Canada-EU Cooperation in Military Crisis-Management: Principles, Modalities and Practice

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Introduction

After years of dormancy, the project of a European defence identity was revived at the St-Malo Summit of 1998. At the outset feelings in Ottawa towards the European Security and Defence Policy (ESDP) were mixed, and Canada’s official policy line was marked by cautious ambivalence. Given that Canada’s foreign policy priorities are often considered to be more “European” than “North American”, as well as the potential for ESDP operations to play a strong role in the promotion of Canada’s human security agenda, recent developments in European defence cooperation have often been received very positively. On the other hand, Canada has also seen the emergence of ESDP as possibly undermining the stability of NATO, something which would weaken Canada’s influence in Washington and on the other side of the Atlantic.¹

Once Canadian policy makers recognized that ESDP was well on the road to maturity, they decided to seek a better-defined role for Canada in Europe’s emerging security identity.² In response, Europe was slow to understand several aspects of the Canadian position. Firstly, European policy makers often failed to distinguish between Canada and its more powerful, more unilateralist, southern neighbour. As a result Canada’s possible participation in ESDP operations was sometimes considered tantamount, to a North American “Trojan horse”, intended to weaken Europe’s

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security ambitions. Secondly, European efforts to allow for third state participation in ESDP operations all too often focused on non-EU European states and ignored Canada. Nevertheless after several years of lobbying, Canadian leaders and diplomats have slowly succeeded in placing Canada’s desire to play a role in ESDP-led operations on the radar screen of their EU counterparts. In 2000 Canada’s interest in ESDP was recognized in both the Feira and Nice Presidency Conclusions, and by 2002 an annex to the Seville Presidency Conclusions sketched out some of the modalities of possible Canadian involvement in European-led peacekeeping, peace building and civilian policing missions. Now, several years on, as ESDP has become operational and is finally being put to the test in the field, questions remain as to how exactly Canada can best contribute and why it is in its national interest to do so.

In examining the overall context of Canada-EU relations, as well as Canada’s foreign policy priorities, the current state of its military, its position on multilateral peacekeeping, and its previous involvement in ESDP operations, this paper will attempt to provide a comprehensive overview of Canada-ESDP cooperation, including an assessment of the modalities and frameworks which exist to facilitate such collaboration. Furthermore, this essay will argue that Canada’s involvement in EU-led crisis management is in the national interest and does not threaten the health of the Atlantic alliance.

The background and context of Canada-EU relations

Canada’s European roots, its massive involvement in Europe’s two great wars, a long history of trade and cultural exchange, and relatively close geographical proximity, have ensured the success of Canada-Europe relations over the last 50 years. Indeed, with the signing of the EC-Canada Framework Agreement in 1976, Canada became the first developed nation to conclude a bilateral agreement with the European Community. Since that time political relations between Canada and the EC/EU and its member states have been regular, productive and, with the exception of the 1996 “Turbot War”, amicable. Several major joint political declarations made in 1990,

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5 Communication from the Commission on EU-Canada Relations, Brussels, 13/05/2003, COM (2003), 266 final.
1996 and 2004\textsuperscript{6} and a series of regular summit meetings have paved the way for increased collaboration, and Canada-EU cooperation now extends from such high political issues as trade, development, the environment, international security and justice and home affairs, to more technocratic concerns such as science and technology, transport, education, culture and youth issues.

Currently one summit meeting between the Canadian Prime Minister, the President of the European Council, the Commission President and the High Representative for CFSP is held per Presidency cycle, with lower level sectoral meetings covering a wide-range of policy areas being held more regularly. With specific regard to CFSP, an ever-increasing array of regular meetings take place to ensure an ongoing dialogue between Canadian and European officials: one meeting is held per Presidency cycle between the Troika Political Directors and their Canadian counterpart, four meetings focusing on security and defence issues take place per year between Canadian representatives and representatives of the EU Political and Security Committee (PSC), and groups of experts meet on an \textit{ad hoc} basis to discuss a wide variety of issues including, \textit{inter alia}, non-proliferation, disarmament and human rights, as well as various regional concerns.\textsuperscript{7}

Canada is often described as a “North American country, with European values” and Canada-EU relations are much tighter and friendlier than those between the EU and the United States. Although regular EU-US consultation does take place, recent diplomatic spats over the war in Iraq, the International Criminal Court (ICC), the Kyoto Protocol and the overall role of multilateral organizations reveal that Europe’s relations with the world’s only remaining superpower are colder and less characterized by policy convergence than those it maintains with Canada. One need only to compare UN voting records to see the degree to which this is true: In 2002 the EU-15 had a common position on 52 political and security matters at the UN General Assembly. While the US only voted with Europe on 21 of these resolutions, Canada and Europe were able to find agreement on 50 (96%) of these resolutions.\textsuperscript{8}

The 2004 Canada-EU Partnership Agenda clearly reflects the high degree to which Canadian and European Union foreign policy agendas concretely converge on a

\textsuperscript{6} Canada-EC Declaration on Transatlantic Relations, 1990; Joint Political Declaration on Canada-EU Relations, 1996; Canada-EU Partnership Agenda, 2004.

\textsuperscript{7} \textit{EU Commitments vis-à-vis third countries}, Council of the EU, Brussels, 9166/04, 4 May 2004.

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large variety of issues: a commitment to the UN as the primary venue for the discussion of international problems and the resolution of international crises, common support for the human security agenda in the form of agreement to take into account and promote the work of the Commission on Intervention and State Sovereignty’s Responsibility to Protect report, and a general promise to consult each other actively on all issues of international security, just to name a few areas of commonality. For better or worse, most Canadians, like most Europeans, believe firmly in the importance of a rules-based international order and view multilateralism as the best way to address evolving global problems like terrorism, the environment, weapons of mass destruction, human trafficking and AIDS. Canada has taken the lead on such important initiatives as the International Criminal Court and the Treaty to Ban Landmines, and has often found that its calls for increased multilateral cooperation are answered with a resonant echo on the other side of the Atlantic. Europeans also respect Canada’s strong history of and commitment to peacekeeping and peace building operations and view Canada as a strong potential partner for future human security initiatives.

Although Canada’s trade with the EU remains small in comparison to its trade with its powerful southern neighbour (in 2002 only CAD$ 33 billion of exports went to the EU, compared with CAD$ 364.3 billion to the US), as Canada’s ambassador to the EU, Jeremy Kinsman, is fond of pointing out, direct investment by Canadians in Europe is becoming increasingly significant: in 2002 Canadians invested US$ 77 billion in the EU, four times as much as Canada’s EU export totals. Similarly, EU investment in Canada continues to grow, with Canada now receiving over 20 per cent of overall European investment in NAFTA. Finally, it should be noted that during 2002 the size of Canadian direct investment in Europe grew twice as fast as the overall rate of FDI made by Canadians during the same year.

Yet, in spite of the increasing growth of reciprocal FDI between Europe and Canada, one should not underestimate the high degree of interconnectedness, and ultimately, dependency, that exists between Canada’s economy and that of the United States. This fact, together with simple geostrategic reality, means that Canada can

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9 Canada-EU Partnership Agenda, Ottawa, 18 March 2004
10 Communication from the Commission on EU-Canada Relations, pp. 3-4.
11 Kinsman, p. 17.
simply not afford to ignore the United States when developing and pursuing its foreign policy agenda. Many, especially those on the conservative side of the Canadian political spectrum, would argue that in the face of an increasingly paranoid, unilateralist, and muscular US foreign and homeland security policy, a successful Canadian foreign policy for the 21st policy must focus on improving Canada’s relationship with Washington. In the past, these commentators, together with right-of-centre politicians like recently-elected Conservative prime minister, Stephen Harper, have railed regularly against the government’s unwillingness to invest in the armed forces and suggest that the Liberal Party’s commitment to former Foreign Minister Lloyd Axworthy’s human security agenda was merely a distraction intended to obscure the ongoing deterioration of Canada’s military capabilities. Indeed, of late Canadian defence spending has been anaemic. Until recently, among NATO members only tiny land-locked Luxembourg spent less as a percentage of GDP. Even the government’s CAD$ 13 billion defence spending package announced in 2005, although a welcome sign, offers less than what many defence observers had called for and only does so over an extended 5-year time frame.

Thus we are presented with the classic dilemma of Canada’s post-Cold War security debate: Canada’s foreign policy values often make it thoroughly European, while its national interest (when defined geographically and economically) makes it thoroughly North American. Attempting to balance Canada’s foreign policy values with the constraints, calculus and imperatives of realpolitik often makes for a perilous foreign policy tightrope act. However, values and interests need not necessarily be considered in opposition to one another, especially since Ottawa’s recent International Policy Statement argues that promoting values such as multilateralism, development and democracy will help to create a safer international environment.

Canada, NATO and ESDP: The trigonometry of the transatlantic triangle

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14 Fortmann and Viau, 142.
16 “Military is promised $12.8B raise,” The Ottawa Citizen, Thursday, February 24, 2005.
As mentioned above, for most Canadian policy-makers NATO has often been considered the main point of entry into discussions on European defence. Since the development of ESDP has often been viewed by North American policy-makers as a threat to the stability, coherence and cohesiveness of the Atlantic alliance, it is not surprising that there was some initial ambivalence in Ottawa towards ESDP when the project was first announced. Many in the Department of National Defence (DND) and in Foreign Affairs (DFAIT), like their counterparts in Washington and elsewhere, were simply caught off-guard by the Saint-Malo declaration.\(^8\) Having not expected London and Paris to be able to find common ground on defence issues, Ottawa was suddenly forced to develop a position on the matter and although, there was no official Canadian response to Saint-Malo, many in Ottawa believed that ESDP would only serve to undermine NATO, thereby weakening Canada’s level of influence in European security issues.

Following its initial reluctance to embrace ESDP, Ottawa gradually adopted a more approving tone. This was the product of three developments. First, as ESDP slowly matured and evolved it became apparent that there was enough political will in Europe to continue to push the project along, meaning that irrespective of Ottawa’s opinion on the matter, ESDP would soon become an unavoidable reality. Second, Canadian policy makers were reassured by the actual form which ESDP began to take. This was because pressure from Atlanticist Member States had forced more independent-minded members like France to temper their ambitions, with the upshot being that the new European defence identity would not be constructed in opposition to NATO or the United States, but rather as a complement to the Atlantic alliance. Of vital importance was the acknowledgement that NATO would always maintain the right of first refusal and the conclusion of the Berlin-plus agreements. Finally, Ottawa pragmatically recognized that the world has a need for more crisis-management capacity than is currently available; NATO cannot intervene everywhere, nor will all of its members always find intervention desirable. Since the primary goal of ESDP is not to usurp NATO’s collective defence role, but rather to allow the EU to effectively execute crisis-management operations, Ottawa may sometimes find it more appropriate or expedient to cooperate with the EU.

\(^8\) Telephone interviews with Canadian officials, 18 May and 21 July 2005.
In this light, Canada’s involvement in EU-led operations should not be viewed as a threat to NATO. Opinions on the subject are not homogenous, but according to one high-ranking Canadian official, Ottawa does not wish to take a “theological” approach to NATO-EU relations. Instead most Canadian decision-makers would prefer a more pragmatic attitude which places the emphasis on problem-solving rather than political posturing. In building alliances for crisis-management missions, operational considerations, current foreign policy postures, national interests and situation-specific factors will be particularly determinant. A US government which is currently pre-occupied with a war in Iraq and the broader fight against international Islamic terrorism may be unwilling or unable to involve itself in the management of emerging crisis situations, meaning that the EU would be better placed to intervene. According to this point of view there is a role for both NATO and ESDP and it is in Canada’s interest to participate in both.

As a final point, it should be noted that the development of ESDP will only ensure that the European allies will continue to improve their military capabilities, thereby improving the overall strength of the alliance. Capability improvements will also increase levels of interoperability between forces from both sides of the Atlantic. Overall, as long as the project remains transparent, well-defined and well-directed, Canada can only benefit by participating in ESDP-led operations.

The development of the legal-political framework for crisis-management cooperation
The legal-political framework which governs Canada-EU crisis management cooperation was developed over a period of roughly six years (1999-2005) and has evolved in fits and starts. As is the case with most bilateral political relationships and negotiating processes, little official public documentation chronicling the development of this particular set of agreements exists. However, by examining various European Council declarations and speeches made by policy makers, as well as by conducting interviews with officials on both sides of the table, it has been possible to piece together a general overview of how the framework has evolved, and, to a lesser extent, to determine the motivations guiding both parties at various junctures.

19 Interview with Canadian official, Brussels, 24 June 2005.
In spite of the decades-long debate about the possible development of European defence cooperation, the 1998 Saint-Malo declaration caught Canadian policy makers (as it did most others) off-guard. Given Canada’s longstanding commitment to the Atlantic alliance and its belief that NATO represented the preferred vehicle for transatlantic security cooperation and collective defence, it was not surprising that many Canadian officials would react sceptically and unenthusiastically towards the Anglo-French initiative.\textsuperscript{20}

However, as early as spring 1999, Ottawa was already expressing its interest in possible Canadian participation in ESDP operations. In the final communiqué of its Washington summit, after having first made reference to the need to include non-EU European NATO members in EU-led operations, the North Atlantic Council (NAC), “note[d] Canada’s interest in participating in such operations under appropriate modalities.”\textsuperscript{21} Although this statement was found in a NATO document, it is important to note that over the next several years the structure of this declaration (first mentioning non-EU European allies, then referring to Canada) would be adopted by the EU in various documents as the standard formula for treating the possibility of Third State involvement in ESDP operations.

Several months later, at the Cologne European Council, the EU for the first time made official reference to the necessity of including third parties in future ESDP operations.\textsuperscript{22} However, no reference was made to the possibility of including non-European Third States. Thus, even though Canada had tried at an early juncture to get itself onto the EU crisis-management radar screen via the NAC communiqué, it would for a long time have to fight being discriminated against because EU policy-makers believed that they should accord priority to working with non-EU European states. It was not until later that year at the Helsinki European Council, that the EU finally made an opening for its extra-European partners, issuing a declaration which stated that “appropriate arrangements will be defined that would allow…non-EU European NATO members and other interested States to contribute to EU military crisis management.”\textsuperscript{23}

\textsuperscript{20} Neuwahl, pp. 433-4.
\textsuperscript{21} Final Communiqué, North Atlantic Council summit, Washington, DC, 24 April 1999.
\textsuperscript{22} Declaration of the European Council on Strengthening the Common European Policy on Security and Defence, European Council, Cologne, 3-4 June 1999.
\textsuperscript{23} Presidency Conclusions, European Council, Helsinki, 10-11 December 1999; emphasis added.
At the Paris Transatlantic Forum, held in May 2000, Canada’s ambassador to NATO, David Wright, indicated that despite its support for the development of a European Defence and Security Identity (ESDI) within the confines of NATO, Ottawa was more ambivalent with regard to the development of the more autonomous ESDP project. Wright was concerned about how ESDP would relate to NATO, and placed particular emphasis on the need to develop effective consultative mechanisms between the EU and NATO. He also stated that Ottawa was concerned about the use of NATO assets by the EU, making it clear that “Canada would not agree to modalities that would leave NATO with no control whatsoever over their use.” Here, Wright was to some extent echoing the reservations expressed by Turkey and other non-EU NATO members over the so-called Berlin-plus arrangements that had been agreed to at the Washington NAC summit and would permit EU access to certain NATO resources. Wright then went on to state that it would be important to clarify to what extent non-EU NATO members (both European and extra-European) would be able to participate in EU-led operations and would be able to contribute to the decision-making process. Finally, he declared that Canada had an “abiding interest in European security” and that it would expect to have the same rights and obligations as any other participants in an EU-led operation.

It was not until June 2000 that Canada (alongside Russia and Ukraine) finally succeeded in gaining explicit recognition of its interest in ESDP. Specifically, the Presidency Conclusions from the Feira European Council stated that “Russia, Ukraine, other European States engaged in political dialogue with the Union and other interested States, may be invited to take part in EU-led operations. In this context the EU welcomes the interest shown by Canada.” Despite finally gaining recognition of their willingness to participate in ESDP operations, many Canadian officials felt slighted that Canada was only mentioned after Russia and Ukraine, two states with much less prominent profiles in the world of crisis management. Furthermore, despite the specific reference to Canada, when it came to actual principles and modalities the Feira Conclusions only discussed the participation of non-EU European NATO members and candidate countries (thereafter known as EU+15), and, by omission, excluded Canada from these consultation and participation mechanisms.

After the minor progress made at Feira, the first major breakthrough for Canada took place at the Nice summit. Here the EU proposed “stepping up dialogue, cooperation and consultation on security and defence issues” with extra-European partners and recommended arrangements for non-crisis and crisis periods.26 During the routine non-crisis phase, meetings would be held once every six months between the PSC Troika and appropriate representatives of the Third State. More vaguely, during crisis situations “such consultations conducted in Troika format or by the Secretary-General/High Representative [would] constitute the framework making it possible for exchanges of views and discussions on potential partners to be held.” Furthermore, Third State partners would be allowed to appoint liaison officers to the EU planning staff and to participate fully in the Committee of Contributors “with the same rights and obligations as the other participating States as far as day-to-day management of the operation [was] concerned.”

Although this represented the first time that the EU had indicated it would engage in regular consultation with extra-European Third States on issues of military crisis-management, the level of cooperation with these extra-European partners as envisaged at Nice paled in comparison with the more detailed arrangements for regular consultation with non-EU European NATO members and candidate countries which had been previously laid out at Feira. Specifically, the Feira document had established a “single inclusive structure” in which the non-EU European NATO members and the candidates for accession could be consulted regularly according to a clearly defined schedule of meetings. Furthermore, it laid down the specific modalities of consultation during the so-called “routine” and “operational” phase (broken down into a “pre-operational phase” and an “operational phase ‘stricto sensu’”) of EU crisis-management. Thus it was clear that at this point the EU wished to maintain the separation between its European partners and its extra-European ones.

Nevertheless, from a Canadian perspective Nice still represented a huge step forward, with the most important development being the inclusion of a paragraph making specific reference to Ottawa’s keen interest in EU crisis-management. The paragraph read as follows:

“Consultations with Canada will be stepped up in times of crisis. Participation by Canada will be of particular importance in the case of EU operations drawing on NATO assets and capabilities. In this context, when the Union

26 Presidency Conclusions, European Council, Nice, 7-9 December 2000.
embarks of detailed examination of an option making use of NATO assets and capabilities, particular attention will be paid to consultation with Canada.”

This commitment to increased consultation was reaffirmed less than two weeks later at the Canada-EU summit in Ottawa. Here Canada was less ambivalent towards ESDP than it had been earlier, welcoming “the decisive progress made in the elaboration” of ESDP at Nice. Canada and the EU agreed that NATO would remain the basis of their collective defence and that both would support the “rapid implementation of permanent arrangements between NATO and the EU.” Perhaps most importantly, Canada and the EU also committed to deepening the level of dialogue on issues relating to ESDP, agreeing to meet bilaterally on a quarterly basis at expert level to discuss “inter alia, emerging conflict situations, measures for conflict prevention, and military, police and civilian cooperation in peace support operations.” Furthermore, it was agreed that “special consideration [would] be given to Canada” should the EU wish to exploit NATO assets and that both parties would work to concretize the modalities that would allow Canada to participate in EU-led operations. Finally, at Nice it was decided that the possibility of non-EU Member States contributing to the EU’s civilian crisis management operations would be examined in a “positive spirit.”

In spite of the agreements and promises made during the previous year at Nice and Ottawa, a speech made in March 2001 by then Canadian Defence Minister Arthur Eggleton at the Munich Conference on Security Policy, echoed many of the sentiments expressed by Wright at the Paris Transatlantic Forum. Eggleton’s main point was that ESDP structures should not undermine NATO’s role as the primary vehicle for “addressing Euro-Atlantic security challenges.” He then reiterated Wright’s message about the unacceptability of placing Canadian forces assigned to NATO units placed under EU command without appropriate NATO supervision. Nonetheless, Eggleton also underlined Canada’s interest in participating in EU-led operations and declared that agreeing on the modalities which would govern such participation, particularly the degree of decision-making input which the EU would grant to Canada, would represent the primary challenge to finalizing an acceptable agreement.

Considering both Wright and Eggelton’s remarks it is apparent that Canadian policy-makers were engaged in a balancing act on a high-wire suspended somewhat precariously between NATO and the EU, anxious that they might slip and fall between the cracks. On the one hand, NATO gave Canada a seat at the transatlantic table and offered an important point of entry into the arena of European security. On the other hand it was becoming clear to policy-makers at DFAIT and DND that ESDP was slowly becoming a reality, meaning that the EU would soon become a significant player on the crisis-management scene. Ottawa’s reaction was to try to bridge the gap by insistings that NATO should remain the pre-eminent Western security organization, should not be undermined by the development of ESDP and should always be closely consulted by the EU, while simultaneously persisting in its efforts to ensure itself a role in both the operational and planning aspects of any EU-led operations.

The record from the various summits and European Councils held during 2001 reveals very little detail about advances made towards producing a concrete framework for the involvement of Canada in ESDP operations. Nevertheless, it does appear as though some progress was being made behind the scenes. The June 2001 Gothenburg European Council Presidency Report recognized Canada as a “valuable partner” for the EU, especially in light of its extensive peacekeeping experience, and “welcome[d] the readiness of Canada to contribute to crisis management efforts undertaken by the Union.” The report also indicated that regular consultation on “ESDP-related issues of mutual concern” had been initiated between the two parties and that efforts were underway to develop the modalities which would govern Canada’s involvement in EU operations. Reference was also made to progress in discussions with the Ukraine and Russia on their involvement in ESDP. At Gothenburg it was also agreed that should they wish to participate in EU police operations the contributions of non-EU states would be given “favourable consideration.” With specific regard to extra-European states (Canada was mentioned as an “other interested State”) dialogue over participation in police missions was to be included within the existing framework for consultation and cooperation.

29 Telephone interview with Canadian official, 18 May 2005.
The Laeken Presidency Conclusions from later that year are also relatively unrevealing. Instead they choose to reference the Canada-EU Summit held on 18 December 2001, where the EU appears to have recognized the validity of Canadian concerns over EU-NATO cooperation, acknowledging that when EU-led operations use NATO assets “modalities should provide for intensified and early consultations, including on the development of operational plans.”

Perhaps most importantly, at the summit it was agreed that for operations where NATO assets would not be used, modalities for Canadian participation “could draw on those related to the involvement of non-EU European NATO Allies.” From this text it appears that Ottawa had finally succeeded in achieving the kind of equal footing with the EU’s European allies that it had been seeking since the EU had first announced that ESDP would be a project open to the involvement of partners and allies.

It was not until 2002 that the ongoing EU-Canada discussions finally bore real fruit. First at the May 8 Canada-EU Summit in Toledo, Spain, it was announced that “important steps to facilitate mutual exchange of practical information on military crisis matters” had been realized through the assignment of a Canadian liaison officer to the EU Military Staff (EUMS). Furthermore, the EU extended an invitation to Canada to participate in its first ever ESDP operation, the EU Police Mission (EUPM) to Bosnia and Herzegovina.

This was followed up one month later at the Seville European Council, when the EU unveiled the “Arrangements for consultation and cooperation between the European Union and Canada on Crisis Management.” This document, attached as an annex to the Seville Presidency Conclusions mirrors arrangements first made between the EU and its European partners at Feira in 2000. Section I, which would guide cooperation during non-crisis periods, stipulated that consultation on ESDP issues would continue within the framework of “existing mechanisms” which included regular meetings at the Head of State, ministerial, political director and PSC level. The frequency and modality of these meetings would be based on “considerations of pragmatism and efficiency.” Furthermore, Section I alluded to the appointment of a Canadian contact person to the EUMS, as had already been announced at Toledo in May, and indicated that briefings with this person would take place at least twice during each presidency.

32 Joint Summit Statement, Canada-EU Summit, Toledo, 8 May 2002.
Section II of the document governed cooperation during periods of crisis and indicated that “consultations with Canada [would] be stepped up during times of crisis.” When EU-led operations would use NATO resources “particular attention [would] be paid to consultation with Canada.” During the pre-operational phase the level of consultation would be intensified and efforts made to inform Canada of the potential military operations being considered so that it could make an informed decision as to its potential level of contribution should it wish to participate. During the operational phase, dialogue would take place to allow Canada to express its interest in joining the mission. If after the establishment of the “concept of operations” (CONOPS) it became apparent that NATO assets would be used, Canada would automatically be allowed to join the mission and would be “involved in planning in accordance with modalities defined within NATO.” Should NATO assets not be involved then the EU may decide to extend a formal invitation for Canadian participation. Canada would then be allowed to appoint a liaison officer to the EUMS in order to “allow an exchange of information on operational planning and the contributions envisaged.” If Ottawa’s contribution to the EU-led force was deemed “significant”, Canada would also be allowed to fully participate in the work of the Committee of Contributors and would have the same rights and obligations as any participating EU member states. Section III dealt with the civilian aspects of crisis management, but adds little to what was already agreed upon at Gothenberg, stating that precise modalities for Canadian participation in EU police missions would be established in “due time.”

Putting the Seville arrangements to the test: The Balkans and the DRC

Until December 2005 the arrangements agreed upon at Seville provided the framework for Canadian involvement in EU missions. Since the EU launched its first ESDP operation, a police mission to Bosnia and Herzegovina (EUPM) in January 2003, Canada has been involved in several large-scale ESDP operations (see Appendix I), deploying over 120 members of the Canadian Forces and eight police officers to the Balkans and the Democratic Republic of the Congo (DRC). Furthermore, with the exception of a small spat over the funding of common costs in Operation CONCORDIA, Canada’s involvement has largely been considered a success by policy-makers in both Ottawa and Brussels. In particular the EU values Canada’s long history of peacekeeping and wealth of experience in crisis-
management and post-conflict reconstruction. Bilingual Canadian officers have also been considered a valuable asset, especially during Operation ARTEMIS in the DRC. In this light, Canada’s level of participation and successful track record make it one of the EU’s most eager and valuable partners and the only extra-European state to contribute regularly and substantially to ESDP operations.

Canada has so-far contributed to three EU-led military operations, CONCORDIA, ARTEMIS and ALTHEA. In early 2003 the Council approved Operation CONCORDIA, a mission to replace NATO’s Operation ALLIED HARMONY in the Former Yugoslav Republic of Macedonia (FYROM). Canada expressed an early interest in participating and on 26 March deployed an officer with the rank of Lieutenant-Colonel to serve as Executive Assistant to the EU Operation Commander.

Shortly thereafter the EU revealed its formula for the payment of common costs, according to which participating Third States would be collectively responsible for covering 15.5% of all associated common costs. This 15.5% figure would then be divided amongst the Third States based on a GNI-key, according to which they would be expected to pay a share of the common costs in proportion to the ratio of their respective GNIs to the total of all GNIs of all contributing Third States. Additionally a floor of 2% and ceiling of 25% was established in order to avoid potential over- or underpayment.

As its GNI represented 48.47% of the total GNI of all participating Third States, Canada was expected to contribute the maximum 25% of the 961,000 euros in common costs assigned to Third States. The result was that while it had only contributed a single soldier to the operation Ottawa was stuck with a bill for 240,250 euros for common costs. Viewing this situation unfavourably, DND decided to pull the plug on the Canadian contribution and on 29 April 2003 Ottawa’s representative

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in Brussels informed the PSC that Canada would be withdrawing from CONCORDIA.\footnote{Political and Security Committee Decision FYROM/4/2003, OJ L 170/18, 9 July 2003.}

Shortly after the CONCORDIA controversy the international community decided to intervene in the rapidly deteriorating situation in the Ituri province of the DRC. On 30 May 2003 the UN Security Council authorized the creation of a Multinational Force under French leadership. On 5 June the Council of the EU agreed to give the French-led operation official EU imprimatur and other Member States agreed to contribute forces, as well as logistical and financial support to what would be called Operation ARTEMIS. On 1 July the PSC agreed that Third States be allowed to contribute to the effort in the DRC, specifically recognizing Canada (which already had been asked to contribute right from the beginning of the operation), along with Brazil, Hungary and South Africa. Furthermore, as of 10 June 2003 Ottawa was informed by Brussels that it would not be expected to contribute to EU’s common costs.\footnote{Correspondence with Canadian official, September 2005.} The reasoning behind these decisions has never been made public, but it seems likely that the since the operation in the DRC was originally a UN mission, Canada did not require EU approval to participate and was, therefore, also not required to contribute to the EU’s common costs. Moreover, since these costs were a mere 7 million euros it seems unlikely that Brussels would have risked quibbling over such a small amount.

As for the specifics of Canada’s military contribution to the mission in the DRC, the operation, named CARAVAN, took place from 8 June to 6 July 2003 and involved two CC-130 Hercules tactical transport aircraft and 50 Canadian Forces personnel. Although the French military bore the brunt of early operations on the ground, Canadian forces worked together with a Belgian ground crew to transport personnel and cargo from Entebbe, Uganda to the airport in Bunia, the capital of Ituri province.\footnote{Department of National Defence Canada <http://www.forces.gc.ca/site/operations/caravan_e.asp>; ‘Britain will send up to 100 troops to Congo’, \textit{The Guardian}, 11 June 2003.} Although short-lived and relatively limited in scope, for many ARTEMIS was an incredibly important mission with high symbolic value, as it represented the EU’s first military intervention outside of the European continent. The fact that Canadian troops were intimately involved in vital early stages the EU’s first extra-European mission highlights the degree to which Canadian and the EU member state forces have been able to successfully collaborate in a diverse range of difficult
operations. It also illustrates the extent to which Brussels and Ottawa are committed to working together.

In spite of the specific success of Euro-Canadian co-operation in the DRC, the general issue of Canadian contribution to EU common costs was yet to be resolved. When in July 2004 Brussels announced the creation of Operation ALTHEA (tasked to take over from the NATO force in Bosnia and Herzegovina), Ottawa was understandably hesitant to commit a force contingent without first receiving assurances that it would not be forced to foot a disproportionate amount of the associated common costs, as had been the case with CONCORDIA.\footnote{\textit{\textsuperscript{40}} D. Cronin, ‘EU facing battle over costs of peacekeeping in Bosnia’ \textit{European Voice}, 23 September 2004.} \footnote{\textit{\textsuperscript{41}} \textit{Ibid.}} According to media reports, a Canadian delegation was dispatched to Brussels, where it argued that because Canada was not involved in the strategic discussions of the operation and because it had contributed a “significant” force contingent, it should not be expected to pay for common costs.\footnote{\textit{\textsuperscript{42}} ‘Current Operations’, Canadian Department of National Defence, \texttt{<http://www.forces.gc.ca/site/operations/current_ops_e.asp>}, 20 July 2005.}

Upon the recommendation of the Operation Commander, German admiral Rainier Feist, the EU eventually agreed to waive Canada’s contribution to common costs. Consequently, there are currently 73 Canadian soldiers serving with EUFOR BiH as part of what is known as Operation BOREAS. A further 10 soldiers serve in the NATO SFOR headquarters in Sarajevo as part of Operation BRONZE.\footnote{\textit{\textsuperscript{42}}}

Of additional interest is Canada’s participation in some EU-led non-military crisis management operations. For example, as part of the ongoing EUPM Rule of Law mission to Bosnia and Herzegovina, Ottawa has deployed seven police officers, six from the Royal Canadian Mounted Police (RCMP) and one member of the Montréal municipal police force. One Canadian police officer is also participating in the newly-launched police mission to Kinshasa (EUPOL KINSHASA).

**Canada-EU security cooperation today**

At the General Affairs and External Relations Council (GAERC) meeting of 23 February 2004 the EU adopted a Council Decision which established the “ATHENA Mechanism”, a detailed document which specifies the way in which the common
costs of EU-led military operations will be financed and administered. Although a very technical and seemingly apolitical document, the ATHENA Mechanism represents a crucial component of the slowly emerging EU crisis-management architecture and should facilitate the further development of more regular and effective crisis-management cooperation amongst Member States. As it addresses many of the financing issues which had caused controversy during earlier EU-led operations, it is also somewhat indicative of the gradual maturation of ESDP.

There are two portions of ATHENA which are relevant to Third State cooperation. Chapter 2 establishes a “Special Committee” responsible for reviewing and approving proposed operational budgets for each ESDP military operation. Unlike the Committee of Contributors, which governs the overall conduct of an operation (especially the political and military aspects), under ATHENA all participating Third States are invited to Special Committee meetings – there is no “significance requirement.” However, these Third States will still not be permitted to take part in any budgetary votes. As for the actual transfer of funds, Chapter 3 of the Decision indicates that a Council-appointed administrator will be mandated to negotiate “standing or ad hoc administrative arrangements” with Third States to facilitate their payment towards the common costs of any operation in which they participate. These provisions will clarify the real costs and streamline the transfer of any funds associated with participation for Third State contributors and, as a result, should eliminate some of the roadblocks which may have heretofore reduced the eagerness of these states to involve themselves in ESDP operations.

At the 23 February meeting the GAERC also authorised the Presidency to initiate negotiations with a “number of third countries” (Canada, Iceland, Norway, Turkey, Bulgaria, Romania, Russia and Ukraine) in order to establish concrete and legally-binding framework agreements which would facilitate their participation in EU crisis-management operations. These framework agreements are considered valuable because they will eliminate the need to continually negotiate new ad hoc arrangements for each new EU-led operation and will serve to streamline and intensify EU-Third State cooperation. By the end of 2004 and early 2005 it was announced that such agreements had already been concluded with Romania (22 November 2004), Norway (3 December 2004) and Iceland (21 February 2005).

44 Conclusions, General Affairs and External Relations Council meeting, Brussels, 23 February 2004.
Starting in late 2004 diplomats began negotiations to reach a similar agreement between Canada and the EU and at the June 2005 Canada-EU summit held at Niagara-on-the-Lake, it was announced that an agreement had in fact been reached, subject to final approval by the Canadian cabinet and the EU GAERC.\textsuperscript{45} On December 1, 2005 the final agreement was published.\textsuperscript{46}

The preamble of the agreement establishes the principle that Canada may only participate in ESDP operations if an invitation has been extended by the EU. Furthermore, in order to participate, Canada will also be required to associate itself with the Council Joint Action which establishes the EU-led mission in the first place. The heart of the agreement is divided into two parts, the first concerns participation in civilian crisis-management operations and the second addresses military operations. In the case of a civilian mission Canada is required to transfer “operational control” of its forces to the EU Head of Mission. For a military mission, “Operational and Tactical command and/or control” must be transferred to the EU Operation Commander. Furthermore, Canada will have the “same rights and obligations in terms of the day-to-day management of the operation” as all involved EU Member States.

With regard to finances, all costs stemming from Canada’s involvement in the operation, with the exception of common costs, must be covered by Canada. Common costs will be covered collectively by all participating states, with Third States contributing the lower amount of either:

\begin{itemize}
\item[(a)] that share of the [common costs] which is in proportion to the ratio of its [Gross National Income (GNI)] to the total of all GNIs of all States contributing to the operational budget of the operation;
\item[(b)] that share of the reference amount for the operational budget which is in proportion to the ratio of the number of its personnel participating in the operation to the total number of personnel of all States participating in the operation.”
\end{itemize}

Should Canada’s contribution be deemed “essential” to the conduct of the operation or should its GNI not exceed that of any EU member that any expected contribution to common costs will be waived and picked up by participating EU Member States. It is important to note that the agreement does not indicate what kind of contribution

\textsuperscript{45} Joint declaration, Canada-European Union Summit, Niagara-on-the-Lake, 19 June 2005.
would fulfil the “essential” requirement. According to staff at the Council Secretariat, decisions will be made on an *ad hoc* basis and will be largely dependent on at least one of two factors: the size of the contributed troop contingent and the nature of the contribution. In the case of the latter, helicopters, intelligence personnel or equipment and special forces personnel are all examples of assets that would be considered particularly valuable and could justify waiving the normally expected contribution to common costs.\(^47\)

Despite its general similarity to the agreements signed with Romania, Iceland and Norway, the EU-Canada agreement, due to some significant sticking points encountered during the negotiation process, contains some important differences.\(^48\) Apparently the EU, as a matter of consistency and expediency, had wished to sign identical agreements with all potential partners. Indeed the agreements signed with Iceland and Norway are identical, and differ only microscopically from the one concluded with Romania. However, Canada insisted on protecting some vital national interests, as well as the interests of NATO and was not willing to sign a model agreement. According to Canadian diplomats, Canada’s unique position as an extra-European partner meant that a unique agreement would be required.

In an argument stemming from the dispute over the financing of CONCORDIA, Ottawa was insistent that Canada should not need to pay common costs as outlined in the ATHENA Mechanism, claiming that Canadian force contributions alone should be considered sufficient by the EU. Nevertheless the EU held its ground and according to EU officials the actual agreement will maintain the same rules for contributing to common costs as the other Third State agreements, making exemptions for “essential” contributions the exception rather than the rule. Despite agreeing to this formula, Canadian diplomats have made it clear to the EU that Ottawa will refuse to participate in an ESDP operation should it be forced to pay into the pot for common costs. The end result is an informal agreement by which Canada will typically not be asked to contribute to these costs, but with the EU reserving the right to request such a contribution should it feel it absolutely necessary to do so. In practice this means that Canadian offers of participation will always have to be made conditionally, and will only be made firm if the EU’s Political and Security Committee agrees to waive Canadian payment of common costs.

\(^{47}\) Interview with EU official, Brussels, 15 June 2004.
\(^{48}\) Interviews with Canadian and EU officials, Brussels, 15 and 24 June 2004.
There was also some difficulty reaching agreement over the sharing of classified information. In the Romanian, Icelandic and Norwegian agreements there is an obligation to “ensure that EU classified information is protected in accordance with the European Union Council’s security regulations.”\textsuperscript{49} Apparently, Canadian officials had some difficulty in accepting this provision, as it would require Canadian diplomatic, military and intelligence personnel to comply with the internal legislation of the EU, something which Canadian government lawyers had advised against. Section I, Article 4.2 also makes references to other security agreements which govern the general exchange of classified information. As no such agreements exists between Canada and the EU, it was impossible to insert such a clause. As a result, Section I, Article 4 of the Canada-EU agreement is less demanding and only asks Canadian personnel to “respect the basic principles and minimum standards” of the EU’s security guidelines.

Finally a further disagreements stemmed from Canadian negotiators’ insistence that the agreement should be signed, as is constitutionally required, in both of Canada’s official languages, English and French. This posed a problem for the EU because of an unwritten rule that it will only conclude agreements in English in order to avoid intra-EU squabbles over the (lack of) use of other official EU languages. It appears that the EU was willing to make an exception and will from now on conclude agreements in up to one additional language should its negotiating partner be under a constitutional requirement to use a language other than English. The resulting need to translate the agreement into French contributed to the delay in the public release of the document, as lawyers on both sides work to ensure consistency of language and meaning between the two versions.

\textbf{What lies ahead: Challenges and opportunities}

Despite a few hiccups, Canada and the EU have managed to collaborate rather successfully in a number of different operations in both the Balkans and in central Africa. There are few other Third States whose contributions to EU-led operations have been as substantial and whose forces have the requisite level of interoperability. The conclusion of the Framework Agreement will only ensure that the level and

\textsuperscript{49} Sec. IV, Art. 4.1 in the Romanian, Icelandic and Norwegian agreements.
frequency of co-operation will intensify and should reduce the need for future quarrelling over financing and chain of command issues.

As for the perennial debate over the relationship between NATO and an ever-maturing EU security and defence policy, and Canada’s position vis-à-vis both, it seems likely that politicians on both sides of the Atlantic will continue to bicker and posture sporadically over who plays which role on the international stage. In the meantime diplomats, generals and soldiers are doing their best to find and implement practical solutions to real-world crisis situations. Here, ongoing operations in Darfur are instructive. Much was made in the media of a dispute which took place in the North Atlantic Council in June 2005 over who would coordinate Western support of African Union (AU) peacekeepers.50 According to media accounts, the main disagreement was over which coordination cell would be used: the EU’s newly constructed facility in Eindhoven or NATO’s SHAPE facilities in Mons. Apparently, the US and Canada argued in favour of the former option and France, which as a product of its colonial history still largely considers Africa to be in the European (and more specifically, French) sphere of influence, argued for the latter. However, according to Canadian diplomats, the intensity of the argument was largely overblown and misinterpreted by the media. Instead, cooler heads and practical considerations eventually prevailed and it was decided that both EU and NATO officers would be stationed at the AU air movement cell in Addis Ababa, Ethiopia, and that both would be responsible for the airlift of supplies and AU troops into the Darfur region.

In July 2004 the EU established the European Defence Agency (EDA), an organization whose functions include the development of defence capabilities and the fostering of co-operation in the procurement of armaments. While non-EU European allies have been involved in the EDA’s work from the outset, there was originally no official point of entry for extra-European allies like Canada. However, Canadian officials had been keenly following the evolution of the EDA and requested an interlocutory role. Now whenever Canadian diplomats meet with EU PSC officials they are also briefed on recent developments at the EDA.51 Of course, it is uncertain if the EU will ever allow non-members to formally join the EDA or if Ottawa would be interested in such a proposition, but should the need for such cooperation arise,

50 ‘NATO-EU Spat Hits Airlift to Darfur’, Financial Times, 8 June 2005.
51 Interview with Canadian official, Brussels, 15 June 2005.
then Canadian defence policy-makers will be well-placed and sufficiently informed to work with the EDA.

Finally, questions will always remain as to the whether the Canadian forces are sufficiently funded and equipped for Canada to be an able crisis-management partner for the EU. Last year saw two significant developments which will likely improve Canada’s ability to contribute to peacekeeping and peace-building operations. First, in February 2005 Ottawa announced that it would spend CAD 13 billion on renewing and expanding the Canadian forces. This was followed in April by the release of the government’s new International Policy Statement (IPS), an integrated examination of Canada’s defence, diplomacy, development and trade policy. Recognizing that crisis-management is an inter-disciplinary enterprise often requiring coordination across government ministries, the IPS establishes a Stability and Reconstruction Task Force (START) which will “plan and coordinate rapid and integrated civilian responses to international crises” and will liaise with the Department of National Defence and the Canadian International Development Agency (CIDA) to ensure a coherent response.\textsuperscript{52} More resources have also been pledged to ensure stability in failed states. Importantly, the newly elected Conservative government has also pledged to continue these revitalization projects and may in fact increase the pace and scope of these efforts.\textsuperscript{53}

The ranks of Canada’s forces will also be augmented. According to the IPS Ottawa would like to be able to deploy 1,200-person task forces for stabilization efforts simultaneously to two different theatres. To this end, the new Defence Minister, Gordon O’Connor has also called for the recruitment of 10,000 reservists and intends to increase the overall size of regular forces to 75,000.\textsuperscript{54} However, as one analyst has pointed out, Canada’s recent involvement in the Balkans shows that Ottawa already possesses such a capability, so it is not quite clear just how much of a qualitative improvement these new additions actually represent.\textsuperscript{55} Furthermore, just how these forces will be transported to global hot-spots remains uncertain. Currently Canada (like most of its European allies) lacks the strategic lift capability required to rapidly deploy international task forces (it has often relied on leased Ukrainian and

\textsuperscript{52} Canada’s International Policy Statement, p. 13.
\textsuperscript{54} Ibid.
\textsuperscript{55} D. Rudd, ‘Canada’s new defence policy’, Commentary, Canadian Institute for Strategic Studies, April 2005.
Russian aircraft) and neither the IPS, nor statements from the new government, address this serious shortcoming in a specific way. On a positive note, the IPS does advocate the same comprehensive approach to crisis-management that has also been embraced by the EU. Specifically, Canadian forces must be effective in a “three-block war” scenario, meaning that “land forces could be engaged in combat operations against well-armed militia forces in one city block, stabilization operations in the next block, and humanitarian relief and reconstruction two blocks over.”

As for the question of interoperability, since virtually all EU member states are also NATO members, Canadian troops and their European colleagues have accumulated extensive experience with in-theatre cooperation and use much of the same technology. Furthermore Canadian participation in EU-led operations conducted outside of the Berlin-plus framework (e.g. Operation ARTEMIS) and thus without recourse to NATO resources, has thus-far also proven successful. Canada’s bilingual and francophone officers, as well as the country’s lack of colonial history and the overall level of cultural sensitivity exhibited by most of its military personnel, are also much appreciated by European military commanders and planners.

**Conclusion**

After some initial difficulties, Canada has established itself as the EU’s pre-eminent partner in crisis-management operations. Extensive collaboration in the Balkans and Congo has demonstrated that Canadian and European troops are already capable of high levels of cooperation, even without recourse to NATO resources. Now the conclusion of a formal framework agreement for crisis-management operations should pave the way for increased collaboration and should diminish impediments to the rapid launch of operations.

Although some concerns regarding the future of NATO and the place of ESDP within the larger Atlantic context continue to linger, most of Canada’s original objections to the development of a European security project have now been dropped. Indeed many inside Ottawa’s foreign policy establishment believe that the capabilities and opportunities offered by NATO and ESDP are complimentary and that participation in both projects need not be considered contradictory or counter-productive. This is demonstrated by the fact that Canada has now been able to find a

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role as a privileged interlocutor in European security discussions and operations, while simultaneously maintaining a strong profile in NATO, as evidenced by the appointment of a Canadian, General Ray Henault, to the position of chairman of the NATO Military Committee. Now that Ottawa has committed to significant funding increases for the Canadian forces and given that ESDP bodies and structures continue to develop, it seems likely that Canadian and European soldiers will find themselves working side-by-side in an ever-increasing number of crisis-management operations throughout the world.
## Appendix I

### Canadian Participation in ESDP Operations

<table>
<thead>
<tr>
<th>Time Frame</th>
<th>Location</th>
<th>EU Operation Name</th>
<th>Canadian Operation Name</th>
<th>Number of Personnel</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>01 Jan 2003 -</td>
<td>Bosnia and Herzegovina</td>
<td>EUPM BiH</td>
<td>n/a</td>
<td>7</td>
<td>6 RCMP officers, 1 Montreal police officer involved in Rule of Law mission</td>
</tr>
<tr>
<td>18 Mar 2003 - 15 Dec 2003</td>
<td>FYR Macedonia</td>
<td>Operation CONCORDIA</td>
<td>Operation FUSION</td>
<td>1</td>
<td>Canadian officer prematurely withdrawn due to disagreement over funding of common costs.</td>
</tr>
<tr>
<td>02 Dec 2004 -</td>
<td>Bosnia and Herzegovina</td>
<td>Operation ALTIEA</td>
<td>Operation BOREAS</td>
<td>73</td>
<td>Various HQ, support, liaison and observation functions.</td>
</tr>
<tr>
<td>30 Apr 2005 -</td>
<td>DR Congo</td>
<td>EUPOL Kinshasa</td>
<td>n/a</td>
<td>1</td>
<td>Best practices training of Congolese Integrated Police Unit</td>
</tr>
</tbody>
</table>

Sources: EU Institute for Security Studies, Foreign Affairs Canada, National Defence Canada