisbon Treaty has provided for an extension of the Petersberg-type missions, de facto already under way in the years preceding the entry into force of the Treaty, and has thus brought about innovation and provided a stronger political and legal framework consistent with reality;

68. Urges that the experience acquired be turned to account in order to give new impetus to missions (the EUTM Somalia mission is the only new intervention to have been undertaken in the last two years), since missions are the acid test of the CSDP mandate and an important touchstone of the EU's credibility as an international player;

69. Points out that clear-cut progress is needed urgently as regards technical, legal, operational, and above all political and strategic aspects; maintains in particular that every mission should be encompassed within a clear (medium- and long-term) political strategy and underlines that missions are not undertaken as a substitute for policy; considers such linkage to be essential in order to ensure the operational success of interventions and, more generally, break the vicious circle in which the CSDP, rather than being a tool of the CFSP, is tending to replace it, with all the inconsistencies which that entails;

70. Notes with concern that linkage to a clear political strategy has to date been lacking and in most cases is still not being provided, a shortcoming which adversely affects the effectiveness and efficiency of missions, for example:

- EUPOL Afghanistan is having only a targeted impact concentrating only on high-level officials, and was only recently embedded in the EU ACP action plan;
- EULEX Kosovo, the most important civilian mission of the EU, encountered many obstacles, mainly due to the lack of supporting legislation and staff constraints; however, it plays an important role in the field of the rule of law and continues to provide stability in the region;
- EUBAM Rafah and EUPOL COPPS, which is widely recognised and accepted as the key international expert interlocutor on policing issues in the Palestinian territories, have not been in a position to significantly affect developments in the conflict, because they are not based on any clearcut political and diplomatic strategy, which, however, needs to be sought in order to pave the way for a renewed commitment in the Palestinian territories;
- EUFOR Althea in Bosnia-Herzegovina (launched in 2004 under the Berlin Plus arrangements) may have achieved its main aims, and a political assessment should therefore be made with a view to determining whether the mission should be considered completed and the substantial financial and human resources (more than 1 400 people) recovered;
- the EU has successfully taken the lead in international efforts to fight piracy through EUNAVFOR Somalia (operation Atalanta) but the issue of judicial treatment of pirates needs to be urgently solved, notably based on the Lang report recently submitted to the UN Security Council; operation Atalanta is being hampered by the lack of implementation of a clear regional strategy to tackle the root causes of piracy and deal effectively with the chronic instability in the Horn of Africa; actions enhancing regional maritime surveillance capabilities should be taken urgently;
- EUTM may prove counterproductive by enhancing the military capabilities of possible recruits to militias in Somalia;
- EUPOL RD Congo and EUSEC RD Congo have been in the country since 2007 and 2005 respectively but have only had limited positive effects on target groups if any; recommends a stronger focus on the issue of sexual violence in order to increase the effectiveness of both missions;

71. Welcomes the decision of the Council to conduct the operation EUFOR Libya in support of humanitarian assistance operations if requested by UN OCHA; appeals to the Council to provide immediate humanitarian support to Misrata and other population centres, specifically by naval means; is profoundly concerned about the increasing number of victims of the conflict in Libya and the Gaddafi regime's reported use of cluster munitions and other arms against the civilian population; deeply regrets that the mandate of EUFOR was limited to humanitarian aspects when there was a clear case for the EU to take the lead in

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maritime surveillance (embargo enforcement and assistance to Frontex) and in humanitarian assistance and protection of civilians in Libya; recalls in this regard its resolution of 10 March 2011 calling on the HR/VP to explore the option of enforcing the embargo by using air and naval CSDP assets; regrets the decision of some Member States to veto a broader mandate for EUFOR Libya while at the same time conducting such operations on their own; calls for a start to be made on planning a potential CSDP operation in the medium to long term in Libya in the areas of security sector reform, institution-building and border management;

72. Calls for closer coordination on the ground, in which the Heads of Delegation (now EEAS officials and no longer Commission officials) and the EUSRs will have a crucial role to play; considers that such coordination should apply at several levels, in particular:

- between missions operating in the same theatre, so as to avoid inconsistencies and overlapping of forces of the kind that occurred in the past, for example, in Bosnia-Herzegovina because of the divergences in the mandates of EUFOR Althea and the EUPM mission to combat organised crime;
- between CSDP and other EU actors and instruments, especially in Palestine and in the African missions;
- between development cooperation projects and CSDP missions as a part of CFSP;
- between the EU and other international players operating in the same area, so as to make for the best possible cooperation from the strategic point of view (for instance as regards the training of Afghan security forces, the activities being split between the EU, the United States and NATO) and in operational terms (with particular reference to agreements to regularise freedom of action on the ground, in order to allow the exchange of classified information, or concerning the protection of European personnel by NATO troops);

73. Recommends that the ATHENA mechanism be reformed with a view to rationalising and increasing the proportion of common costs (at present estimated to be about 10 %) so as to make for fairer burden-sharing in military operations, in which the participants in a mission, who already bear a heavy responsibility in terms of risks and costs, are obliged in the current situation to undertake a further economic responsibility;

74. Welcomes the outcome achieved under the Madrid accords on the establishment of the EEAS, which has enabled three specific budget headings to be provided for the main CSDP missions (EULEX Kosovo, EUPOL Afghanistan and EUMM Georgia) with a view to increasing transparency and improving parliamentary scrutiny of expenditure; stresses the need to allocate one budget line for each CSDP mission; declares its willingness to cooperate with the new permanent Chair of the of the PSC in order to improve, and enhance the effectiveness of, the joint consultation meetings on the CFSP, in keeping with the HR's statement on political accountability agreed in Madrid; declares its interest in learning from the US Congress and other national parliaments when it comes to procedures and methods for scrutinising security and defence policies;

75. Calls for the establishment, as provided for in the Lisbon Treaty, of the start-up fund for preparatory activities in the lead-up to military operations to speed up the disbursement of funds, and for this measure to be covered by the ATHENA mechanism review proposal;

76. Recommends that steps be taken to remedy the difficulty of finding professionals for civilian missions (as in the case of the EULEX Kosovo and EUPOL Afghanistan missions), which have proved to be the most frequent form of intervention, and that the necessary provision be made for rapid deployment and sustainability;

77. Recommends, as regards gender mainstreaming in line with UNSCR 1325 and to make civilian and military missions more effective, that female personnel be involved in the appropriate manner at every level of crisis management; emphasises the need for women to be included in senior-level decision-making positions, regular consultations with civil society, including women's organisations, and that capacity to work on gender issues within missions be enhanced; calls for the establishment of adequate public complaint procedures in the context of CSDP missions, which would particularly assist the reporting of

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sexual and gender-based violence; calls on the VP/HR to include a detailed report on women, peace and security in the six-monthly evaluation of CSDP missions; stresses that it is important that the EU should appoint more female police officers and soldiers to CSDP missions, in which connection the contingent of female police officers within the UN peace-keeping force in Liberia could be used as a model;

78. Calls on the VP/HR to take the steps required to optimise the potential use of European resources and capabilities for civilian missions and notes with concern that high costs are being incurred for the security of the EUJUST LEX Iraq and EUPOL Afghanistan missions, the measures in question having been entrusted to private security companies;

79. Endorses the need for more robust procedures, officially established at institutional level, to enable assessment – on a regular basis and based on common criteria – of the conduct of missions on the ground; believes that this would enable the experience acquired to be turned to account from a political, strategic, technical, legal and operational point of view, and in the long term could provide a starting point for improving interventions under way and for criteria to be applied to emerging crises so as to make for the best possible balance between strategic interests and available resources;

Security in partnership

80. Maintains that the trend towards multipolarity in the international system and the establishment of strategic partnerships must be encompassed within an active commitment to promoting multilateralism, given that this is the dimension most consistent with respect for the universal rule of law, the specific nature of the EU and the growing interdependence which characterises globalisation;

81. Reiterates that the EU fully respects the provisions and principles of the United Nations Charter and recognises that the primary responsibility for the maintenance of international peace and security in the world lies with the UN Security Council;

82. Notes that the Lisbon Treaty imposes an obligation on the EU to promote multilateral solutions, in particular within the UN, and that EU international action must be based on the principles of the UN Charter; international law and EU principles and values;

83. Acknowledges that, from a legal point of view, the Lisbon Treaty has overcome the previous dichotomy between Union and Community policies by conferring a unique legal personality and by strengthening the autonomy of the EU legal order vis-à-vis international law, even when international security is at stake, as already stated by the Court of Justice case law in the Kadi case (according to which ‘international law can permeate the EU legal order only under the conditions set by the constitutional principles of the Community’);

84. Calls on those Member States which have seats on the UN Security Council to defend common positions and interests of the EU and to work towards a reform of the UN whereby the EU as such could have its own permanent seat;

85. Stresses the need to strengthen the cooperation between the EU and UN in the area of crisis management, notably during the early stages of a crisis and post-conflict reconstruction, in close connection with the appropriate structures of the newly established EEAS;

86. Calls on the Member States to take the necessary steps in order to streamline the EU's effective participation in the meetings of the UN General Assembly;

87. Recognises that NATO constitutes the foundation of collective defence for those Member States which belong to it and reaches beyond its Member States; recalls the need for constructive cooperation between the EU and NATO, particularly where the two organisations are active in the same theatres of operations; looks forward to the proposals of the High Representative as tasked by the European Council conclusions of September 2010 referring to EU-NATO cooperation in crisis management;

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88. Welcomes the agreement in NATO's new strategic concept on further strengthening the EU-NATO strategic partnership; reaffirms that most of the threats identified in the new strategic concept are also shared by the EU and stresses the importance of enhancing EU-NATO cooperation in crisis management in the spirit of mutual reinforcement and with respect for their decision-making autonomy; draws attention to the necessity of avoiding unnecessary overlapping of effort and resources and invites the EU and NATO to deepen their cooperation, through their respective means, in the context of a comprehensive approach to crises in which both are engaged in the field; urges NATO to strictly limit the development of a civilian capability in order to avoid duplication;

89. Points to the fundamental importance of the African continent for the EU's security and for peacekeeping and conflict prevention; supports close cooperation between the EU and the African Union within the Peace and Security Partnership in conjunction with the Africa-EU Joint Strategy; favours greater involvement and responsibility of the African Union, especially where crisis management is concerned, and reaffirms the need for the Commission and the Member States to play their part by taking practical measures to combat trafficking in, and the spread of, light weapons and small arms; endorses the pledge in the Tripoli Declaration to make the African peace and security architecture fully operational;

90. Recommends in particular that African early warning and conflict prevention capabilities be developed, that the 'panel of the wise' be placed in a more effective position to mediate, and that ways be studied of giving effect to the recommendations in the Prodi report on the financing of African peacekeeping operations; urges that relations be pursued on a collaborative basis and that the capabilities of African sub-regional organisations be enhanced;

91. Recalls that, in addition to partnerships with other international organisations such as the UN, NATO and the AU, cooperation with individual third countries should be enhanced in the context of the CSDP; notes that experience shows that third countries can bring important assets, human resources and expertise to CSDP missions, such as in the context of EUFOR Chad/CAR, for which Russia provided much-needed helicopters, and EUFOR Althea, to which countries like Turkey and Morocco contributed substantial contingents of troops; believes, furthermore, that the involvement of third countries can enhance the legitimacy of CSDP operations and help set up a broader security dialogue with important partners while remaining committed to promoting respect for human rights and the rule of law;

92. Considers that such a dialogue should address respective threat assessment, involve (where relevant) the participation of third countries in EU exercises and training activities and lead to closer mutual engagement across the board; believes that procedural obstacles should be tackled in order to facilitate cooperation with third countries and avoid the delays that negotiating each specific contribution may entail; takes the view that framework agreements and standard procedures could be established, to this end, with some third countries to facilitate their contribution;

93. Underlines the importance of cooperation on CSDP with the EU's neighbours, which should be regionally balanced and provide a broad range of opportunities that would catalyse security sector reforms in the partner states and would not only help generate civilian and military capabilities to enable the EU's Eastern and Southern partners to participate in CSDP missions but also give it stronger support in managing regional security;

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94. Instructs its President to forward this resolution to the European Council, the Vice-President/High Representative, the Council, the Commission, the parliaments of the Member States, the NATO Parliamentary Assembly and the Secretaries-General of the United Nations and NATO.
