



WHAT ARE THE MAIN DRIVERS OF MEMBER STATES' DEFENCE PROCUREMENT PRACTICES?

The German Case

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focusing on German and European security and defence policy

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ABSTRACT

Since the Russian invasion of Ukraine in February 2022 induced German Chancellor Olaf Scholz to declare a turning point for German security and defence policy, five central rationales have structured Berlin's military procurement practices. Based on the increased financial backdrop of the Bundeswehr in form of the 100 billion Euro-strong special fund, Berlin has aimed at closing critical military capability gaps, replacing aging military equipment and providing NATO with the promised military forces for the New Force Model. Hence, short time frames and market availability have become the central rationales of German procurement practices. These have in turn motivated the contemporary procurement of market available systems, mostly from the US and in part Germany's domestic defence-industrial market in its "key technologies". This procurement pattern is also observable in the European Sky Shield Initiative (ESSI) which was introduced by Berlin to portray German leadership in reinforcing the European pillar in NATO.

Keywords: Germany | security and defence policy | military procurement | armament cooperation | European Sky Shield Initiative | NATO | Ukraine | Russia

Despite issuing the “Munich Consensus” at the Munich Security Conference in 2014 and declaring that Germany is willing to take on more responsibility for European and international security (von der Leyen 2014), the material, personal and financial circumstances of the Bundeswehr did not improve in the immediate aftermath. As the prerequisite and financial backbone of efficient domestic procurement institutions and policies, German military expenditure has even remained behind expectations in recent years with only 1.5% of the GDP allocated to the defence budget in 2022 (NATO 2024), despite agreeing to NATO’s spending target at the Wales summit in 2014. In reaction to Russia’s military aggression against Ukraine, Berlin did not meet the alliance’s spending target until 2024.

Instead, the peace dividend left the Bundeswehr seriously underfunded for more than two decades. With the strategic shock of the Russian invasion of Ukraine in February 2022 though, parameters were meant to change with Chancellor Olaf Scholz assessing a turning point for German security policy, declaring to spend two per cent of GDP on defence annually and presenting a 100 billion euros strong special fund for the German Bundeswehr in the Bundestag (Scholz 2022a). Added to the stagnant defence budget, the special fund aimed at closing the financial gap towards 2 percent of GDP for multiple years before reopening the political debate about Germany’s military expenditure. Together with a 39% real-term increase of the nominal defence budget from 2014 to 2022 (NATO 2024), this improved financial backdrop of the German Bundeswehr has induced multiple shifts in its military procurement policy. Hence, nearly three years after this monumental shift in German defence policy, the present paper aims to answer multiple questions in this regard: How has this financial injection influenced German procurement policies? Which motives are guiding Germany in its choices for specific weapon systems and particular procurement institutions? How is Germany approaching the notion of European procurement cooperation? Is protecting the German defence industry a driver of Germany’s procurement policy?

In the wake of the strategic shock of February 2022, German procurement policy has been largely shaped by five underlying motives. These principles have informed the use of a range of instruments and institutions in the context of specific procurement projects.

RATIONALE 1: ADDRESSING CRITICAL MILITARY CAPABILITY GAPS

First, Germany's preference for procuring market-available systems is driven by the time-critical nature of the current geopolitical situation, stemming from both Russia's potential for military aggression by 2029 (Politico 2024) and Germany's tangible capability commitments to NATO. Off-the-shelf procurement or foreign military sales are predominantly employed to gain access to market-available platforms with short delivery times. This motive has been

enshrined in policy documents: In April 2023, the German Ministry of Defence issued a paper aimed at restructuring the German procurement process by setting time as the highest priority in the assessment of procurement projects (Bundesministerium der Verteidigung 2023). Furthermore, it declared immediate market availability as the primary solution to overcome the inefficient procurement structures. Although the German Bundestag had tried to address these shortcomings via a law in July of 2022, raising the threshold for the direct allocation of contracts to 5,000 euros, it was unable to significantly improve the structural inefficiencies of the bureaucratic procurement process (Bundestag 2022).

So far, this time-critical approach mostly concerned the closure of capability gaps, which were accepted as a result of the reduced threat perception and financial underfunding since the end of the Cold War. This approach can be exemplified by the Army's mobile air defence system, which was decommissioned in 2012 but subsequently identified as a necessary military capability once more in 2024 because of the insights gained from the military warfare in Ukraine. The Bundeswehr is currently aiming to close this gap by 2028 through the procurement of 19 Skyraider 30 systems from Rheinmetall (Rheinmetall 2024).

RATIONALE 2: TIME-CRITICAL REPLACEMENT OF AGING SYSTEMS

Second, Germany's time-critical rationale is particularly increased concerning the condition of the Bundeswehr's systems as a significant share of platforms is approaching the end of their operational lifecycle and require timely replacement. These aging systems currently provide crucial capabilities while declining in military performance and increasing in maintenance costs. In response, German procurement policy since 2022 has been oriented towards the replacement of aging equipment by again resorting to the procurement of time-critical, market-available systems.

Therefore, off-the-shelf procurement of American platforms presented itself as the primary choice, given that the European defence industry was not in a position to provide these capabilities in an adequate time frame. On the one hand, 35 F-35A fighter jets will replace the aging Tornado fleet and assume its duties in the context of US-German nuclear sharing. Here, aiming for a European solution in refitting the Eurofighter for carrying the American B61-12 tactical nuclear weapons was unattainable due to the necessary and time-consuming US-certification process (Brauß & Mölling 2020). On the other hand, 60 CH-47F Chinook heavy transport helicopters will replace the Bundeswehr's CH-53G from 2027 to 2033. Technically, there is simply no similar European product on the market. However, by procuring 82 light attack helicopters H145M from Airbus till 2028, the Air Force has aimed for a European interim solution to replace the Eurocopter Tiger instead. It is noteworthy that Germany expedited the

acquisition of the H145M through the utilisation of Article 346 of the Treaty on the Functioning of the European Union (TFEU), circumventing a tender process and directly awarding the procurement contract instead (ESUT 2023). This decision was likely aimed at speeding up the procurement process and building on the existing familiarity with the H145M by choosing a platform that has been in use, in a slightly different configuration, with the German special forces since 2015 already.

Furthermore, market-available systems from the US are also replacing capabilities within the Navy. The Boeing P-8A Poseidon is scheduled to replace the Navy's P-3C Orion maritime patrol and anti-submarine warfare aircraft from 2025 onwards. While the procurement of five aircraft was already ordered in 2021, the Bundeswehr increased the order by a further three aircraft in 2022. Initially, Berlin foresaw to increase the life cycle of their P-3C Orion till 2035 while co-developing the Franco-German Maritime Airborne Warfare System (MAWS) to replace both countries' airplanes. However, as the modernisation of the P-3C appeared unattainable, Berlin was forced to look for a timelier option (Luck 2023). Additionally, the Navy is pursuing the modernisation of its existing fleet of the F123 frigate and the U212 A submarine while six U212 CD submarines are scheduled for delivery from 2029 onwards as part of a joint development cooperation with Norway.

Concerning the Army, the procurement of the Israeli multiple rocket launcher PULS (Purpose Universal Launching System) and its modification into the EuroPULS by KNDS and Elbit aims to replace the five MARS II rocket artillery systems transferred to Ukraine. Overall, the supply of a considerable number of military weapon systems from stocks to Ukraine has also resulted in a necessity to replenish these capacities. Regarding the Army's artillery forces, this necessitates the replacement of 14 platforms of the Panzerhaubitze 2000. The procurement of 22 systems from KNDS has already commenced and is scheduled for completion by 2029.

RATIONALE 3: MEETING GERMANY'S NATO COMMITMENTS

Third, Germany has assumed obligations to NATO as part of the establishment of the New Force Model in 2022. This requires the provision of two armoured divisions in 2025 and 2027 respectively and is therefore even referred to as a concrete goal in the law on the use of the special fund (Bundesministerium der Justiz 2022). In 2023, the German chief of Army was confident that Germany would be able to deploy the "best equipped" Army division of NATO in 2025 (Reuters 2023a). Although there is still some uncertainty as to whether the Bundeswehr will be able to provide the Alliance with the full amount of these forces for this year, current procurement projects are aimed at increasing the Army's necessary capacities. The German Procurement Office is primarily drawing on existing systems from domestic

manufacturers and has initiated the development and procurement of new Leopard 2 A8 main battle tanks, Puma infantry fighting vehicles and engineer and logistics support systems (armoured recovery vehicles, military trucks, etc.). These weapons and support systems are also required in large numbers to equip the German tank brigade in Lithuania with material or to replace material gathered from other units to deploy the brigade in time, which is planned to be operational from 2027. However, as the new NATO defence plans call for additional military capacities across the alliance, the requirements for the Bundeswehr are only to increase further (Reuters 2024).

Furthermore, the restructuring of the Army will entail the incorporation of a novel category of medium forces, which will serve to augment the existing light (paratroopers, special forces) and heavy forces (battle tanks, armoured infantry). The medium forces are to comprise wheeled systems, thereby facilitating a more expeditious deployment and readiness for action within NATO's European theatre of operations. Although the conception of the Medium Forces dates to before the Russian invasion of Ukraine in 2022, their design has been heavily influenced by the Russian military aggression in 2014. The Bundeswehr will primarily rely on systems based on the multi-role armoured vehicle GTK Boxer. In addition to its current use as a group transport vehicle, it will also be employed in further versions as an infantry heavy weapon carrier (acquiring 123 systems from Australia till 2030), an RCH 155 artillery howitzer (80 systems) and an RCT30 wheeled infantry fighting vehicle (150 systems by 2029). The RCH 155 is being acquired from KMW in collaboration with the UK's armed forces, while the development of the Joint Fire Support Team based on the Boxer was initiated by Germany through OCCAR in 2021.

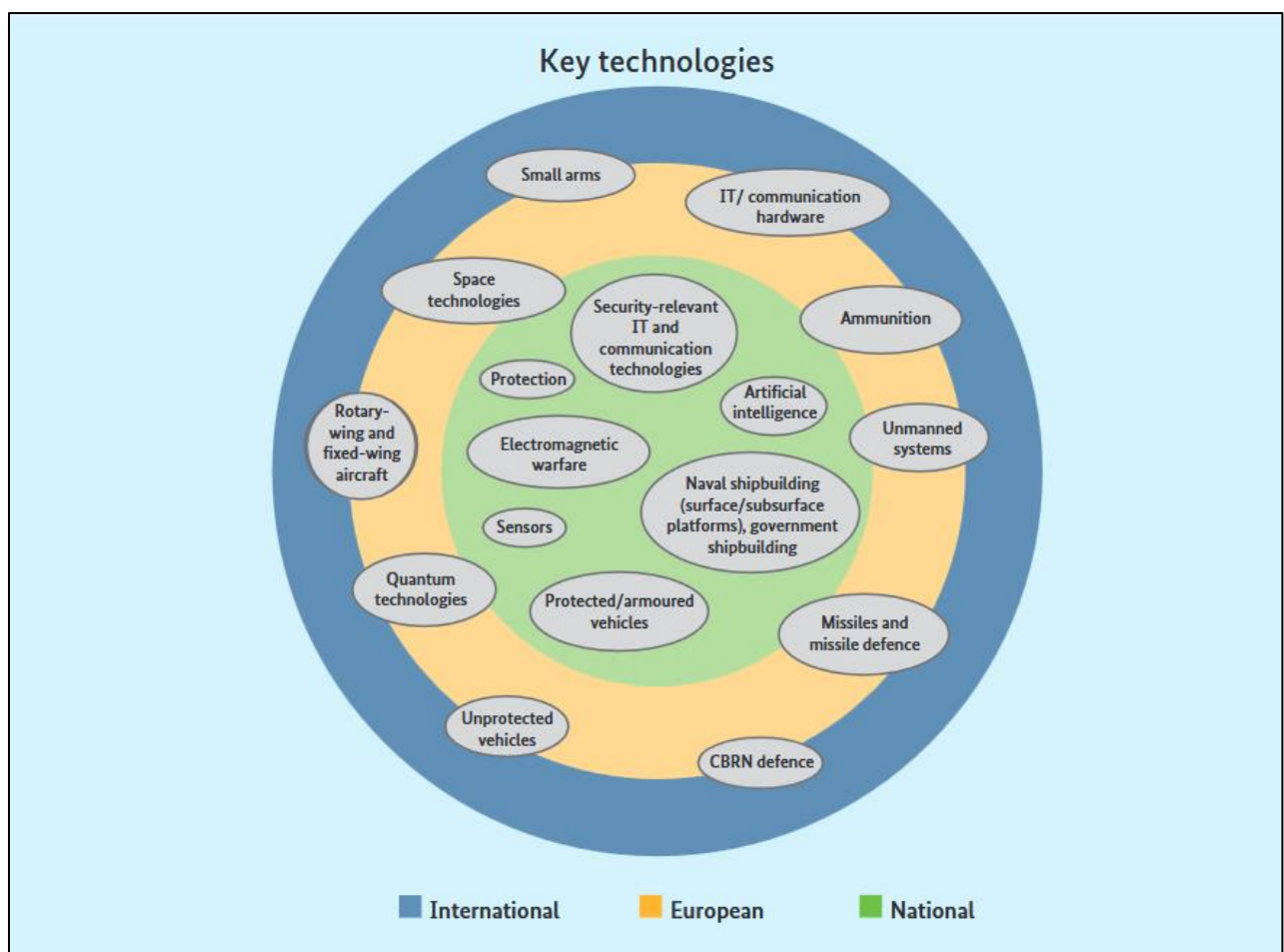
RATIONALE 4: PROTECTIONISM OF DOMESTIC “KEY TECHNOLOGIES”

Fourth, in certain domestic industrial sectors, such as armoured vehicles, communication technology or naval shipbuilding, Berlin is pursuing a protectionist stance with the objective of preserving and strengthening those "key technologies" within the national context. These are defined by the *National Security and Defence Industry Strategy*, which was revised recently in December 2024 in light of the evolving security-political landscape since 2022.

The areas designated as key technologies are intended to maintain domestic military capabilities and to strengthen “national technological sovereignty” (Bundesregierung 2024: 8), thereby avoiding dependencies on foreign countries. This protectionism also aims at preventing the erosion of important economic assets with an annual turnover of around 31 billion euros and 105,000 personnel employed in the German defence industry (Bundesministerium für Wirtschaft und Klimaschutz 2024). The strategy thus intends to

“continue to give appropriate priority to national security and defence-industrial key technologies” (Bundesregierung 2024: 10) when awarding research and procurement contracts. The exclusively nationally defined procurement projects of the Army (Leopard 2 A8 MBT, Puma IFV, HX 8x8 trucks), the Navy (MBV 707, F126, FD 424) as well as in digitising the command-and-control structures of land-based operations (D-LBO) with recourse to German defence companies must be understood in this context. In these areas of key technologies (see Figure 1), a departure from market-available systems at short notice and correspondingly longer procurement times are thereby accepted despite the time-critical component of current rearmament imperatives.

Figure 1 : Key security and defence technologies in the German National Security and Defence industry Strategy



Bundesregierung 2024: 9

Moreover, the security and defence industrial strategy delineates domains of armaments in which European or transatlantic collaboration is desired and pursued, given the insufficiency

of domestic capacities and economic advantages of cooperation. This is particularly evident in the sections of rotary and fixed-wing aircraft, missiles and missile defence, as well as unmanned systems, where the objective is to capitalise on national defence-industrial potential through cooperative maintenance and repair initiatives (Bundesregierung 2024: 8). Furthermore, this focus aims at increasing the military interoperability within NATO and the EU while achieving cost reductions through economies of scale, thus promoting international armament collaboration (Bundesregierung 2024: 4) – and deliberately establishing sectoral interdependencies with allies.

However, in the sense of this rationale, the reliance on German defence-industrial companies needs not only to be perceived as a means to the end of strengthening the Bundeswehr, but primarily as an end in itself. This economic protectionism aims at maintaining national armament capacities and protecting technological know-how while avoiding exploitable foreign dependencies in a few selected sectors.

RATIONALE 5: GERMAN LEADERSHIP IN JOINT EUROPEAN PROCUREMENT

Fifth, Germany maintains a commitment to European collaboration and procurement of military systems, which becomes evident in the domain of land warfare and in the context of Berlin’s air defence proposal, the European Sky Shield Initiative (ESSI).

Germany perceives itself in a leading role for initiating joint procurement in Europe, precisely for Leopard 2 A8 main battle tanks by offering to include further countries in the frame contract that has been signed with KMW for 123 MBTs already. While the Bundeswehr chose to acquire 18 Leopard 2 A8 so far, the German Defence Ministry shared that the Czech Republic, Lithuania and the Netherlands have shown interest to jointly procure the MBT via Germany. Meanwhile, the Netherlands decided to rebuild a tank battalion with 50 Leopard 2 A8 and thereby strengthen the interoperability of the already integrated armoured forces with Germany (Defense Post 2024).

Furthermore, in response to the intensifying Russian cruise and ballistic missile attacks on Ukrainian urban centres as well as military and civilian infrastructure at the outset of the war, German Chancellor Olaf Scholz unveiled the European Sky Shield Initiative during his European speech at Charles University in Prague in August 2023 (Scholz 2022b). By July 2024, 22 countries had joined the initiative, with even two non-NATO countries participating, namely Switzerland and Austria. By initiating and guiding the cooperation, Germany seeks to achieve its goal of becoming “the backbone of deterrence and collective defence in Europe”, as

Defence Minister Boris Pistorius stated at the presentation of Berlin's national security strategy in 2023 (Reuters 2023b; Bundesregierung 2023).

The ESSI allows for the acquisition of missile defence systems in three distinct versions. The German IRIS-T SLM system is designed to safeguard against short-range aerial threats including drones, cruise missiles, and helicopters. Additionally, Germany, Denmark, and Hungary are jointly procuring the Skyranger 30 from Rheinmetall, which is set to be integrated within the ESSI. Regarding the medium range, the US-made Patriot system that is already operational within multiple NATO countries is scheduled to be expanded and modernised. Finally, the largest item in the ESSI is the American-Israeli Arrow 3 system, which is intended to provide exo-atmospheric defence against long-range ballistic missiles. The Arrow 3-procurement project in particular is priced at €3.2 billion and represents the provision of a new air defence capability, which was previously not considered necessary and therefore did not exist within the European theatre.

In the context of the ESSI, Germany reiterates the proposition that cooperation in the joint procurement, deployment, maintenance and recurrent procurement of ammunition for the various systems by multiple countries presents significant economic cost-saving potentials. Furthermore, the objective is to incorporate the thereby established national capabilities into the NATO Integrated Air and Missile Defence (IAMD) structure, thus reinforcing the European pillar within the Alliance and enhancing interoperability between allied armed forces. In addition to the specific weapon systems, Germany, the Netherlands, Romania and Spain are procuring 1,000 Patriot GEM-T missiles, valued at €5.1 billion, through the NATO Support and Procurement Agency (NSPA).

Repeatedly, the procurement of IRIS-T SLM, Patriot and Arrow 3 demonstrates that German procurement policy is reverting to market-available systems and off-the-shelf procurement to address a critical capability gap. The decision to rely on systems originating from non-European countries and thus to exclude existing European equipment has been met with opposition, particularly in Paris. Therefore, the ESSI has not achieved consensus within the EU and major European countries such as France, Italy, Spain and Poland have not yet joined. Instead, Paris has expressed discontent with the lack of representation of European air defence systems as potential procurement options, such as the Franco-Italian SAMP/T or the British CAMM. While ESSI intends to represent a German claim to leadership, particularly concerning the armament capabilities of smaller European states and the extension of the European pillar in NATO, the focus on non-European market-available platforms has caused political tensions in Europe (Wachs 2023).

Lastly, within this leadership role of encouraging joint European procurement in the domains of land warfare and air defence, Germany has so far been reluctant in utilising the various instruments of the EU's defence industrial toolbox. While the toolbox includes a variety of initiatives by the EU aimed at enhancing European defence industrial cooperation, including but not limited to the European Defence Industry Reinforcement through common Procurement Act (EDIRPA) and the prospective European Defence Industry Programme (EDIP), Berlin has refrained from applying and thus strengthening these policies. Instead, Germany's procurement practices rather emphasise a link to NATO and the US since Berlin is skeptic towards reinforcing the alliance's European pillar through a stronger EU influence – thereby possibly unsettling the US and its prospective commitment to NATO (Puglierin 2024: 3). Furthermore, Germany intends to safeguard its national sovereignty over procurement procedures from further European leverage - not only because of reservations vis-à-vis a powerful European Commission in defence matters, but also because of an assessment of the EU's toolbox as being less efficient than initiating joint procurement independently as a lead nation (Puglierin 2024: 6).

CONCLUSION

In light of these circumstances, German procurement policy since 2022 has been confronted with the challenge of balancing the expeditious deployment of military capability profiles through short-term off-the-shelf procurement, predominantly from non-European or American companies, with the maintenance of European cooperation incentives through the intensification of cooperative development projects, which are, however, designed for the long term.

The Russian invasion of Ukraine in February 2022 has served as a significant catalyst in numerous domains, particularly in the context of the ongoing restructuring of the German Army. The Medium Forces are regarded as the primary agent of modernisation within the Army and thus represent a central focus of the prevailing procurement strategy. However, the German procurement process is primarily focused on addressing existing capability gaps, replacing aging systems, and building up the necessary forces to meet commitments to NATO and the establishment of a heavy brigade in Lithuania. In this regard, the Bundeswehr is primarily reliant on the procurement of market-available systems from the US and products from its domestic defence industry since time and market availability have become the dominant rationales next to protecting domestic "key technologies".

Ultimately, as part of the German cooperation initiative of the 'European Sky Shield Initiative', it is evident that Germany aspires to assume a leading role in reinforcing the European pillar

of NATO. The joint procurement, deployment and maintenance of ground-based air defence systems are primarily intended to capitalise on economies of scale to reduce costs and to be able to offer corresponding capabilities to smaller countries. A similar leadership claim in other domains such as the air or maritime forces have not developed yet apart from the land forces and continued integration of the Dutch armoured forces into German divisions. The Netherlands is therefore aiming at procuring further Leopard 2 A8 while Germany has opened the possibility to include the Czech Republic, Lithuania and Sweden in its frame contract with KMW.

Overall, there have been discernible shifts in German procurement policy since February 2022. These alterations are predicated on the altered financial supply basis of the Bundeswehr through the €100 billion-strong special fund. The fund has provided the opportunity to implement long-awaited procurement projects and obtain new but necessary capabilities. However, this financial injection for the Bundeswehr is not enough and only temporary, as the special fund will be depleted by 2028 and a permanent increase in the German defence budget is not a foreseeable political outcome – also due to Germany’s struggling economy (van Rij & Schröder 2024). Even if the budget were to increase to two percent of GDP from 2028 onwards, the Bundeswehr would still be required to make significant investments of up to €168 billion till 2035 to fulfil its fundamental NATO commitments (Mölling et al. 2024).

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