

6. Partnership Agreements

According to TEU Article 37, the EU can conclude agreements with non-EU Member States (MS) or with international organisations in the field of CFSP, including CSDP.

EU-UN

EU-UN cooperation in the field of CSDP has been particularly strong in the areas of crisis management since 2003, when the EU launched Operation Artemis and EUPM BiH took over policing Bosnia and Herzegovina from the United Nations International Police Task Force (UNIPTF). A joint consultative mechanism, the EU-UN Steering Committee, was set up that year following the first Joint Declaration on EU-UN co-operation in Crisis Management signed in 2003.³⁹ EU-UN cooperation deepened in 2007 with the publications of a second joint statement encouraging regular senior-level dialogue between the EU troika and the UN Secretariat, as well as regular exchanges of views between the UN Secretariat and the EU's Political and Security Committee.

EU-NATO

EU-NATO relations are one important feature of the institutional structure of CSDP. This partnership is important for both organisations as the EU does not have the range of planning capabilities (such as a permanent HQ) that NATO has, and as NATO does not have the civilian expertise which adds value in many missions, following the general adoption of a comprehensive approach in military operations.

The 'Berlin Plus' arrangements, are at the core of this partnership, and cover EU access to NATO planning, NATO European command options and use of NATO assets and capabilities. Operations carried out in the framework of this arrangement, adopted in 2003, include Operation EUFOR Concordia in the former Yugoslav Republic of Macedonia, and EUFOR Althea in Bosnia and Herzegovina. Besides these operational aspects, EU-NATO cooperation includes institutional aspects. On the one hand, a special EU cell has been created within the Supreme Headquarters Allied Powers Europe (SHAPE) to better prepare EU operations relying on NATO

³⁹. See in particular: http://www.eu-un.europa.eu/articles/en/article_2768_en.htm.

common assets and capabilities. On the other hand, NATO is regularly invited to informal EU defence ministerial meetings.

In the capabilities development field, an EU-NATO capability group, composed of NATO allies and non-NATO EU Member States that have a security agreement with NATO, was set up in Brussels in May 2003 with the task of regularly exchanging information on requirements common to both organisations, if both organisations so wish and if appropriate. The EDA's Pooling and Sharing initiative and the NATO's Smart Defence initiative proved that this area of cooperation should be further developed in order to avoid any expensive duplication of efforts in the future.

One of the main remaining issues is the question of information sharing between the EU and NATO. Three EU Member States currently do not participate as full members of NATO (Ireland, Cyprus and Austria). In addition, as the Cyprus territorial dispute is not yet resolved, Turkey is maintaining its veto on an increase in its cooperation with the EU. For the moment Cyprus still has no security agreement with NATO. This implies also that there is currently no agreement concerning the sharing of information between the two organisations although a specific agreement on the security of information has been signed within the Berlin Plus agreements. In addition, the European Council of Copenhagen stated that Berlin Plus arrangements could no longer be used by EU Member States which are not part of both organisations or part of the NATO Partnership for Peace.⁴⁰ Consequently, the Berlin Plus agreements have been transformed into various bilateral security agreements and the EU is much less willing to improve cooperation without the full participation of its Member States.

40. Source: Copenhagen European Council Conclusions – Annex 2 : http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/ec/73842.pdf .

6.1. Third States - Framework Agreements

In order to avoid defining third state participation conditions on a case-by-case basis, framework agreements with non-EU Member States allow for better cooperation with these states during European Union crisis management operations.

Once negotiated, these agreements have to be approved by the Council and the third states following internal procedures.

- **Norway:** Signature 03/12/2004 – Entry in force 01/01/2005
Council decision 2005/191/CFSP (JO L67/1 – 14.3.2005)
- **Iceland:** Signature 21/02/2005 – Entry in force 01/04/2005
Council decision 2005/191/CFSP (JO L67/1 – 14.3.2005)
- **Ukraine:** Signature 13/06/2005 – Entry in force 01/05/2008
Council decision 2005/495/CFSP (JO L182/28 – 13.7.2005)
- **Canada:** Signature 24/11/2005 – Entry in force 01/12/2005
Council decision 2005/851/CFSP (JO L315/20 – 1.12.2005)
- **Turkey:** Signature 29/06/2006 – Entry in force 01/08/2007
Council decision 2006/482/CFSP (JO L189/16 – 12.7.2006)
- **Montenegro:** Signature 22/02/2011 – Entry in force 04/04/2012
Council decision 2011/133/CFSP (JO L57/1 – 2.3.2011)
- **USA:** Signature 17/05/2011 – Entry in force 01/06/2011
Council decision 2011/318/CFSP (JO L143/1 – 31.5.2011)
- **Serbia:** Signature 08/06/2011 – Entry in force 01/08/2012
Council decision 2011/361/CFSP (JO L163/1- 26.6.2011)
- **New Zealand:** Signature 18/04/2012 – Entry in force 01/05/2012
Council decision 2012/315/CFSP (JO L160/1 – 21.6.2012)
- **Albania:** Signature 05/06/2012 – Entry in force after completion of Albanian internal procedures
Council decision 2012/344/CFSP (JO L169/1 – 29.6.2012)
- **Moldova :** Signature 13/12/2012 – Entry in force after completion of Moldovan internal procedures
Council decision 2013/12/CFSP (JO L8/1 – 12.1 2013)

The framework agreements signed with Romania and Bulgaria are no longer relevant since the last EU enlargement in 2007.

In addition, in the framework of Operation EUFOR Althea, several agreements were drawn up (See BIH/1/2004; BIH/5/2004; BIH/13/2008) with:

- Dominican Republic
- The former Yugoslav Republic of Macedonia
- Chile
- The Argentine Republic
- Morocco
- The Swiss Confederation.