

### **JULY 2023**

## The war in Ukraine

Adapting the EU's security and defence policy

Russia's war in Ukraine is violating the rules-based international order and poses a significant threat to European security. The EU and NATO have responded by taking coordinated action. The measures taken have varied from unprecedented sanctions on Russia to assisting Ukraine with the delivery of arms and ammunition. The war in Ukraine has led to an even stronger focus on collective defence, which was already put in motion after Russia's annexation of Crimea in 2014. Furthermore, the European security architecture has witnessed a significant change with Finland (and later this year Sweden) joining the North Atlantic Alliance. At the Vilnius Summit (11-12 July 2023), NATO has taken new decisions to strengthen its deterrence and defence posture.

These developments beg the question of what role is laid down for the EU in the security and defence realm? Should the EU's crisis management attention shift from the South to Europe's East, building forth on the ongoing operation of training the Ukrainian armed forces? How should the EU be dealing with hybrid threats, such as cyberattacks and disinformation campaigns? Finally, how can European capability development be stepped up and the defence industrial production of equipment and ammunition be increased?

This policy brief assesses the impact of the war in Ukraine on the EU's Common Security and Defence Policy (CSDP).1 The first section focusses on the implications in strategic terms: is the CSDP

A new impetus for the CSDP was provided by the Strategic Compass, adopted by the Council in March 2022. The Compass was published only a few weeks after Russia invaded Ukraine. Although it described this worsened security

still up to the mark or should it be adjusted to the changed environment? Subsequently, the authors zoom in on two specific areas: the impact of the war on EU missions and operations, followed by an analysis of how capability development and the defence industry in the EU are affected. Conclusions and recommendations complete this policy brief.

### Adjusting the EU's CSDP

Since the publication of the Global Strategy in 2016, the EU's main effort in the security and defence area focussed on capability development. Various initiatives were launched, such as Permanent Structured Cooperation (PESCO) and the European Defence Fund (EDF).

Another policy brief (to be published later in 2023) will address the topic of the future EU-Ukraine relationship in the area of security and defence.

environment, the (military) level of ambition, as expressed through the concrete objectives, did not alter.<sup>2</sup> The major element of the public attention of the Compass was the creation of the EU Rapid Deployment Capacity (RDC), meant for the extraction of EU citizens in Kabullike situations, stability operations in conflict areas or other crisis management missions. Without a doubt, the need for such operations will continue to exist, in particular in the EU's southern neighbourhood, as the Middle East and Africa will most likely remain instable, as illustrated by the armed conflict in Sudan in April 2023. On the other hand, political and military attention has been redirected towards the eastern neighbourhood. Even beyond the end of the fighting, a continuation of Russia's anti-Western policy can be expected, unless a radical regime change takes place in Moscow.

The changed security environment has set in motion a chain of developments within the area of the CSDP. Firstly, as a response to the war in Ukraine, Denmark abolished its over 30-year long opt-out on security and defence in June 2022, after 66.9% of the Danish population voted in favour.3 As a result, Denmark has now also become the 26th EU member state participating in PESCO<sup>4</sup> and has joined the European Defence Agency. Secondly, the war has led to a shift in the balance of influence of EU member states in the realm of security and defence, in which the security perceptions of eastern European countries, primarily focussing on Russia as the principal security threat, have gained prominence and importance.

This new reality questions whether the CSDP's level of ambition needs to be altered or whether an entirely different ambition, that is with the inclusion of the realm of territorial defence, must be put forward. Collective defence is NATO's core task, as explicitly stated in Article 42(7) of the Treaty on European Union (the mutual assistance clause).5 This reflects the political reality and, as a consequence, the EU lacks the necessary military command structures and other provisions to perform such a task. Nevertheless, it would be unwise for the EU to ignore the matter of territorial defence entirely. The question should be: which complementary role can the EU have to support NATO's core task? Firstly, the EU can serve as a facilitator for collective defence, by encouraging the creation of defence initiatives, such as in the area of developing technologies, collaborative procurement and training programmes. This will also contribute to strengthening NATO's deterrence and defence posture.<sup>6</sup> It is also in line with the European Council statement of 29 June 2023 that the EU and its member states "stand ready to contribute, together with partners, to future security commitments to Ukraine, which will help Ukraine defend itself in the long term, deter acts of aggression and resist destabilisation efforts."7

Secondly, there is the question of whether and how the hybrid domain should be incorporated into CSDP. Belarus and Russia have already used 'migration' as a weapon by sending migrants across the borders into Finland, Lithuania and Poland. Cyberattacks regularly occur and disinformation is spread through a multitude of communication channels, not least via social media. The EU has a wide set of

<sup>2</sup> A comparison between pre-war (early January 2022) and post-war versions (March 2022) of the Strategic Compass demonstrate that the list of concrete objectives had not been changed. This is understandable considering the lengthy process of deliberation (June 2020-December 2022) that preceded the publication of the Strategic Compass.

<sup>3</sup> Denmarks Statistik. 'Folkeafstemning onsdag 1. Juni 2022, Resultater - hele landet.', 1 june 2022.

<sup>4</sup> European Council, 'EU defence cooperation: Council welcomes Denmark into PESCO and launches the 5th wave of new PESCO projects', Press release, 23 May 2023.

<sup>5</sup> For more detailed research on the EU's mutual assistance clause, see: Bob Deen, Dick Zandee & Adája Stoetman, Uncharted and uncomfortable in European defence. The EU's mutual assistance clause of Article 42(7), The Clingendael Institute, January 2022.

<sup>6</sup> See for a more detailed discussion on this topic: Luis Simón, European strategic autonomy and defence after Ukraine, Elcano Royal Institute, 28 November 2022.

<sup>7</sup> European Council, 'European Council conclusions on Ukraine and security and defence', Press release, 29 june 2023.

counter-hybrid tools available, for example in the areas of situational awareness, cyber defence, cyber diplomacy, and foreign information manipulation and interference. Contrary to military forces, most hybrid threats neglect borders and can reach deep into Western societies. Nevertheless, CSDP operations and missions can play a role in countering hybrid threats. This raises the question of whether the traditional area of the application of the CSDP - external to the EU's territory - is still valid. The protection of its citizens is an EU obligation and the CSDP is already playing a role in this context through various activities, including by military support (Operation Irini in the Mediterranean) to help in disrupting "the business model of human smuggling and trafficking networks through information gathering and patrolling by planes".8 As NATO ensures the territorial integrity of its Treaty area by its deterrence and defence posture, the EU, for example through FRONTEX9, could deliver complementary contributions to counter Russian non-military intrusions by coordinated civil-military action to protect the Union's borders.

The war in Ukraine has further increased the importance of the defence agenda in the European Union, including in the industrial area (see below). This demonstrates the need for the establishment of a dedicated Defence Council that deals with all relevant EU defence matters. The matter has been previously raised, but the changing environment and the prominent position of security and defence issues on the EU agenda makes it more urgent than ever before.

# Implications for CSDP missions and operations

Besides the more general implications, the war in Ukraine also affects the EU's missions and operations. Three existing CSDP missions have been particularly affected by the war: the EU Advisory Mission to Ukraine (EUAM), the

EU Border Assistance Mission to Moldova and Ukraine (EUBAM) and EU Force (EUFOR) Althea in Bosnia and Herzegovina. EUAM and EUBAM were swiftly adapted, in particular for providing support to cross-border flows of refugees and goods. <sup>10</sup> In contrast to EUAM and EUBAM, EUFOR Althea was mostly affected by the war in an indirect way. According to the Dutch government, the importance of EUFOR Althea has further increased since the start of the war in Ukraine, as it contributes to stability in the Balkan region. As a result, the Dutch government decided to reinforce its contribution to the mission by sending an infantry company and an intelligence team. <sup>11</sup>

The war in Ukraine has also led to the creation of new CSDP missions. At record speed, the EU Military Assistance Mission to Ukraine (EUMAM) was launched in November 2022. Remarkably, EUMAM's activities primarily take place on EU member states' territory, notably in Germany and Poland<sup>12</sup>, something that is unusual given that CSDP missions take place outside EU territory as defined in the Treaty on European Union. By mid-June 2023 a total of 25,000 Ukrainian military have been trained by the EUMAM.<sup>13</sup> Furthermore, the Council established the EU Partnership Mission (EUPM) in the Republic of Moldova. In the past year, the country has fallen victim to several Russian attempts at destabilisation. As a result, EUPM is aimed at enhancing Moldova's resilience of the security sector of the country.<sup>14</sup> Incorporating the hybrid element into a CSDP mission is rather new. It illustrates the increasing importance of hybrid tactics in contemporary

<sup>8</sup> European External Action Service, 'EUNAVFOR MED – operation IRINI, about us', July 2023.

<sup>9</sup> FRONTEX is the European Border and Coast Guard Agency, see: https://frontex.europa.eu/.

<sup>10</sup> European External Action Service, <u>Annual Progress Report on the Implementation of Strategic Compass for Security and Defence</u>, March 2023, p. 7.
European Union, <u>Annual Report</u>, <u>EU Border</u>
<u>Assistance Mission to Moldova and Ukraine</u> (EUBAM),
23 February 2023.

<sup>11</sup> Rijksoverheid, Meer Nederlandse militairen naar EU-operatie in Bosnië en Herzegovina, 6 April 2023.

<sup>12</sup> European External Action Service, EU MAM Ukraine (EUMAM UA), last updated: 31 March 2023.

<sup>13</sup> European Council, Foreign Affairs Council (Defence): Main results, 23 May 2023.

<sup>14</sup> European Council, 'Moldova: EU sets up a civilian mission to strengthen the resilience of the security sector', Press Release, 24 April 2023.

conflict and how this affects CSDP missions. Moreover, and despite Russian objections, the EU also started a mission in Armenia (EUMA) to monitor the security situation on the ground and to support its efforts to facilitate a peace deal between Armenia and Azerbaijan.<sup>15</sup>

Missions such as EUPM-Moldova and EUMA-Armenia are launched at the invitation of the country concerned. However, CSDP operations may also require a mandate from the United Nations Security Council, in particular when a military intervention or stabilisation operation is envisaged. The war in Ukraine is increasing the risk of Russia using its veto power in the UNSC to block mandates for CSDP operations.

Naturally, CSDP missions will continue to evolve in response to the changing security environment. If the Ukrainian security situation transfers from war to peace, new CSDP operations could be considered to assist the country in repairing infrastructure and accessibility, for example by demining, the provision of temporary military bridging and other engineering activities. Maritime security is another area of Ukrainian concern, for which the EU could offer assistance including through the CSDP. Early consideration of Ukrainian needs would help to reduce preparation time. Contingency planning, such as by the identification of the available capabilities of EU member states, would serve the same purpose. EUMAM could perhaps be adjusted to serve the longer-term needs of the Ukrainian armed forces in order to be even better prepared for possible future conflicts.

The war in Ukraine demonstrates that the characteristics of contemporary conflicts consist of both traditional, military elements as well as non-traditional, hybrid elements. The separation of military operations and civilian missions – as has existed since the start of the CSDP – seems to become more and more outdated, which implies that they are becoming even more

15 European External Action Service, EU Mission in Armenia (EUMA), 28 February 2023.

complementary. The recently released Civilian Compact for CSDP clearly recognises this development. 16 It also recognises that civilian CSDP should "be more resilient and contribute to the resilience and response of host countries to hybrid and cyber threats". 17

These considerations should not lead to a complete shift of the geographical scope of CSDP missions and operations. Despite the fact that current attention is focussed on the eastern neighbourhood, instability in already vulnerable regions is likely to persist. The Middle East, Africa and the Indo-Pacific region are the most important areas, taking into account European interests. New crises and conflicts might trigger EU involvement, including by deploying military forces. To illustrate this, the EU is currently working on the deployment of a civil-military mission to the Gulf of Guinea. The aim is to support Benin, Côte d'Ivoire, Ghana and Togo in facing the challenges of terrorism and piracy, through combining civil and military activities. In addition, a somewhat less explicit objective is to counter the influence of third countries, in particular Russia, China and Turkey.<sup>18</sup> Therefore, the agreed target in the Strategic Compass to have the EU RDC ready for operational deployment in 2025 should remain firm on the CSDP agenda.

# Implications for defence capabilities and industry

In the immediate aftermath of Russia's invasion of Ukraine, EU leaders responded with the Versailles Declaration that highlights the need to bolster the EU's defence capabilities through "resolutely invest more and better in defence

By stating that EU member states are committed to "foster synergies and complementarity between the civilian and military dimensions of CSDP". Council of the European Union, "Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on the establishment of a Civilian CSDP Compact", 9588/23, 22 May 2023, p. 8.

<sup>17</sup> Ibid., p. 6.

<sup>18</sup> Nicolas Gros-Verheyde, '[Confidential] A new civilmilitary mission is emerging in the Gulf of Guinea', B2Pro, 30 May 2023.

capabilities and innovative technologies"<sup>19</sup>. Moreover, various European countries have announced long overdue defence budget increases.<sup>20</sup> Generally, since the war in Ukraine there are three lines of reasoning underpinning the need for increasing production: (i) catching up with years of budget cuts in defence in combination with (ii) more pressure on armed forces due to the strengthening of deterrence and the continuing military support for Ukraine, in particular by providing weapons and ammunition for the Ukrainian military, and thereby (iii) the need to replenish stockpiles.

In terms of capability priorities, a further shift to heavy ground forces, long-range strike weapons and unmanned systems is already visible in the NATO context. This will not leave the EU's military capability activities untouched. The war's lessons learned will be taken into account in the review of the Capability Development Plan (CDP), to be approved by the EU Council in November 2023. The Alliance's requirements for strengthening collective defence will also influence the EU's capability development priorities and industrial supply capacities to a very large extent. As announced by the Dutch Minister of Defence, with regard to the CDP review "The Netherlands will (...) underline, amongst other things, the importance of military mobility, integrated command & control systems, (heavy) artillery, integrated air- and missile defence, and intelligence capacities."21 This expression of intent is an example of the close connection between EU capability development priorities and the NATO requirements for collective

defence. In other words, it is to ensure that the EU capability priorities – driving the selection of European collaborative programmes and projects – are also reflecting NATO's capability targets to the maximum extent. The famous 'single set of forces' principle is not a blocking device in EU-NATO cooperation, but rather a driver of the alignment of the efforts of both organisations to improve Europe's contribution to its own defence.

Another important effect of the war is the increased use of EU funding to compensate for equipment delivered to Ukraine by member states and for the collaborative procurement of ammunition. New programmes have been launched for the replacement of artillery, air defence systems and tanks that are delivered to Ukraine: the European Defence Industrial Reinforcement through common Procurement Act (EDIRPA) and its foreseen successor, the European Defence Investment Programme (EDIP). The original purpose of the European Peace Facility (EPF) was to finance CSDP operations and material assistance to countries in support of EU crisis management activities, in particular in Africa. However, as a result of the war in Ukraine, the EPF is now mainly used for financially compensating member states for the delivery of weapons and ammunition to Ukraine, in total to an amount of € 5.6 billion.<sup>22</sup> This includes tracks 1 and 2 of the 'Collaborative Procurement of Ammunition' initiative, launched in March 2023 by the Council. On 7 July 2023, the Council and the European Parliament agreed on the content of the track 3 'Act in Support of Ammunition Production' (ASAP) to support the ramp-up of the manufacturing capacities for artillery and missile ammunition production within the EU with a budget of € 500 million.23

<sup>19</sup> Informal meeting of the Heads of State or Government, Versailles Declaration, 10-11 March 2022.

<sup>20</sup> The most remarkable announcement was made by Germany, which announced a defence investment boost of €100 billion. But also other European countries, including the Netherlands, will increase their defence budget. The expectation is that 17 out of the 28 European NATO countries will comply with the NATO 2% target by 2024.

<sup>21</sup> Geannoteerde agenda Raad Buitenlandse Zaken Defensie
d.d. 23 mei 2023 te Brussel, Brief van de minister van
Defensie drs. K.H. Ollongren aan de Voorzitter van
de Tweede Kamer der Staten-Generaal, 10 mei 2023.
(English translation by the authors)

<sup>22</sup> The EPF financial ceiling has already been increased by € 2 billion to almost € 8 billion. On 26 June 2023, the Council decided to add € 3.5 billion to the EDF, raising the ceiling to € 11.5 billion. NB: the EPF is a fund outside the EU budget. Member states contribute to the EPF based on the EU's Gross National Product (GNP) key.

<sup>23</sup> European Council, 'ASAP: Council and European
Parliament strike a deal on boosting the production
of ammunition and missiles in the EU', Press Release,
7 July 2023.

These are truly game changers, both for the short-term deliveries and compensations, but also for the longer-term effect on the European Defence Technological and Industrial Base (EDTIB). The production of military equipment and ammunition has to be stepped up, which requires two lines of action. First, sustained investment in defence acquisition is needed. The structural growth of industrial production is only possible if funding in the long term is assured. Without this certainty, defence industrial companies will not take the risk of investing in additional production lines and expanding their skilled labour force. This has implications at the national and international levels. Nations have to ascertain longer-term investment plans in order to avoid the negative impact of budget cuts as shown in the 2010-2015 timeframe. A political commitment to spend a minimum of 2% GDP on defence – the NATO target - is not enough. A legal commitment is needed to sustain long-term output, for example through concluding a 10-year defence investment fund at the national level. Regarding the EU, the funding of replacement equipment and the delivery of ammunition to Ukraine – now based on short-term investment programmes such as EDIRPA and using a topped-up EPF – also requires a more structural flow of available financial resources. The midterm review of the Multiannual Financial Framework should be used for that purpose with an increased budget for security and defence (Title 5 of the MFF).24

The second requirement for increasing defence industrial production is an accelerated consolidation of the EDTIB. Instruments such as the EDF and EDIRPA incentivise cross-border industrial cooperation by offering money from the Union budget for collaborative investment, involving at least three countries and three industries located in different EU member states. Naturally, defence industries themselves have to explore the scope for cooperation and,

in the longer term, integration. Traditionally, the air sector is most integrated (e.g. Airbus Space and Defence) and already various companies are closely cooperating in larger procurement programmes such as on the Eurodrone and the Future Combat Air Systems. The naval sector is catching up, as witnessed by the launch of Naviris in 2020 - a joint venture of the Italian company Fincantieri and the French Naval Group - and the Sea Defence Consortium led by Damen Naval in the Netherlands. The land sector has to follow and the Franco-German Main Ground Combat Systems project for the next generation of armoured vehicles offers this opportunity, assuming that Berlin and Paris will allow other European nations to participate therein.

### **Conclusions and recommendations**

The Russian invasion of Ukraine will leave its traces on the European security architecture. The changed security environment has further strengthened the primary defence task of collective defence provided by NATO. This has raised the question of what the implications will be for EU CSDP and whether an adaptation of its level of ambition is required.

Generally, it is evident that the war in Ukraine has generated more political will to step up European defence efforts and has accelerated investment, most notably in the area of joint procurement and acquisition. Moreover, the EU must seize this momentum to advance its position in the realm of security and defence, including in support of strengthening territorial defence. The EU can do this in two principal ways: as a facilitator for collective defence, through encouraging the creation of defence initiatives and instruments that boost investments in defence capacities, as well as through emphasising its added value in countering hybrid threats.

The missions and operations that are deployed under the EU CSDP umbrella are and will continue to be affected by the war in Ukraine. Already existing missions and operations in (the proximity) of Ukraine have been forced to adapt themselves to the worsened security environment or have been subjected to the

<sup>24</sup> For suggestions to adjust the MFF, see: Adriaan Schout, Luuk Molthof & Saskia Hollander, The Multiannual Financial Framework – The search for flexibility and recognised effectiveness, Clingendael Report, April 2023.

increased political tensions between Western countries and Russia. In the (near) future, it is most likely that EU CSDP missions and operations will increasingly encompass civil and military components, in response to the changing character of conflicts. As hybrid threats affect the security of the EU, also internally, the applicability of the CSDP ex-EU territory becomes even more outdated. Coordinated civil-military action in the context of CSDP can contribute to safeguarding the EU's borders, complementary to NATO's deterrence and defence posture. However, EU member states should be aware that the East should not be the only focus area, as instability in the EU's southern neighbourhood will continue to pose a security threat.

Moreover, the war in Ukraine has significant implications for European capability development and industry. It has demonstrated the urgency to reinvest in defence capabilities in order to replenish, to restock and to modernise, through the launching of new initiatives for the collaborative procurement of military equipment and ammunition. In addition, the war has laid bare some fundamental problems within the European defence industry, most notably with respect to long-term investments and the production capacity of the defence companies.

In light of these developments, the Netherlands should:

Push, within the EU and with like-minded partners, for a significant facilitating role for the EU in strengthening NATO's role in collective defence. This can be done through orienting the EU's instruments on defence capacities in that direction, naturally in full complementarity with the Alliance.
 Especially the EU's added value in facilitating through the launching of defence initiatives – in particular for the collaborative acquisition

- of military equipment and ammunition and its role in countering hybrid threats should be highlighted.
- Explore with partner nations the scope for early preparations for post-war assistance to Ukraine in demining and infrastructure reconstruction with first responder military support through a military CSDP operation, and longer-term military assistance in strengthening Ukraine's defence, including in the area of maritime security.
- Emphasise the need for continuous attention to crisis management, with a specific emphasis on the importance of making the EU RDC operational by the predetermined deadline of 2025.
- Stress the need for adapting civil and military components in contingency plans, scenario exercises, (live) exercises and training to the changing security needs, so that forces will be well prepared for such types of operations when deployed.
- Consult with other EU member states in order to collectively initiate a new attempt to establish a Defence Council that deals with all defence matters.
- Press for an increase in the EU budget that is allocated to security and defence during the mid-term review of the Multiannual Financial Framework.
- Advocate, with like-minded countries, for a commitment to a long-term defence investment plan, with a time horizon of 10 years, so that longer-term financial investments in defence are secured beyond the short term, making them less susceptible to government changes and economic developments.
- Together with like-minded partners, press
  Berlin and Paris to open up the Main Ground
  Combat Systems programme to wider
  participation, also in order to foster the
  consolidation of the European Defence
  Technological and Industrial Base.

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