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(First Part)

WEU in the Atlantic Alliance

REPORT

submitted on behalf of the Political Committee
by Lord Finsberg, Rapporteur

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Assembly Recommendation 579

1. Adopted unanimously by the committee.

2. *Members of the committee:* Mr. *de Puig* (Chairman); Lord *Finsberg*, Mr. *Roseta* (Vice-Chairmen); MM. *Alegre*, *Antretter*, *Blaauw*, Sir Andrew *Bowden*, MM. *Bühler* (Alternate: *Lummer*), *Caballero*, *Cioni*, *Ehrmann*, *Fassino*, *Irmer*, Sir Russell *Johnston*, MM. *Jurgens*, *Kaspereit*, Lord *Kirkhill*, MM. *Koschyk*, *Liapis*, *van der Linden*, *de Lipkowski* (Alternate: *Baumel*), *Maass*, Mrs. *Papandreou*, MM. *Péciaux*, *Pozzo*, Mrs. *Prestigiacomo* (Alternate: *Arata*), MM. *Puche Rodriguez*, *Recoder*, *Rippinger*, *Rodeghiero*, *Rodrigues* (Alternate: *Mrs. Aguiar*), *Rokofyllos*, *Seeuws*, *Seitlinger*, Sir *Keith Speed*, MM. *Vinçon*, *Wintgens*.

Associate member: Mr. *Godal*.

N.B. *The names of those taking part in the vote are printed in italics.*

Draft Recommendation
on WEU in the Atlantic Alliance

The Assembly,

- (i) Recalling its Recommendation 579¹ to which the Council has still not replied;
- (ii) Deeply concerned that none of the major aims set out in the 10th December 1991 declaration of WEU member states for developing WEU as a means of strengthening the European pillar of the Atlantic Alliance and improving the rôle, responsibilities and contributions of WEU member states in the alliance has yet been achieved;
- (iii) Alarmed that almost two years after the Atlantic Alliance's decision at the highest level to make its collective assets available for WEU operations on the basis of the CJTF concept no progress can be seen towards agreement on the ways and means of implementing this project;
- (iv) Noticing on the contrary the almost total political and military marginalisation of WEU in the efforts to bring the conflict in former Yugoslavia to an end despite all WEU's efforts;
- (v) Concerned by the continuing uncertainty with regard to internal political stability and democratic development in the Russian Federation;
- (vi) Preoccupied also by the instability in the Middle East and the risk that violent activities of extremist forces in certain North African countries, particularly in Algeria, may spill over into Europe;
- (vii) Considering that, while NATO has extended the range of its activities into the area of crisis-management and peace-keeping, the alliance has not yet clearly defined its new rôle in the changed international security environment;
- (viii) Aware that, in the absence of a major security threat and at a time of increasing economic Euro-American and Japanese-American competition, there is a risk of North American and European security interests drifting apart;
- (ix) Reiterating therefore WEU's responsibility for assessing the repercussion on future transatlantic relations of establishing an enhanced European security and defence identity which is to be negotiated at the 1996 intergovernmental conference;
- (x) Noting that the study on NATO enlargement postpones a decision on the "who" and the "when" of any NATO expansion and therefore offers no firm answer to the security concerns of those Central and Eastern European countries which still live in a security vacuum;
- (xi) Convinced therefore that WEU should do more in order to offer its associate partner countries every possible means of joining in WEU's activities and its relations with NATO;
- (xii) Stressing however that any further WEU enlargement should not call in question the scope of Article V of the modified Brussels Treaty and still believing that all European NATO countries could be entitled to full WEU membership;
- (xiii) Convinced that NATO's working and decision-making methods which have proved their worth in that organisation since 1949 should be considered insofar as they may be of value for adaptation by WEU in the new geostrategic framework of Europe,

RECOMMENDS THAT THE COUNCIL

1. Make an urgent and high-level political approach to the Atlantic Alliance in order to overcome the difficulties in implementing the alliance's decision to make its collective assets available for WEU operations;
2. Include
 - (a) in its contribution to the 1996 intergovernmental conference,
 - (b) in its planned common European defence policy statement,

1. See Appendix.

(c) in its common reflection on the new European security conditions which might lead to a white paper on European security,

a comprehensive WEU concept for developing the future transatlantic partnership in a global context;

3. Carefully assess the implications for transatlantic relations of the implementation of the options now being discussed in WEU regarding the future relations with the European Union;

4. Make a comprehensive assessment of the complementary functions of WEU and NATO in the area of collective defence taking into account the differences in the texts of Article V of the modified Brussels Treaty and of Article 5 of the Washington Treaty and of the problems which might arise from the fact that both organisations continue to rely in collective defence on the same military structures but on different legal grounds;

5. Determine criteria for task-sharing between WEU and NATO in contingencies such as crisis-management and peace-keeping, taking into account the lessons learned through the conflict in former Yugoslavia and seek agreement with NATO on these criteria;

6. Give greater political substance to the joint meetings between the Permanent Councils of WEU and NATO and organise these meetings at ministerial level on appropriate occasions in order to

(a) agree on joint assessments of the new security challenges in Europe and the world and of the appropriate responses;

(b) agree on a specific working programme for sharing risks, rôles and responsibilities between the two organisations, with particular regard to organising work between the military staffs of WEU and NATO;

7. Inform the Assembly of the nature of any difficulties encountered by WEU member countries in carrying out their intention of introducing joint positions into the alliance's consultation process and on possible ways of overcoming these difficulties, particularly in the light of the present provisions of Article J.4 of the Maastricht Treaty;

8. Make an urgent assessment of the consequences of the study on NATO enlargement for WEU's future policy vis-à-vis Central and Eastern countries and inform the Assembly of its conclusions;

9. Seek agreement with NATO in order to establish ways and means for associate partner countries to participate in joint Council meetings between WEU and NATO;

10. To this end, accelerate the conclusion of security agreements by WEU with NATO, associate members, observers and associate partners;

11. Provide regular information on the results of the joint WEU/NATO Council meetings;

12. (a) Follow up paragraph 3 of Recommendation 579;

(b) Increase the number of participating countries in the WEU group on transatlantic publicity activities from 13 to 27, clarify its status and place it under the chairmanship of the WEU Secretary-General;

(c) Give the Assembly a comprehensive report on the origin, activities and programme of work of this group;

(d) Include in the group members of the Assembly appointed by the Presidential Committee.

Explanatory Memorandum

(submitted by Mr. Lord Finsberg, Rapporteur)

I. Introduction

1. Continued reflection on the question as to how transatlantic relationships in security and defence matters and, specifically, co-operation between WEU and NATO might be developed further appears necessary for several reasons. Two in particular might be stressed: the first concerns the impact on both organisations of new security conditions in a changed international environment, while the second must be viewed in the context of defining WEU's future rôle as the European pillar of the Atlantic Alliance in the framework of the 1996 intergovernmental conference. It should be recalled that in their Maastricht declaration of 10th December 1991, WEU member countries agreed to re-examine the present provisions of the Maastricht Treaty on security and defence in 1996. They further agreed that this re-examination would "extend to relations between WEU and the Atlantic Alliance". In their Lisbon declaration of 15th May 1995, the WEU ministers tasked the Permanent Council to present a report at their next meeting in Madrid. It is therefore most important for the Assembly to ensure its views on this important matter are included in the debate by the Council's experts before the Council draws its final conclusions.

2. The development of future relations between WEU and NATO depends on a number of factors. While our treatment of them cannot claim to be exhaustive, the following deserve particular mention:

- the evolution of future security conditions in Europe and in the world and their implications;
 - the political evolution of Russia and its relationship with NATO, the European Union and Western European Union; and
 - the evolution of the Atlantic Alliance and its consequences for NATO's function and structures;
 - the way in which Western European Union develops as the defence component of the European Union and implements its intention of becoming fully operational. The impact on transatlantic relations of the outcome of the 1996 intergovernmental conference should be seen in this context;
- the implementation of the alliance's decision to make its collective assets available to WEU and of the CJTF concept;
 - the future rôle of the North American allies in the alliance, particularly that of the United States of America;
 - the development of relations between NATO, the United Nations and the OSCE in relation to NATO's new tasks in peace-keeping and crisis-management, taking account of the lessons to be learned from the conflict in former Yugoslavia.
3. A major problem, resolution of which also depends on many of these factors, is the question of NATO's eventual expansion and the means by which it is achieved, which will have a major impact on the enlargement of the European Union and of Western European Union.
4. At a time when both European and Atlantic authorities are still in the process of weighing the consequences of radical changes in the security environment following the collapse of the Soviet empire and the rise of new kinds of risks, dangers and threats to international and especially to European security, it is important for the Assembly of WEU to make a useful contribution to helping the Council develop a rational security concept and one that is feasible and acceptable to the relevant European and Atlantic authorities. This should be the major objective of the report the Political Committee will submit to the Assembly in December.

II. The identification of new security risks and their possible consequences

5. The preliminary conclusions on the formulation of a common European defence policy published by the WEU Council of Ministers on 14th November 1994¹, underlined that the formulation of such a policy requires a detailed analysis of risks to European security. To that end the analysis elaborated in the framework of the CFSP bodies on broader security matters "should be complemented by a military analysis, to be prepared by WEU taking account of risk analyses car-

¹ Document 1443, 18th November 1994.

ried out within NATO. ...WEU should examine developments in the transatlantic partnership which represent an important common interest with the aim of introducing joint positions agreed in WEU into the process of consultation in the alliance."

6. Furthermore, WEU ministers stressed that their aim is "that the present policy document will evolve into a comprehensive common European defence policy statement in the perspective of the intergovernmental conference of 1996". This intention was reaffirmed – though in a far less determined manner – in the Lisbon declaration of 15th May 1995²; but since then no specific follow-up action has been taken. Perhaps in the meantime the common reflection on new European security conditions initiated by the WEU Council according to paragraph 6 of the Noordwijk declaration with a view to publishing eventually a white paper on European security has somehow eclipsed the work on the formulation of a common defence policy statement.

7. Nevertheless, one should not forget that both projects are different and that the formulation of a white paper might be a precondition to contemplating a common defence policy. The common reflection on the new European security conditions agreed by WEU in Lisbon includes considerations regarding common values, interests and risks which should form the basis for establishing a joint policy approach between WEU and NATO, as well as the division of work between both organisations. According to this document, Europeans and Americans have both an interest in maintaining democratic values, human rights, international peace and order and the rule of law.

8. If it is recognised that Europe has worldwide economic interests, is it possible to affirm that all Europeans share the same or similar interests or is it necessary to identify a differentiation of interests between European countries? Who should consequently be responsible for defending these interests, and who should be responsible for protecting the security of European citizens in the world? What about the world-wide economic interests of the United States and Canada and the protection of their citizens in the world? Are Europeans responsible for defending North American interests, and North Americans for defending Europe's interests in the world? According to recent press-reports³, a kind of new transatlantic bargain in this sense is under study.

9. Regarding the new security risks, the character and causes of potential armed conflict have to be studied as well as if and to what extent Europeans and Americans are both challenged by such new conflicts. The lessons of the conflict in for-

mer Yugoslavia have to be drawn. The risks arising from the proliferation of weapons of mass destruction and their means of delivery, of international terrorism, organised crime, drug trafficking and uncontrolled and illegal immigration, and, finally, large-scale environmental damage have to be analysed as well as the appropriate means of countering them.

10. Russia's foreign and security policy and the dangers of its internal political instability in the light of the size of its conventional forces and extensive nuclear arsenal and also the future development of the Commonwealth of Independent States (CIS) are of major interest for WEU and the Atlantic Alliance. But how should these two organisations co-ordinate their responses to these challenges? Similar questions arise regarding the security of the Mediterranean basin and the Middle East and in other regions of the world. One should first examine in which way both the Atlantic Alliance and WEU have so far reacted and adapted themselves to the new security challenges.

III. The evolution of the North Atlantic Alliance since the end of the cold war

11. The London declaration on a transformed North Atlantic Alliance, issued by the heads of state and of government participating in the meeting of the North Atlantic Council in London on 5th and 6th July 1990, stressed that, inter alia:

"our alliance must be even more an agent of change. It can help build the structures of a more united continent, supporting security and stability with the strength of our shared faith in democracy, the rights of the individual, and the peaceful resolution of disputes. We reaffirm that security and stability do not lie solely in the military dimension, and we intend to enhance the political component of our alliance as provided for by Article 2 of our treaty.⁴

.....

4. NATO must become an institution where Europeans, Canadians and Americans work together not only for the common defence, but to build new partnerships with all the nations of Europe. The Atlantic Community must reach out to the countries of the East which were adversaries in the cold war, and extend to them the hand of friendship.

4. Article 2 of the Washington Treaty states: "The parties will contribute toward the further development of peaceful and friendly international relations by strengthening their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded and by promoting conditions of stability and well-being. They will seek to eliminate conflict in their international economic policies and will encourage economic collaboration between any or all of them."

2. Document 1455, 15th May 1995.

3. Frankfurter Allgemeine Zeitung, 5th October 1995.

5. We will remain a defensive alliance and will continue to defend all the territory of all our members. We have no aggressive intentions and we commit ourselves to the peaceful resolution of all disputes.

.....

20. NATO will prepare a new allied military strategy moving away from "forward defence" where appropriate, towards a reduced forward presence and modifying "flexible response" to reflect a reduced reliance on nuclear weapons.

.....

23. Today, our alliance begins a major transformation working with all the countries of Europe; we are determined to create enduring peace on this continent."

12. The next important step was taken, when the NATO summit meeting held in Rome, on 7th and 8th November 1991, gave the Atlantic Alliance a new direction by:

- publishing a new strategic concept based on an integrated military structure and an approximate mix of conventional and nuclear forces. These were to be adjusted to their new tasks, becoming smaller and more flexible. For the first time mention was made of NATO's conventional forces becoming more mobile "to enable them to react to a wide range of contingencies" and, again for the first time, it was announced that these forces would be reorganised both for defence and to respond in *crisis-management* situations. At the same time, the reference to the importance of consultations in the alliance under Article 4 of the Washington Treaty indicated the alliance's intention to extend the range of consultations to risks and threats beyond the geographic area of collective defence determined in Article 6 of the treaty;
- introducing the concept of "interlocking institutions tying together the countries of Europe and North America", thus describing a new European security architecture "in which NATO, the CSCE, the European Community, WEU and the Council of Europe complement each other";
- basing the alliance's security policy on three reinforcing elements: dialogue, co-operation and the maintenance of a collective defence capability;
- recognising for the first time the reinforcing effect on the integrity and effectiveness of the alliance of developing a

European security and defence identity, and welcoming "the perspective of a reinforcement of the rôle of WEU, both as the defence component of the process of European unification and as a means of strengthening the European pillar of the alliance, bearing in mind the different nature of its relations with the alliance and with the European Political Union";

- creating the North Atlantic Co-operation Council (NACC), thus allowing most of the member countries of the former Warsaw Pact to hold regular meetings with the North Atlantic Council at ministerial and ambassadorial level.

13. The NATO summit in Brussels on 10th and 11th January 1994 was the third and last in date in the series of summit meetings paving the way for important changes in the alliance's direction and purpose. This summit meeting and the decision taken have to be seen in the context of the changed situation arising out of:

- the break-up of the Soviet Union and its replacement by the Commonwealth of Independent States (CIS), in which the Russian Federation plays a dominant rôle;
- the aggravation of the armed conflict in former Yugoslavia;
- the entry into force of the Maastricht Treaty with its provisions on a common foreign and security policy for Europe;
- the changed political landscape in the United States following the election of Democrat President Bill Clinton now facing a hostile Congress.

14. The January 1994 summit meeting gave the new American President the opportunity to present himself as an initiator of a renewed policy for the Atlantic Alliance: he thus endorsed the initiation of the partnership for peace programme (PFP), the initiative to open the way for the alliance's expansion, the reaffirmation of the alliance's support for a European security and defence identity and the agreement to make the collective assets of the alliance available for WEU operations undertaken by the European allies in pursuit of their common foreign and security policy. The concept of combined joint task forces (CJTF) providing "separable but not separate" military capabilities that "could be employed by NATO or WEU was intended as a major means of implementing this decision.

15. Some 20 months later, the question of NATO's enlargement remains unresolved. Nor is there agreement on the implementation of the CJTF concept. NATO is the sole partner on which the United Nations relies in trying to bring an end

to the conflict in former Yugoslavia. Hence, although NATO is in practice developing its newly-chosen mission in the area of peace-keeping, peace-enforcement and crisis-management under the authority of the United Nations, its internal debate seems to be overwhelmingly dominated by the problem of enlargement and its relations with Russia. Despite the development of detailed programmes and activities in the framework of PFP, the final purpose of this initiative remains unclear.

16. Furthermore, on the fundamental question of the direction in which the alliance and its organisation should develop in future, no concrete indication is visible. Yet most of the outstanding problems depend on the future rôle of the alliance. In September 1994, a "NATO long-term study" was therefore initiated, but it is an open question as to when discussions in the framework of this study will lead to concrete decisions. So far there have been no indications other than that NATO should assume a more political and less military rôle. But there are hints that the consequences of the substantial reductions in the defence budgets of most member countries will be an important consideration in the study.

17. More progress is visible in relation to the criteria NATO will apply to its eventual expansion. A study for defining the requirements for NATO enlargement was published on 28th September 1995 and presented by NATO partner countries in the NACC and PFP. The alliance had already previously made clear that if there is any enlargement, all the potential new members will be full members, thus ruling out any form of associate status or intermediate forms of membership or partnership. Secondly, it has been decided that enlargement will be decided on a case-by-case basis and "that some nations may attain membership before others."⁵

18. The arrangements for parallelism between NATO's enlargement and the enlargement of the European Union and Western European Union have not yet been worked out. But the abovementioned study on NATO enlargement underlines that the enlargement of NATO is a parallel process and will complement that of the European Union. The study then says that:

"The enlargement of the two organisations will proceed autonomously according to their respective internal dynamics and processes. This means they are unlikely to proceed at precisely the same pace. But the alliance views its own enlargement and that of European Union as mutually supportive and parallel processes which together will make a significant contribution to streng-

thening Europe's security structure. Thus each organisation should ensure that their respective processes are in fact mutually supportive of the goal of enhancing European stability and security. While no rigid parallelism is foreseen, each organisation will need to consider developments in the other."

19. Regarding the relationship between the enlargement of WEU and NATO, the study emphasises:

"Because of the cumulative effect of the security safeguards of Article V of the modified Brussels Treaty and of Article 5 of the Washington Treaty, the maintenance of this linkage is essential. Both enlargement processes should, therefore, be compatible and mutually supportive. At the same time, WEU is being developed as the defence component of the European Union, which strengthens the relationship between the two organisations. An eventual broad congruence of European membership in NATO, EU and WEU would have positive effects on European security. The alliance should at an appropriate time give particular consideration to countries with a perspective of EU membership, and which have shown an interest in joining NATO, in order to consider the basis indicated in this study, how they can contribute to transatlantic security within the Washington Treaty and to determine whether to invite them to join NATO."

20. It is not known as yet whether the NATO long-term study will discuss institutional and structural questions with a view eventually to reconsidering the internal decision-making process in the alliance. If the enlargement of the alliance becomes a reality, decision-making might in fact become more difficult, bearing in mind that NATO is a purely intergovernmental organisation in which all decisions must be taken by consensus.

21. The study on NATO enlargement emphasises that in the process of enlargement the alliance rests upon commonality of views and a commitment to work for consensus; part of the evaluation of the qualifications of a possible new member will be its demonstrated commitment to that process and those values. "We will invite prospective new members to confirm that they understand and accept this and act in good faith accordingly. The alliance may require, if appropriate, specific political commitments in the course of accession negotiations". Furthermore, in Chapter V of the study, new member states will be expected to "commit themselves to good faith efforts to build consensus within the alliance on all issues, since consensus is the basis of alliance cohesion and decision-making."

5. See paragraph 7 of the communiqué issued by the North Atlantic Council on 1st December 1994.

22. It should be noted, both in the context of an examination of WEU's rôle in the Atlantic Alliance and in relation to discussions taking place in the framework of the 1996 intergovernmental conference on how to facilitate the European decision-making process in security and defence matters, that NATO's decision-making methods, established since the creation of that organisation in 1949, have so far not been called into question, at least in public debate. NATO has not experienced the problems of a rotating presidency, nor of an arrangement such as the "Troika". The North Atlantic Council is chaired by NATO's Secretary-General whose responsibility it is to achieve consensus among the 16 member countries. This long-standing practice seems so far to have proved its worth.

23. One should not, of course, in this context, overlook the important leadership rôle of the United States of America within the Atlantic Alliance and its organisational structures. American leadership and the threat to common security during the cold war have doubtless facilitated cohesion within the alliance. Even the special rôle played by France never seriously called this basic cohesion into question.

24. When the Atlantic Alliance agreed, in the aftermath of East-West confrontation, to extend its activities to peace-keeping and peace-enforcement under United Nations mandate, the conflict in former Yugoslavia revealed the enormous difficulties the alliance had to reach agreement on implementing its decision in this specific case. However, ultimately, the alliance alone was able to reach a decision on concrete military action for ending the siege of Sarajevo, and to implement it. The bombing of Serbian targets finally brought them to the negotiating table as many of us had advocated for years.

25. On the other hand, when fifteen defence ministers of countries of the European Union and of the Atlantic Alliance participating in the peace-keeping effort in former Yugoslavia decided, in early June 1995, to send a Dutch, French, and United Kingdom rapid reaction force to Bosnia, the status of this force remained ambiguous. In any event, placing this unit under the authority of Western European Union was never envisaged despite the fact that its tasks exactly meet the criteria for "Petersberg-type" missions, according to which military units of WEU member states, acting under the authority of WEU, might be employed for:

- humanitarian and rescue tasks;
- peace-keeping tasks;
- tasks of combat forces in crisis-management, including peace-making;

The marginalisation of WEU in efforts to re-establish the conditions for peace in former Yugo-

slavia is a reality likely to increase the number of those expressing serious doubt about the usefulness of WEU and its ability to make a meaningful contribution to European security that might lead NATO to accelerate the implementation of the alliance's decision of January 1994 to make its collective assets available for WEU operations undertaken by the European allies.

IV. The WEU Council's concept of WEU's relations with the Atlantic Alliance - and its implementation

26. Without entering into a lengthy description of the historical genesis of both the Atlantic Alliance and Western European Union and the surrounding political landscape determining the character and evolution of relations between them, it is useful nevertheless to recall the principal ways in which the modified Brussels Treaty and the Washington Treaty resemble one another and those in which they differ. Both treaties follow a like path in creating defence alliances upholding the right of individual or collective self-defence as recognised under Article 51 of the Charter of the United Nations.

27. As your Rapporteur explained in his first report on WEU in the Atlantic Alliance which he submitted to the Assembly five years ago⁶, the signatories of the Washington Treaty included all the members of the then Western Union. As soon as a military system was established under NATO, in 1950, Western Union transferred to it the exercise of its responsibilities as a military organisation. From then on, the activities of WEU's precursor have been inextricably linked with those of NATO.

28. When the original 1948 Brussels Treaty was modified in 1954 and extended to the Federal Republic of Germany and Italy, a new Article IV was inserted into the treaty which defined the basic principles of co-operation between the two organisations, as follows:

" In the execution of the treaty, the high contracting parties and any organs established by them under the treaty shall work in close co-operation with the North Atlantic Treaty Organisation.

Recognising the undesirability of duplicating the military staffs of NATO, the Council and its Agency will rely on the appropriate military authorities of NATO for information and advice on military means. "

29. The importance of this contractual link was, in the past, largely concentrated in the security guarantees in the event of armed attack

⁶. Document 1225, 12th May 1990.

against member countries, based on Article V of the modified Brussels Treaty and Article 5 of the Washington Treaty. Even now, at a time when the risk of armed attack in Europe (or on America) has been dramatically reduced, the principle of co-operation laid down in Article IV of the modified Brussels Treaty remains an essential element of European security.

30. However, co-operation between NATO and WEU is now becoming increasingly important in areas where the two treaties follow different objectives and directions. One such area is peace-keeping and crisis-management. Article VIII. 3 of the modified Brussels Treaty obliges WEU member countries at the request of any of them "to consult with regard to any situation which may constitute a threat to peace, in whatever area this threat should arise, or a danger to economic stability". While this provision has been regarded as the legal basis for WEU joint actions in the Gulf war and for the decisions taken by the WEU Council at its meeting in Petersberg on June 1992 on the use of military units answerable to WEU for peace-keeping, crisis-management and peace-making tasks in accordance with the provisions of the United Nations Charter, the Washington Treaty does not provide NATO with a similar legal basis. Nevertheless, in 1991, the Atlantic Alliance also agreed to extend its activities to peace-keeping and crisis-management, thus giving an enlarged interpretation to Article 4 of the Washington Treaty according to which "the parties will consult together, whenever, in the opinion of any of them, the territorial integrity, political independence or security of any of the parties is threatened". Since then, NATO has claimed that the earlier slogan "out of area is out of business" is out of date.

31. The fact that both WEU and NATO consider they have responsibilities in peace operations and crisis-management, has meant that the division of tasks between them has become a practical problem which has yet to be resolved. Your Rapporteur will develop this question in greater detail in the following paragraphs.

32. Another area in which Article IV has acquired a new dimension is WEU's function as the defence component of the European Union or, in the words of the Maastricht Treaty, as an integral part of the development of the Union. Indeed, the preamble of the modified Brussels Treaty commits the signatories "to promoting the unity and encouraging the progressive integration of Europe". Article VIII. 1 of the treaty stipulates that a WEU Council shall be created for this very purpose. Since the entry into force of the Maastricht Treaty, Western European Union's ties with NATO and their evolution, also serve the interests of the European Union. In the absence of any formal relationship between the European Union and

the Atlantic Alliance, WEU is the sole connecting link between these organisations. Logically, therefore, when WEU decided to proceed with its own re-examination of the present provisions of the Maastricht Treaty, with a view to the 1996 intergovernmental conference, it stressed that "this re-examination will take account of the progress and experience acquired and... will extend to relations between WEU and the Atlantic Alliance".

33. It is appropriate, therefore, for us now to examine WEU's concept of its relations with NATO and the degree to which it has been implemented. Paragraph 4 of the declaration on Western European Union, adopted by the member countries of WEU on 10th December 1991 and annexed to the Maastricht Treaty, describes WEU's concept of its relations with the Atlantic Alliance as follows:

"The objective is to develop WEU as a means to strengthen the European pillar of the Atlantic Alliance. Accordingly WEU is prepared to develop further the close working links between WEU and the alliance and to strengthen the rôle, responsibilities and contributions of WEU member states in the alliance. This will be undertaken on the basis of the necessary transparency and complementarity between the emerging European security and defence identity and the alliance. WEU will act in conformity with the positions adopted in the Atlantic Alliance.

- WEU member states will intensify their co-ordination on alliance issues which represent an important common interest with the aim of introducing joint positions agreed in WEU into the process of consultation in the alliance which will remain the essential forum for consultation among its members and the venue for agreement on policies bearing on the security and defence commitments of allies under the North Atlantic Treaty.
- Where necessary, dates and venues of meetings will be synchronised and working methods harmonised.
- Close co-operation will be established between the Secretariats-General of WEU and NATO."

34. Regarding the development of WEU's operational rôle, the above declaration refers, *inter alia*, to the intention of strengthening this rôle by closer, complementary military co-operation in the alliance, in particular in the fields of logistics, transport, training and strategic surveillance. In implementing these various intentions account has also been taken of Part II of the WEU declaration of 10th December 1991 in which "other

European member states of NATO" (which are not members of the European Union) "are invited to become associate members of WEU in a way which will give them the possibility of participating fully in the activities of WEU".

35. Turkey, Norway and Iceland thus became associate members of WEU on 6th March 1995 (the date of the entry into force of Greece's accession to the modified Brussels Treaty). While these three countries now have the possibility of participating to a large extent in the activities of the Council and its subsidiary bodies, and also those of the Assembly, there is no disguising the fact that this is not "full" participation in WEU, as associate members have not been invited to accede to the modified Brussels Treaty as the Assembly has recommended on several occasions. The question of WEU's future relationship with its associate members will remain on the agenda, particularly with regard to Turkey, whose political and strategic importance for European and Atlantic security have been of immense value in the past and will continue to increase in the present and future international security scene.

36. The most efficient way to develop WEU as a means of strengthening the European pillar of the Atlantic Alliance remains the accession of all its European member countries to the modified Brussels Treaty. Such a step would not only simplify the at present very complicated working methods of the WEU Council (and those of the Assembly), but also put these countries in a better position to participate in the debate on WEU's future relations with the European Union. This is particularly desirable in the case of Turkey, which might be led to call into question the entire range of policies it has followed to date – even its membership of the Atlantic Alliance – if it were to conclude that it might be excluded definitively or for an indefinite period from full accession to WEU and the European Union.

37. Regarding the intention of developing further close working links between WEU and the alliance it should first be welcomed that the number of joint Council meetings has increased steadily since the first joint meeting held in 1992. It would appear that at least four annual joint meetings are planned for 1995 and the years that follow. The last joint meeting of the Permanent Councils was held on 28th September 1995. It appears that WEU is represented at these joint meetings by eighteen ambassadors, including those of associate member and observer countries but representatives of the associate partner countries do not participate. However, the impression is that such meetings are rather of symbolic importance than practical use. Even if the Assembly is not aware of the agenda of these meetings, it seems that no breakthrough on outstanding questions has been achieved through them.

38. It is therefore necessary to re-examine what aims these meetings should pursue. If the main purpose is reciprocal information, it would depend on the specific subject of the agenda whether or not the associate partner of WEU should be allowed to participate. Since these countries have a chance of becoming sooner or later full members of the European Union and Western European Union, WEU should seek an agreement with NATO which would allow them to participate in at least some joint WEU/NATO Council meetings.

39. After only one of the joint sessions of the North Atlantic Council and the Council of WEU, that held in Brussels on 8th June 1993, was a press release issued. This contained information on the combined NATO/WEU concept of naval operations in the Adriatic. It would be highly desirable if publication of press releases at the close of future joint WEU/NATO Council meetings were to become a more regular practice.

40. In the very important area of implementing the decision of the 1994 NATO summit meeting to make the collective assets of the alliance available for WEU operations on the basis of the combined joint task forces concept (CJTF), there seems, as yet, to be no sign of progress. WEU is still awaiting an answer to the proposal it transmitted to NATO at the end of June 1994. Furthermore, in May 1995, WEU sent NATO a paper on the "Mechanisms and procedures for WEU use of alliance assets and capabilities" required for its own operations. According to a report submitted by the British House of Commons Defence Committee on 19th July 1995⁷,

"The main problems have arisen over questions of ultimate military and political control of the forces concerned. If based on NATO staff, they would be commanded... ultimately by SACEUR, an American 5-star general. France is reported as having been unhappy that there should be a remaining United States element in the command chain in cases where the United States was not an active participant, and where an operation was purportedly conducted by WEU. On the political level, the respective rôles of the North American Council and whatever crisis-management organisation WEU could muster remain uncertain. Understandable questions have also been raised over the question of payment for the use of NATO collective assets, particularly when they are to be used by nations who have not made any contribution towards them; and the use of United States national assets, such as airlift, in an operation in which the United States does not wish to participate."

7. The future of NATO: The 1994 summit and its consequences, House of Commons, Session 1994-95, tenth report.

It is also not known to what extent the alliance has implemented its commitment to adapt its political and military structures in line with the decisions of the summit meetings.

41. Equally, the objective of the WEU member countries, as stated in their declaration of 10th December 1991 of endeavouring to introduce joint positions agreed in WEU into the process of consultation in the alliance is, according to information obtained by your Rapporteur during talks with Council members, running into serious difficulties and indeed seems virtually impossible to achieve.

42. The reasons for these difficulties appear to be twofold: first, it appears that all WEU member countries prefer to remain free to express their national positions in the framework of the North Atlantic Council. Second, there is some reluctance in the Atlantic Alliance to accept that a group of countries present in the North Atlantic Council should adopt positions fixed previously as a kind of "fait accompli" on matters on which the alliance wishes first to consult and then to reach a decision.

43. If the reasons for wishing to preserve the right of free expression are very understandable, the problem acquires a further dimension in the context of the present efforts initiated in both the European Union and Western European Union to pave the way for a true common security and defence policy. The elaboration of such a European common policy and the establishment of possible new institutional rules in this area would be illusory if all European member countries retained their right to speak with different voices in the framework of the North Atlantic Council. This example shows, in any event, that for the time being any attempt to introduce majority voting procedures in defence matters is unrealistic. It is legitimate to ask whether WEU member countries have committed themselves to the objective of introducing joint positions into the alliance without really evaluating the consequences and the possibilities of achieving that aim.

44. Some progress seems to have been achieved in relation to the planned synchronisation of dates and venues of meetings and harmonisation of working methods. There is now an established practice according to which meetings of the Permanent Councils of both organisations are held on different days and WEU Ministerial Councils before those of the alliance. It seems, in particular, that the United States and Canadian representatives in the North Atlantic Permanent Council appreciate the now established practice according to which the WEU Chairmanship-in-Office briefs the North Atlantic Permanent Council weekly on current activities of Western European Union.

45. According to the Council's information, practical co-operation between the Secretariats-General of WEU and NATO is working reasonably well but is far from perfect and much more should be done. The necessary security arrangements between both organisations have still not been finalised and rumour has it that NATO shows some reluctance in transmitting documents to WEU. It is particularly regrettable that, according to the second part of the fortieth annual report of the Council⁸ secure communication links of the WEU Planning Cell with the headquarters of NATO still do not exist.

46. However, the most important issue is, of course, to what extent WEU and NATO are agreed on the distribution of tasks and responsibilities between them. There is first the responsibility for defence against armed attack to which both WEU and NATO are committed under Article V of the modified Brussels Treaty and Article 5 of the Washington Treaty. It seems that there is agreement that collective defence is a task for both organisations, in as much that WEU member countries will continue to act in the framework of Article IV of the modified Brussels Treaty, in other words to rely on NATO military structures. But serious questions will need to be raised if the present discussions on possible integration of WEU and the European Union might jeopardise the scope of the collective defence obligation laid down in Article V of the modified Brussels Treaty, binding to a far greater extent than that under the Washington Treaty.

47. When the ministers for foreign affairs of the European Union met informally in Santander on 11th September 1995, a number of principles were published, according to which institutional questions regarding the development of a European security identity were to be dealt with. One of these principles suggested that the development of a European security identity would contain a collective defence commitment analogous to that laid down in the modified Brussels Treaty, but that this solidarity might continue to be expressed in the framework of NATO. This wording is somewhat ambiguous, since it may mean that NATO might finally become the only organisation responsible for collective defence.

48. It should be borne in mind that at least five member countries of the European Union, at present observers in WEU, namely Austria, Denmark, Finland, Ireland and Sweden, have difficulty in accepting collective defence obligations in the framework of the modified Brussels Treaty. The risk for European security would be very great indeed if the closely-binding commitment on collective defence that characterises WEU membership were to be watered down in a newly-

8. Document 1453, 30th March 1995, Chapter VI.4.

created European security structure in order to make it palatable to countries that have so far been reluctant to accept it. The principle of the lowest common denominator applied to defence is quite unacceptable.

49. However, there is a certain tendency in the NATO bureaucracy to support ideas defended in the European Union according to which direct links could be established between the European Union and NATO without needing Western European Union as a link. This would theoretically be possible if a new treaty on European Union were to contain a collective defence commitment similar to Article V of the modified Brussels Treaty. In view of the resistance of a number of member countries to the full integration of the defence dimension into the European Union in which intergovernmental consensus is considered only as an intermediary step on the way to a true integrated common defence policy, such an approach would be thinkable only if NATO were to be the sole organisation responsible for the defence of Europe on the single basis of Article 5 of the Washington Treaty. But if, as Mrs. Aguiar underlined in her report of 16th May 1995⁹, NATO military structures are to be the only guarantee of the allies' collective commitment, any withdrawal of American forces, if confirmed, would put an end to that structure.

50. If, conversely, the incorporation of a collective defence commitment into a new treaty on European Union (or in a protocol annexed to it) meant the establishment of proper collective defence responsibilities for the Union, it would be illusory to believe that this would not substantially affect relations with NATO. On the contrary, it would not only require fundamental changes in NATO's structures but also a political revision of the whole range of Euro-Atlantic relations in negotiations with the United States and Canada, the result of which would be unpredictable.

51. WEU must still prove that it is the appropriate organisation for strengthening the European pillar of the Atlantic Alliance including the collective defence area without calling into question the core function of the Atlantic Alliance for guaranteeing European security. A very thorough examination of the complementary functions of Article V of the modified Brussels Treaty and Article 5 of the Washington Treaty should be an important part of the WEU Council's contribution to preparing the 1996 intergovernmental conference. The importance of such a study is not linked to a specific risk of an armed attack on one of the allies which has now been drastically reduced, but to be considered in particular in the context of enlargement.

52. With regard to the consultations between NATO and WEU in future contingencies envisaged by the NATO summit of January 1994, the main issue is the division of labour between both organisations in peace-keeping and crisis-management missions. Although there appears to be a trend towards assigning an operation either to NATO or WEU depending on whether the North American allies participate or not, no formal criteria have been developed. The abovementioned view was not applied in the conflict in former Yugoslavia, and it is highly likely that the distribution of tasks will in future be decided on a case by case basis. An agreement on the CJTF concept will be crucial in this context; otherwise there is a risk of WEU remaining incapable of carrying out Petersberg missions unless it were eventually decided these should be carried out entirely without the use of NATO assets, which would be highly undesirable.

53. In this respect it will not be sufficient to decide on the division of labour between WEU and NATO purely on a case-by-case basis, but it is certainly not easy to establish practical criteria for the task-sharing. In the Balkan conflict, NATO's military capabilities were finally chosen to put an end to the hostilities once the United States decided to put its full political weight into seeking a diplomatic settlement of the conflict. Consequently, it was decided that post-war peace monitoring would also be organised under NATO's command and responsibility despite strong Russian opposition. The final success of NATO in settling the Balkan crisis might reduce to silence the voices which had been raised to express doubt about the expediency of the Atlantic Alliance's decision to seek new responsibilities in crisis-management and peace-keeping and to call for NATO to return to its basic tasks of collective defence¹⁰.

54. If NATO is to be established as a principal actor in peace-keeping, irrespective of the participation of American ground forces, the whole CJTF concept might be jeopardised. However in the context of the settlement of the Balkan conflict, one should not underestimate the importance of the deployment of the Dutch, French and United Kingdom rapid reaction force in Bosnia, even if this force was not placed under the authority of WEU. Nevertheless, the WEU Council and the respective member governments will still have much to do in order to convince their partners in NATO of the usefulness of giving credence to the alliance's readiness to make its collective assets available for WEU operations, otherwise, the Petersberg declaration on WEU's peace-keeping mission might remain a dead letter.

9. Document 1458, paragraph 61.

10. See, for instance, Frederick Bonnart in the *International Herald Tribune*, 30th June 1995.

55. There are a number of political and technical areas affecting international security in which NATO and WEU should co-ordinate and harmonise their activities. However, it is difficult to obtain concrete information on the kind of criteria both organisations employ for this apart from the claim, repeated from time to time, that their relations are characterised by principles of transparency and complementarity. In the operational area, the WEU Ministers have declared that WEU's rôle will be strengthened in particular by:

- closer military co-operation, complementary to the alliance, in particular in the fields of logistics, transport, training and strategic surveillance;
- military units answerable to WEU.

56. In the interests of transatlantic solidarity and cohesion it seems particularly desirable that WEU should keep its NATO allies fully informed of activities where it wishes to develop capabilities independent of the alliance. For instance the somewhat chilly reaction, contained in the communiqué of the North Atlantic Council meeting held in Noordwijk on 30th May 1995, should be noted to the announcement by the WEU ministerial meeting in Lisbon on 15th May 1995 on the initiative taken by France, Italy and Spain in organising a land force (EUROFOR) and a maritime force (EUROMARFOR). The NATO communiqué "took note that these forces would be open to WEU member states, that they would be declared 'forces answerable to WEU', and employed as a priority in this framework and could likewise be employed in the framework of NATO".

57. The NATO communiqué then continues: "We look forward with interest to a high-level briefing on this initiative and to the expeditious definition of the relationship of these forces with WEU and NATO". During his contacts with representatives of WEU and NATO in the preparation of this report, your Rapporteur received different messages regarding the status of these forces and their relationship with WEU and NATO. While WEU sources assured him that arrangements were in progress for placing both EUROFOR and EUROFORMAR in the same framework as the European Corps and that these arrangements would be finalised in late September or early October, NATO representatives complained that they still had no substantive information on the status of the newly-created multinational units. It was noted particularly in NATO that EUROFOR and EUROFORMAR were to serve "as a priority" in the framework of WEU whereas the arrangements governing the European Corps gave WEU no such priority.

58. In political terms, it is difficult to discern whether, and to what extent, WEU and NATO co-ordinate their assessments and activities. The

NATO communiqué on 30th May 1995 stresses, inter alia, that "the alliance and the European Union share common strategic interests". For their part, in November 1994, WEU countries reached preliminary conclusions on the formulation of a common European defence policy in which they reaffirmed that "NATO will remain the essential forum for consultation among its members and the venue for agreement on policies bearing on the security and defence commitments of the allies under the North Atlantic Treaty".

59. However, there are several questions to be examined. Is there reciprocal information on the thinking in both organisations on their future tasks and functions and their assessment of future risks for European and Atlantic security and the implications thereof? A long-term study is in preparation in NATO, while WEU is working on a "common reflection on the new European security conditions" that may lead to a "white paper" on European security. The results of both studies could give rise to consequences that might affect the character and future rôles and functions of WEU and NATO. Moreover, such consequences will have a major impact on the future external relations of the two organisations, for instance with Russia or with countries in the Mediterranean region, and also on the question of expansion.

60. The question of expansion is in fact at present being dealt with by the Atlantic Alliance as a matter of priority – apparently under new impetus from the United States which has modified its hitherto reluctant attitude – notwithstanding the absence of clarification of the nature of the alliance's future rôle and the future direction of transatlantic relations.

61. In the "common reflection on the new European security conditions" WEU describes NATO's enlargement as a "part of an evolutionary process that takes into account political and security developments in the whole of Europe and maintains an undivided continent. It will threaten no one and be part of the broad European security architecture based on true co-operation throughout Europe. It will strengthen the European pillar of the alliance, and complement the enlargement of the European Union, a parallel process which also, for its part, contributes significantly to extending security and stability".

62. It is precisely this "parallel process" that now seems to be totally dominated by NATO which, on 20th September 1995, approved at ambassadorial level a first version of a study on a definition of requirements for its enlargement, presented to all 25 members of the partnership for peace programme, including Russia, on 28th September. The study examines first and foremost the question "why and how" to enlarge but does not answer the questions of "who and when". The foreign ministers of the North Atlantic Council

will take initial decisions on the study at their next meeting in December. In order to soften opposition from Moscow to any NATO expansion, NATO at the same time offered possible changes to the Treaty on Conventional Forces in Europe (CFE). Meanwhile it appears that the treaty can enter into force as foreseen on 17th November 1995 after a compromise has been found by excluding some districts from the flank areas, as defined by the treaty, thus allowing the Russians to keep a higher level of military equipment in the remaining districts, including the Caucasus area ¹¹.

63. However, the Russian foreign minister, Mr. Kozyrev, has already made clear that no link can be established between NATO expansion and western concessions on changes to the CFE Treaty. The explanations given to Russia on the basis of the study on NATO enlargement have apparently not convinced the Russian Government to change its hostile attitude towards enlargement. The summit meeting between the presidents of the United States and of Russia on the occasion of the celebration of the 50th anniversary of the United Nations in New York in no way modified Russia's opposition. According to press reports ¹² the Russian defence ministry is even believed to have drawn up a contingency plan to create a defence alliance against NATO and to redeploy its forces, including nuclear weapons, along its western border in the event of NATO's eastward expansion. According to these reports, the Russian general staff is said to have recommended, inter alia, the redeployment of tactical nuclear missiles in Belarus, in Kaliningrad and on warships of the Russian Baltic Fleet. Furthermore it is reported to have recommended that if the Baltic republics join NATO, Russia should instantly move forces into Lithuania, Estonia and Latvia.

64. As a result of the meeting of NATO defence ministers in Williamsburg on 5th and 6th October 1995, it seems that any decision on taking further steps in the question of enlargement has been postponed until after the presidential elections in Russia and the United States next year and perhaps even after finishing the intergovernmental conference early in 1997. Possibly a NATO summit meeting would be convened in early 1997 when certain countries considered suitable for starting enlargement negotiations would be invited ¹³. For the time being, it should be noted that according to the study, the protection provided by Article 5 of the Washington Treaty, including its nuclear component, will apply to possible new members. But there is no a priori requirement for the stationing of nuclear weapons on the territory of new members. No need is actually seen to

change NATO's nuclear posture or policy. Regarding conventional forces the study says that "for new members, the peacetime stationing of other allies' forces on their territory should neither be a condition of membership nor foreclosed as an option".

65. It goes without saying that it is of primary interest for all WEU member countries and in particular for WEU's associate partners, to examine how the debate on NATO enlargement will affect WEU's and the European Union's future policy towards Central European countries. As your Rapporteur learned from a member of the Permanent Council of WEU, it seems unlikely that WEU will make major efforts at the present time to develop further the status of associate partnership for the nine Central European countries. There will probably be a pause for a while and the impression is that for the time being the associate partner countries accept their status in WEU. Nevertheless one associate partner told the Political Committee that the German foreign minister had said recently that Germany might insist on accelerating the movement for the associate partners to become full members of WEU. There are also press reports that the way should be opened for associate partners to join WEU, but without any automatic promise of military help against aggression ¹⁴.

66. According to these reports, the German Chancellor told his fellow leaders in the European Union that this may be the best way of reconciling the demands of the Central European countries for greater security without risking confrontation with Moscow. According to the same source, Article V of the modified Brussels Treaty would be "temporarily frozen". A form of "soft security" would be actually discussed for the interested countries. A European diplomat is believed to have said. "We will not debate the NATO security guarantee but the existing WEU security guarantee is anyway due to be reviewed in 1998". In order to bring certain Central European countries more quickly into practical membership of the European Union, they would eventually join WEU without security guarantees well before a new treaty on the European Union could be ratified.

67. The abovementioned considerations – if confirmed – show the importance of closer examination of the relationship between the respective security guarantees of the modified Brussels Treaty and the Washington Treaty and their complementary functions as your Rapporteur requested in paragraphs 46-51 of this report. It is difficult to see how Article V could be "temporarily frozen" without a treaty amendment which would require parliamentary ratification. Furthermore, if associate partner countries become full members,

11. International Herald Tribune, 21st-22nd October 1995.

12. The Times, 30th September 1995.

13. Reuters World Report, 5th October 1995 and Frankfurter Allgemeine Zeitung, 10th October 1995.

14. The Guardian, 9th October 1995.

this would mean inviting them to accede to the modified Brussels Treaty "on conditions to be agreed".

68. Should it be agreed in a protocol of accession that Article V would not be applicable in relation to Central European countries, one might wonder what broader consequences such a dilution of WEU's security guarantee might have, for instance, with respect to Austria, Denmark, Finland, Ireland and Sweden which so far have refused to participate in common defence in the framework of WEU, and also in a wider context regarding WEU's character as a defence alliance. Furthermore, the significance of the term "soft security guarantee" has to be clarified and defined. If the main purpose is to lose no time in giving Central European countries an enhanced status in WEU without being obliged to conclude a formal treaty introducing a lengthy ratification process, one could offer them an associate member status as is already the case for Iceland, Norway and Turkey.

69. But the final objective should remain for associate partner countries to accede sooner or later to all provisions of the modified Brussels Treaty in parallel with their accession to the European Union – an intention which has never raised objections from Russia. One may therefore wonder whether the authorities of the European Union should be allowed to make use of possible problems of NATO enlargement in relation to specific Central European countries, the Baltic states for instance, to impose conditions for these countries in security matters which could make negotiations over their entry into the European Union very difficult. If press reports¹⁵ are correct in stating that the European Union has indicated that if the Baltic countries join, it will be on condition that they do not become full members of WEU on account of the implications this could have for relations with Russia, this would be a very serious matter which should immediately give rise to consultation in WEU. Given that it has been said countless times that Russia has no veto over NATO enlargement, no more should it veto the enlargement of WEU. Another problem is that the United States has several times expressed its opposition to the admission of countries to full membership of WEU without their being NATO members. Bearing in mind the close ties between NATO and WEU, the Americans do not want these countries, in acceding to WEU, to obtain a NATO security guarantee by the "back door".

70. So far, WEU's Maastricht declaration of 10th December 1991 proposes that "States which are members of the European Union are invited to accede to WEU on conditions to be agreed in accordance with Article XI of the modified Brus-

sels Treaty, or to become observers if they so wish". NATO membership for these countries is not expressly mentioned. However, the position of some WEU member countries is that it could become one of the "conditions to be agreed". In the fact-finding discussions your Rapporteur held with representatives of the WEU Council a United States veto against WEU enlargement was not considered theoretically impossible. On the other hand, NATO representatives in Brussels told him it would be crucial for all member countries of the European Union to become full members of Western European Union, if not immediately, at least as an outcome of the 1996 intergovernmental conference.

71. In this connection it should be recalled that Mr. Rathbone, during the joint meeting with the Chairmanship-in-Office of the Council in Lisbon on 16th May 1995, asked what the Council thought about possible NATO enlargement and the prospects for WEU if such enlargement did not occur. The reply was that an initial exchange of views had revealed disagreement between ministers, in particular, on the relative importance of WEU's ties with NATO and the European Union. It was agreed that the aim was to achieve a balanced position on membership of the three organisations but that it was very difficult to bring this about. WEU's Secretary-General had observed on that occasion that the implementation of Article V of the modified Brussels Treaty required that the countries concerned should be linked to NATO.

72. A further problem lies in the fact that in none of the three organisations in question (NATO, the European Union and WEU) does there seem to be agreement between all member countries on the desirability, necessity and degree of urgency of enlargement nor on the group of countries to be admitted. If the collective defence obligation under Article V of the modified Brussels Treaty and its close link with the collective defence capability of NATO is considered as the cornerstone of Western European Union, its enlargement will be almost totally dependent on the outcome of NATO enlargement. Such interdependence could also have important consequences on the progress of enlargement of the European Union. However, in an article published in the NATO Review in September 1995, Mr. Barroso, then Minister for Foreign Affairs of Portugal, stressed, *inter alia*, that:

"If we want to avoid the logic of interlocking institutions degenerating into a process of "interlocking institutions", we must be prepared to accept that the European side of the transatlantic partnership will have, during a transition period, several formats. This could raise some difficulties within the transatlantic partnership,

15. Financial Times, 22nd September 1995.

namely with regard to the compatibility of the collective security articles (Articles 5 and V) of NATO's Washington Treaty and the WEU's modified Brussels Treaty. Some of these problems may be unavoidable."

73. It seems perfectly justified to follow these considerations which would allow the conditions of WEU enlargement to be reexamined on their own merits, although in close co-ordination with the Atlantic Alliance (and the European Union). In this way, one could envisage the full accession of Central European countries to the modified Brussels Treaty in anticipation of their accession to NATO (and the European Union) without sacrificing Article V of the modified Brussels Treaty. Eventually, one could examine the usefulness of a provision in a protocol of accession according to which the acceding country would benefit from the modified Brussels Treaty security guarantee only from the moment its accession to the Washington Treaty comes into force.

74. Although the study on the enlargement of NATO carefully avoids mentioning the question in the chapter in which it explains why NATO is to be enlarged, relations with Russia are the decisive element which will determine the way in which the whole enlargement process is to be pursued. Regardless of the repeated affirmation that Russia has no right of veto in this respect, there is a growing opinion that the enlargement process of NATO needs to be pursued in consultation with Russia. Because of the interdependence of the NATO, WEU and European Union enlargement described above, co-ordination between WEU and NATO in their relations with Russia is imperative.

75. With Russia's acceptance of its individual partnership programme in the framework of the PFP (partnership for peace) programme relations between the Atlantic Alliance and Russia have attained a new quality representing a considerable advance over those with other PFP partner countries. In its communiqué of 30th May 1995 the alliance proposes "that NATO and Russia initiate a dialogue, to be pursued in our newly-established relationship beyond the PFP, on the future direction our relationship should take. Our aim would be to achieve by the end of this year a political framework for NATO-Russia relations elaborating basic principles for security co-operation as well as for the development of mutual political consultations".

76. Furthermore, the communiqué affirms: "The construction of a co-operative European security architecture requires the active participation of Russia. In this context, it is our desire to have Russia play its proper important rôle. We are committed to a close relationship with Russia, based on mutual respect and openness. This relationship can only flourish if it is rooted in strict compliance with international commitments and

obligations". On 31st May 1995, a special document on dialogue and co-operation between NATO and Russia was adopted by the North Atlantic Co-operation Council (NACC).

77. Nevertheless, the Atlantic Alliance has so far never clearly defined the whys and wherefores of the need to develop its relations with Russia. In particular the alliance has never explicitly excluded Russia from the enlargement process. On 11th January 1994, the heads of state and of government of the North Atlantic Council declared that "we expect and would welcome NATO expansion that would reach to democratic states to our East". The study on NATO enlargement emphasises "not to foreclose the possibility of eventual alliance membership for any European state in accordance with Article 10 of the Washington Treaty". Is Russia to be considered as a "European state"? The answer to this kind of question is certainly easier in the cases of Belarus, Moldova and Ukraine.

78. It is noteworthy that the study on NATO enlargement contains no reference to remaining security risks which could underpin the reason for enlarging an alliance whose fundamental purpose is "to preserve peace in the Euro-Atlantic area and to provide security for its members". Russia is mainly mentioned as a partner with which dialogue and co-operation are to be developed. Conversely, the WEU common reflection on the new European security conditions identifies security risks with regard to Russia, mentioning in particular that the Chechen crisis "illustrates the dangers of internal instability and the possible threat to regional security", with special reference to "the sheer size of Russia's conventional forces and its extensive nuclear arsenal".

79. It will be important to put an end to the ambiguities of considering Russia as either a security risk or co-operation partner or even a country with a chance of being integrated into western security structures. Various proposals suggesting the establishment of a "strategic partnership" with Russia have not yet been seriously examined in detail. Furthermore, it is noteworthy that according to press reports¹⁶ NATO has made proposals for a special relationship with Russia. According to these sources, a draft of proposals – already presented to Russia's representative in Brussels – contains an offer to Moscow of a new treaty or some form of standing committee, such as exists for monitoring arms control treaties, to review all areas of concern. A political framework for relations with Russia would cover all basic principles for security co-operation as well as for the development of mutual political consultations. Such an initiative is of course of major interest to WEU.

16. International Herald Tribune, 27th September 1995.

80. The Assembly of WEU has always attached great importance to the development of a more structured and specific relationship between WEU and Russia and has transmitted a number of concrete recommendations to the Council on the basis of the report submitted by Mr. Baumel¹⁷ on 10th November 1994. However, the Lisbon declaration of 15th May 1995 devotes only a few sentences to the subject; in this, WEU Ministers reiterate "the particular importance of the relationship with Russia and Ukraine". However, the precaution of "not duplicating dialogue in other fora" reduces the aim of contact largely to "exchanges of information on issues of common interest". Here again one has to ask why the WEU Council underestimates the importance of its own dialogue with Russia in this way. WEU has enough specific features of its own to remind the Council that a more substantial and structured dialogue with Russia could constitute an important contribution to expanding confidence and easing the entire enlargement problem. It is therefore regrettable that the chapter on Russia in WEU's "Common reflection on the new European security conditions" only mentions Russia's importance as a partner of the European Union.

81. Another open question is the matter of co-ordination between WEU and NATO in their relations with Mediterranean countries. According to the "common reflection" referred to above "the Mediterranean Basin is a high priority for European security. This area merits particular attention from WEU, which has initiated a dialogue on security issues with certain North African countries (Algeria, Egypt, Mauritania, Morocco, Tunisia)". It then goes on to say that "NATO is also in the course of developing its dialogue with countries in the area (Egypt, Israel, Mauritania, Morocco, Tunisia). Consequently countries such as Algeria are included in the WEU dialogue, whose development is indeed worthy of attention, whereas the NATO dialogue includes Israel. However, your Rapporteur was told that NATO now plans to extend its dialogue to Algeria. Conversely the WEU Secretary-General announced in a recent article in the NATO Review that WEU's Mediterranean dialogue also encompasses Israel. Is this an indication that there is a procedure for harmonising the WEU and NATO dialogues with Mediterranean countries? The same question might be raised in relation to other areas in the world such as Africa, Asia and the Pacific, and also Latin America, all of which regions are mentioned as areas of security interest to Europe in the "Common reflection on the new European security conditions" agreed by the WEU Council in Lisbon.

V. The importance of the future evolution of Euro-American relations and the impact of the 1996 intergovernmental conference

82. Since the end of the East-West confrontation and the break-up of the Soviet Union, many voices have expressed concern that the transatlantic ties might become looser and that the foreign and security interests of North America and Europe were beginning to drift apart. The fact that the WEU "Common reflection on the new European security conditions" devotes an important paragraph to transatlantic relationships with particular reference to the United States and Canada is therefore to be welcomed. In this context, special attention should be paid to the following two statements: "Europe, the United States and Canada share a common heritage and are bound by close historical, political, economic and cultural ties" and, some paragraphs later: "Both the United States and Canada support Europe's efforts towards further integration". There is, moreover, a reference to the declaration on EC-US relations agreed in November 1990 which underlines the determination of both sides to strengthen transatlantic relationships in a broad area that extends beyond security and defence.

83. However, closer consideration of specific attitudes on both sides raises a concern as to whether all these statements are not mere wishful thinking. Official statements from both sides of the Atlantic seem to reveal somewhat different approaches on how to shape future Euro-American relations. Whereas the United States and Canada initiated the project of a transatlantic free trade area, European countries are still divided over the idea. On the other hand, it seems that European ideas for drawing up a new transatlantic treaty or charter have not found a very enthusiastic echo on the American side. However this may be, European politicians continue to make new proposals and plans in this respect, particularly in view of the European-American summit meeting which is to be held in Madrid on 3rd December 1995 between the United States President Bill Clinton, the Spanish Prime Minister Felipe Gonzalez as current president of the European Union and the president of the European Commission. In preparation for this meeting, the European Union has presented the Americans with a working document, details of which are not known. It is thought to cover basic areas for co-operation, including international peace, security and stability, international challenges and closer economic relations¹⁸.

84. If security matters are included in this document, one might well wonder if and to what extent WEU and NATO have been involved in the

17. Document 1440.

18. International Herald Tribune, 3rd October 1995.

preparatory work. It was Malcolm Rifkind, Foreign Secretary of the United Kingdom, who, in a speech at Chatham House on 21st September 1995¹⁹, advocated the creation of a new Atlantic community of Europe and North America, based on a three part programme. The first part would be to revitalise transatlantic economic relations (with free trade), second to co-operate on European security and third “to develop a much closer dialogue between Congress and the parliaments of Western Europe. Political debate is at the heart of our democratic systems on both sides of the Atlantic, yet contracts between parliamentarians are much less frequent and deep than they should be. Wide-ranging political dialogue is the necessary base for common action.”

85. A similar initiative was launched by the German Foreign Minister Klaus Kinkel, advocating the establishment of a transatlantic agenda with an even broader spectrum of Euro-American co-operation and in a speech in the Council of Europe Chancellor Kohl offered the United States and Canada permanent accommodation in the European House²⁰. It is not yet easy to identify the interest of Americans in these various initiatives apart from repeated affirmation by American politicians that the United States will remain a political power. But in a speech in Bonn at the end of June 1995, a high senior official of the United States Embassy believed that if treaty negotiations were to be started, it would certainly have to be after the successful conclusion of the international conference to revise the Maastricht Treaty to be held next year. It was important to know what impact a transatlantic treaty would have on the process of European integration and on a common foreign and security policy pursued by the European Union. He added that the United States believed that greater transatlantic co-operation was in the interest of both the European Union and the United States. This is a very important aspect, and one could also turn the question by asking what will be the consequences of a common foreign and security policy for transatlantic relations.

86. The importance of an enhanced Euro-American parliamentary dialogue should be particularly emphasised in this context. So far, it has been practically impossible to interest the American Congress in a regular dialogue with European politicians – an experience recently confirmed during the Washington Conference organised by the WEU Council in the framework of its transatlantic publicity activities, or at the recent Council of Europe debate on the OECD. However, your Rapporteur was very encouraged by a meeting he had with nine representatives of the United States Senate and House of Representatives during the

recent session of the North Atlantic Assembly in Turin on 7th October 1995. First, the Americans attending that meeting gave assurances that the Congress had not lost interest in European matters and that the European ancestry of many United States citizens continued to ensure close transatlantic links. They thus confirmed a similar view expressed in WEU's common reflection on the new European security conditions.

87. Furthermore, they were prepared to facilitate future meetings with WEU Assembly committees when the latter next visited the United States. It will be important to make full use of this very successful exchange of views in order to establish closer contacts with the United States Congress in 1996. Enhanced dialogue is crucial both for stimulating the interest and knowledge of members of Congress in European affairs and for improving our own understanding of American thinking and motives behind their political action.

88. For instance, hitherto Europeans often had the impression that if Congress takes particular initiatives with respect to Europe, regarding NATO enlargement for instance, or in favour of lifting the arms embargo against Bosnia-Herzegovina, it is often due rather to the influence of the more influential ethnic lobbies or other United States pressure groups rather than an expression of coherent political thinking. As to the United States Administration and the White House, the political actions of both are largely dictated by internal policy considerations. The direction of American foreign policy towards European affairs has changed several times recently. After a long period of hesitation, the United States is now exerting much stronger pressure for the conditions of NATO's enlargement to be finalised. Following years of political and military abstention from the conflict in the Balkans, which it considered a European matter, the United States has now taken the lead in political and military crisis-management in order to bring about a peaceful end to the conflict.

89. It is precisely this example of the war in the Balkans that raises serious doubts about the ability of the member countries of Western European Union and of the European Union to achieve a joint foreign, security and defence policy and to create what is described as a common European security and defence identity without the leadership of the United States of America. It is a fact that there has been progress in former Yugoslavia only since the United States decided to take a lead, although we will never know what would have happened if the Vance-Owen plan had received the support it deserved from all concerned. A similar evolution is to be observed in the context of the development of the West's relations with the Central and Eastern European countries where, as a result of a new initiative on the part of

19. The Times, 21st September 1995.

20. Frankfurter Allgemeine Zeitung, 4th October 1995.

the United States, the problem of NATO's expansion now seems to dominate all other considerations raised in this area by the European organisations concerned.

90. In this context, a strong impression is gained that too little attention is being paid in the framework of the preparation of the 1996 intergovernmental conference to the inter-related aims of creating a European security and defence identity (ESDI) and developing new European-transatlantic relations with particular reference to the United States. The interim report of the European reflection group devotes only one short and insubstantial paragraph to this topic. If there is agreement that the development of the ESDI should be achieved in such a way as to lead to a closer relationship between Europe and the North American allies, the arrangements still have to be worked out.

91. All who are convinced that a merger between WEU and the European Union and consequently a replacement of WEU relations with NATO by direct relations between the European Union and the Atlantic Alliance as an eventual outcome of the intergovernmental conference would not substantially affect transatlantic relations, are out of touch with reality. Apart from the open question of the place which would be offered to Norway, Iceland and Turkey in such a new construction, a comprehensive negotiation of transatlantic relations would be inevitable. However, neither on the European nor the American side are clear concepts regarding the essentials of a new transatlantic treaty visible. The need to seek an appropriate political personality able to replace Mr. Claes as NATO's Secretary-General has revived public discussion about the alliance's future direction. Some believe that NATO's problem is that "there is no Big Idea any more"²¹.

92. Without a truly new vision it would be pointless and even dangerous to ask for a new transatlantic treaty. What should be settled in that treaty? It will be more important to use existing instruments and frameworks in order to reach agreement on common challenges, interests and objectives on both sides of the Atlantic. In this context, it is most important for Europe for neither neo-isolationist nor unilateralist tendencies to succeed in dominating future political thinking and action in the United States. It is for Europe to prove that North America needs the European partnership in order to handle future common challenges. Concerns that North America could in future see more advantages in an American-Pacific community can be dispelled only by a Europe demonstrating that it is still the most reliable partner of the United States as it was in all recent conflicts. A strong Europe can encourage the Uni-

ted States to compromise but even a strong Europe will still need the American partnership. Any efforts by Europeans to become more independent from the United States, particularly in military technology, should be aimed at achieving a better-balanced partnership, not following a unilateral policy.

93. An important item on the future transatlantic agenda should be the definition of areas where Europeans and North Americans share the same interests and objectives and where they consequently should act in common or where they wish to proceed with a reciprocal distribution of tasks. The slogan of identifying the respective "risks, rôles and responsibilities" should be transformed into a concrete political programme to be elaborated first and foremost between Western European Union and the Atlantic Alliance, but also in the framework of other Euro-American consultation mechanisms.

94. The working group on WEU transatlantic publicity activities should play an enhanced rôle and perhaps be transformed into a true political forum as the Assembly had proposed in Recommendation 579. Furthermore, this group should be enlarged from the at present thirteen WEU member and associate member states to include observer and associate partner countries. The Assembly should be fully associated with its activities. Furthermore, the Assembly should receive a comprehensive report on the origins: status, working methods, rotation of presidency and future programme of work of this group.

95. According to Henry Kissinger²², the transatlantic partnership within the Atlantic Alliance whose principal goal was initially joint resistance to communism, should now be extended to a global level. If one is inclined to follow such a vision, Euro-American co-operation would become more than a "transatlantic bargain" in which North Americans continue to help Europe in the case of conflicts in Europe and Europe shows active solidarity in areas in which, first and foremost, American interests are at stake. An Atlantic community would mean, beyond that, a common and co-ordinated Euro-American political approach throughout the world on the basis of common values and interests. On that ground Europeans and Americans should come together in order to elaborate common answers to common challenges.

96. The "Common reflection on the new European security conditions" presented in Lisbon contains the following statement:

"Bearing in mind the radically altered security environment, the further deve-

21. George Brock: Alliance in search of big idea, *The Times*, 21st-22nd October 1995.

22. Die Atlantische Gemeinschaft neu begründen in Internationale Politik, No. 1, January 1995.

lopment of European co-operation in the field of security and defence and the broader definition of what constitutes a security challenge, proposals have been made for a further strengthening of transatlantic ties and a broader framework to express the solidarity and commonality of values and interests that constitute the link between the European and North American partners.”

It will be necessary to learn more of the substance of these proposals. Work now being done in the WEU Council to prepare the WEU contribution to the work of the intergovernmental conference and to draw up a final document on the new European security conditions which might lead to a white paper on European security should pay closer attention to placing future transatlantic relations in a global context than has been done hitherto. Also, a concrete transatlantic programme of work should be prepared in which all areas are identified in which Europe, in the framework of Western European Union, would be prepared to assume particular responsibilities. For this purpose, it will be necessary to include a chapter in the final documents detailing the cost of security and addressing the budgetary consequences of new security risks.

VI. Conclusions

97. On reviewing the results achieved to date in implementing WEU's objectives in relation to the development of its relations with the Atlantic Alliance, it has to be admitted that none of the major aims has as yet been achieved. In a number of areas there is even serious doubt as to whether they will be.

98. Agreement over the concept of combined joint task forces (CJTF) has become a major political issue, the resolution of which will, according to some observers, provide a kind of “life-line” for WEU's future. All WEU's efforts to become operational, particularly in order to be able to carry out “Petersberg” missions, appear to be blocked by the failure to resolve the CJTF problem. There are no criteria for a division of labour between WEU and NATO in the area of crisis-management. As the conflict in former Yugoslavia demonstrates, WEU continues to be marginalised from an area on which it has concentrated its greatest effort since Petersberg, namely peace-keeping and crisis-management. It seems that

NATO has now also taken the lead in defining methods for monitoring possible peace settlements in former Yugoslavia. Consequently, the usefulness of WEU is increasingly being called into question.

99. Furthermore, the obvious difficulties of introducing joint positions, agreed in WEU, into the process of consultation in the alliance raises a question-mark both over the political willingness and the ability of its member countries to draw the practical consequences of the aim of achieving a European security and defence identity and American readiness to accept such a European identity in the Atlantic Alliance. In this situation it is virtually impossible to discern – agreement on minor technical questions apart – any political substance or direction in WEU's present relations with the Atlantic Alliance. Consequently the question must be raised as to the purpose served by closer working links between the two organisations. WEU has to date been unable to contribute to strengthening the alliance while the alliance, on the other hand, has so far shown no positive signs of adapting its organisation and resources or of developing its political and military structures and procedures to facilitate co-operation with WEU following the decisions taken at the NATO summit meeting in January 1994.

100. In view of the preparation of the 1996 intergovernmental conference, the possible consequences for transatlantic co-operation and should there be any substantial modifications in WEU's rôle as defence component of the European Union will have to be examined in far greater depth when the WEU Council makes its own review of the present provisions of the Maastricht Treaty in 1996. Such a contribution should, furthermore, include a comprehensive European concept regarding what is fundamental in a new transatlantic partnership on a global scale. As a matter of urgency, WEU will have to make without delay an assessment of the consequences of the study on NATO enlargement for its own future policy vis-à-vis Central and Eastern countries as well as the Russian Federation.

101. Euro-American relations are at present in a period of transition with the risk that the feeling of common values and interests is diminishing on both sides of the Atlantic. Europe has therefore particular responsibility for proving that it is still the most reliable partner of the United States as has been proved in the past. In security and defence matters Europe can demonstrate its reliability only through a strong WEU.

APPENDIX

RECOMMENDATION 579

*on new trends in North American countries' foreign policy
and their implications for transatlantic co-operation in security and defence
matters, with particular reference to the United States*

The Assembly,

- (i) Recalling that the collapse of the Soviet Union and the dissolution of the Warsaw Pact left the United States the primary superpower in the world;
- (ii) Considering that the Democratic President of the United States, President Clinton, has proclaimed his first priority in his political objectives, to be the settling of America's urgent internal problems in the field of necessary reforms in the social health, educational and budgetary system as well as in the fight against criminality and terrorism;
- (iii) Recalling also that the new United States priorities in foreign and security policy are concentrated on the creation of a new kind of Asian Pacific community, containing nuclear proliferation in countries such as North Korea, China and Russia and reducing the American anti-missile defence programme following a strict interpretation of the ABM Treaty;
- (iv) Observing however that the freedom of action of the United States President has been considerably curtailed by the sweeping victory of the Republican Party in the congressional elections on 8th November 1994 which appeared to weaken the policy of a bipartisan approach;
- (v) Noting that the new Congress, which is still working out its policy direction, has started trying to impose restrictions on the American executive regarding, in particular, its foreign, security and defence policy, by drafting new legislation such as the "Peace Power Act" and the "National Security Revitalisation Act";
- (vi) Noting with satisfaction that United States foreign policy has been successful in finalising the North American Free Trade Agreement (NAFTA) with the support of the Canadian Parliament, revitalising Asia-Pacific Economic Co-operation (APEC) and co-operating in the ASEAN Regional Security Forum, thus contributing to enhancing economic stability and security in the regions concerned;
- (vii) Noting uneasily, however, that the various signals emanating from the United States Government and Congress and the steps they are taking regarding relations with Europe, the future of the Atlantic Alliance and its enlargement to Central and Eastern European countries, relations with Russia and the rôle of the United Nations are not always consistent, nor does the United States consult on these questions sufficiently with its European allies and partners;
- (viii) Worried about the serious differences between the United States and most of its European allies over the ways of settling the conflict in former Yugoslavia;
- (ix) Further angered that the decisions reached at the NATO summit meeting in January 1994 to make collective assets of the alliance available for WEU operations are still not being carried into effect, because of remaining Euro-American differences over the procedure to follow;
- (x) Having a strong impression that the question of whether and how Euro-American relations should be renewed and founded on a new and enlarged contractual basis are being discussed far more by European than by American politicians;
- (xi) Deploring the incredible difficulties in establishing a regular parliamentary dialogue between the Assembly of Western European Union and the Congress of the United States;
- (xii) Reiterating the importance of making full use of Article IV of the modified Brussels Treaty for establishing closer links with the United States Government through WEU's co-operation with NATO,


RECOMMENDS THAT THE COUNCIL

1. Translate into active policy its intention voiced in its Noordwijk declaration "to continue to work together in close association with the North American allies. The security of the alliance and of Europe as a whole is indivisible. The transatlantic partnership rests on a shared foundation of values and interests.

Just as the commitment of the North American democracies is vital to Europe's security, a free, independent and increasingly more united Europe will contribute to the security of North America";

2. Devote a special chapter to the future rôle of the United States in regard to European security and the question of reforming transatlantic relations in the white paper now being prepared on European security;

3. Transform the working group on Transatlantic Publicity Activities into a true political forum with which ministers of WEU member countries can establish an enhanced dialogue with United States politicians in order to strengthen their interest in and knowledge of WEU's work in the European and transatlantic framework and ensure that members of the Assembly can participate in this dialogue or in a new North American/European Parliamentary Assembly based on the WEU and North Atlantic Assemblies.

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