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Příloha č. 1: Pozměňovací návrh k článku I-40 předložený Lenou Hjelmovou-Wallénovou, Svenem-Olofem Peterssonem a Sörenem Lekbergem

AMENDMENT FORM

Suggestion for amendment of Article I-40

By Mrs Lena Hjelm-Wallén and Mr Sven-Olof Petersson, government representatives and Mr Sören Lekberg, national parliament representative.

Status : - Members: Hjelm-Wallén and Lekberg
- Alternates: Petersson

Article I-40: Specific provisions for implementing the common security and defence policy

1. The common security and defence policy shall be an integral part of the common foreign and security policy. It shall provide the Union with an operational capability drawing on assets civil and military. The Union may use them on missions outside the Union for peace-keeping, conflict prevention and strengthening international security in accordance with the principles of the United Nations Charter. The performance of these tasks shall be undertaken using capabilities provided by the Member States.
2. The common security and defence policy shall include the progressive framing of a common Union defence policy. This ~~might will~~ lead to a common defence, ~~should when~~ the European Council, acting unanimously, so decides.¹ It shall in that case recommend to the Member States the adoption of such a decision in accordance with their respective constitutional requirements.

The policy of the Union in accordance with this Article shall not prejudice the specific character of the security and defence policy of certain Member States and shall respect the obligations of certain Member States, which see their common defence realised in the North Atlantic Treaty Organisation (NATO), under the North Atlantic Treaty, and be compatible with the common security and defence policy established within that framework.
3. Member States shall make civilian and military capabilities available to the Union for the implementation of the common security and defence policy, to contribute to the objectives defined by the Council. Those Member States which together establish multinational forces may also make those forces available to the common security and defence policy.

Member States shall undertake progressively to ~~develop improve~~² their military ~~and civilian~~³ capabilities.

¹ Corresponds better to the present Article 17.1 of the TEU, which is a carefully negotiated compromise not to be re-opened.

² "Improve" should be replaced by the more flexible word "develop".

³ As stated in the first sentence, civilian capabilities should also be included.

The development of military capabilities will be supported by cooperation between the Member States in the field of armaments.⁴ ~~A European Armaments, Research and Military Capabilities Agency shall be established to identify operational requirements, to put forward measures to satisfy those requirements, to contribute to identifying and, where appropriate, implementing any measure needed to strengthen the industrial and technological base of the defence sector, to participate in defining a European capabilities and armaments policy, and to assist the Council in evaluating the improvement of military capabilities.~~

4. European decisions on the implementation of the common security and defence policy, including those initiating a mission as referred to in this Article, shall be adopted by the Council acting unanimously on a proposal from the Union's Minister for Foreign Affairs or from a Member State. The Minister for Foreign Affairs may propose the use of both national resources and Union instruments, together with the Commission where appropriate.
5. The Council may entrust the execution of a task, within the Union framework, to a group of Member States in order to maintain the Union's values and serve its interests. The execution of such a task shall be governed by Article [III-206 (ex Article 18)] of the Constitution.
6. ~~Those Member States whose military capabilities meet higher criteria and which have made more binding commitments to one another in this area with a view to more demanding missions shall establish structured cooperation within the Union framework. Such cooperation shall be governed by the provisions of Article [III 208 (ex Article 20)] of the Constitution.~~⁵
7. ~~Until such time as the European Council has acted in accordance with paragraph 2 of this Article, closer cooperation shall be established, in the Union framework, as regards mutual defence. Under this cooperation, if one of the~~

⁴ I support the establishment of a European Armaments Agency, but it should be mentioned in Part II in the Constitution. No other EU agencies are mentioned in Part I.

⁵ It is an important task to create better means to provide the EU with efficient means to carry out all types of crisis management operations, but the means proposed in this article is not conducive to such aims. It raises a number of political problems.

All Member States should participate in this process. Allowing for *flexible integration* in the ESDP area, including the creation of "restricted Councils" and other restricted EU bodies, may create divisions within this field. It is also a very doubtful solution to make arrangements for a group of Member States to carry out operations using the Unions' structures without a decision taken by the Member States.

Flexible integration may easily hamper the development of the Union's crisis management capacity, rather than encourage such a development. *Flexible implementation* of ESDP activities can be handled within today's existing provisions, and is furthermore being addressed in the proposed new article 30(5). The established working methods for capability development which have proven to be efficient, such as those developed for instance within the ECAP process, can serve as a point of departure for deepened and intensified cooperation.

~~Member States participating in such cooperation is the victim of armed aggression on its territory, the other participating States shall give it aid and assistance by all the means in their power, military or other, in accordance with Article 51 of the United Nations Charter. In the execution of closer cooperation on mutual defence, the participating Member States shall work in close cooperation with the North Atlantic Treaty Organisation. The detailed arrangements for participation in this cooperation and its operation, and the relevant decision making procedures, are set out in Article [III 209 (ex Article 21)] of the Constitution.~~⁶

8. The European Parliament shall be regularly consulted on the main aspects and basic choices of the common security and defence policy, and shall be kept informed of how it evolves.

⁶ Allowing for flexible integration in this area may create divisions between the Member States, and thereby undermine the Union's political will to unite in the work of promoting international peace and security. The strength of ESDP lies in its capacity to gather all the Member States in common conduct, and the proposal in this article only risks to weaken the ESDP. Both Nato and the WEU already exist for those states that wish to commit themselves to mutual defence guarantees.

Conference of the representatives of the governments of the member states

Brussels, 5 December 2003

The joint letter reproduced below indicates very clearly the other main controversial issue in the negotiations on CFSP (and especially defence) matters, namely the clause on mutual defence. What is interesting to note is that the draft text delivered by the Convention presented the clause on mutual defence as a possible object of 'closer cooperation' among only some interested member states. After this letter by the foreign ministers of the four non-allied countries among the EU-15, priority would be given to finding a solution acceptable to all 25 members.

**ERKKI TUOMIOJA, MINISTER OF FOREIGN AFFAIRS OF FINLAND;
BRIAN COWEN, MINISTER OF FOREIGN AFFAIRS OF IRELAND;
BENITA FERRERO-WALDNER, MINISTER OF FOREIGN AFFAIRS OF AUSTRIA;
LAILA FREIVALDS, MINISTER OF FOREIGN AFFAIRS OF SWEDEN**

Letter dated 4 December 2003 – IGC 2003 – European Security and Defence Policy

The Intergovernmental Conference of the European Union is now addressing a number of important issues concerning the draft Constitutional Treaty. Among them is the question of how to develop the European Security and Defence Policy further, how to increase solidarity within the Union and in particular how to make our work on military and civilian capabilities more effective. The Italian Presidency has been instrumental in the efforts to take forward this agenda.

The Governments of Austria, Ireland, Finland and Sweden express their full support for the efforts of the Italian Presidency to finalise the Constitutional Treaty and to strengthen European Security and Defence Policy. We look forward to a successful outcome on these and other issues at the IGC sessions next week.

We would also like to stress the importance to enhance mutual solidarity among EU Member States. We fully support the proposal to add in the Constitutional Treaty a solidarity clause which would take into account terrorism and natural and man-made disasters. Moreover, we are prepared to underline the principle of EU solidarity more widely in the field of security, including in situations referred to in Article 51 of the UN Charter. However, provisions containing formal binding security guarantees would be inconsistent with our security policy or with our constitutional requirements.

We therefore propose the following text for the first paragraph of Article 40(7) of the Constitutional Treaty:

If a Member State is victim of armed aggression, it may request that the other Member States give it aid and assistance by all the means in their power, military or other, in accordance with article 51 of the UN Charter.

Such an article would in our view substantially enhance solidarity among EU Members in the field of security, and contribute to the further strengthening of the European Security and Defence Policy.

We are copying this letter to the Foreign Ministers of other Member States and acceding States and Javier Solana.

Příloha č. 3: Zpráva švédské vlády o připravovaném nasazení švédských vojáků do mise Artemis

The Government decided on Tuesday to propose to the Swedish Riksdag the dispatch of an armed unit to the Democratic Republic of the Congo (DR Congo), to be part of an EU-led multinational military rapid deployment force in Bunia, in the province of Ituri, in the north-eastern region of the country. The region has long been characterised by violence between ethnic groups. The situation has deteriorated after Uganda's retreat from Ituri in May as part of the peace agreement for the DR Congo. The UN peace-keeping mission MONUC is in Bunia and is to be strengthened. The Security Council has called for assistance from the international community in helping to stabilise Bunia until 1 September.

On 5 June, the EU decided to respond to this request by sending a rapid deployment force. The EU is expected to take the decision on initiating this operation on 12 June. It will be carried out in accordance with Security Council Resolution 1484.

Political control of this operation will be exercised by the EU, while France will be responsible for its military leadership. Authorisation for the rapid deployment force is temporary and according to the UN decision will apply until 1 September 2003.

The aim of this temporary operation is to work closely with MONUC in stabilising the security and humanitarian situation in Bunia, protecting the airport and internally displaced refugees who have pitched camp in the town and where necessary, helping to ensure the security of the population, UN personnel, and humanitarian efforts underway in the area.

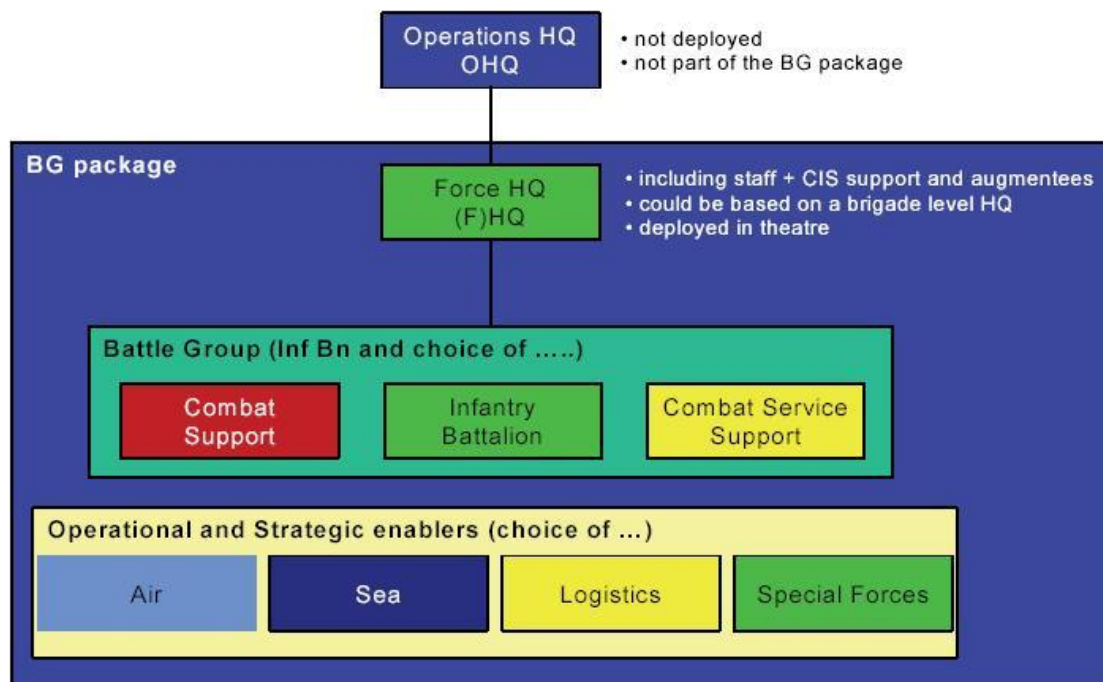
"The overall aim of the EU operation is to prevent violations of the civilian population, to improve the humanitarian situation and to give support to UN efforts and to the peace process in the DR Congo", comments Minister for Foreign Affairs Anna Lindh.

Minister for Defence Leni Björklund also comments "It is important that the international community gives support to preventing genocide and protecting international law and human rights. Our soldiers will be engaged in a mission involving risks. Alongside the security risk and that of infectious diseases will be the problem of the troops' exposure to continual mental strain through meeting, for example, forcibly recruited child soldiers. However, the forces we plan to send are well-trained".

"There are limitations and risks that are to be weighed against the positive effects of an operation in the DR Congo. What is important is to save lives, and promote peaceful development", says Leni Björklund.

The Swedish contribution will consist of a task force unit of around 70 persons, including tactical leadership.

Příloha č. 4: Obecná struktura bojových skupin EU



Příloha č. 5: Deklarace Švédska, Finska a Norska o ustavení společné bojové skupiny EU

Declaration by Sweden and Finland and Norway on the Establishment of a Joint EU Battle Group

Sweden, Finland and Norway have common interests in enhancing global and regional security. The European Security Strategy stresses the need for rapid and early crisis management operations. To this end the further development of the European Security and Defence Policy (ESDP) is vital. Sweden, Finland and Norway have demonstrated their commitment to this common endeavour.

An essential element in the ESDP is the further development of European rapid response capabilities for crisis management. In this regard, Sweden, Finland and Norway intend to establish a joint Battle Group based on the EU Battlegroup Concept . Sweden will act as framework nation. The Battle Group will be offered to the European Union for a first stand-by period from 1 January to 30 June 2008. We welcome the offer of the United Kingdom to make available their multinational HQ facility at Northwood and look forward to working closely with the UK's Permanent Joint Headquarters to develop the practical arrangements.

The establishment of a joint Battle Group further strengthens Nordic cooperation in the area of crisis management, and will further enhance the long-term security policy and military cooperation among Nordic countries.

ESDP is an open project. The European Council Presidency Conclusions from Nice, including the Implementation Document, envisage participation by non-EU European NATO members in EU crisis management. Coordination between the EU and NATO is also essential in developing the EU Battle Group concept. The EU Battle Groups will strengthen the EU's ability to respond to UN requests. Employment of the joint Battle Group will be based on the principles of the UN Charter and be in accordance with international law.

Sweden, Finland and Norway have agreed to pursue joint consultations on all aspects pertaining to the joint Battle Group. Cooperation will be based upon consensus among the participating nations.

The establishment and further development of the joint Battle Group will be based on close cooperation and consultations between the three countries and will be outlined in a Memorandum of Understanding which will include each country's modalities for participation. At a later stage other nations may be invited to participate as partners in the joint Battle Group.

Brussels, 22 November 2004

Nordic Battlegroup

Since 1 January 2007, the EU has two battlegroups on standby for six months at a time, following a rotating schedule. These forces can quickly be deployed to a crisis area. As of 1 January 2008, Sweden together with Estonia, Finland, Ireland and Norway, will be on standby in the Nordic Battlegroup.

The Nordic Battlegroup (NBG) will be on standby for EU-led international crisis management operations from 1 January until 30 June 2008.

As the country in command (Framework Nation), Sweden has overall responsibility for the preparatory work involved with the Nordic Battlegroup. This includes responsibility for both political and military aspects of cooperation with the other countries. The force is to be available at short notice for demanding tasks in a broad spectrum of crisis management situations and at great distance from Sweden.

Sweden is contributing the major share of the Battlegroup, the core of which is a mechanised rifle battalion. The rifle battalion can be reinforced with support resources such as engineering, logistics, anti-aircraft, intelligence, transport helicopter, medical or mine clearance units. Should the need arise, forces such as combat aircraft with an airbase unit or special forces can also be deployed.

Command

The Force Commander of the Nordic Battlegroup is Brigadier-General Karl Engelbrektson, whose command is supported by a headquarters and staff officers from each of the participating countries. If an operation is launched, Engelbrektson and his staff will command the force in the operational area.

The strategic Operation Headquarters is based in Northwood, on the outskirts of London. During an operation, the Headquarters is led by Major-General Bengt Andersson, who is Operation Commander. Assisting him are officers from several EU countries. The strategic Operation Headquarters turns the political decisions taken by the EU Council of Ministers into military plans.

Contributes to peace and security

The Nordic Battlegroup represents an important contribution to the EU's capability to work for international peace and security. For Sweden, this commitment is based on a long tradition of peace-support efforts under the auspices of the UN. Better EU capability for carrying out crisis management and peace-support operations also strengthens the UN.

The EU-battlegroups

The concept of the EU battlegroups calls for two forces to be on standby at



FACT SHEET

Ministry of Defence

2007



Facts about the Nordic Battlegroup

Size: 2 850 soldiers

Member states: Sweden, Estonia, Finland, Ireland and Norway

Timeframe: Deployment within 10 days of an EU-decision

Duration up till 120 days

the same time during a six-month period, ready to be deployed on two separate operations, if necessary. One or more countries provide forces following a rotating schedule. The EU battlegroups have been fully deployable since 1 January 2007.

One battlegroup can either carry out its own operations from 30 to 120 days, or make up the initial part of a larger, more long-term EU operation. Tasks may vary across the entire range of conflict scenarios, from rescue or humanitarian operations to armed combat in peace-enforcement situations. There are no geographical limits with regard to a possible area of operations, but a radius of 6 000 km from Brussels is used for planning purposes.

Two of the basic principles for these forces are that they should be versatile and have the capability of carrying out independent operations without the need of further support. However, it is up to the participating countries to determine the composition and equipment of their forces themselves, based on the requirements made by the EU. This means that no battlegroup is identical with another.

All battlegroups are multinational as a matter of principle. Even if one country contributes the major share of the force, its command will be carried out by staff who are reinforced with officers from several EU countries. In the period 1 January–30 June 2008, Sweden is the Framework Nation for the Nordic Battlegroup which includes Estonia, Finland, Ireland and Norway. The Framework Nation has the main responsibility for training, setting up and operations of these forces.

Background and decisions

At the 1999 European Council in Cologne, EU Heads of State and Government decided that the Union could prevent and respond to conflicts by deploying civilian and military personnel on peace-support operations. At that time, it was also decided that operations would be based on national resources that are voluntarily placed at the disposal of the Union when a decision is taken to carry out an operation.

As a follow-up to the 1999 Cologne decision, the meeting of the European Council in Helsinki the same year agreed on the goals for developing such a military capability. These goals are usually termed the Helsinki Headline Goal or the Headline Goal 2003. The Helsinki Headline Goal states that the EU is to have the goal of establishing a rapid response capability that could be deployed at short notice to carry out peace support operations by military means.

Further steps in the development of an EU military rapid response capability were taken in connection with the meeting of the European Council in June 2001. At this meeting, the decision was taken on the Headline Goal 2010 document, which is a further development of Headline Goal 2003. One of the main elements of the latest goal is the establishment of what is termed battlegroups.

Read more about the Nordic Battlegroup

The homepage of the Ministry of Defence: www.regeringen.se/forsvar

The homepage of the Swedish Armed Forces: www2.mil.se/en/



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