



## European Security and Defence Assembly Assembly of Western European Union

### Assembly Fact Sheet No. 14

#### The EU-NATO Berlin Plus agreements

With the end of the cold war the Atlantic Alliance turned towards new missions at the same time as maintaining its original purpose of collective defence of its member states. Since the 1990s the EU has also been developing its competences and activities in the area of the Common Foreign and Security Policy (CFSP) and the European Security and Defence Policy (ESDP) in particular. Despite their different natures and approaches, NATO and the EU both deal with matters of security and conduct crisis-management operations. 21 of the 28 NATO member states are also members of the European Union.<sup>1</sup> The question of cooperation and complementarity between the EU and NATO is therefore important. As early as 1991, the Alliance's Strategic Concept included recognition of a European Security and Defence Identity (ESDI) within NATO,<sup>2</sup> and at its Brussels summit in 1994 NATO declared itself in favour of developing a European Security and Defence Identity within the Alliance. This task fell to WEU, which was authorised to take autonomous action using NATO assets. The use of Alliance assets for WEU-led crisis-management operations was officially confirmed in Berlin in 1996 by the foreign affairs ministers of the NATO member states.<sup>3</sup>

At the 1999 Helsinki European Council, the EU underlined its determination “to develop an autonomous capacity to take decisions and, where NATO as a whole is not engaged, to launch and conduct EU-led military operations in response to international crises. This process will avoid unnecessary duplication and does not imply the creation of a European army.”<sup>4</sup> At the Santa Maria da Feira European Council in June 2005 “modalities for developing EU-NATO relations” were “identified in four areas covering security issues, capability goals, the modalities for EU access to NATO assets, and the definition of permanent consultation arrangements”.<sup>5</sup>

The negotiation process led to a joint declaration issued on 16 December 2002 on the establishment of a strategic partnership between the two organisations in crisis management.<sup>6</sup> The permanent arrangements were finalised on 11 March 2003 and became known as the **Berlin Plus** arrangements after the 1996 Berlin summit which saw the official start of WEU-NATO cooperation.

The Berlin Plus arrangements in particular provide for:<sup>7</sup>

- EU access to NATO planning capabilities able to contribute to military planning for EU-led operations;
- establishment of a list of NATO assets and capabilities that could be made available to the EU for use in EU-led operations;
- identification of a range of European command options for EU-led operations, further developing the role of DSACEUR<sup>8</sup> in order for him to assume fully and effectively his European responsibilities;
- the further adaptation of NATO's defence planning system to incorporate more comprehensively the availability of forces for EU-led operations;
- NATO-EU agreement covering the exchange of classified information under reciprocal security protection rules;
- procedures for the release, monitoring, return and recall of NATO assets and capabilities;
- NATO-EU consultation arrangements in the context of an EU-led crisis-management operation making use of NATO assets and capabilities.

It should be noted, however that the Berlin Plus agreement is not a public document and has never been ratified by national parliaments.

The agreement very soon found practical application on the ground. From August 2001 to March 2003 NATO ensured the safety of EU and OSCE staff and carried out peacekeeping duties in the former Yugoslav Republic of Macedonia. On 31 March 2003, the NATO operation ALLIED HARMONY was terminated and transferred to the EU under the codename **CONCORDIA**. The first EU mission based on the Berlin Plus arrangements was born. NATO conducted the strategic, operational and tactical planning of the operation. The Operational Commander was DSACEUR, based at SHAPE,<sup>9</sup> and an EU command element was established at the NATO regional command in Naples (currently Joint Force Command, JFC, Naples). CONCORDIA was completed on 15 December 2003.

The second mission to be conducted under the Berlin Plus arrangements took place in Bosnia and Herzegovina in 2004. In June 2004 NATO decided to end its SFOR (Stabilisation Force in Bosnia and Herzegovina) mission and on 12 July 2004 the EU Council agreed to launch a European military operation in Bosnia and Herzegovina (**EUFOR ALTHEA**) as part of a global policy aimed at stabilising the country.<sup>10</sup> On 22 November 2004, the United Nations Security Council adopted Resolution 1575 authorising the deployment of EUFOR ALTHEA under Chapter VII. Once again DSACEUR was appointed Operational Commander of the EU operation.

Today, there are several questions marks over the Berlin Plus agreements. Firstly, only two out of all the EU's operations have been conducted under Berlin Plus. Secondly, when the EU and NATO carry out two simultaneous but separate land or sea operations in parallel, the Berlin Plus arrangements do not apply. Neither do they provide the possibility of combining civilian and military instruments. Some feel that given the EU's wide range of competences (economic, humanitarian, military, political and legal), it could make its civilian crisis-management capabilities available to the Alliance in some form of "Brussels Plus" agreement, the "civilian" counterpart to Berlin Plus.

The NATO-EU relationship is beset with problems. When the two organisations are engaged simultaneously in the same theatre of operations, the sharing of classified information poses a problem, as has been the case in Kosovo, Afghanistan and off the coast of Somalia where operations have been complicated by lack of official communication. Such operational difficulties stem from political problems and political deadlock has a detrimental effect on the ground. For example, there is no global agreement allowing NATO to provide protection to the police taking part in the European Union's EUPOL mission in Afghanistan.

To ensure optimum operational complementarity between the EU and NATO, it is necessary to go beyond the Berlin Plus agreements which do not cover the whole range of EU-NATO cooperation scenarios. To this end, it is urgent to make every effort to resolve, as a priority, the underlying political issues (in particular the Cyprus question) that are at the root of the lack of cooperation between NATO and the EU.

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<sup>1</sup> Six out of the 27 EU member states are not members of NATO (Austria, Cyprus, Finland, Ireland, Malta and Sweden).

<sup>2</sup> The Alliance's Strategic Concept, Rome, 7 and 8 November 1991. See Part I, Article 2.

[http://www.nato.int/cps/en/natolive/official\\_texts\\_23847.htm](http://www.nato.int/cps/en/natolive/official_texts_23847.htm)

<sup>3</sup> Final Communiqué of the Ministerial Meeting of the North Atlantic Council, Berlin, 3 June 1996.

<http://www.nato.int/docu/pr/1996/p96-063e.htm>

<sup>4</sup> Presidency Conclusions, Helsinki European Council, 10 and 11 December 1999.

[http://www.consilium.europa.eu/ueDocs/cms\\_Data/docs/pressData/en/ec/ACFA4C.htm](http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/ec/ACFA4C.htm)

<sup>5</sup> Presidency Conclusions, Santa Maria da Feira European Council, 19 and 20 June 2000.

[http://www.consilium.europa.eu/ueDocs/cms\\_Data/docs/pressdata/en/ec/00200-r1.en0.htm](http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/en/ec/00200-r1.en0.htm)

<sup>6</sup> <http://www.nato.int/docu/pr/2002/p02-142e.htm>

<sup>7</sup> <http://www.consilium.europa.eu/uedocs/cmsUpload/03-11-11%20Berlin%20Plus%20press%20note%20BL.pdf>

<sup>8</sup> DSACEUR: Deputy Supreme Allied Command Europe. The DSACEUR plays an important role in those arrangements as the designated Operation Commander. The EU Military Staff (EUMS) set up a cell at SHAPE in order to improve the preparation of EU operations drawing on NATO assets and capabilities, while NATO set up a permanent liaison office within the EUMS.

<sup>9</sup> Supreme Headquarters Allied Powers Europe (SHAPE), located in Mons (Belgium).

<sup>10</sup> Joint Action 2004/570/CFSP adopted by the Council on 12 July 2004.

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:252:0010:0014:FR:PDF>