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#### Introduction

On 9 January 2024, Thierry Breton, Commissioner for the Internal Market and in charge of the European Defence Fund (EDF) and defence industry, announced that he was proposing a new €100 billion defence fund to strengthen the EU's defence industry (Wax & Kayali, 2024). The statement came in the context of an apparent failure to supply Ukraine with a promised million artillery shells within a year, which he insisted that the Union would nonetheless accomplish, and as the EU's defence sector becomes increasingly centralised. Most astonishing, however, is that the proposed sum largely surpasses any fund that EU institutions have previously devoted to the defence industry. With the most recent EU capability development tool for defence and security being the EDF, with €8 billion spread over the 2021-2027 period, talks about a newer and larger framework for EU defence funding raise numerous questions regarding framework and administration. While the new interest in defence spending at an EU level is inherently different to the EDF in that it is intended to finance the procurement of equipment rather than just its development, it appears to be an extension of the EDF framework.

Ahead of the Commission's forthcoming interim evaluation of the EDF and as a new, larger, defence fund appears on the horizon, there is both a value in and a lack of work on reviewing and analysing the EDF. This study analyses the structure, governance, and practice of the EDF to establish whether the instrument is obsolete and what the Fund's model and effects imply for future EU-level defence funding. In this manner, it also scrutinises one part of the PESCO-based defence union and presents recommendations based on the lessons learned so far in supranational defence funding and cooperation.

#### The EDF in 2023

The EDF is one of three main defence and capability-enhancing instruments centred around Permanent Structured Cooperation (PESCO), commonly referred to as the Defence Union, and also includes the Coordinated Annual Review on Defence (CARD). The concept of permanent structured cooperation was raised in the Treaty of Lisbon (European Union, 2007, Art. 42, 46, protocol 10), and PESCO was activated in late 2017 by Council Decision (CFSP) 2017/2315, which posits a future EDF with a substantial role in PESCO and European defence in general. The EDF proposed in the decision, and that PESCO was designed around, is however noticeably different from the EDF that came to be.

The fund was initially intended to have two funding 'windows': where one is focused on research while the other on capabilities, with an intended focus on, inter alia, multinational procurement and strategic defence capability projects (European Commission, 2017). When the EDF was launched in 2021, the procurement part of the second window was dropped, making the fund entirely focused on research and development (Regulation 2021/697, art. 62). This has, in turn, contributed to problems in the PESCO framework, which is generally held to have launched in a state that is neither what Lisbon intended nor necessarily fit for purpose (Witney, 2017; Biscop, 2018; Baun & Marek, 2019).

The EDF was preceded by the European Defence Industry Development Programme (EDIDP), the Pilot Project (PP), and the Preparatory Action for Defence Research (PADR) (Giumeli & Marx, 2023). The PP was the first, had a small budget and a narrow scope, and was largely intended to test the waters of EU defence cooperation, PADR was the first to finance the R&D window, and the EDIDP was launched to finance joint capability development and strengthen the EU's defence industry's competitiveness (Giumeli & Marx, 2023). While the EDIDP had a nominally larger scope than PADR, the EDIDP again focused on joint development of new technologies, systems, and equipment, but changed the funding model to drive member state investment by requiring EU-member state cofunding.

The EDF in its current form has notable issues that it shares with its predecessors. As an example, while the EDF is the only financial instrument that is supposed to fund PESCO, it is locked out of funding non-R&D projects which naturally disincentives all action not related to R&D. Given that the debate on PESCO before this decision centred on large-scale strategic integration and the development of joint strategic enablers deemed too costly for individual member states (Biscop, 2018; Witney, 2019; Schilde, 2017), this entails that its funding model disincentives what many held to be the entire point of permanent structured cooperation in the first place. The limited scope of the EDF has also led to a fair amount of innovative usage of funds, such as the Commission co-financing the Military Mobility project by financing infrastructure along TEN-T routes (EEAS, 2022) or creating new financial instruments or co-opting unrelated ones (i.e. the EPF) for more reactive policies such as Act in Support of Ammunition Production (ASAP).

Nevertheless, the funding model is structured into yearly calls for expressions of interest where consortia of defence firms apply for EDF funding for research and development projects in set domains. The calls are managed by the Commission's Directorate-General for Defence Industry and Space (DG DEFIS), which then selects projects and assigns the funding. What the calls contain is determined by the EDF Programme Committee and mirrors the Capability Development Priorities (CDPs) developed by the European Defence Agency (EDA) in conjunction with the member states (European Commission, 2023). This occurs in close collaboration with the Commission, the EEAS, and the member states, and is intrinsically tied to the CARD process (see EDA, 2022). Worth noting here is that this model has notable limitations in that only two CDP documents have been developed: one in 2019 and its successor in late 2023. Because they are central to the entire defence union in that projects can only be launched and funding can only be granted where the CDPs prioritise action, the rarity of the documents is noteworthy, as it offers stable predictability at the cost of speed and manoeuvrability.

In this way, the EDF, as the money behind the defence union, has issues in scope. What is granted funding rests on analyses that can be woefully outdated, and while the call process entails an extra round of filtering after the CDPs, decisions within the defence union have been decried as widely detached from defence needs (Witney, 2019). The EDF is also a small instrument (see Table I), which appears to be contrary to the emphasis that the institutions and member states place on defence (Fiott, 2023). What is left is a relatively small fund that cannot be used for necessary activities and is unable to rapidly adapt to shifting realities while remaining overly broad for its size.

Another issue, expanded upon in the Transparency and Accountability section, is that the EDF is opaque, which makes systematic external analysis and review difficult. Further, ubiquitous lobbying and the possible selection of less-than-independent independent experts might unduly influence what EU institutions are prioritising, what is in the calls for expressions of interest, and what is selected for financing (Baronio, 2023; Ombudsman, 2023a).

# **Consortia, Topics, and Selected Projects**

The EDF's call for proposals, occurring yearly since 2021, lists the selected topics for which EU funds will be available. Setting an approximate budget limit determining the maximum EU funds attributed to a project, industry actors can choose amongst the topic categories determined by the EDF programme committee after corroboration by member state representatives (European Commission, 2023). The number of selected projects is thus determined by these budgetary constraints and has hence varied between the 2021 and 2022 calls. This makes the EDF priorities system adaptable, at least to some degree, loosely gauging the evolving defence and security priorities proposed by the union. While no specific statements are given evaluating which topics are prioritised between yearly calls for action, substantial differences in budget allocation could indicate renewed or dying interest for specific categories (see Table I). Most notably, energy and environment topics were allocated considerably less funding after 2021, suggesting either an unlikely satisfactory completion of selected projects or a much more probable review of immediate R&D priorities following the degradation of the international security context.

<u>Table I</u>: EDF call categories and allocated budgets 2021-2023

CALL CATEGORY	EDF 2021 Calls	Column1	EDF 2022 Calls	Column2	EDF 2023 Calls	Column3
	Budget	Topics	Budget	Topics	Budget	Topics
NAVAL	103 500 000	3	130 000 000	2	154 500 000	1
AIR COMBAT	150 000 000	3	40 000 000	1	63 000 000	2
GROUND COMBAT	160 000 000	4	50 000 000	1	47 000 000	2
SPACE	50 000 000	2	150 000 000	3	125 000 000	2
INFORMATION SUPERIORITY	70 000 000	2	70 000 000	3	99 000 000	3
DIGITALTRANSFORMATION	58 500 000	2	50 000 000	2	45 000 000	3
ENERGY AND ENVIRONMENT	133 000 000	3	20 000 000	1	25 000 000	1
DISRUPTIVE TECHNOLOGIES	60 000 000	4		3	41 000 000	2
AIR & MISSILE DEFENCE	100 000 000	1			123 000 000	2
CYBER	33 500 000	2	70 000 000	3	60 000 000	3
OPEN SME CALLS	6 350 000	3	54 100 000	2	72 000 000	2
MEDICAL RESPONSE AND CBRN	78 500 000	2	25 000 000	2	40 000 000	2
MATERIALS AND COMPONENTS	40 000 000	2	45 000 000	2	50 000 000	2
FORCE PROTECTION & MOBILITY	50 000 000	2	30 000 000	1	45 000 000	2
SENSORS	38 000 000	2	40 000 000	2	69 000 000	3
SIMULATION AND TRAINING			30 000 000	1		
UNDERWATER WARFARE			55 000 000	2	90 000 000	2
Total	1.2B	37	924 M	31	1 200 000 000	34

Sources: Results of the EDF 2021 Calls for Proposals (2022a); EDF Call for Action 2022 (2022b); EDF Call for Action 2023.

Over the years of their existence, call categories have encompassed a total of 17 distinct categories encompassing 31-37 topics split between research and development actions (Table I). With the exception of disruptive technologies, each project must be a collaboration of entities from at least three member states to facilitate a more inclusive development of future European defence capabilities (European Commission, 2023). While this is true for most selected projects, available data suggests that member-state involvement and participation are far from equitable (Masson, 2023). The fact that a select number of countries financed the majority of the EDF's budget is reflected in the number of projects involving their domestic private industry. This has a direct impact not only on the thematic direction of selected projects regarding capability development priorities but also on the geographical return of said investments and leadership of the various consortia.

This refers to countries such as France, for instance, which funded 25% of the EDF 2021 and coordinated 32% of all projects, with industrial actors such as Thales Group, Airbus, and Dassault Aviation, which are normally associated with the French defence industry, appearing in the list of top receivers (Masson, 2023). Italy, Germany, and Spain, the next top 3 countries in terms of participation in 2021 and 2022 combined, also contributed a substantial percentage of the EDF budget and saw their respective industry titans similarly rewarded (Masson, 2023). These countries not only secured the majority of the funds but also housed the highest number of participating entities in the awarded projects, with 594 out of approximately 700 entities originating from this quartet in 2022 (European Commission, 2021). While member states desire to have funds allocated to the domestic or associated industry is understandable, the launching and leadership of EDF projects arguably create a microcosm of the already existing bilateral or multilateral defence partnerships between singular member states. With large private for-profit organisations receiving the most funds and leading the larger projects, contribution by smaller member states and their respective small and medium-sized enterprises (SMEs) is set to be suboptimal from the get-go.

Another noteworthy aspect stemming from supposed member-state involvement in EDF projects is a general distrust of the Commission by certain countries, with France being the foremost exponent. Despite being a key actor in pushing European initiatives in the field of defence, France remains deeply unwilling to delegate its strong hand on European defence policy to the Commission (Maulny, 2024). Thus, as only a few contributing states dominate the funding received in terms of where the consortia are based, the question arises as to whether the current EDF framework is affecting behaviour positively. Despite a willingness to spend more on defence matters after Ukraine, member states have become less keen on cooperation through EU tools (Monaghan, 2023; EDA, 2022). Given the context, the EDF should not be treated as an exception. Moreover, the argument could be made that even in its absence, member states would still have an incentive to invest in pre-commercial procurement and research and development, whether this is done singularly or through bilateral initiatives such as the Franco-German renewed interest in the development of a Main Ground Combat System (MGCS) (Kayali & Larson, 2023).

# **Transparency and Accountability**

The management of EDF spending is controlled by the Commission, which has de facto delegated project selection to the steering committee, which is composed of member states, EDA, and EEAS representatives.

Yet, the inner workings of the EDF are demonstrably opaque even by military spending standards. As suggested by the official inquiry opened by the Ombudsman in November 2023, there's an apparent lack of transparency surrounding the process through which the experts assigned to evaluate the EDF are selected (Pugnet, 2023; Ombudsman, 2023b). Issues pertaining to transparency in the selection of experts involved in advising the EU's Common Security and Defence Policy (CSDP) go as far back as a case launched by the Ombudsman in 2017, which however found no proof of maladministration (Ombudsman, 2018). Nonetheless, the Ombudsman has since established that there is undue opacity in the CSDP (Ombudsman 2021).

The ability to conduct an external review is also extremely limited given that the varied institutions involved do not provide reliably up-to-date or detailed information on project status. Information provided by the institutions is far from complete, though the call for information launching the intermediate review notes that there are currently no completed EDF projects after three years. (European Commission, 2024). Noteworthy is also the delay of such evaluation, taking place two years before the end of a seven-year funding window. Thus, while the development of new equipment in defence is slow, there is a complete absence of a publicly available rolling evaluation process or status updates on the part of the institutions. Given that the projects cannot reasonably be considered classified in that exactly what is being developed is public information, all a rolling evaluation would allow is public scrutiny. Also arguing against any level of secrecy is that the consortia appear to be free to advertise, display, and provide updates on ongoing projects (As an example, see White, 2023).

There is no reliable indication that the usage of funds is controlled to any meaningful extent once assigned. There are also very limited possibilities for external review, nor is there any democratic or political accountability, as who exactly is involved in decision-making is vague, and concerns over conflicts of interest in guiding expert groups are serious enough that the Ombudsman has launched an investigation. As such, the current framework for the EDF is opaque, and the lack of transparency leaves the funds vulnerable to both corruption and general mismanagement. While there is no definitive proof of mismanagement or malpractice, the lack of public information undermines trust in that being the case.

#### **Conclusions and Recommendations**

The Defence Union has a problem in that projects within it function according to a slow and somewhat complicated defence relay race. As an example, take EU HYDEF, which began work in 2023 (European Commission, 2023). It was awarded funding through the 2021 EDF call and is tied to the 2019 PESCO project TWISTER (European Commission, 2022c) and was based on the Ballistic Missile Defence priority in the 2018 CDP (EDA, 2019), which was published in 2019 and ordered in 2018. This means that the time elapsed from determining that the CDPs needed an update to the start of work on something in the new CDPs was 5 years, or possibly 7, as the 2018 revision was called for in the 2016 EU Global Strategy (EDA, 2019). Put bluntly, this shows that the EDF's funding model is not suitable for filling urgent capability gaps. The following points expand on these limitations and provide recommendations for EDF reform as well as future European defence actions.

### Shorten the relay race:

As the end of the EDF's third funding period nears, there are still no tangible deliverables and an upcoming interim evaluation lacks clarity regarding its scope (European Commission, 2024). Moreover, with the funding window soon closing, these delays exacerbate the challenges of timely action. While extended lead times are understandable for projects involving large consortia and limited budgets, they also preclude the fund from accomplishing anything meaningful in the near term. The EDF should, therefore, shift its focus entirely towards long-term strategic development, where delays and inertia consume a smaller part of a project's life cycle. Funds should not be allocated to address current deficiencies, as protracted development timelines render urgent interventions impractical.

Breton's proposed €100 billion defence fund should thus not replicate the EDF's model, given its explicit aim to address pressing gaps in the EU's defence capabilities. While a decade-long timeline may be acceptable for projects such as hypersonic missile development, the same cannot be said for launching joint procurement of equipment.

### There is a need to review member state influence:

As it stands, the EDF is influenced by member state desire to have their funds reinjected domestically. The project selection process must be revised to some degree. Given the EDF's primary focus on developing European industry alongside future defence capabilities, meticulous attention is warranted in the allocation of contracts. Currently, established industry giants appear to receive the bulk of funds, side-lining SME participation to smaller contracts or as minor players in large consortia. Member states must either forfeit their influence over steering such projects or find alternative methods for the geographic redistribution of their funds. This trend underscores the Commission's apparent lack of expertise in defence matters, evident in the insistence on a general funding model with questionable outcomes, such as the exclusion of MBDA from HYDEF. While this commentary, offered prior to the presentation of tangible outcomes, remains speculative, it nevertheless influences member-state behaviour and trust in the Commission's initiatives (Maulny, 2024).

The Commission will have to harbour its industrial expertise in security matters and determine exactly what the European defence market lacks to achieve the level of legitimacy and trust desired by larger member states.

## Needs more transparency:

As mentioned in prior sections, the perceived aversion towards external review or public scrutiny does not necessarily indicate malpractice by EU officials. However, it does render the EU vulnerable to accusations of malpractice and would hide bad practices, as open sources are limited. The EDF's overall opacity makes understanding the current state and project progress exceedingly difficult. As all rolling evaluations are beholden to internal review processes, following how these funds are being spent and evaluating the merits behind decisions taken is impossible.

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