Berlin Plus

20 MAY 2024

Gaston Goettlich



Foundation for a Futureproof CSDP?

The "Berlin Plus Agreement" is a framework, agreed upon in 2003, formalizing cooperation between NATO and the EU. The agreement was implemented, in order to avoid duplication of NATO structures and Europe's then-developing Common Security and Defence Policy (CSDP). In essence, Berlin Plus guarantees the EU access to NATO planning capabilities, making the Union reliant on the transatlantic partnership.

Berlin Plus today stands in sharp contrast to statements made by European heads of government. Recently, French President Emmanuel Macron explicitly called for European "*true strategy autonomy (...)*", while Commis-

sion President Ursula von der Leyen advocated for a "*European awakening on defence and security (...)". Both Macron and von der Leyen referred to the Versailles Declaration of March 2022, when European heads of government decided that, following the Russian attack on Ukraine, the EU would take up more re$ponsibility for its own security and improve the Union's military "capacity to act autonomously (...)".*

Today, Europe is questioning the reliability of specific NATO partners. Both the strategic pivot of US foreign policy to the Indo-Pacific and Türkiye's progressively ambiguous role in the transatlantic partnership show that the EU requires for the future a reliable Common Security and Defence Policy (CSDP). Is Berlin Plus able to provide this functioning and futureproof European security architecture or is there a need for a new burden-sharing formula?

Berlin Plus & "NATO's right of first refusal"

Berlin Plus builds the foundation for security cooperation between the EU and NATO, aiming to avoid duplication of crisis management capabilities. Central features are: (1) the exchange of security-related information, (2) the usage of NATO planning capabilities, i.e. SHAPE and (3) the utilization of NATO's DSACEUR (Deputy Supreme Allied Commander Europe) for commanding EU-led missions.

The access to NATO planning capabilities is subjected to "**NATO's right of first refusal**", i.e. the alliance must decline to intervene in a given scenario. Additionally, it requires a unanimous agreement by all NATO member states. Europe's CFSP, including CSDP, is also part of the policy area, where the Council acts unanimously. As of today, passerelle clauses are not introduced to this policy area.

The EU possesses a permanent institution capable of operational planning. The Military Planning and Conduct Capability (MPCC) is however restricted to "non-executive" military assistance missions. As a result of Berlin Plus, the EU holds no unified operational planning capability, comparable to NATO's SHAPE. Therefore, the institutional set-up of Berlin Plus positions the EU with two inherent challenges. The institutionalized dependence of the Union's security architecture on NATO and the risk of political blockages seriously threaten its future viability.

Institutionalized dependence & "Madeleine Albright's 3Ds"

Secretary of State, Madeleine Albright, summarized the US perspective on a European security architecture in 1998 by stating support for CSDP under the conditions that there was ***no decoupling*** from NATO, ***no duplication*** of structures and ***no discrimination*** *of non-EU NATO members e.g. Türkiye. These conditions are today known as the* 3Ds.

Contemporary observers could not help noticing a resemblance between the newly formed CSDP and NATO. Both organizations are designed to engage in crisis management operations, i.e. Petersberg tasks and pledge to

mutually reinforce a collective defence, i.e. the mutual defence clause (art. 42.7 TEU) and the solidarity clause (art. 222 TFEU), mirroring NATO's collective defence clause (art. 5). Additionally, CSDP and NATO rely on the same national assets to plan and conduct military operations. Unified command and control capabilities are, however, crucial for both organizations.

Designed to avoid duplication, Berlin Plus integrated the Union's CSDP into NATO structures. Following that, Europe's defence policy became reliant on NATO and thus non-European partners. This **Dependence**, whether intentionally or not, prevented the development of a security-related "*capacity to act autonomously (...)*".

Political blockages & "The Cyprus issue"

From its initiation, Berlin Plus was susceptible to political blockages due to the institutional overlap of NATO and the EU. Most importantly, Türkiye as a non-EU NATO member was and remains, due to their long-lasting confrontation, unwilling to exchange intelligence with the Republic of Cyprus. This veto effectively impedes Cyprus from attending EU-NATO meetings under Berlin Plus, despite being an EU member since 2004. Türkiye is reluctant to change its obstructive role, also pursuing the "interest of advancing accession negotiations with the EU (...)".

Berlin Plus gives those states that are members of just one institution tremendous veto powers over security-related areas of cooperation, and thus the ability to pursue their own narrow interests. "**The Cyprus issue**" exemplifies the structural risk of political blockages and hostage-taking, which may become even more prevalent if the EU and NATO continue to expand their membership.

Is Berlin Plus still delivering?

The Berlin Plus Agreement of 2003 guarantees the EU access to NATO planning capabilities, under the condition, that NATO declines to intervene in a given scenario, i.e. all NATO member states approve. Berlin Plus was implemented in order to avoid duplication of planning capabilities, given the institutional overlap of the EU's CSDP and NATO. Already in CSDP's conception phase in the 90s and early 2000s, there were discrepancies regarding the purpose of CSDP in the institutional set-up of the transatlantic security architecture. Potential ineffective resource allocation and an endangered transatlantic political unity were at stake.

Since its initiation, Berlin Plus has faced two challenges. The institutionalized dependence upon NATO, as well as the inherent risk of political blockages, render any European "*capacity to act autonomously (...)*" impossible. Therefore, Berlin Plus does not support the goals, set out by the Versailles Declaration of 2022.

The pursuit of own strategic interests by Washington and Ankara, i.e. non-EU NATO partners, continues to be expectable. To remain a relevant

security actor and thus have an operational and futureproof CSDP, the EU needs to have a unified and fully functional operational planning capability. In this regard, a critical review of Berlin Plus is necessary.

EPIS