

How Finland lost its non-alliance, Dublin 24.5.2008

MEP Esko Seppänen in Dublin 23.5.2008

I did not come to Dublin to say how the Irish people should vote in the referendum 12.6.2008.

I came to tell to our Irish friends about the military dimension of the new European Constitution, the so called Treaty of Lisbon from the perspective of my own country.

I have some special expertise in these matters from the Constitutional Convention which drafted the original Constitution proposal, later to be killed in the French and Dutch referenda.

In the Convention, I was representing the European Parliament. Together with John Gormley, then representing the Irish Parliament and now being the Irish Minister of Environment, we were members of the defence working group. Together with him and with our Swedish colleagues we fought against the mainstream opinion to militarise the union through the Constitution then being drafted. We lost. Later in the autumn 2003, in the Intergovernmental Conference (IGC), the militarisation articles of the Constitution were made more offensive - and more binding. I hope John Gormley is today as worried about the militarisation aspect of the Lisbon Treaty as he was worried as a member of the Convention of the articles that were juridically non-binding and militarily much milder than in the Lisbon document.

I came to Ireland to speak about the defence aspects of the new Constitution from the point of view of Finland, my country who used to be militarily non-allied.

Today, unfortunately, Finland is not any more militarily non-allied. The Finnish center-right government did not include the military non-alignment into its program.

In the old good days, Finland had a largely respected status of neutrality in the international play ground. It kept us safely as outsiders from all the conflicts between super states and great countries.

After joining the EU, the Finnish political elite told to the people that neutrality was not compatible with the membership, and neutrality was made up for military non-alignment.

For the ordinary people the phrase "non-allied" sounded almost the same as the old beloved "neutral", and there was no big upheaval for "neutrality".

Last year our new government rejected the military non-alignment, it was done secretly without any political discussion. The media was silent, too. The Finnish media is very much biased into the direction of the political elite and does not reflect the real feelings and opinions of the people.

The Lisbon Treaty was the real motive to give up from the old policy. The government reacted in advance to adapt Finland to the Treaty militarisation articles which were copied from the dead Constitution as such.

The opinion polls tell that the Finnish people are for neutral, militarily non-allied Finland. However, even though two thirds of the people are strongly against the NATO membership, the government operates to make Finland NATO-compatible. The latest decision has been that Finland will take part in the NATO Response Force (NRF) operations long away from the borders of our own country, It is offence, not defence, and the defence dimension of the EU is also the offence

dimension.

I use this opportunity to tell you about a recent opinion poll made in Finland. The polling agency was the same who carries out the Eurobarometer opinion polls of the Commission.

There were three questions.

The first one was very general by nature: "In Your opinion, should the Parliament of Finland ratify the European Constitution, which at the moment is to be decided upon in the Parliament?"

The result was 39 % Yes, 29 % No and 32 % undecided.

After such a result, it seemed as if the Finnish people supported the idea about the European Constitution.

That is as much true as is the support of the Irish people to the Lisbon Treaty according to the latest Irish Times poll. It told that 35 % of the Irish people were for the Treaty, 18 % were against and the rest were undecided. However, a very general question does not tell the whole truth. The Irish Times reminded that before the Treaty of Nice referendum in 2001 their opinion poll showed 52 %-21 % in favour of that treaty, but the result of the vote was "no".

In the Finnish poll, the attitudes changed remarkably when more information about the contents of the treaty was added into the question.

The second question was: "In Your opinion, should the Parliament of

Finland ratify a European Constitution that renders the European Union more and more similar to a federation?"

Now the answer of the Finns was "no";

The great majority, 59 %, said no and only 22 % said yes. The proportion of undecided was now 19 %.

When still another new point was added into the question, the opinions changed radically. The third question was "In Your opinion, should the Parliament of Finland ratify a European Constitution that obliges Finland to increase military armament and to provide combat units consisting of Finnish mercenaries?"

This time the answer was absolute "no": 83 % of the Finns were against the ratification of such a Treaty, and only 11 % wanted the European Constitution by which the EU is militarised. This time almost every questioned person had an opinion, and there was only 6 % who did not have.

These answers can be interpreted as a protest of the people against the government which commits Finland with the new EU defence policy through the new Constitution.

I have some professional remarks about the defence aspects of the Treaty of Lisbon.

It is the starting point for the EU's own development towards a European military alliance. The EU can be made a military alliance with a common defence without changing the text of the constitution and without new ratification round in the national parliaments.

In the Treaty of Lisbon the new defence dimension is included in the Treaty dropping altogether from the treaties the virtual military alliance West European Union (WEU). Its military responsibilities have been transferred to the EU itself. The WEU, however, still exists with its mutual military security guarantees.

There used to be six non-allied Member States in the EU: Austria, Cyprus, Finland, Ireland, Malta and Sweden. In the new Treaty, the status of non-alliance of these countries is at risk. Little by little, the non-allied are enticed into relinquishing even the military aspect of their sovereignty into the supranational hands of the others.

The treaty eradicates the pillar structure of the existing treaties, rendering defence and related matters a clearer objective. In addition to the Common Foreign and Security Policy (CFSP) the treaty introduces the new European Security and Defence Policy (ESDP).

The new ESDP comprises both the territorial defence of Member States under the auspices of NATO and demanding military operations outside common external borders under the auspices of crisis management.

In the future, the group of Member States participating in the "permanent structural cooperation", the concept introduced in the Treaty, will be the military hard core of the union. The Treaty gives the participants the possibility to act on their own in the name of the whole of the EU and operate the resources and troops organised by them. The first EU battle troops are an embryonic form of this cooperation and an embryo of the common European army.

The French president Nicolas Sarkozy has announced a plan to gather a pioneer European military alliance of the six biggest countries (G 6), and such a group will be launched next year after the Lisbon Treaty ratification. The countries taking part in this formation would have to spend 2 % of their GDP on defence, and the French initiative is focusing on how to squeeze a greater effort on military spending from its EU partners, especially pressing Germany to boost military capabilities. The armament commitment was manifested in the Treaty, where it stipulates all EU countries "to progressively improve their military capabilities".

Is there another constitution in the world that obliges the people to increase military spending?

This development is coordinated by the supranational European Defence Agency.

It is important to note that the Member States, while progressively increasing their military capabilities, do not strengthen territorial defence in Europe but prepare to operate outside the union borders (illegally, it is without a UN mandate, if needed). According to international law the prerequisite for the legality of the offensive military operations is the UN mandate.

For the non-allied countries, the important aspect in the Treaty concerns the common defence commitment.

A crucial feature of any military alliance is that its members commit themselves to collective defence against aggression from outside. As written in Article V of the North Atlantic Treaty, the members give each other a mutual security guarantee “taking forthwith, individually and in concert with the other Parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area”.

The EU has no territorial defence of its own.

The territorial defence of NATO members of the EU is provided for by NATO, and the Treaty of Lisbon provides for perfect NATO compatibility for this kind of actions of the EU.

In the Treaty, NATO’s mutual security guarantee could not be extended to include the non-NATO members of the EU. Such a decision is not in the competence of the NATO members of the EU - and not in the interest of the non-allied Member States.

In 2003, the Convention drafting the EU Constitution suggested that the EU should provide a security guarantee to all its members with its own resources. The proposal was initially given as a legally non-binding declaration, which Member States could either sign or not. Not signing was an option reserved for the non-allied countries that did not want to participate in the virtual military alliance formed by the signatory countries. The status of the non-allied could thus remain intact.

At the Intergovernmental Conference (IGC) of 2003, Italy, then holding the presidency of the Council, proposed this declaration to be transferred into the Constitution as a legally binding article. It was proposed that if a Member State is the victim of armed aggression on its territory, other members shall have an obligation of aid and assistance by military and other means in their power (in accordance with Article 51 of the United Nations Charter).

The sentence included the aid by "military means" as a binding commitment. At the IGC the article was, however, inserted into the Constitution without these words, and that formulation was then copied into the Lisbon Treaty as such, without "military means".

In the Treaty, there is one obligation to give military aid to another Member State. It is the "solidarity clause" (which is, by the way, not included in the ESDP part of the Lisbon Treaty) in the cases of preventing terrorism or acting after a terror strike. As to what terrorism is, this is open to interpretation.

The EU is not - yet - a military alliance, but it is militarised by continuously improving military capabilities of the Member States for EU crisis management operations, including peace making and other offensive actions.

If my country Finland or any non-allied Member State performs offensive and possibly illegal EU operations and at the same time expresses its readiness to participate in the military hard core



(permanent structured cooperation) of the EU, one can ask, how credible is the non-alliance of that country, even without its commitment to mutual collective defence?

In the end, some concluding remarks about the Finnish case.

Because of the EU constitutional treaty commitments Finland is not any more a militarily non-allied country. It is militarily allied with the other EU members (and NATO compatible). The other non-allied countries are attracted to align themselves militarily with the EU - and NATO - according to the Finnish model: Finland has already reformulated its international status due to the new EU constitutional commitments..

The Finns, the people, do not want to ally with any union militarily. There is a big discrepancy between the opinions of the elite and the people.

In democracy, let the people decide.