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EUROPEAN POLICY ANALYSIS

Towards a European Total Defence Union?

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Summary

Security and defence will figure high on the EU's agenda for the new political cycle, resulting as much from political ambitions as a deteriorating security situation. With the Commission's dual goals of creating a European Defence Union and, potentially, a Preparedness Union, scattered building blocks of a European Total Defence Union are emerging. Aligning them presents the EU with a daunting but essential task over many years to come.

The war in Ukraine and the consequences of climate change both point to a need to improve the security of the civilian population. While the EU holds many of the relevant instruments, the implementation of the ambitious agenda will prove difficult in view of the complexity of the task, the varying conditions of member states, treaty limitations, the need for resources, and the balance of competence between member states and the Commission. However, ignoring the matter could prove costly for politicians, who are pressured to improve civilian security.

More than anything else, Ukraine's fate will determine the shape and nature of the EU as Europeans will have to assume a greater responsibility not only for their own security but also for that of Ukraine. Any security arrangement for Ukraine will entail substantial European participation. This will further reinforce the EU's defence dimension.

Becoming part of the EU is essential to Ukraine's will to resist. The accession process will likely result in 'tipping points' when Ukraine will become more part of the EU than the Russian sphere of interest, regardless of formal membership arrangements.

Will the EU be able to master the strength of becoming an organising principle for the continent or succumb under the weight of the task?

The Europeans certainly have their work cut out for them.

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1. Introduction

The EU does not have a formal goal to create a European Total Defence Union encompassing both civilian and military aspects. However, the combination of President von der Leyen's declared intention to build a Defence Union in the next five years, and the proposed Preparedness Strategy – paving the way for a Preparedness Union – add up to scattered building blocks of what could be called total defence, as applied by some Nordic countries.

The basic idea behind total defence is that wars affect the entire society and that the whole-of- society needs, consequently, to be prepared and mobilised to resist a potential aggressor. Russia's full-scale invasion of Ukraine has driven home the point that the civilian population and infrastructure can be the target of warfare aiming to break the will to resist.

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Ukrainian persistence not only to deter the aggressor militarily along the 1,200 km long front line, but also tirelessly to rescue and rebuild damaged civilian structures, provides ample and daily illustrations of the tasks at hands. The build-up of military forces in Europe is, consequently, accompanied by parallel governmental efforts to improve the protection of the civilian population. The urgency of this task is underlined by growing hybrid threats and recurrent natural disasters caused by climate change – the Valencia catastrophe being a case in point.

The Commission intends to present two parallel papers 'The Future of European Defence' and 'The Preparedness Strategy' 100 days into its term, or during the first part of March. An extra European Council could be called to discuss ways of moving the strategies forward. In April 2025, negotiations on the next Multiannual Financial Framework (MFF) 2027–2034 will start, with the Commission advancing its proposal in the summer, indicating member states willingness to translate Commission proposals into tangible results.

At the beginning of the new political cycle, calls for improving the EU's civil and military 'preparedness' appeared in many of the new Commissioners' mission letters. References were made to former Finnish President Niinistö's report 'Safer Together. Strengthening Europe's Civilian and Military Preparedness and Readiness',[1] which echoed the Finnish total defence concept[2] and paved the way for a Preparedness Strategy. This would be the first of a series of deliverables that could include a new EU Preparedness Law setting joint standards and guidelines, aligning EU and national efforts, a civil defence mechanism and a European Comprehensive Preparedness Exercise.

With its proposals, the incoming EU Commission has outlined the daunting task ahead of combining the build-up of the underfinanced and long neglected civilian and military structures of member states with those of the EU as a Union. In addition, it has raised the ceiling by stating that the effort should include 'the most extreme contingencies' and that Ukraine should be added to the 27 in the EU's defence industrial cooperation.

Most importantly, Ukraine has been promised EU membership. While formally a more distant goal, the pace of Ukraine's gradual integration will have a decisive impact on its ability to join Europe or be drawn into Russia's sphere of interest. Nothing less than Europe's security hinges on Ukraine's fate.

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[1] Niinistö, Sauli, 'Safer Together. Strengthening Europe's Civilian and Military Preparedness and Readiness. Report by, former President of the Republic of Finland, in his capacity as Special Adviser to the President of the European Commission'. Brussels, 24 October 2024. https://commission.europa.eu/document/download/5bb2881f-9e29-42f2-8b77-8739b19d047c_en?filename=2024_Niinisto-report_Book_VF.pdf

[2] Finland's President Stubb uses the concept 'comprehensive security'. See, e.g., his speech at the Hertie School, 8 May 2024. https://www.hertie-school.org/en/news/live-on-campus/detail/content/comprehensive-security-the-finnish-model-for-21st-century-threats

A deteriorating security situation
The Commission's proposals were made against the backdrop of a deteriorating security situation in Europe, which has been interpreted by some defence officials as the first round of a continued conflict with Russia, ready to rebound after a couple of years' reconstitution of its forces, which are currently under strain in Ukraine.[3]

These events occurred as Europe approached the 80 years since the end of the second world war. Signs of fatigue in the multilateral institutions created at the time, and based on US leadership, were multiplying. The election of Donald Trump as the 47th President of the US reinforced the conviction, widely held since his previous term as president, that Europeans would have to take on a greater responsibility for their own security and, possibly, that of Ukraine. This would amount to nothing less than upholding the existing security situation in Europe, which is now under serious pressure.

The situation could, however, also be interpreted as having the potential for making Europe whole and free by integrating the territories of the Eastern European peoples and nations, historically victims of the great power rivalry between 'Germany' and 'Russia'. This would replicate the way the territories between Germany and France were pacified as the result of the outcome of the second world war and the consequential creation of the Coal and Steel Union.

However, in this more optimistic reading of the situation, the EU would have to become an organising principle of the continent, functionally and successively integrating Ukraine. The EU would then share a vulnerable border with Russia, stretching from the Baltic to the Black Sea. Short of a decisive victory for either of the warring parties, this could result from a stalemate in Ukraine, formalised or not by a ceasefire or peace agreement. Russia could deny Ukraine a formal closing of the conflict on purpose, because that would complicate its membership in NATO. Or, the matter could be postponed for 20 years, as proposed by representatives of the new US administration.

A 'Korean situation' could then emerge with an international observer force deployed along the frontline of a frozen conflict, with a ceasefire but no peace agreement in place – the difference being, of course, that Russia is not the equivalent of North Korea. This would leave Ukraine – and the EU – subject to constant probing and contestation by Russia, a land empire with centuries of experience with meddling in the business of neighbours and, at times, changing borders at will.

'This then raises the fundamental question of the EU's ability to shoulder the burden of becoming an organising principle for the continent, particularly if Ukraine's membership of NATO remains unresolved.'

This then raises the fundamental question of the EU's ability to shoulder the burden of becoming an organising principle for the continent, particularly if Ukraine's membership of NATO remains unresolved. The EU also suffers from internal ills in the form of nationalistic responses to political challenges, its more prominent figureheads feeling vindicated by the outcome of the US election. Would the EU, in the end, just become a latter-day version of the Holy German Roman or Habsburg empires, ultimately succumbing under the weighty burden?

Or is it instead Russia, the last unreformed European empire, that is on the verge of overextension, which could then pave the way for future internal reform and the return to Europe? This seems less likely, because Russia forms part of a front of Eurasian empires led by China, aiming at weakening the West and, in particular, its lead nation, the US. For China, Russia, North Korea and Iran the purpose is to replace the Western-led order while, for other members of the BRICS-formation, [4] it is merely an attempt to balance Washington and Beijing while securing good

[3] Nöstlinger, Nette, 'German spy chief: Russia could test NATO loyalty to "mutual defense" clause'. *Politico*, 28 November 2024. https://www.politico.eu/article/german-spy-chief-moscow-ready-to-launch-attack-against-nato-by-end-of-decade/

[4] BRICS consists of China, Russia, South Africa, Brazil, India, Ethiopia, Egypt, Iran and the United Arab Emirates.

bargains resulting from a changing global order favouring transactional relationships.

In the words of President von der Leyen, the role of the Europeans in the world for the next 50 years is likely to be defined by the choices made during the five years ahead. This could be interpreted as the political framing of a leader with the perspective of a five-year term ahead of her. Nevertheless, the signs are multiplying that may signal a decisive period in European history that could determine not only the political shape of Europe, but also its place in a world where its relative weight is diminishing.

2. A European Total Defence Union?

This analysis seeks to provide an overview of a complicated field of study, while at the same time introducing reflections about issues such as changes to European governance, the potential for progress and voids to be filled in future European deliberations. The analysis of specific proposals will depart from a total defence planning perspective, selectively extracting elements of relevance in this regard. Some initial European reactions to the proposals will be reflected as they have transpired in informal interviews and conversations carried out by the author.[5] This will, then, be an eclectic exercise, one that hopefully contributes to a better understanding of developments resulting as much from political and bureaucratic endeavours as the pressures of a deteriorating security situation.

The analysis will account for the two faces of a potential European Total Defence Union as they transpire in the form of proposals put forward by the new Commission. Section 2. A European Total Defence Union? consists of two parts: 2.1 A Preparedness Union? and 2.2 A European Defence Union?

Emphasis will be given to civilian aspects in Section 2.1, because they represent a new and less known field, while proposals regarding military defence largely reflect ongoing work. For each section, the background to the current state-of-affairs will be given, before presenting the ideas put forward by the Commission in view of the new 2024–2029 political cycle. The Niinistö report 'Safer Together. Strengthening Europe's Civilian and Military Preparedness and Readiness' will figure prominently throughout the analysis.[6]

2.1 A Preparedness Union?

The EU's crisis responses, stemming from the needs in the early 2000s to address natural disasters and terrorism have, a quarter of a century later, mutated into something broader, ranging from wildfires to war.

The EU started out as a provider of civil protection in case of natural disasters or acts of terrorism, situations largely typical for peacetime conditions. Solidarity between member states is enshrined in Article 222 Treaty of the Functioning of the European Union (TFEU).[7] The emergence of hybrid threats, pertaining to grey zones, blurred the line between peace and war and internal and external security. The EU declared that such threats, if they reach a certain level, could activate defence-related Article 42.7 Treaty of the European Union (TEU)[8] of solidarity in case of armed aggression. In a parallel development, NATO has indicated that Article 5 in the Washington Treaty[9] could be activated for the same reason.

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[5] The author is immensely grateful to civil servants in European institutions in Brussels, government offices in Stockholm, the Swedish Permanent Representation to the EU and government offices in Berlin who generously provided valuable information and shared their views of the many complicated issues at hand. The interviews were carried out between September and November 2024. As always, the author is fully responsible for any errors and misunderstandings.

[6] See note 1.

[7] Consolidated version of the Treaty on the Functioning of the European Union Part Five – The Union's External Action Title VII – Solidarity Clause Article 222. https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12016E222

[8] Consolidated version of the Treaty on European Union Title V – General Provisions on the Union's External Action and Specific Provisions on the Common Foreign and Security Policy, Chapter 2 – Specific Provisions on the Common Foreign and Security Policy, Section 2 – Provisions on the Common Security and Defence Policy. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12016M042

[9] The North Atlantic Treaty, 1949. https://www.nato.int/nato_static_fl2014/assets/pdf/stock_publications/20120822_nato_treaty_en_light_2009.pdf

In 2022, the EU was unwinding itself from its energy dependency of Russia while providing aid to war-torn Ukraine, struggling to defend its civilian population and infrastructure.

Concepts such as resilience and civil preparedness marked the move away from acute crisis management to a more preventive posture, itself requiring deeper political integration. Political ambitions contrasted with the paltry budgetary resources allocated in the current MFF.

The implementation of the raised ambition regarding preparedness represents a demanding task for the new Commission and member states, who are the custodians of many of the relevant resources. The pressure for deeper integration resulting from recurrent crises and the increased pace of crisis management tends to reinforce the role of the Commission in emergency situations.

While civil preparedness appears to offer an obvious comparative advantage for the EU in the EU–NATO relationship, its implementation requires further synchronisation and delineation between the two organisations.

2.1.1 Developments to date

The policy areas covered by this section are closely related, but they are regulated differently and defined by a multitude of competing concepts. Institutional structures have multiplied under the pressure of crisis management resulting, among other things, in a sea of acronyms. A brief attempt at clarifying some of the matters will be made in the hope that it will facilitate the understanding of the new proposals to which we will return later in the section.

Definitions, legal basis and resources

The EU's use of concepts such as resilience, readiness and, increasingly, preparedness calls for some clarification. They have been added on as new challenges and threats have evolved and affected the functioning of the EU. The concepts arguably all apply to ways for societies to prepare for the whole gamut of challenges and threats, from peace to war.

Because there exists no comprehensive description of their interrelationships, here is an attempt to clarify the matter:

Resilience refers to an inbuilt flexibility and robustness to absorb shocks, or in the words of the European Commission's 2020 Strategic Foresight Report, preceding Russia's full-scale invasion of Ukraine and focusing on the green and digital transitions:

> The *ability not only to withstand and cope with challenges but also to undergo transitions, in a sustainable, fair, and democratic manner…* Building a more resilient society calls for strengthening the mechanisms of shock absorption and enhancing the capacity for adaptation and transformation.[10]

Preparedness refers to a proactive way of preparing responses, marking the move from a reactive to a proactive stance, or in the words of the Niinistö report:

> Anticipate, prevent, withstand; and respond to major threats or crises that a) concern the EU as a whole, or more than one Member State with broad cross-border and cross-sectoral effects; and b) are of a magnitude and complexity that require resources and policies beyond national capacities.[11]

Readiness can be perceived as a general feature, but also as a way of indicating specific levels of readiness for given resources, such as the number of days in which a military force would be deployable.

It would be valuable if the EU could produce a crisp and cohesive explanation of the many concepts and their interrelationships. Ultimately, the different concepts will only become meaningful when specified in terms of requirements, tested in exercises and allocated with sufficient resources.

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[10] European Commission, '2020 Strategic Foresight Report'. Brussels, 2020. https://commission.europa.eu/strategy-and-policy/strategic-foresight/2020-strategic-foresight-report_en. UN Definition: Resilience | UNDRR The ability of a system, community or society exposed to hazards to resist, absorb, accommodate, adapt to, transform and recover from the effects of a hazard in a timely and efficient manner, including through the preservation and restoration of its essential basic structures and functions through risk management. https://www.undrr.org/terminology/resilience

[11] See note 1.

Civil protection
The scope of civil protection, a function under the policy area of Justice and Home Affairs (JHA), has grown steadily since the early 2000s, the consequence of pressures and shocks such as the terrorist attack at the Atocha railway station in Madrid 2004.

JHA is covered by Article 4.2 TFEU, which defines areas of shared competence between the Union and member states,[12] while civil protection can be found under Article 6 TFEU, defining areas where the Union would have competence to carry out actions to support, coordinate or supplement the actions of the member states.[13] Article 196 TFEU defines civil protection as covering natural or manmade disasters.[14]

JHA has at its disposal the Directorate-General for European Civil Protection and Humanitarian Aid Operations (DG ECHO). The Union Civil Protection Mechanism (UCPM) can activate its operational arm, the Emergency Response Coordination Centre (ERCC), on demand both for internal demands and for humanitarian assistance abroad.

> 'Altogether, they nevertheless represent minor posts in the MFF, which raises the question of how the greatly augmented ambition for civil preparedness will be matched by budgetary resources in the next MFF.'

The sums allocated under the current MFF's second heading 'Cohesion, resilience and values' is limited to 1.3 billion euros. Another 2 billion euros from the Next Generation EU had been temporarily added, but the arrangement is set to expire. It can be argued that related resources can be found under the headings of other policy areas such as the EU's Health Programme EU4Health (2.45 billion euros). Altogether, they nevertheless represent minor posts in the MFF, which raises the question of how the greatly augmented ambition for civil preparedness will be matched by budgetary resources in the next MFF.

Broadening the concept of civil protection
The European Programme for Critical Infrastructure Protection (EPCIP) was adopted in 2008. In 2020, the concept was broadened to encompass so-called critical entities or services essential for the functioning of energy, transport, banking and health. The area is covered by the Resilience of Critical Entities (CER) Directive. Cyber resilience was the focus of the Directive on Security of Network and Information Systems (NIS) in 2016, which was updated and broadened in the NIS2 directive of 2020. It was complemented in 2024 with the Cyber Resilience Act (CRA) regulating hard- and software. As part of the EU's effort to counter hybrid threats, the European External Action Service (EEAS) built up the capacity to identify, analyse and assess Foreign Information Manipulation and Interference (FIMI).

A more contested geoeconomic situation caused the EU to adopt its New Industrial Strategy in 2020.[15] It pointed to the need to screen Foreign Direct Investments (FDI) in security-related areas and to reduce the Union's vulnerability to geopolitical pressures while enhancing its competitiveness.

The COVID-19 pandemic exposed the danger of societal vulnerability and the risks to the single market resulting from initial national responses to the crisis. Lessons learned pointed to the need for deeper integration in the form of common

[12] Consolidated version of the Treaty on the Functioning of the European Union – Part One: Principles – Title I: Categories and Areas of Union Competence – Article 4. https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX%3A12008E004
[13] Consolidated version of the Treaty on the Functioning of the European Union – Part One: Principles – Title I: Categories and Areas of Union Competence – Article 6. https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX%3A12008E006%3AEN%3AHTML
[14] Consolidated version of the Treaty on the Functioning of the European Union Part Three – Union Policies and Internal Actions Title XXIII – Civil Protection Article 196. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12016E196
[15] European Commission, 'Updating the 2020 New Industrial Strategy: Building a Stronger Single Market for Europe's Recovery'. Communication 5 May 2021. https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/europe-fit-digital-age/european-industrial-strategy_en

procurement to ensure the security of the supply and stockpiling of strategic resources. The UCPM was reinforced with a new function, rescEU, which sought to strengthen the EU's preparedness and response capacity. Many of the instruments introduced during the pandemic would reappear in other policy areas (e.g. food and energy security) as efforts to improve crisis response and resilience were generalised throughout the EU.

Defining the right balance between the Commission and member states
As mentioned previously, member states are often the custodians of many of the relevant resources. At the same time, there is a need for deeper integration and thus a greater role for the Commission. EU legislation for the area has, consequently, often taken the form of directives rather than regulations (e.g. the referenced NIS2 and CER directives), thus reflecting the complexity in terms of governance. It is worth noting that many of the same problems facing the EU are replicated on the national level as member states themselves struggle to coordinate the many dispersed societal and private actors relevant for civil preparedness.

Common for the implementation of the directives is the search for a proper division of labour between member states and the Commission. This requires periods of trial and error, as it is easier in practice to establish the correct balance between the Commission and member states regarding the number of common resources in the form of firefighting planes and helicopters than in the sensitive area of cyber security. Fragmentation of national legislation, the risk of administrative overburden and the threat to information security if sensitive information is dealt with in a wider group all form part of the ongoing discussion of ways to combine security with effectiveness in the cyber area.

'It is worth noting that many of the same problems facing the EU are replicated on the national level as member states themselves struggle to coordinate the many dispersed societal and private actors relevant for civil preparedness.'

In the implementation of the various directives, member states are typically asked to identify risks, guarantee resilience and report disturbances. In case of systemic consequences for the EU – for example, to the critical entities of a third of member states – the Commission is supposed to play a role as an adviser and supervisor.[16]

New structures and crisis response mechanisms
In a way similar to how new instruments have been generalised, new structures tend to be replicated in the form of, for example, specialised agencies, expert groups and advisory boards. New 'Unions' were proclaimed, such as the Health Union.[17]

Crisis response mechanisms have been updated. The more operational UCPM was complemented with the political forum for strategic decision-making of Integrated Political Response Mechanism (IPCR) consisting of the member states' Coreper 2 ambassadors in Brussels.[18] Health, energy, the Ukraine war and the EU Integrated Resolve 2024 Exercise piled up on their agenda as the crises unfolded.

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[16] For a background, see: Council of the European Union. 'Critical infrastructure: Blueprint for protecting EU citizens and the internal market'. Press release 25 June 2024. https://www.consilium.europa.eu/en/press/press-releases/2024/06/25/critical-infrastructure-blueprint-for-protecting-eu-citizens-and-the-internal-market/

[17] For EU global health policies, see: Bengtsson, Louise, 'The New EU Global Health Strategy: Reflections on Context and Content'. Sieps 2022:15epa. https://www.sieps.se/publikationer/2022/the-new-eu-global-health-strategy-reflections-on-context-and-content/

[18] For a background on EU Council coordination of crises response, see: Council of the European Union, 'How the Council coordinates the EU response to crises'. https://www.consilium.europa.eu/en/policies/ipcr-response-to-crises/
Coreper II deals largely with political, financial, justice, policing and foreign policy issues. Coreper I is composed of each country's deputy permanent representatives. Its meetings are chaired by the deputy permanent representative of the country holding the presidency of the Council of the European Union. Coreper I prepares the work of six Council configurations: agriculture and fisheries; competitiveness; education, youth, culture and sport; employment, social policy, health and consumer affairs; environment; and transport, telecommunications and energy.

It became a recurrent practice for crisis management to activate Article 122 TFEU,[19] whereby the Commission can propose measures to the Council and decisions are made on the basis of qualified majority (QMV), a format where the European Parliament is merely informed. This has allowed for more rapid decision-making but has also provoked reactions from the Parliament resenting the emphasis on effectiveness over transparency and democracy. Von der Leyen, in her presentation to the European Parliament of her political guidelines for the next Commission,[20] stated that she had heard the Parliament's view and ensured that the tool would be used only in exceptional circumstances and then be justified to the Parliament.

The direction of travel was reinforced by the introduction in September 2024 of the Internal Market Emergency Resilience Act (IMERA)[21] based on the lessons learned from the ruptures to the single market caused by the pandemic, the energy crisis and Russia's war in Ukraine. The internal market is an area where the Union shares competence with member states, according to Article 4.2 TFEU.[22]

The aim of IMERA is to monitor and respond to crises caused by natural disasters, economic shocks, public health crises and security concerns. A special 'Internal Market Emergency and Resilience Board' can be activated in emergency situations with the mandate, if necessary, to adopt a list of crisis-relevant goods and services, coordinate procurement and facilitate the movement of essential workers and critical goods. The Board, comprised of the Commission, member states and relevant bodies, can assess the given situation and recommend responses to the Commission, which remains firmly in the driver's seat.

Given this background,[23] the analysis now turns to the proposals for the new political cycle.

2.1.2 The agenda for the new political cycle 2024-2029

The initiation of a new political cycle and the arrival of a new Commission marked the starting point for implementing European Council conclusions of March 2024:

> … enhancing and coordinating…military and civilian preparedness and strategic crisis management … (in order) … to be better prepared for the full spectrum of security threats … ranging from armed aggression … (to) … man-made or natural emergencies driven by climate change.[24]

This was a tall order in view of the scattered responsibilities between many institutional actors, as well as between the Commission and member states which are the custodians (as in defence) of many of the relevant capabilities. In addition, assessments of the importance of civil preparedness and civil defence naturally varies between member

[19] Consolidated version of the Treaty on the Functioning of the European Union – Part Three: Union Policies and Internal Actions – Title VIII: Economic and Monetary Policy – Chapter 1: Economic policy – Article 122 (ex Article 100 TEC) https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX%3A12008E122%3AEN%3AHTML

[20] von der Leyen, 'Ursula, Europe's Choice Political Guidelines for the Next European Commission 2024–2029'. Strasbourg 2024. https://commission.europa.eu/document/download/e6cd4328-673c-4e7a-8683-f63ffb2cf648_en?filename=Political%20Guidelines%202024-2029_EN.pdf

[21] Regulation (EU) 2024/2747 of the European Parliament and of the Council of 9 October 2024 establishing a framework of measures related to an internal market emergency and to the resilience of the internal market and amending Council Regulation (EC) No 2679/98 (Internal Market Emergency and Resilience Act) (Text with EEA relevance) https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=OJ:L_202402747

[22] Consolidated version of the Treaty on the Functioning of the European Union – Part One: Principles – Title I: Categories and Areas of Union Competence – Article 4 https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX%3A12008E004

[23] For more on the evolution of civil protection, see: European Commission. 'Communication from the Commission to the Council and the European Parliament on the evaluation of the Union Civil Protection Mechanism - Strengthening EU's emergency preparedness'. Communication COM (2024) 212 final. https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52024DC0212

[24] European Council. Council Conclusions 21–22 March 2024 https://www.consilium.europa.eu/media/70880/euco-conclusions-2122032024.pdf

states depending on their geographic location and related experiences of total defence; for example, it is common to previously non-aligned Finland and Sweden, while France has made a point of not having a civil defence at all. To some, the concept sounded alarmistic and Southern European countries also feared the competition for limited resources necessary to combat the consequences of climate change. Germany was mildly positive but struggled with the complicated structure of federal states. The ensuing presidencies of 2025 Poland and Denmark were expected to promote the civil preparedness agenda.[25]

A new Commission
In the new Commission, three commissioners hold overlapping responsibilities for civil preparedness: Roxana Minzatu, Executive Vice-President for People, Skills and Preparedness; Hadja Lahbib, Commissioner for Preparedness and Crisis Management, Commissioner for Equality; and Hanna Virkkunen, Executive Vice-President for Tech Sovereignty, Security and Democracy. Andrius Kubilius, the Commissioner for Defence and Space, has related responsibilities for defence proper.

To some member states, the fact that Lahbib is subordinated to Minzatu, Executive Vice-President for People, Skills and Preparedness, with no strong mandate for civil preparedness, represented a disappointment. A link to Virkkunen – with her responsibility for internal security and cyber security – could also have made sense. At the same time, Lahbib's mission letter contains clear horizontal directions for ways to take civil preparedness forward.

The same concepts reverberated through mission letters, and references are made to the Niinistö report, which itself informed the mission letters.[26] The cross-references to the Niinistö, Letta[27] and Draghi[28] reports point to a concerted and major effort by the Commission to permeate the working programme for the coming political cycle with streamlined proposals and structures.

2.1.3 The Niinistö report[29]

In the following, the Niinistö report's proposals for civil and military preparedness and readiness will be accounted for with an emphasis on the civilian aspects because they are the focus of the report. After an outline of the proposals, a discussion follows in the next section.

The task of proposing ways to improve the EU's preparedness and readiness was given to former Finnish President Niinistö, Special Adviser to the President of the Commission, himself from a nation with a robust tradition of 'total defence' encompassing both military and civilian aspects. Finland, until recently a non-aligned country, always assumed – based on its hard-won recent wartime experience – that the entire society would be affected by war and therefore should be prepared to resist. This in turn requires the coordination and fusion of societal and governmental structures, often specialised for specific functions.

The comprehensive report covers a broad range of issues, some intended for implementation, others serving as a source of inspiration to member states. The analysis here will focus on elements of importance for total defence planning. It consequently represents a selective reading of the report.

When presenting the report in late October 2024, Niinistö underlined some basic thoughts:

> Security is a public good – the precondition for the functioning of our societies. The EU shares a single security, enshrined in the Treaties' solidarity clauses.

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[25] From the Polish Presidency Programme: The Polish presidency will support activities strengthening European security in its many dimensions: external, internal, information, economic, energy, food, and health. https://polish-presidency.consilium.europa.eu/en/programme/programme-of-the-presidency/

[26] For the mission letters, see: 'Commissioners-designate (2024-2029)'. https://commission.europa.eu/about/commission-2024-2029/commissioners-designate-2024-2029_en

[27] Letta, Enrico, 'Much more than a market. Speed, security, solidarity. Empowering the single market to deliver a sustainable future and prosperity to all EU citizens'. 2024. https://www.consilium.europa.eu/media/ny3j24sm/much-more-than-a-market-report-by-enrico-letta.pdf

[28] Draghi, Mario, 'The future of European competitiveness'. 2024. https://commission.europa.eu/topics/strengthening-european-competitiveness/eu-competitiveness-looking-ahead_en#paragraph_47059

[29] See note 1

> Preparedness requires a high level of trust between public authorities, Member States, EU institutions, the private sector and civil society… A common interest like preparedness requires common responsibility.

In somewhat elaborate lingo that, nevertheless, reflects Finnish experiences of applying total defence to its society, the report states:

> The EU needs to adapt an all-hazards, whole-of-government and whole-of-society approach to its civilian and military preparedness and readiness. The report is structured around the overarching objective of building 'comprehensive preparedness' to ensure that the EU and its Member States can continue to function under all circumstances. This requires a collective capacity to effectively anticipate, prevent, withstand and respond to any type of major shock or crisis with cross-sectoral implications and the potential to threaten the Union as a whole.

The report continues by first outlining challenges and threat perceptions and then describing relevant instruments for addressing them in the form of policies and resources. This analysis will follow the same logic.

First, it is noteworthy that the report raises the ceiling in terms of threat assessment and the consequential role for the EU to play:

> The risk of Russian aggression beyond Ukraine cannot be excluded. Preparing for this risk is not escalatory in any way, but rather intends to discourage Russia or any other actor from targeting the Union and its Member States. Improving the defence capabilities of EU Member States is necessary to ensure that they are able to support one another in line with their obligations under the EU treaty and contribute to strengthened deterrence.
>
> In being well prepared, a fundamental requirement is not to be an easy target.
>
> We must understand that a threat to the sovereignty of any Member State affects the integrity of all others in the Union as well … if one Member State loses its security, it poses a problem for the others too.
>
> The EU's crisis preparedness shall be upgraded to prepare for worst-case scenarios.
>
> Put the 'boldest common denominator' as the basis for the analysis of potential hazards and threats since Member States need some of the same core institutional and societal functions, goods and capabilities to protect their citizens, regardless of a specific threat.
>
> Operationalize Articles 42.7 TEU and 222 TFEU to strengthen their credibility and operational value.

The report urges member states to overcome their differing analysis of challenges and threats and create 'a fully-fledged EU service for intelligence cooperation and make a comprehensive EU risk assessment'.

The report notes that the EU has the potential to improve civil-military cooperation and promote dual-use infrastructure and technologies. True to the civil-military concept of total defence, the report emphasises the need to:

> Strengthen civil-military coordination frameworks and joint planning to ensure an effective civil-military response to a range of international threats-both within and beyond the EU. This could include moving to a European civil defence mechanism.
>
> Preparedness requires the active participation of citizens, both at the personal and societal level. Private companies have a crucial role in tackling different threats.

A Preparedness Law?

One of the first deliverables will be the elaboration of a Preparedness Strategy, a condensed 20-page version of 90% of the Niinistö report, according to European officials, to be presented after the first 100 days of the new Commission's term. It will:

> … define at the EU level vital societal and governmental functions for which continuity needs to be ensured, including the EU's own decision-making and implementation capacity.
>
> For each of the identified vital functions, EU-level Preparedness Requirements should be developed to

guide future preparedness work. In relevant sectors, alignment with NATO's resilience baselines[30] shall be promoted, while noting that EU's requirements are set against a more comprehensive mandate and set of risks than NATO involving a wider set of sectors and stakeholders.

Embed a 'Preparedness by Design' principle horizontally and consistently across EU institutions, bodies, and agencies and develop a mandatory Security and Preparedness Check for future impact assessments and 'stress tests' of existing legislation.

Set up and regularly conduct an EU Comprehensive Preparedness Exercise.

The report suggests exploring

the feasibility of an EU Preparedness Law to set joint standards and targets, aligning national and EU efforts. The law could set standards and targets, streamline decision-making, coordination and information sharing and clarify roles at EU, national and local level.

If the proposal survives future deliberations, it is likely to require a sustained multi-year effort, with exercises helping to expose vulnerabilities and lay the groundwork for identifying preparedness requirements that can make it into a potential Preparedness Law.

Additional proposals
The report points to the proliferation of disjointed crisis management mechanisms as an impediment to rapid decision-making and action. These mechanisms should therefore be joined up in a more coherent manner. More specifically, the report suggests that the ERCC should become the single entry-point for major cross-border and cascading crises at the operational level, and the political IPCR should be optimised to ensure efficient political decision-making in crises.

Along the same lines as other recommendations for streamlining initiatives, the report suggests that coherence should be ensured between the many new stockpiling initiatives and that the EU should develop an EU Stockpiling Strategy with defined targets and minimum levels.

It also proposes that the CER and NIS2-directives covering critical infrastructure and services should be extended to other relevant sectors, including the defence industrial base.

Finally, the report notes that the budgetary resources for defence and preparedness in the current MFF do not reflect the deteriorating security situation in Europe. It therefore suggests:

As part of the investment budget envisaged in the next MFF, develop a Defending Europe Facility (DEF) and a Securing Europe Facility (SEF). DEF shall encompass relevant defence industrial and other defence-related or dual-use instruments. SEF should combine all instruments and programmes linked to civil security (law enforcement, border management) and civil protection, and other emergency response services and related critical infrastructures. At least 20% of overall EU budget shall contribute to the EU's security and crisis preparedness.

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[30] NATO's seven baseline requirements:
1. Assured **continuity of government** and critical government services: for instance, the ability to make decisions and communicate with citizens in a crisis;
2. Resilient **energy supplies**: ensuring a continued supply of energy and having back-up plans to manage disruptions;
3. Ability to deal effectively with the **uncontrolled movement of people** and to de-conflict these movements from NATO's military deployments;
4. Resilient **food and water resources**: ensuring resilient supplies that are safe from disruption or sabotage;
5. Ability to deal with **mass casualties and disruptive health crises**: ensuring that civilian health systems can cope and that sufficient medical supplies are stocked and secure;
6. Resilient **civil communications systems**: ensuring that telecommunications and cyber networks can function even under crisis conditions, with sufficient back-up capacity. This also includes the need for reliable communications systems including 5G, robust options to restore these systems, priority access to national authorities in times of crisis, and the thorough assessments of all risks to communications systems;
7. Resilient **transport systems**: ensuring that NATO forces can move across Alliance territory rapidly and that civilian services can rely on transportation networks, even in a crisis.
https://www.nato.int/cps/en/natohq/topics_132722.htm

2.1.4 Reflections

The Niinistö report presents an ambitious agenda, both in terms of political goals and methods for their implementation. It should be noted that the coordination of preparedness is a demanding task at the national level as well, because many actors are involved. At the same time, the political and societal costs of failing to handle a crisis can be grave in terms of societal consequences and trust in the political system. So, while the Niinistö report probably faces an uphill battle in the implementation of some of its proposals, the gist of the report cannot be whisked away by politicians, who are under pressure across Europe to improve the security of the civilian population.

Total defence planning

We will return to the more distinct military aspects of the report later in section 2.2 A European Defence Union; here we will centre on the civil-military aspects. The EU has not set itself the formal task of creating a European Total Defence Union and is unlikely to do so. However, because the report reflects the thinking behind the concept, some remarks following the same logic and exposing points for further elaboration will be made in the following.

Among the more striking features are the stark threat definitions, including 'armed aggression' and the need for 'deterrence'. The report notes that the scenario has not been fully developed:

> The shift to comprehensive preparedness requires us to assess the full scale of societal, economic, security and other implications of any armed aggression against one of the other Member States –and which measures to be put in place to be prepared for them. It should link to the 'European Civil Defence Mechanism' envisaged in the Political Guidelines.

While Article 42.7 TEU in principle covers this threat level, its operationalisation has primarily concerned hybrid threats. As noted previously, the evolution of hybrid threats has blurred the distinction between peace and war and thus the meaning of 'collective defence'. In addition, if the traditional assumption was that there would be a successive escalation from one state of challenges and threats to another, new realities provide abundant examples of their non-linear character. Sabotage of critical infrastructure can, as mentioned previously, trigger both Article 42.7 TEU and Article 5 in the Washington Treaty.

With regard to hybrid threats, the Niinistö report suggests 'deterrence by punishment'. In line with a practice established by some Western intelligence services in view of the impending Russian invasion of Ukraine, it proposes 'political attribution' as a response to hybrid threats and a case-by-case use of (declassified) intelligence assessments.

> 'NATO and the EU have pointed out hybrid threats as a privileged area for cooperation.'

NATO and the EU have pointed out hybrid threats as a privileged area for cooperation. The EU's crisis response exercise 'EU Integrated Resolve 2024' tested the Union's preparedness and capacity to manage complex crises of a hybrid character. It also served as a way of probing coordination between the EU and NATO in case of parallel crisis management.

The Niinistö report calls for the further operationalisation of Articles 42.7 TEU and 222 TFEU. The report is short on clarifications, as is natural at this stage, regarding how the stated intentions should be implemented. There are, however, some important elements to be noted in the report.

The report suggests that the scope of Article 222 TFEU, which currently covers natural or man-made disasters and terrorism, should be extended to encompass hybrid threats. As noted previously, Article TFEU 196 reflects the same limitation.

If Article 5 is activated due to armed aggression against an EU member state, the EU should:

> Articulate a coherent vision for the EU's role…in preparing for and responding to the situation by mapping the full-scale of implications and linking different sectoral work strands.

Another proposal is the preparation of support in case a member state activates Article 42.7 TEU whether in conjunction with the activation of Article 5 or not.

The report suggests that the development of 'EU-level Preparedness Requirements…aligned with NATO's resilience baselines' can form the basis for elaborating packages that can be offered to NATO in worst case scenarios. This analysis will soon turn to the interface between the EU and NATO regarding this and other areas, but first mention needs to be made to another matter that requires further elaboration.

A civil defence mechanism?
Von der Leyen's Political Guidelines, the Niinistö report and Commissioner Lahbib's mission letter all include the mentioning of a 'European civil defence mechanism' that could result from strengthened 'civil-military response to a wide range of…threats'.

The report does not offer any clear definition of the nature of the mechanism, common to total defence planning, according to which the-whole-of society would be able to increase its levels of readiness in accordance with the evolution of the situation. The concept of 'civil defence' applies to the highest threat level, in this case the effort by the whole-of- society to resist armed aggression. Its activation may in turn require a special government decision on 'raised readiness', unlocking legislation regarding, for example, mobilisation, additional resources and the adaptation of command-and-control arrangements.[31]

Bringing this ultimate societal effort together in a reasonably coordinated manner can only be the task of nation states, helped by the EU and NATO. If this is a goal to be set by the EU, it needs to be further elaborated.

In NATO, civil defence is a national responsibility regulated by the previously mentioned seven baseline requirements that member states are supposed to apply. Tasks regarding resilience and preparedness flow from the Washington Treaty's Article 3:

> In order more effectively to achieve the objectives of this Treaty, the Parties, separately and jointly, by means of continuous and effective self-help and mutual aid, will maintain and develop their individual and collective capacity to resist armed attack.[32]

NATO has since 2022 a special resilience committee to which members report their ways of fulfilling the requirements. The Alliance has some specific demands regarding civilian support for the military sector, such as the capacity of the health sector to receive large numbers of wounded soldiers.

An EU-NATO emergency protocol?
The EU's new level of ambition, as expressed in the Niinistö report, will certainly overlap with NATO's planning for collective defence. Because the report is based on a civil-military approach, the new ambition indicates another need for closer coordination. However, none of the organisations has any experience of full-fledged civil-military coordination, and particularly not in the current context of a deteriorating security situation. In addition, these organisations are asymmetric in nature, with NATO being intergovernmental and the EU a mix of intergovernmental and supranational competences.

The need to enhance cooperation between the two institutions is a recurrent theme throughout the report, and their interrelationship is described in the following manner:

> The EU needs to map out the implications of major military contingencies, in coherence and complementarity with NATO…articulate a coherent vision for the EU's role in preparing for and responding to armed aggression…strengthen the EU-NATO interface through an emergency protocol.
>
> While recognizing NATO's primary role in the collective defence and deterrence of its members, the EU brings strength in the context of preparedness and readiness, given its broad policy range as well at its regulatory/legislative and financial powers.

The proposed emergency protocol with NATO intends to clarify the interface between NATO and the EU in response to armed aggression and the activation of Article 5. The emphasis seems to be on civil preparedness, indicating complementarity.

[31] The reasoning here draws on Swedish experiences of total defence planning. The author's previous positions include Director of Strategic Planning in the Swedish Ministry of Defence and Minister for Defence Affairs and Head of the Defence Group at the Swedish Permanent Representation to the EU and the Swedish NATO Delegation in Brussels.
[32] See note 9.

While the term is not entirely wrong, it may be more helpful to think in terms of a partial fusion between the two organisations – for example, in the area of hybrid threats.

As mentioned earlier, the Niinistö report suggests that 'EU-level Preparedness Requirements shall be developed, aligned with NATO's resilience baselines'. It argues that the EU has the potential to reinforce the Alliance's resilience and civil preparedness because it possesses many of the instruments necessary for fulfilling the seven baseline requirements. A related idea is that the EU could offer NATO plans for contributions regarding civil preparedness in case worst case scenarios would materialise.

'There is a clear overlap between NATO's seven baseline requirements and many of the EU's directives and even regulations already in place in the area'

There is a clear overlap between NATO's seven baseline requirements and many of the EU's directives and even regulations already in place in the area, as referenced previously in this report. While it is up to NATO member states to implement the requirements, EU directives and regulations become national law in member states, thereby improving the implementation of NATO's requirements.

There is still work remaining to obtain greater synergies and delineation of tasks between the two organisations, both of which are new to the more demanding tasks and civil-military cooperation. This should come as no surprise but nevertheless points to a void to be filled.

Two hurdles among the many to overcome to start building synergies will be mentioned here. First, applying simplistic ideas about a division of labour between the two institutions could potentially lead to their suboptimal interrelationship. Second, it should be recalled that continued Turkish opposition (in view of the Cyprus question) remains an impediment to improved NATO-EU cooperation.

Institutional adjustments?
The agenda for the next political cycle calls for rearrangements of council groups, ministerial settings and committees in the European Parliament. Some examples will be given here.

In recognition of the new demands, it has been proposed that the European Parliament's subcommittee on Security and Defence becomes the standing committee on Security and Defence and the subcommittee on Public Health becomes the standing committee on Public Health.

The Ad Hoc Working Group on Resilience working horizontally with preparedness and crisis management in the Council and assisting IPCR is currently governed by six-months mandates. Defence issues have been perceived as primarily military ones and dealt with in the EU's Military Committee (EUMC), comprised of the Chiefs of Defence (CHODs) of member states. The EU Military Staff (EUMS) consists primarily of officers from European general staffs attached to EEAS with its external orientation. This is a limitation as it is increasingly difficult to distinguish between internal and external security.

Defence ministers still have no home of their own and remain subordinated to the Foreign Affairs Council (FAC) and ministries of foreign affairs. Civil servants representing national defence ministries are few and tend to populate the Political-Military Group (PMG) with no clear role in the structures. There seems to be a need for an increased presence of civil servants with a background in defence planning (preferably total defence), rather than policy.

Many of the new preparedness policies in member states fall under the auspices of the minister for the interior, while a few are under defence ministers. Denmark has created a special ministerial post for readiness and Sweden one for civil defence in the ministry of defence.

Civil preparedness has grown out of internal security, while military operations have formed part of external crisis management, with the respective institutional setup of DG ECHO and EEAS, including the EUMS. Bridging the gap between their original focus and creating a civil-military culture covering 'all-hazards' – including war –

will take time. The elaboration of the underlying scenarios for the EU's exercises, now including higher threat levels, has helped, according to planners in EU institutions. So has the extension of DG ECHO's humanitarian, civil protection and external missions to help Ukraine survive the war. It will nevertheless take clear political direction to avoid a regression into silos as ingrained habits and vested interests are being probed.

JHA, the origin of internal security, seems to bifurcate into civil preparedness on the one hand, and crime and migration on the other. It is, for example, unclear how the proposed renewal of the EU's Internal Security Strategy will relate to the new Preparedness Strategy.

> 'Coordinating the many asymmetric responsibilities between immature structures and functions will keep Europeans busy over the next decade.'

In an implicit recognition of the complications ahead, the Niinistö report proposes that willing member states can move ahead to enable faster action. It will probably become clear over time that the EU needs some adjustment to its structures as new and more demanding tasks accumulate. Coordinating the many asymmetric responsibilities between immature structures and functions will keep Europeans busy over the next decade.

2.2 A Defence Union?

2.2.1 Developments to date[33]

The Niinistö report makes a point of covering military aspects as well, many of which reflect ongoing work in the Union. This analysis will account for Niinistö's specific proposals in the military domain, but first it will provide some background and revisit the current state-of-affairs.

Definitions, legal bases and resources

Previous President of the Commission Jean-Claude Juncker had proposed the creation of a Defence Union, and von der Leyen repeated the ambition during her first term, setting the timeline to 2025. In the beginning of her new term, the goal for its completion was extended to 2030.

There is no proper definition of the meaning of a 'Defence Union' – or other Unions for that matter. One interpretation of the concept could be that a certain degree of integration in a policy area translates into a Union.

The definition of the specific area of Defence is itself riddled with ambiguity, having initially been intended as a corollary to the Coal and Steel Union, only to be discarded by France. NATO was created in 1949 as the foundation of collective defence.

What remained for the EU is therefore a scattered practice, as reflected in treaty language. Member states are in charge of resources, and national security remains a national prerogative; this basic condition also applies to NATO. An important difference between the two organisations is that the EU, which is primarily an economic and political Union, is not merely an intergovernmental organisation but also the prolongation of the national arena, as expressed in the community competences represented by the Commission.

Article 42.2 TEU states that the common security and defence policy should include the progressive framing of a common defence policy. This will lead to a common defence when the European Council decides unanimously.

The rest of the planned post-war defence union subsists in the form of Article 42.7 TEU, which says that member states are obligated to assist a member that is victim of armed aggression. It should be noted that the activation of the Article is an exclusively national decision. Operational planning and resource allocation have only gradually been made to match the commitment. To the article is added the caveat that commitments and cooperation should not prejudice commitments made under NATO, which provides the foundation for member states' collective defence.

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[33] For a background of developments up to 2020, see Engberg, Katarina, 'A European Defence Union by 2025? Work in Progress'. Policy Overview, SIEPS 2021. https://www.sieps.se/globalassets/publikationer/temasidor/european_defence_union_policy_overview.pdf

The ambiguity inherent to these articles is reflected in the description of tasks, broadly falling within the remit of civilian and military crisis management and defence industrial cooperation. The latter has the dual purpose of improving military capabilities and strengthening the European Defence Industrial and Technological Base (EDITB). The intergovernmental European Defence Agency (EDA) was established in 2004 to promote this task. Defence ministers comprise its steering board, led by the High Representative and Vice President of the Commission (HR/VP), and decisions are taken on the basis of QMV.

'The ambiguity inherent to these articles is reflected in the description of tasks, broadly falling within the remit of civilian and military crisis management and defence industrial cooperation.'

Defence proper does not fall under Article 4 TFEU,[34] which defines areas of shared competence between member states and the Union. Article 6 TFEU[35] includes 'industry' as an area where the Union has competence to carry out actions to support, coordinate or supplement the actions of member states. The single market, increasingly evoked as the promoter of defence cooperation, falls under Article 4.2 TFEU of shared competences between member states and the Union.

Financial resources for defence were committed for the first time in the current MFF. A total of 13.2 billion euros have been allocated under the fifth heading 'Security and Defence'. Defence proper benefits from the European Defence Fund (EDF) of some 8 billion euros, and the fund for Strategic Mobility of 1.5 billion euros. An extra-budget fund initially created by member states to finance military operations and training missions in Africa was transformed into the European Peace Facility (EPF). Having initially been set at 5 billion euros, it ballooned under the pressure of the Ukraine war to 16 billion euros, partially stemming from frozen Russian assets.

These were the formal obligations against which defence cooperation and integration evolved, the result as much of external pressures as political ambition, sifting through formal limitations, overflowing the surface and thereby changing the political landscape.

From the Balkans to Ukraine

The EU started out its military crisis management in 2003 with operations in Africa and the Balkans. Since 2003, the EU has launched over 40 operations and missions on three continents. As of today, there are 24 ongoing such missions and operations, of which 13 are civilian, 10 are military and 1 is civilian-military. The European Union Military Assistance Mission (EUMAM) Ukraine has trained 60,000 Ukrainian conscripts since its inception in 2022. By 2025, Germany was set to lead the new European Union Rapid Deployment Capacity(EU RDC), building on EU Battle Groups (EU BG), now enlarged with supporting functions and enablers.

The wars in former Yugoslavia were still fresh in memory and formed the background when the EU initiated its defence planning in the form of the EU Headline Goal (EU HG) process in 2003, aiming at the deployment of a corps of some 50–60,000 personnel 4,000 km from Brussels and two EU BG of 1,500 personnel at 8,000 km from Brussels. In addition, the EU should be able to evacuate its citizens from areas of conflict up to 15,000 km from Brussels.

Defence planning for the purpose of developing capabilities in the context of EDA was codified through the Capability Development Programme (CDP) and the Coordinated Annual Review of Defence (CARD), mimicking NATO's Defence Planning and Review Process (PARP). CARD serves the purpose of scrutinising member states' national defence plans, highlighting capability gaps and identifying the potential for cooperation.

The EU's operational capacity has remained constrained by, among other things, its limited command and control arrangements both in the form of a Headquarter (HQ) in Brussels, and an Operational Headquarter (OHQ) in the field. This

[34] See note 12
[35] See note 13

was the result of a British 'no' to such arrangements in view of a perceived competition with NATO. Instead, the EU was supposed to rely on the so-called Berlin+ arrangement, accessing NATO command and control structures in operations where NATO declines to participate. However, the perennial issues of Turkish-Cypriote tensions immobilised the arrangement due to Turkish opposition.

Instead, the EU has used national OHQ, a practice that could not continue, in the view of European defence officials, who pointed to the recent experience of having to mobilise a Greek OHQ without maritime experience to lead EUNAVFOR ASPIDES in the Red Sea after Spain had desisted due to political sensitivities related to the Gaza war. The EUMS continued to build up its Military Planning and Conduct Capability (MPCC) and is expected to attain a level of 115 personnel. This is regarded as largely insufficient in view of the challenges and threats ahead and the goals set in the Strategic Compass.[36] In the view of European defence officials, bringing resources in line with demand would point to a HQ of some 400–500 personnel.

Another restriction for the EU's military operations is the lack of financial means for deployment of troops, partly financed through the so-called Athena-mechanism, part of the EPF. NATO experienced the same limitations to the concept of 'costs lie where they fall' in its attempt to mobilise the NATO Response Force (NRF), now replaced by the NATO New Force Model (NFM), adjusted to the realities of Russia's full-scale invasion of Ukraine.

Defence materiel

The dual purpose of the EU's defence industrial cooperation is to improve its capability to enable deployments and to reinforce the EDTIB. With only a couple of member states possessing a sizable and competitive defence industry, the European defence market remains by and large fragmented and tailored to national needs. This is reflected in the lack of competition in the area, with only 16% of defence equipment being procured through collaboration, which is far from the benchmark of 35% agreed by EDA. In 2017, the Permanent Structured Cooperation (PESCO) was set up to incentivise member states to invest, plan, develop and operate defence capabilities together.

DG DEFIS

At the beginning of the political cycle initiated in 2019, von der Leyen and Commissioner Thierry Breton had threatened member states with the Court of Justice of the European Union (CJEU) on the grounds of lack of competition in the area of defence research and development (R&D).

A Directorate General for Defence Industry and Space (DG DEFIS) was set up, and resources for the purpose of defence allocated for the first time in the MFF in the form of the previously mentioned EDF of some 8 billion euros, along with the fund for Strategic Mobility of 1.5 billion euros. EDF was intended to promote the share of European collaboration in the earlier stages of defence R&D, currently standing at 7.2% against the benchmark of 20%.

> 'Russia's full-scale invasion of Ukraine revealed the barebones condition of much of European defence industrial capacity.'

Russia's full-scale invasion of Ukraine revealed the barebones condition of much of European defence industrial capacity. While a couple of Europeans firms were internationally competitive and had prospered on the global market, the diminishing lack of internal demand after the end of the Cold War had left much of the industrial capacity depleted.

To kick-start production of artillery shells for Ukraine, the EU allocated 300 million euros for the ramp-up of production in the form of the Act

[36] For an update of the implementation of the Strategic Compass, see EEAS, 'Annual Progress Report on the Implementation of the Strategic Compass for Security and Defence'. March 2024. https://www.eeas.europa.eu/sites/default/files/documents/2024/StrategicCompass_2ndYear_Report_0.pdf

in Support of Ammunition Production (ASAP)[37] and 310 million euros for joint procurement in the form of the European Defence Industry Reinforcement through common Procurement Act (EDIRPA).[38] The sums are modest, and the arrangement is set to expire by 2025. While production capacity improved in certain areas, such as the production of artillery shells, much of European purchases of materiel has been made outside of the Union, notably in the US, but also in South Korea and Israel. This was the result of a combination of factors, such as the fact that Europeans had little to offer off the shelf, but also because purchases were made in the US in the hope that this would reinforce American security guarantees.

The programmes nevertheless laid the groundwork for a regulation that would establish a European Defence Industry Programme (EDIP)[39] with the seemingly limited purpose of bridging the financial gap between 2025 and 2027 through the infusion of 1.5 billion euros, but in the expectation that the logic would inform the next MFF, which is likely to include substantially more resources for defence than the current one. The regulation, based on Article 173 TFEU[40] that defines Union policies and internal actions regarding industry, was the subject of lengthy and contested negotiations expected to be presented to the Parliament early 2025 and finalised by the summer. We will soon return to EDIP in this analysis.

2.2.2 The agenda of the new political cycle 2024–2029

A Commissioner for defence

The new Commission contains, for the first time, a Commissioner for Defence and Space, Kubilius, who is broadly focused on industrial matters. He is subordinated to Virkkunen and supposed to work closely with HR/VP Kaja Kallas. Frontline states have thus assumed top positions in the new Commission, to which the Polish Commissioner Piotr Serafin will be added in charge of the important Budget, Anti-Fraud and Public Administration.

Kubilius will have an office in DG DEFIS, a positive sign of engagement according to European civil servants. Under previous Commissioner Breton, space has dominated DG DEFIS, and while still important, the expectation is that defence proper will be prioritised. Still, the fact that DG DEFIS merely comprises 350 personnel remains a constraint compared to the EDA and the Organisation for Joint Armament Co-operation (OCCAR),[41] which can rely on national experts for their work. Nevertheless, DG DEFIS has increasingly been able to draw on EDA expertise in evaluating the many applications for funding from the EDF. While the EDF has promoted more of common R&D, procurement continues to be made broadly on a national basis.

One of the Commissioner's first deliverable will be the paper 'The Future of European Defence', presented 100 days into the new term. It is expected to reflect the EDIP regulation and lay

[37] Commission Implementing Decision of 18.10.2023 on the financing of the instrument on supporting ammunition production (ASAP) established by Regulation (EU) 2023/1525 of the European Parliament and of the Council and the adoption of the work programme for 2023–2025. https://defence-industry-space.ec.europa.eu/document/download/5845b34d-bb2f-4381-aca3-ec9ff965f687_en?filename=C_2023_7320_1_EN_ACT_and_annex.pdf

[38] European Commission, 'EDIRPA Work Program'. 15 March 2024. https://defence-industry-space.ec.europa.eu/edirpa-work-programme_en#files

[39] European Commission, 'Proposal for a Regulation of the European Parliament and of the Council establishing the European Defence Industry Programme and a Framework of Measures to Ensure the Timely Availability and Supply of Defence Products ("EDIP")'. 3 March 2024. https://defence-industry-space.ec.europa.eu/document/download/6cd3b158-d11a-4ac4-8298-91491e5fa424_en?filename=EDIP%20Proposal%20for%20a%20Regulation.pdf

[40] Consolidated version of the Treaty on the Functioning of the European Union Part Three – Union Policies and Internal Actions Title XVII – Industry, Article 173 (ex Article 157 TEC). https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12016E173

[41] A European intergovernmental organisation that facilitates and manages collaborative armament programmes between Belgium, France, Germany, Italy, Spain and the United Kingdom. Turkey, the Netherlands, Luxembourg, Finland, Sweden and Poland participate in one or more OCCAR programmes without being formal members. https://www.occar.int/

the foundation for defence investments in the next MFF 2027–2034. Compared to the previous political cycle, requirements have now been raised to include the full spectrum of European defence capabilities and ready member states for the most extreme contingencies. Against the perceived less than satisfactory results (according to the Niinistö report) of defence cooperation through EDA and PESCO, the new Commission raised the stakes by setting the goals for common procurement and security of supply higher, thereby also increasing the role of the Commission.[42]

'Compared to the previous political cycle, requirements have now been raised to include the full spectrum of European defence capabilities and ready member states for the most extreme contingencies.'

The Draghi report underlines the need for massive investment in European competitiveness, including in the defence area. Among recommendations figures the bold proposal for specialisation:

> Substantially increase the aggregation of demand for defence assets between groups of Member States and pursue further standardisation and harmonisation of defence equipment. Increasing the share of joint defence expenditure and joint procurement to address critical capability gaps would create the favourable conditions to further consolidate industrial capacities…This approach would further stimulate specialisation within the EU, through EU or multi-country government. to-government agreements, especially in areas that require very large investments in infrastructure and technology.[43]

The European Defence Industrial Programme [44]
EDIP was created to address the continued weakness of defence industrial cooperation at a time of ongoing war on the European continent and the growing realisation that Europeans, regardless of the outcome of the US election, will have to assume a greater responsibility for their own security. American resources were also under strain as conflicts in Europe and the Middle East tapped resources needed to face a potential third conflict concerning Taiwan.

EDIP is based on three pillars:

1. Strengthening the competitiveness and responsiveness of the EDTIB through the prolongation of the logic of ASAP and EDIRPA supporting joint procurement and production ramp-up. The latter can be promoted through the financing of new production capacity.

2. Securing supply of defence products mapping of supply chains, identifying and monitoring crisis-relevant products. In a crisis prioritising orders and applying sanctions.

3. Support for the Ukraine Defence Technological and Industrial Base (UDTIB). In view of Ukraine's assumed accession to the EU and the depletion of European stocks, the initiative aims at boosting Ukraine's short-term production capacity as well as aligning standards and improving interoperability. Ukraine will be eligible for most of EDIP's actions and funding, bypassing agreements made for other third parties.[45]

Among the proposals is the creation of Structures for European Armaments Programme (SEAP) that will enhance joint procurement between member states and benefit from financial support

[42] For an alternative analysis, see 'Building Defence Capacity in Europe: An Assessment'. The International Institute for Strategic Studies, London 2024. https://www.iiss.org/globalassets/media-library---content--migration/files/publications/strategic-dossier-delta/building-defence-capacity-in-europe-an-assessment/pds-dossier-19.11.24.pdf
[43] See note 28
[44] See note 39
[45] In September 2024 the EU an EU Defence Innovation Office in Kyiv with purpose to 'serve as a key coordination and information hub, facilitating collaboration between Ukrainian defence stakeholders and their EU counterparts. It will act as a central contact point for Ukrainian partners, identifying local needs and capacities in defence innovation while promoting joint initiatives. The Office will also work to connect EU start-ups and innovators with Ukraine's defence industry and armed forces, bolstering innovation efforts across borders.' https://defence-industry-space.ec.europa.eu/defence-cooperation-ukraine-strengthened-eu-defence-innovation-office-opens-kyiv-2024-09-27_en

and the exemption of Value Added Tax (VAT). A group of member states can ask the Commission to act as a central purchasing power. It should be noted that decisions on VAT are national and not in the purview of the EU. NATO has a bilateral agreement with Belgium on VAT exemptions. There is thus an asymmetry between the two organisations on this issue.

European Defence Projects of Common Interest (EDPCI) will be identified, building on the logic of Important Projects of Common European Interest (IPCEI) established in the New Industrial Strategy and benefitting from relaxed rules for state aid. The European Air Shield and Cyber Defence mentioned in Kubilius' mission letter are indicated as possible EDCIPs. It is assumed that the European Air Shield project is identical with the German initiative of the same name, which aims to coordinate the acquisition of short-to-medium range missiles, complementing NATO efforts.[46]

Third parties
The issue of regulating the access of third parties – that is, entities with their HQ outside of the EU, such as in Norway, the UK and the US – to EU funds has been a bone of contention and continues to be an issue in the EDIP negotiations. It had, in principle, been settled when third parties' access to the EDF was regulated, but differences remained regarding the nature of the requested guarantee that third party participation would not hurt the EU's or member states' security.[47] In addition, such investments would have to pass the screening of FDI.

Negotiations concerning third party access to EDIP resulted by late 2024 in the proposal for a compromise that they can access 35% of funds, thereby setting the pattern also for future MFF-negotiations. This was important as an opening to the new US administration, but also in view of the UK's willingness to strengthen its defence cooperation with the EU. Furthermore, few European defence industries were 100% European but remained dependent on imported components, many from the UK and the US. In the case of Sweden, much of its defence industry was owned by Anglo-Saxon or Norwegian companies. A product is defined as 'European' if the design is European and less than 35% of its value is imported from third countries.

A Defence Industrial Readiness Board
EDIP includes proposals for governance, such as a 'Defence Industrial Readiness Board' to assist and advise the Commission on the management of EDIP and with the potential for joint programming and procurement through a Programme Committee that can adopt, by QMV, an Annual Work Programme. The Board will consist of member states, associated countries and the HR/VP, who is also Head of the EDA. The Programme Committee is chaired by the Commission and consists of representatives from member states. EDA and EEAS can assist the Committee.

The resemblance between EDIP and IMERA is no coincidence, but rather a stated goal in the EDIP Regulation, because IMERA, reflecting the competencies of the single market, does not cover defence products. Together, they establish a bridge between defence-related areas that are regulated differently by EU treaties.

EDIP will provide the institutional basis for realising raised ambitions but can only become a reality in case substantial financial resources are added in the future MFF. This is an issue to which we will return later.

2.2.3 Reflections
While awaiting the further elaboration of Commission proposals, as well as the outcome of council negotiations, member states have raised

[46] In a parallel effort, a coalition of Germany, the Netherlands, Spain and Romania will jointly procure 1,000 Patriot Guidance Enhanced Missile (GEM-T) interceptors. A 5.6 billion USD contract has already been awarded by the NATO Support and Procurement Agency to COMLOG, a joint venture for procurement between MBDA Germany and American Raytheon RTX. See: Pfeifer, Sylvia, 'Defence groups bet big on drone-destroying laser weapons. Leading contractors, including RTX in the US, the UK's QinetiQ, and Europe's MBDA, are investing heavily in the technology'. *Financial Times*, 22 October 2024. https://www.ft.com/content/c4c90a0e-303a-4445-85f8-54afbfbf23ab

[47] Some of the sensitive issues relate to intellectual property rights (IPR) and American export control through the International Traffic in Arms Regulation (ITAR).

questions primarily regarding Union competence and the complementarity with related processes in NATO.

First, regarding governance, the proposal for the creation of a Defence Industrial Readiness Board can be interpreted as a way to overcome the gap between member states and the Commission, apart from internal rivalries between DG DEFIS and EDA. In the Commission, comparisons are made between the Eurogroup and the Defence Industrial Readiness Board, with the expectation that the latter would inform decisions beyond EDIP. The set-up reflects the accumulated experiences of crisis management regarding COVID, energy and the war in Ukraine. However, it also raises questions regarding the extension of the Commission's role for defence – in particular, in case of activation of its crisis mode.

'Member states with a strong defence industry tend to oppose an increased role for the Commission in determining ways to close European capability gaps.'

Second, while in principle recognised as a valid goal, the recommended ways of strengthening the EDTIB as a way of closing Europe's capability gaps – now measured against a raised threat level – are facing some strong headwinds. They result not only from changes in the White House, which can reinforce the pressure to 'buy American', but also from defence industrial powerhouses in Europe with their order books full and reluctant to engage in complicated set-ups with other member states lacking significant defence industry. Member states with a strong defence industry tend to oppose an increased role for the Commission in determining ways to close European capability gaps. This could, in their view, best be done by member states in the context of, for example, intergovernmental OCCAR or by launching more ambitious goals for PESCO. Increased financial resources in the next MFF would be welcomed as a way of incentivising member states to invest, but not through an increased role for the Commission or financed through borrowing.

Kubilius' mission letter includes a related proposal to create a Single Market for defence products and services to enhance joint procurement of European equipment and enhancing production capacity. It has generated many questions for clarification by the Commission, which have largely been left unanswered, according to some member states.

Another matter of internal debate is the perceived lack of individuals with a defence background in the Commission. According to some defence officials in European institutions, this is a shortcoming when capability and procurement decisions, linked to potentially increased funding in the next MFF, will be made.

Defence planning made through the CARD and CDP processes in the EDA are deemed insufficient for steering the proper ways to close European capability gaps. Defence planning through NATO does not result in identifying such gaps either, according to these officials, because it has traditionally been assumed that the US will provide necessary capabilities in the form of so-called strategic enablers such as strategic lift, air-to-air refuelling and operational intelligence. Making up for an eventually decreased US contribution to European defence in view of a deteriorating security situation calls for a much firmer top-down steering, according to some European defence officials, apart from much increased financial resources. Even under the best of circumstances, Europeans would need at least a decade to make up for substantially decreased American capabilities.[48]

While question marks naturally tend to accumulate at the initiation of a new political cycle, it remains to be seen how the eventual availability and number of financial resources in the next MFF will affect some reluctant member states' willingness to accept a linkage to forms of Union competence in the area of defence. Relegating MFF and the Commission to the role of cash dispenser for resources for national projects is an

[48] For more on this, see Grand, Camille, 'Defending Europe with less America'. Policy Brief, European Council of Foreign Relations, ECFR, 2024. https://ecfr.eu/wp-content/uploads/2024/07/Defending-Europe-with-less-America-v1.pdf

unlikely prospect. Compromises can be expected to be elaborated somewhere in between the lowest common denominator and the one required to meet the daunting security challenges ahead of the Europeans efficiently.

2.2.4 The Niinistö report

Defence planning

Civil-military coordination constitutes the guiding principle for the Niinistö report, which consequently includes goals for both civilian and military preparedness and readiness. Most of these goals have already been accounted for in this analysis under section 2.1 A Preparedness Union, but the defence section contains some additional elements that will be described below.

First, it should be noted that the report recommends that:

> EU defence planning needs to be systematically based on the needs of the EU-27 and Ukraine.

As mentioned previously, the report is short on specifications regarding ways to translate political goals into total defence planning. One concrete idea is that the EU HG, based on the experiences from the Balkan war, should be revised to:

> meet the demands of military readiness for a large-scale, multidomain and protracted external aggression. This should provide the basis to identify possible flagship projects, but also to address wider whole-of-government including dual-use requirements and opportunities.

While the context is that of capability and industrial policy, it nevertheless resonates with Niinistö's call for preparations to meet armed aggression.

Improved efficiency

The defence section focuses on industrial matters, which reflects ongoing work in the field that has largely been covered in the beginning of this section. The report advances some specific ideas that are accounted for below.

As the 20 years of attempts at improving rates of investment in R&D and collaborative defence equipment spending is said to have yielded less than satisfactory results, the report recommends a stronger focus on concrete and time-bound deliverables. This will require some institutional rearrangements in the form of top-down strategic guidance from the European Council and improved coordination between EEAS, the EDA and Commission services.

As mentioned earlier in this analysis, the Defence Industrial Readiness Board proposed in EDIP is one idea for bringing member states, Commission and different institutions together, imposing stronger executive power, and reducing fragmentation and complexity throughout the EU. The Niinistö report suggests that EDA should have a special role through CARD and CDP, which are coherent with NATO priorities, in identifying EDCIPs based on urgency, long-term strategic significance, and industrial and innovative potential. Assessments should be made against:

>]a challenging multi-front planning scenario and vulnerabilities from a preparedness and readiness perspective, including in terms of security of supply and the need for ever-warm facilities.

'Ever-warm facilities' refers to the need to maintain continuous production of defence materiel. The report points to the previously mentioned 'European air defence shield'. While member states and NATO should be in operational control of the system, the EU can contribute financially and with joint production in the EU. Another stated comparative advantage is the ability to create synergies with civil and space surveillance systems, including border protection. In the short term, the focus should be on short-range air defence systems and ways of protecting against Unmanned Aircraft Systems (UAS), while the long-term goal would be to develop integrated air missile defence systems.

While recognising the limited size of the home market and the need to access external markets, which favours national control, the report recommends the development of a Single Market for defence as a way of overcoming 'various ingrained practices, regulatory hurdles and political divergencies'. The proposals include the opening of cross-border supply chains, harmonisation of export controls and the revision of the Public Procurement Directives that takes preparedness into account. The latter is described in the mission letter for Vice-President for Prosperity and Industrial Strategy, Stéphane Séjourné, in the following manner:

> You will revise the Public Procurement Directives to help ensure security of supply for certain vital technologies, products and services, while simplifying the rules and reducing administrative burden. It should enable preference for European products in public procurement for certain strategic sectors and technologies.[49]

As previously described, the proposal for a Single Market for defence has generated many requests for clarification by member states. This is likely to remain a contentious matter, in particular regarding the 'preference for European products'.

Unlocking the EU's dual-use potential

The Strategic Mobility project, benefitting from 1.5 billion euros in current MFF and largely exhausted, is highlighted in the report as an example of the EU's ability to 'harness civilian and military synergies and dual-use potential' but also as a comparative advantage in the EU-NATO relationship. Civilian infrastructure has been upgraded to allow for and improve military movement across the continent, thus making up for neglect and underinvestment since the end of the Cold War.

In a parallel to the EU's established defence capability development, the report suggests that a civilian security capability development programme should be established.

While NATO is focused on civil society support for the armed forces (e.g. in the form of health sector capacity to handle vast numbers of wounded soldiers), the Niinistö report underlines the need for military forces to support civil society – for example, in case of large-scale natural disasters such as those caused by climate change.

Dual-use research and defence innovation is highlighted as both natural for the EU and necessary in terms of improving the EU's competitiveness. However, civil and defence innovation has traditionally been separate, including in the EU's Horizon programmes. Overcoming limitations while minimising the danger of technology leak has been identified as a priority for the EU.

'While NATO is focused on civil society support for the armed forces, the Niinistö report underlines the need for military forces to support civil society[.]'

New financial resources?

Security and defence figure high on the EU's agenda for the next five years. The Commission's proposals, as well as the Letta, Draghi and Niinistö reports, all point to drastically increased ambitions in the fields. Financing them will, however, prove a major bone of contention in negotiations for the next MFF. Examples of impediments are treaty limitations for financing defence through the MFF and resistance by some member states to borrowing, but also the pressure on public finances resulting from the many financially demanding tasks facing national governments.

The EU has proven creative in its inventions of new resources allocated outside the budget for specific purposes. For defence, this includes EPF, which is funded directly by member states and used to finance military support to Ukraine. Set at 5 billion euros at the beginning of the financial term, it amounted to 16 billion euros by 2024, having been enlarged by new contributions and rents from frozen Russian resources. The arrangement was set to continue, now as part of a G7 agreement.[50] Another example is the Recovery and Resilience Facility (RRF) of 807 billion euros funded through the Commission's borrowing on the capital markets. So-called own resources and changes to criteria for access to the European Investment Bank (EIB), now excluding defence, also figure in the discussion.

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[49] von der Leyen, Ursula von der Leyen, 'Mission letter, Stéphane Séjourné'. European Commission, 17 September 2024. https://commission.europa.eu/document/download/6ef52679-19b9-4a8d-b7b2-cb99eb384eca_en?filename=Mission%20letter%20-%20S%C3%89JOURN%C3%89.pdf

[50] For a more detailed description of the arrangement, see Council of the EU 'Immobilised assets: Council greenlights up to €35 billion in macro-financial assistance to Ukraine and new loan mechanism implementing G7 commitment'. Press release, 23 October 2024, 21:45. https://www.consilium.europa.eu/en/press/press-releases/2024/10/23/immobilised-assets-council-greenlights-up-to-35-billion-in-macro-financial-assistance-to-ukraine-and-new-loan-mechanism-implementing-g7-commitment/

Former Commissioner Breton had proposed the raising of 100 billion euros for defence through Eurobonds.[51] The sum was described as 'a minimum' in the next MFF by European defence officials. The possibility of using part of the cohesion fund for defence production and military mobility was floated by the end of 2024. The idea for a Special Purpose Vehicle (SPV) in the form of an intergovernmental fund of some 500 billion euros for common defence projects and arms procurement was also discussed. Instead of borrowing, the SPV, which would be open to non-EU members, would issue bonds backed by national guarantees from participating countries.[52] Another proposal is to create a global defence, security and defence bank, structurally aligned with the models of the IMF and World Bank.[53] Draghi points to defence as an important part of improving the Union's competitiveness, putting the total figure of EU investment gap at an annual 800 billion euros between 2025 and 2030.

The Niinistö report contributes to possible ways of financing security and defence through the proposed SEF and DEF instruments, thus enlarging the definition of resources through the identification of policy areas and funds related to preparedness. According to Niinistö, at least 20% of the EU's budget should contribute to the EU's security and defence crisis preparedness. The element of conditionality was introduced with the RRF.

> 'According to Niinistö, at least 20% of the EU's budget should contribute to the EU's security and defence crisis preparedness.'

One can assume that if requirements are identified in an eventual Preparedness Law, they can form the basis for earmarking posts relevant for preparedness in the next MFF.

3. Making Europe whole and free? Integrating Ukraine

This analysis has focused on the many different proposals for security and defence figuring on the EU's agenda for the next political cycle. However, few things are likely to affect the EU's security and defence policies more than the fate of Ukraine. It could either force the EU to overcome its many institutional and formal limitations, or make it fall back into complacency and internal differentiation, depending on member states' assessment of the situation.

Short of any clear outcome in the battlefield, the conflict is likely to 'freeze' along the 1,200 km long frontline, eventually leading to a ceasefire or, less likely, a formal peace agreement. The latter would facilitate Ukraine's NATO membership, which is not in Moscow's interest, and force Ukraine to accept some territorial losses, which would be difficult for Kyiv.

If an imposition force would be put in place along the frontline, as proposed by the incoming US administration, the situation would resemble the situation that has existed in the Korean peninsula since 1953, the difference being that Russia is not North Korea, and while temporarily in need of a pause, Russia could reconstitute its considerable military resources.

With no short-term prospect for NATO membership, Ukraine could benefit from bilateral security guarantees. This would be short of Article 5, but the best arrangement at hand under current circumstances. Even assuming that the US would provide muscle and determination for such an arrangement, the onus would be on the Europeans to make up most of an observer force and be the main provider of military and economic support to Ukraine. Europeans would, in reality, become the main security guarantor of Ukraine, despite limitations to treaties and institutional boundaries between the EU and NATO.

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[51] A Eurobond is a debt instrument denominated in a currency other than the home currency of the country or market in which it is issued.

[52] Tamma, Paola, Foy, Henry, Varvitsioti, Eleni and Rathbone, John Paul, 'Europe races to set up 500 billion euro defence fund'. *Financial Times,* 5 December 2024. https://www.ft.com/content/169816b5-39e9-4f05-ae84-43ef8e277c76

[53] Jeglinkas, Giedrimas, 'The case for a global defence bank'. *Financial Times,* 11 December 2024. https://www.ft.com/content/064b0685-9003-446d-806a-15015978dfed

The hope of joining the EU represents a principal source of the Ukrainian will to resist. For the EU, having promised Ukraine membership in the Union, the traditional 'merits-based' approach to membership would then have to be combined with efforts to help Ukraine survive continued Russian political and military pressure. This would likely produce tipping points when Ukraine, regardless of formal membership arrangements, would become more part of the EU than the Russian sphere-of-interest.

Allowing Ukraine to slip back under Russian dominance could endanger not only the European security order but also harbour the seeds of a renewed and widened conflict. Integrating Ukraine, on the other hand, would promise the eradication of one of the last vestiges of interest spheres between major European powers and could, ultimately, make Europe whole and free.

In the end, this would hinge on European reactions to an eventual ceasefire in the Ukraine war in 2025. To some, this might look like the welcome arrival of peace, while, for others, it could just represent a lull in a continued and protracted conflict, instilling a sense of urgency to deter future aggression. The prevailing mood would determine the EU's course of action.

4. Conclusions

Under pressure, primarily from a deteriorating security situation but also from the impact of climate change, the EU is moving towards deeper cooperation and integration in the areas of defence and preparedness. Two papers, 'The Preparedness Strategy' and 'The Future of European Defence' will be presented at the beginning off the EU's new political cycle. Together, they form scattered building blocks of a European Total Defence Union encompassing both civilian and military aspects.

The contrast between the raised ambitions and the hurdles to overcome in the form of the many asymmetries across the EU is substantial. Aligning defence and preparedness is a complex task, even on a national level. The fusion of the EU and NATO in some areas also requires a redefinition of their interrelationship. Ideally, one should start from a top-down application of a total defence concept to both institutions to sort out synergies and delineations.

Because such a reconfiguration will not happen, and time is of the essence, it would probably be more productive for the EU to narrow down the scope of its future strategies to some key tasks that can be implemented, thus setting a pattern for future deliberations and add-ons. They should, as pointed out in the Niinistö report, not start from the lowest denominator but from the highest. This approach will likely produce frictions between many different sensitivities and structures in the EU, but it is better to make headway on something important and tangible than to get stuck in the production of watered-down documents of limited impact. The possibility of groups of member states that share the same views and similar structures moving ahead should be considered. Their experiences could then be emulated, or discarded, by other member states.

> 'While the EU embarks on a complicated internal process, the maelstrom of the war in Ukraine will continue to shape and transform the Union's defence and preparedness policies.'

While the EU embarks on a complicated internal process, the maelstrom of the war in Ukraine will continue to shape and transform the Union's defence and preparedness policies. A progressive integration of Ukraine into the EU will force the Union to assume responsibility for Ukraine's security, possibly as part of a system of bilateral security guarantees. This would reinforce the EU's defence dimension, regardless of treaty limitations.

The parallel processes of Ukraine's 'merits-based' accession to the EU and the Union's assumption of part of the responsibility for Ukraine's security will produce tipping points when Ukraine will become more a part of the EU than of the Russian sphere-of-interest. If successful, this could herald the long-term process of making Europe whole and free.

The stakes could not be higher.

Abbreviations

ASAP	Act in Support of Ammunition Production
CARD	Coordinated Annual Review of Defence
CDP	Capability Development Programme
CER	Resilience of Critical Entities Directive.
CHG	Civilian Headline Goal
CHODs	Chiefs of Defence
CJEU	Court of Justice of the European Union
COREPER	Committee of the Permanent Representatives of the Governments of the Member States to the European Union
CRA	Cyber Resilience Act
DEF	Defending Europe Facility
DG DEFIS	Directorate-General for Defence Industry and Space
DG ECHO	Directorate-General for European Civil Protection and Humanitarian Aid Operations
EDA	European Defence Agency
EDF	European Defence Fund
EDIP	Defence Industry Programme
EDIRPA	European Defence Industry Reinforcement through common Procurement Act
EDPCI	European Defence Projects of Common Interest
EDTIB	European Defence Technological and Industrial Base
EEAS	European External Action Service
EIB	European Investment Bank
EPF	European Peace Facility
EPCIP	The European Programme for Critical Infrastructure Protection
ERCC	Emergency Response Coordination Centre
EU BG	European Union Battle Group
EUMAM	European Union Military Assistance Mission
EUNAVFOR	European Union Naval Force
EUMC	European Union Military Committee
EUMS	European Union Military Staff
FAC	Foreign Affairs Council
FDI	Foreign Direct Investments
FIMI	Foreign Information Manipulation and Interference
HR/VP	High Representative/Vice-President of the Commission
HQ	Headquarter
IMERA	Internal Market Emergency Resilience Act
IMF	International Monetary Fund
IPCEI	Important Projects of Common European Interest
IPCR	Integrated Political Response Mechanism
ITAR	International Traffic in Arms Regulation
JHA	Justice and Home Affairs
MFF	Multiannual Financial Framework
MoD	Ministry of Defence
MPCC	Military Planning and Conduct Capability
NATO	North Atlantic Treaty Organisation
NDPP	NATO Defence Planning and Review Process
NFM	New Force Model
NIS	Directive on Security of Network and Information Systems
OCCAR	Organisation for Joint Armament Co-operation
OHQ	Operational Head
PARP	Planning and Review Process
PESCO	Permanent Structured Cooperation
PMG	Political-Military Group
QMV	Qualified Majority Voting
R&D	Research and Development
R&T	Research and Technology
RRF	Recovery and Resilience Facility
SEAP	Structures for European Armaments Programme
SEF	Securing Europe Facility
SPV	Special Purpose Vehicle
TEU	Treaty of the European Union
TFEU	Treaty of the Functioning of the European Union
UAS	Unmanned Aircraft Systems
UCPM	The Union Civil Protection Mechanism
UDTIB	Ukraine Defence Technological and Industrial Base
VAT	Value Added Tax