

2012/4/4 Abstract: ATHENA-financing of military EU-operations - looking back on the review of 2011 and prospects until 2014

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The routine check-up of the ATHENA-financing mechanism in the second half-year of 2011, as the fourth edition after 2005, 2006 and 2008, represented a classic example of diplomatic art of negotiation in the EU committees, and it can be easily considered a blueprint for the principal seminar „international negotiations“. After twenty-two rounds of negotiations in the RELEX (exterior relations) council working group, five dealings on the ambassador level in the committee of permanent representatives, and two dealings among the ministers, the review of 2011 was a unique record, at least as far as the number of meetings is concerned. These efforts, however, face rather poor results. Apart from a series of mainly editorial adaptations, the 26 ATHENA members of the EU (i.e. all 27 except Denmark) finally were able to make a compromise which concerned the EU Battle Groups in particular. A separate declaration of the council, which is definitely not a constituent part of the new ATHENA-council decision, prescribed that the costs of transport of the EU Battle Group are to be financed mutually via ATHENA. This declaration of the council, which has basically existed as a previous version since 2006, is limited with 31st December 2013, and it contains several conditions. Only transport into the area of operation is to be financed mutually (not the way back), extended to all means of transportation (so far only transportation by air), but based only on a sophisticated system of incentives granting those nations higher rates of reimbursement who make national efforts to acquire or operate strategic transportation capabilities. The development of a calculation model for a final fixing of "flat rates" has been assigned in principle, and the result is to be submitted to the council for definitive approval by mid-2012. The second relevant result concerns outline agreements - especially contracts with civilian providers of certain services. In a newly-added Article 11 Paragraph 4 ATHENA is granted the legitimate possibility to conclude outline agreements with non-governmental bodies even beyond a defined operation. In the course of the consultations, however, it was not possible to combine this regulation with Annex I, which would have made mutual financing even beyond the active phase of (current) operations possible. Thus, a mutual financing according to Article 15 Paragraph 7 is impossible, because this would require public costs during the active phase of an operation. To what extent a regulation which cannot be backed by budgetary means will be for any practical benefit remains to be seen. Altogether the EU will be well-advised to watch NATO closely. From now on the question will move into centre stage which capabilities the EU will be able to summon on its own, without the possibility to fall back on a NATO which might become more and more undermined. In that case, at the latest, it will become plain that so far the military Joint Security and Defence Policy has been only lip service of European politicians. So Europe actually is only at the very beginning of a common military-political development.

