

**The Case for Establishing a Permanent
Senior Defense Official and Defense Attaché Position at the
U.S. Mission to the European Union**
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Introduction

Despite having maintained diplomatic relations with the European Union (EU) and its forerunners since 1953,¹ the Brussels-based U.S. Mission to the EU (USEU) currently has no permanently assigned and diplomatically accredited Department of Defense (DoD) representative to advise the Chief of Mission or to interface with the EU's Military Committee, its Military Staff, or the European Defense Agency (EDA).² Additionally, no DoD member is currently assigned at either the U.S. Mission to the North Atlantic Treaty Organization (USNATO) or Headquarters U.S. European Command (USEUCOM) to liaise full-time with the EU's military entities. Given that in past decades the EU played a limited security and defense role in a supranational sense, in contrast to its active role in economic policies and activities, during that time there was no full-time DoD representative at USEU, USNATO, or USEUCOM. In the last 12+ years, however, a shift has taken place in which the EU has created supranational defense and security entities and competencies, while capabilities and decision making remain with individual EU Member States.³ A full-time DoD representative was established at USEU and maintained for much of that period, and in some periods was supplemented by other DoD officer(s) on a short-term basis.⁴ However, for the past one to two years no such position has been staffed.⁵ Meanwhile other significant developments of EU defense have occurred, notably at the 2009 Treaty of Lisbon, in which the European Security Defense Policy was revised as the Common Security Defense Policy (CSDP), which codified "the progressive framing of a common Union defense policy."⁶ The later enactment of CSDP has brought about an increasingly active and engaged EU in defense activities which further warrants the DoD, in coordination with the Department of State (DoS), to consider re-establishing a permanent military representative to the EU.

To engage EU military entities on a number of issues including non-proliferation of weapons of mass destruction and arms control, officials from USEU, USNATO, the U.S. National Military Representative (NMR) to NATO, the Office of the Secretary of Defense, USEUCOM, U.S. Africa Command (USAFRICOM) as well as a number of the 28 individual European-hosted U.S. military bases have in recent years interfaced in an ad hoc fashion with EU defense entities.⁷ Recognizing the need to bring cohesion to these interactions, the USEU Chief of Mission recently approved the "dual-hatting" of the current Senior Defense Official and Defense Attaché (SDO/DATT) to Belgium as his principal military advisor and DoD official to interface with EU military entities.⁸ Yet, with this temporary arrangement due to expire this summer,⁹ the advantages currently being derived at USEU will cease.

This paper examines possible locations to establish a permanent DoD representative to the EU, and identifies some prospective benefits and potential drawbacks. After a brief analysis, the paper recommends the establishment of a permanent SDO/DATT at USEU, discusses some of the qualifications and roles envisaged for the position, and suggests the next steps to proceed with the recommendation's execution.

The Case for a Permanent SDO/DATT to the EU

Starting with a USEU presentation to the Naval Postgraduate School-led Joint Foreign Area Officer Skills Sustainment Pilot Program (hereafter "NPS class") last September, this

paper's ideas on exploring the establishment of a permanent DoD representative to the EU took shape during later discussions with USG policy officials.¹⁰ This dialogue made it clear that with no dedicated DoD official in Brussels to engage EU military entities, it was difficult, if not impossible for the DoD to remain abreast of EU security and defense activities and engagements with the appropriate U.S. military counterparts in a timely manner. USEU Ambassador Kennard's decision to dual-hat the current SDO/DATT to Belgium in November 2011 as his military advisor did not preclude the need to examine the issue in greater detail, particularly due to the arrangement's end date in the summer of 2012.¹¹ Ambassador Kennard's decision also underscored a desire to bring greater policy cohesion to the overall U.S. Government policy towards the EU with respect to defense and security.¹²

As suggested in the cable that preceded the dual-hatting of the current SDO/DATT to US-Belgium to USEU, the main drivers to making the position permanent would be dedicate a military representative as an advisor to the USEU Chief of Mission and serve as the lead DoD representative to the EU's military staff and the European Defense Agency. A permanently assigned DoD member at USEU would also be uniquely postured to share insights into EU security and defense activities. Indeed, prior to the nomination of a temporary military advisor at USEU, the lack of such a representative was a limiting factor in terms of gaining insights into the EU's military inner workings.¹³ Without a permanent interlocutor to engage EU counterparts, it was also more difficult to maintain the effective use of other channels to advance policy issues involving EU defense and security, as well as NATO-EU cooperation.¹⁴ These alternate channels include USNATO, the U.S. NMR to NATO, USEU, and USEUCOM.¹⁵

While USEU led the way in establishing a temporary DoD representative to the EU, USNATO and USEU were both given consideration as potential hosts for a permanent SDO/DATT. USEUCOM was not considered in depth primarily due to Stuttgart's geographical separation from Brussels, which would preclude daily contact with Brussels-based U.S. diplomatic missions to NATO and the EU, and perhaps more significantly, limit interaction with EU military entities. Similarly, the U.S. NMR to NATO did not receive detailed consideration given its primary coordinating function at the military level between U.S. military authorities and NATO military authorities at NATO HQ in Brussels and Supreme Allied Commander Europe (SACEUR) seat at Supreme Headquarters Allied Powers Europe (SHAPE) near Mons, Belgium.¹⁶

USNATO was considered in part due to its location on the outskirts of the EU's main seat in Brussels, and because as a matter of course, the USNATO staff and NATO International staff need to interface extensively with EU military entities on issues involving NATO. The scope of this interaction covers essentially the full range of NATO roles—in capability development, operations, and partnership engagement—and so extends far beyond the NATO-EU Berlin-Plus agreement which provides the EU access to NATO planning capabilities and assets for its own operations.¹⁷ Also, because the EU and NATO share many common members, USNATO must engage fully with USEU to address EU defense issues, most of which affect NATO and extend beyond to scope of the Berlin-Plus agreement,¹⁸ and as such are vital to represent U.S. interests from a national perspective. And while the USNATO staff include some of the most experienced and respected Career Foreign Service Officers (FSO), there is insufficient knowledge of the EU within this mission to cover both NATO and EU defense issues of interest to the U.S.¹⁹ Additionally, notwithstanding USNATO's geographic proximity to the EU's primary seat and significant membership commonality, expertise in NATO is quite different from expertise on EU military entities, given differences in the respective institutional structures, roles, authorities and working processes.²⁰ Further consideration was therefore not given to USNATO serving as a host to a permanent DoD representative to the EU, though the pressing need for close teamwork is recognized by both Missions.²¹

As the U.S. Mission with overall responsibility for representing and executing USG policy involving the European Union and its institutions, USEU is a better choice to host an SDO/DATT

to the EU. Regardless, the SDO/DATT would certainly be envisioned to work with USNATO staff on EU issues and potential actions affecting NATO.²² This includes essentially all CSDP actions, ranging far beyond EU operations in which the Berlin-Plus agreement is invoked. Similarly, for EU operations occurring in USEUCOM or USAFRICOM's geographic Areas of Responsibility (AOR), the SDO/DATT would serve as a key facilitator by which the views of the respective operations staffs of these Geographic Combatant Commands (GCC) could be included in NATO-EU consultations.²³ Equally important, the SDO/DATT could serve as an interlocutor for deliberations on potential future NATO or EU operations.²⁴ Examples of these operations are addressed in a later section.

An additional reason to establish a permanent SDO/DATT to the EU is to place a diplomatically accredited officer with the means and access to observe and report information on EU military activities in accordance with the 1961 Vienna Convention on Diplomatic Relations. As with military attachés the world over, article seven of the Vienna Convention defines attachés' legal status, and establishes their diplomatic immunity based on their position on their diplomatic missions.²⁵ And while military attachés most often liaise with the defense ministries of the respective nation of accreditation, there is precedent of military attachés with accreditation to international governmental organizations.²⁶ For example, Russia and China currently have military attachés assigned to their countries' EU Missions²⁷, while neither is a Member State of the European Union.²⁸ Correspondingly, the SDO/DATT would liaise between OSD and EU military entities for defense policy issues, while the Defense Intelligence Agency (DIA) would administer and provide oversight as per its responsibility for managing the Defense Attaché System (DAS).²⁹

In addition to serving as an interlocutor for downward directed policy issues, and up-channeling information through the DAS, a permanently assigned SDO/DATT could serve as a Security/Defense Cooperation representative to the EU. In this role, the SDO/DATT could formally engage the appropriate EU entities for potential foreign military sales, training and exercise activities. While information available through open source media suggests there has been relatively little rationalization of defense industrial capacities among Member States, the EU is now the authority with responsibility for overseeing and examining defense contracts.³⁰ This development supports the inclusion of a security/defense cooperation role within the SDO/DATT's portfolio.

Despite its recently expanded role in overseeing and investigating military contracts, the EU does not desire to form a "European Army", but rather to facilitate the pooling and sharing of defense capabilities which will continue to belong to Member States and to be available for use by the EU as well as NATO or national operations.³¹ The EU has proven itself as having sufficient institutional capacity to conduct small-scale military and civilian operations in theaters of EU and NATO interest including the Balkans, the maritime region around the Horn of Africa (HoA), and select regions within the African continent.³² Though these EU missions have been predominantly civilian in nature, several EU military operations of significant size and duration have involved the deployment of combat troops.³³ These have included peacekeeping operations in the Balkans (Operations CONCORDIA and ALTHEA), the Democratic Republic of Congo (Operation ARTEMIS), and the EU's first-ever naval mission in the HoA maritime region (Operation ATALANTA) to counter piracy and protect World Food Program vessels and other vulnerable ships sailing off the coast of Somalia.³⁴ In the case of ATALANTA, the operation employed EU-flagged naval vessels of Member States.³⁵ In contrast to other EU missions, including Operation ALTHEA, in which the EU used NATO's planning capabilities, headquarters and other assets under the Berlin-Plus agreement, the EU has conducted Operation ATALANTA independently of NATO headquarters or assets, even as NATO and the U.S. have simultaneously conducted similar operations in the same area.³⁶ With respective operations by the EU, NATO, and USCENTOM, plus USAFRICOM's Combined Joint Task Force-HoA (C-JTF HoA) operations all ongoing simultaneously in the region, it has become necessary to

coordinate among different operations.³⁷ Both for these missions, and others initiated in response to future crises, an SDO/DATT to the EU could serve as a vital coordination channel between NATO, USCENTCOM or C-JTF HoA and the EU when they are considering how—or indeed, whether to—conduct operations such as ATALANTA outside the NATO framework.

As the EU develops an independent, albeit niche military capability, a permanent SDO/DATT could bring value not only as an interlocutor between defense institutions, an observer of EU military activities, and a security/defense representative, but as a key inter-agency official working towards the broader U.S. policy objective seeking to ensure EU's military capability development is also supportive and compatible with NATO.³⁸ With the U.S. and Europeans committed to the Berlin Plus arrangement for this very reason, an SDO/DATT at USEU could play a part in their efforts to shape the EU's CSDP in a way that results in a symbiotic relationship with NATO.

The recently announced reduction of U.S. military forces based on the European continent,³⁹ as foreshadowed in the 2012 Defense Strategic Guidance,⁴⁰ provides a further basis for the permanent establishment of an SDO/DATT to the EU. With a significant withdrawal of U.S. troops from Europe projected to occur over the next few years, an SDO/DATT will act as a force multiplier from the perspective that the U.S. will be increasingly likely to turn to Europe—and expect NATO and the EU to cooperate on capabilities⁴¹—to respond to security concerns both on its own territory and in neighboring regions. In contrast to a Cold War height of 277,342 U.S. troops, Secretary of Defense Panetta's recently announced withdrawal of two heavy armor brigades will bring the Army presence in Europe to just 30,000 troops.⁴² These projected reductions, taken at the same time of declining NATO partner contributions against the backdrop of a strained European economy, led the Pentagon's Deputy Assistant Secretary for European and NATO policy to state, "We'll have to look at pooling, sharing, multinational procurement, and come up with some innovative approaches on doing more with less in some ways."⁴³ An SDO/DATT to the EU would be uniquely positioned to dialog with EU military representatives as the U.S., NATO and Europe face a future in which a shared approach in confronting defense and security issues of mutual concern, both in Europe and in other regions, is more likely given fiscal realities on both continents.

Potential Drawbacks

In spite of the above mentioned prospective benefits, a number of counter arguments could be made against establishing a permanent SDO/DATT position at USEU. First is that with military staff serving at the U.S. NMR to NATO, and Career FSOs at USNATO, a USEU-based SDO/DATT could be viewed as duplicative or even potentially as undermining these Missions' efforts. This view could be mitigated by distributing this paper to the U.S. missions working with NATO on a daily basis, followed by a briefings and consultations to socialize the concept prior to its implementation. Similarly, the establishment of a military attaché in the USEU Mission could be viewed as an encroachment by the DoD into a U.S. Mission that has thus far successfully managed to represent the DoD through the efforts of its experienced and hard-working staff. Any reticence by USEU to permanently establish an SDO/DATT could be mitigated with OSD-led consultations with DoS staffs in Brussels and Foggy Bottom, in which roles and responsibilities could be agreed upon prior to making the position permanent.

A permanent DoD advisor at USEU would bring military expertise to USEU and provide dedicated coverage of EU military activities, however this additional expertise will come at an organizational and financial cost. As discussed earlier, FSOs and officers of other federal departments and agencies at USEU currently work defense-related issues, which results in a high degree of cohesion from a relatively small, tightly-knit team.⁴⁴ An additional officer representing a large federal department could potentially bring about a shift in the internal USEU "center of gravity", which would require efforts at the front-end to ensure the overall

mission remains focused on the broader USG policy interests for which the Chief of Mission is responsible.

While the current dual-hatting arrangement of the SDO/DATT results in few, if any, additional costs, permanently establishing this position will result in expenditures that must be accounted for the Departments of Defense and State. Housing and administrative expenses to support an SDO/DATT would most likely be commensurate with that of a First Secretary and calculated through the International Cooperative Administrative Support Service (ICASS). This expense would need to be programmed by the DoD through the Planning, Programming, Budgeting and Execution (PPBE) process, which could be included as early as the Fiscal Year (FY) 2014-2018 Program Objective Memorandum (POM) if the requirement were programmed in the near term. Moving forward with the permanent establishment of the SDO/DATT in advance of FY14 would most likely require the re-programming of FY12 or FY13 dollars allocated towards other DoD requirements. Should DIA be restricted in adding another SDO/DATT to the overall DAS, an attaché position could be realigned from another Defense Attaché Office to USEU. Such realignment would require further study and presumably require consultation among stakeholders including DIA, DoS, OSD, GCCs, as well as the affected host nation.

Another argument against making the SDO/DATT position permanent, based on the fact that the U.S. is not an EU member, is less substantive in that USEU traces its origins back to 1953, when the U.S. established diplomatic relations with the EU's forerunners.⁴⁵ First with a Luxembourg-based U.S. Mission to the European Coal and Steel Community (1956), and the later establishment of USEU (1961) following the 1957 Treaties of Rome (which created the European Economic Community and the European Atomic Energy Community), the U.S. has maintained diplomatic ties with the EU and its predecessors for the majority of the post World War II period.⁴⁶

Qualifications

An attaché's observer role does not necessarily drive the candidate to have an international affairs background, as the Joint Military Attaché School which all first-time attaches attend provides training to perform this function. With an SDO/DATT to the EU almost certain to interact with senior military members from Services of 27 CSDP participating nations⁴⁷ (Denmark has indicated the intent to hold a referendum to reverse its CSDP opt-out, but not until late 2012),⁴⁸ joint duty experience would be essential. Additionally, while military attachés in select countries must be trained pilots to execute an operational support aviation mission, such a requirement is certainly not envisioned at USEU given the robust nearby commercial aviation capacity.

For a DATT to carry out his/her responsibilities it is essential he/she be able to communicate effectively in the language of the host nation. The fact that the European Union has 23 official and working languages complicates this requirement given no single language is mandated for official meetings and working documents.⁴⁹ In practice, however, the European Commission uses English, French and German as procedural languages.⁵⁰ With French designated an official language common to the three cities that are political centers of the Union: Brussels (Belgium), Strasbourg (France) and Luxembourg city (Luxembourg),⁵¹ this paper recommends a prospective candidate be rated proficient in the French language (speaking, reading and listening).

Next Steps

Pending concurrence by all stake-holding organizations to permanently assign an SDO/DATT to USEU, the staff should prepare a National Security Decision Directive-38 (NSDD-

38) for submission by the Chief of Mission to the Under Secretary for Management's Office of Management Policy, Rightsizing, and Innovation (M/PRI).⁵² After M/PRI's approval of the NSDD-38 request, the DoD should request an ICASS cost estimate from the DoS and program for the amount in the FY14-18 POM submission. An immediate rough planning figure would be the amount budgeted for the current dual-hatted SDO/DATT to Belgium/EU. DIA, in consultation with OSD, should then decide whether to add an SDO/DATT authorization to the DAS or realign a current position from elsewhere. Next, DIA, in consultation with the Military Departments, should determine which Service should provision the billet. Alternately, a rotation between the Services could be put in place, as in select U.S. Missions including those to the U.K., Russia, and China. The training pipeline administered by DIA's JMAS should then include the SDO/DATT to the EU into the DAS training program including language training. Finally, the appropriate Service should initiate the screening and selection process to identify a qualified FAO or other Service equivalent officer for the position, subject to approval by DIA.

At an administrative level, and as outlined in the Vienna Convention, should this paper's recommendation be implemented it should be noted that the EU may require notification of the U.S. decision to establish the SDO/DATT's position.⁵³

Conclusion

Making the SDO/DATT position at USEU permanent could perhaps best be viewed as a reflection of how the U.S. is evolving its foreign policy towards the EU to correspond to its evolution in the realm of security and defense affairs. As Secretary of Defense Panetta and Secretary of State Clinton sought to reassure Europe recently in spite of the aforementioned future withdrawal of 6,000 to 7,000 troops, they pledged the U.S. was not abandoning its allies across the Atlantic.⁵⁴ According to Secretary Clinton, "Europe remains America's partner of first resort," while Secretary Panetta added that Europe remains the United States "security partner of choice for military operations and diplomacy around the world."⁵⁵ The implementation of this paper's recommendation would serve as a tangible and meaningful action to embody the above statements.

End Notes

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