

**ASSEMBLY OF WESTERN EUROPEAN UNION**

**THIRTY-FIFTH ORDINARY SESSION**

**(First Part)**

**Future of European security –  
reply to the annual report of the Council**

**REPORT**

submitted on behalf of the General Affairs Committee  
by Mr. van der Sanden, Rapporteur



*Future of European security –  
reply to the annual report of the Council*

**REPORT <sup>1</sup>**

*submitted on behalf of the General Affairs Committee <sup>2</sup>  
by Mr. van der Sanden, Rapporteur*

**TABLE OF CONTENTS**

**DRAFT RECOMMENDATION**

on the future of European security – reply to the annual report of the Council

**EXPLANATORY MEMORANDUM**

submitted by Mr. van der Sanden, Rapporteur

**PART ONE**

- I. Introduction
- II. The problems
- III. The enlargement of WEU
- IV. Creation of a European institute for advanced security studies
- V. Second part of the thirty-fourth annual report of the Council
  - (a) Enlargement of WEU
  - (b) Activities of the Council and its working groups
  - (c) Activities of the ministerial organs
  - (d) Public relations
  - (e) Situation in the Gulf
  - (f) Relations with the Assembly
- VI. Conclusions

**PART TWO**

Revision of the modified Brussels Treaty

- Articles I to III
- Article IV
- Article V
- Articles VI and VII
- Article VIII
- Article IX

---

1. Adopted in committee by 13 votes to 0 with 1 abstention.

2. . *Members of the committee:* Mr. Ahrens (Chairman); MM. Burger, Martino (Vice-Chairmen); MM. Aarts, Beix (Alternate: Bassinet), Caro (Alternate: Pontillon), Coleman, Collart, Sir Geoffrey Finsberg, MM. Forni, Foschi, Hill (Alternate: Speed), Hirschler (Alternate: Zywiets), Koehl, Lord Mackie of Benshie, MM. Mechttersheimer (Alternate: Soell), Müller, Natali, Pécriaux, Pieralli, Reddemann (Alternate: Kittelmann), Ruet, van der Sanden, Sarti (Alternate: Scovacricchi), Sir William Shelton, Mrs. Staels-Dompas, Mr. Stoffelen.

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

Article X

Article XI

Article XII

Protocols Nos. II, III and IV

APPENDICES

- I. Preamble and Articles I, II, III, V and IX of the modified Brussels Treaty
- II. Resolution on the security of Western Europe adopted by the European Parliament on 14th March 1989

***Draft Recommendation***  
*on the future of European security –*  
*reply to the annual report of the Council*

The Assembly,

- (i) Noting the motion for a resolution in Document 1168;
- (ii) Having taken cognisance of the second part of the thirty-fourth annual report of the Council;
- (iii) Noting that member governments decided on the occasion of the accession of Portugal and Spain to WEU to prepare a revision of the modified Brussels Treaty and noting the statement by the Chairman-in-Office of the Council on 16th March 1989 that “ the Assembly will be regularly consulted on this matter as the work progresses ”;
- (iv) Noting that the Council has said it is “ willing to meet those needs of the Assembly which are the direct result of enlargement ”;
- (v) Noting that the Council of Ministers has “ instructed the Permanent Council to review the question of an institute for strategic studies and the related question of the WEU agency ”;
- (vi) Recalling that the Presidential Committee expressed an opinion on these points in Recommendation 467, urging that the Council establish “ a European institute for advanced security studies... in order to promote a European spirit in matters of defence ” and “ that the mandate of the WEU security agencies be brought to an end ”;
- (vii) Considering that the colloquy on the future of European security held in Florence from 21st to 23rd March 1989 allowed a useful review to be made of the new facts of this question which will guide the work of WEU in the coming years,

I

RECOMMENDS THAT THE COUNCIL

1. Give an organogram of the intergovernmental organs of WEU;
2. In its annual report, give the Assembly detailed information on every aspect of the application of the modified Brussels Treaty;
3. Continue to keep the Assembly regularly informed about all its activities, in particular through regular letters from the Secretary-General;
4. Ensure that it gives more detailed and quicker answers to Assembly recommendations;
5. Make available without delay the premises needed to accommodate the Portuguese and Spanish Delegations in accordance with the Rules of Procedure of the Assembly;
6. To this end, take early action on Recommendation 467;
7. Promote a more active public information policy on the requirements of European security;
8. Define without delay a draft statute for a European institute for advanced security studies and submit it to the Assembly for a joint examination of the implications of its implementation;

II

ALSO RECOMMENDS THAT THE COUNCIL

1. Specify as soon as possible which provisions of the modified Brussels Treaty it intends to revise;
2. Adopt no provision which might weaken the impact of Article V;
3. Retain in full the preamble and Articles I, II and III of the treaty which make WEU an essential factor in the establishment of a European union;
4. Maintain the provision in Article IX for the Assembly to be composed of delegations from the national parliaments of member countries.

## *Explanatory Memorandum*

*(submitted by Mr. van der Sanden, Rapporteur)*

### PART ONE

#### *I. Introduction*

1. The present report has to take account of a large number of events that have occurred in WEU in recent months. After the signing of the act of accession of Portugal and Spain to the modified Brussels Treaty, including the decision to revise the treaty, applications from Turkey and then Greece to join WEU, the arrival at the Office of the Clerk of the second part of the thirty-fourth annual report of the Council, the adoption by the Presidential Committee of a recommendation on the restructuring of the WEU ministerial organs, the colloquy on the future of European security held in Florence from 21st to 23rd March and then the ministerial meeting in London on 3rd April 1989, followed by a joint meeting with two Assembly committees on 4th April, constitute new factors which compelled your Rapporteur to make major changes to the text he submitted on 23rd February for a first reading by the General Affairs Committee. He has also had to take account of remarks made by several committee members at that meeting.

2. Two mandates were also assigned to the General Affairs Committee. One was to deal with the problem of "the integration of Europe with a view to European union: WEU's rôle" – the question raised by Mr. Pannella and others in the motion for a resolution published as Document 1168 and referred to the General Affairs Committee by Presidential Committee decision of 19th January 1989. The other was to explain the Assembly's views on proposals to create a European institute for advanced security studies in accordance with the wish expressed by Sir Geoffrey Howe, Chairman-in-Office of the Council, at the joint meeting on 4th April 1989. On this last point, your Rapporteur has to note that compliance with this request would have been easier if the texts of proposals made to the Council had been transmitted to the Assembly. He has to base his thinking on vague, indirect echoes about a question which the Permanent Council is required to study on the basis of written and probably detailed documents.

3. The colloquy on the future of European security organised by the General Affairs Committee allowed a wide-ranging discussion to be held on the basis of five topics, remarkably well introduced by five particularly competent rapporteurs. The synthesis was presented with talent and authority by Mr. Alfred Cahen, Secretary-General of WEU. Since the proceedings of

the colloquy are to be published separately, your Rapporteur has no need to present them. In the present report, he will merely draw certain conclusions more specifically related to the course that should now be set for WEU.

#### *II. The problems*

4. Since 1984, the question of reactivating WEU has been put openly but answered only in part, allowing various contradictory interpretations or even proposals, to the point that the reality of reactivation, proclaimed by official Council representatives, is being questioned with increasing frequency by the media and even by ministers of member countries and the President of the French Republic in an address to the Institut des hautes études de défense nationale in Paris in October 1988. The prospect of revising the texts resulting from the 1954 Paris Agreements makes it necessary to identify first the reasons calling for and still compelling reactivation and then the obstacles which have so far limited its impact before examining what it is now possible and desirable to achieve.

5. Some of the reasons why the governments wished to reactivate WEU are permanent, although they are not all accorded equal importance, others are more occasional. The following are worthy of note:

6. (i) The idea already put forward by Mr. Jobert, then Minister for Foreign Affairs of France, when addressing the Assembly in 1973, that the Western European countries need a forum in which to examine together their security problems. However, the development of European political consultations since then could, by and large, meet that requirement. Moreover, the NATO authorities, the United States Government and the governments of several European countries, whether members of WEU or not, have long expressed serious reservations about anything that might seem to indicate a division within NATO or cause such a division. At the same time, the fact that France's withdrawal from the integrated military structures brought about such a division gave WEU a special rôle as a link between France and NATO. It was thus in these various contexts that in 1984 the governments agreed to develop intergovernmental consultations in the framework of the modified Brussels Treaty.

7. The question is whether such consultations between the WEU member countries are still desirable. Can they be held in the framework

of the Community in spite of the fact that several of its members seem hardly prepared to share the views of the Nine on security matters? This view was strongly upheld by General Copel of France in his information letter *Défense active* of 15th January 1989, in which he wrote: "All WEU's responsibilities must be quite simply transferred to the European Communities", which he considers quite feasible "with a little determination and a lot of good will". This view also underlies the motion for a resolution in Document 1168 tabled in the Assembly on 5th December 1988, calling for a new plan for European union to be drawn up in 1989 by the European Parliament to be elected next June in accordance with the broad lines of the draft treaty already approved by the European Parliament on 14th February 1984. This motion:

"Wishes this new draft treaty, covering several areas of political integration, including security and defence, to be ratified by member states at an early date;

Affirms formally that the completion of this process, vital for a closer union of European nations, must mean the European union (United States of Europe) progressively assuming the prerogatives and duties now exercised by WEU."

However, the treaties establishing the European Community give it no responsibility for defence matters and there is every reason to think that some WEU member governments are not at all anxious to extend Community prerogatives in that direction. It is even more probable that those member countries of the Community that have not applied for membership of WEU, in particular Ireland, are not prepared to agree to the Community being extended to include defence. Austria's application for membership of the Community, which will probably be submitted in the next few months, will force it to make a choice with enduring consequences, since Austria's neutral status is guaranteed by an international treaty which forbids it to take part in a military alliance.

8. A fact that must be noted is that, in security matters, there are very great differences of views both among governments and among the peoples of Western Europe, and institutional procedures would not suffice to overcome these differences. For instance, the Spanish people in no way share the views of representatives of French public opinion on the rôle of nuclear weapons in European security. Conversely, Spain and France hold similar views on the importance Europe should attach to the integrated military commands, whereas these views differ widely from those of most of their partners. The German people, for their part, divided between two states that would inevitably be in conflict in the event of world war, have

concepts of security and peace that are not exactly the same as those of peoples further away from a possible combat area. Finally, the Western European countries do not all have the same means of intervening outside the European continent. Some want to avoid intervention at all costs, while others consider they have vital interests to defend abroad. Thus, although five of them deployed naval forces in the Gulf in 1987 and 1988, this was merely on a basis of "co-ordination", very limited in the case of Italy and France. Integration of these armed forces would have made the operation subject to decision-taking procedures that would in any event have been too slow to allow them any chance of success and would very probably have made them ineffectual. There can be no joint defence outside Europe without a joint external policy and even the single European act lays no true foundation for such a policy.

9. The single act establishes a hierarchy of bodies designed for political co-operation: European Council, meetings of ministers for foreign affairs, Political Committee, European Correspondents' Group and groups of experts on each topic. Any decisions taken at meetings have to be taken unanimously: the governments have never agreed to majority voting procedures, thus firmly limiting Europe's decision-taking ability in this area.

10. The only innovation the single act introduced into political co-operation is the creation of a permanent secretariat to assist the presidency with the preparation and implementation of consultations, but it has no powers of initiation or implementation. It is the presidency that is entrusted with very limited powers of initiative and it represents the Twelve as a whole when a joint decision has to be implemented.

11. It should also be added at once that Article 30, paragraph 6, of the single act further reduces the scope of European political consultation where defence questions are concerned. The member states admittedly indicate in that paragraph that they "consider that closer co-operation on questions of European security would contribute in an essential way to the development of a European identity in external policy matters" but the paragraph specifies that "they are ready to co-ordinate their positions more closely on the political and economic aspects of security". The military aspects are therefore excluded, the single act not including them among the responsibilities, even potential, of the Twelve.

12. On 17th January, the Minister for Foreign Affairs of Spain, Chairman-in-Office of the EEC, summed up the situation most realistically by saying that the time had come for the Twelve to consider going further than mere co-ordination in security matters. He said that the new impetus

being given to the dialogue with the Soviet Union and other member states of the Warsaw Pact meant that "we should be fully aware of the primordial importance of developing the security dimension in the context of the process of building a European union". When the time comes to consider the possibility of revising Title III of the single act, he added, it will be necessary to examine whether the limits imposed in Article 30 on the Twelve's co-ordination of security matters should be exceeded. "Spain's accession to WEU is the consequence of a separation whose existence is recognised in the single act and which my country wishes to be brought to an end. In the meantime, we are bound not to shirk an essential debate." The purpose of the present report is to introduce this essential debate.

13. (ii) The necessity for Europe, if it wishes to keep its armaments industries, to co-operate far more closely than in the past. In 1955, this necessity was plain to the seven WEU countries which set up the Standing Armaments Committee and it has since become more urgent. Conversely, although Article 223 of the Rome Treaty does not preclude all Community activity in security matters, in paragraph 1 it is provided that:

- "(a) no member state shall be obliged to supply information the disclosure of which it considers contrary to the essential interests of its security;
- (b) any member state may take such measures as it considers necessary for the protection of the essential interests of its security which are connected with the production of or trade in arms, munitions and war material; such measures shall not, however, adversely affect the conditions of competition in the common market regarding products which are not intended for specifically military purposes."

14. Furthermore, in Article 30, paragraph 6, of the single European act, the signatory states declare their determination "to maintain the technological and industrial conditions necessary for their security. They shall work to that end both at national level and, where appropriate, within the framework of the competent institutions and bodies", which is quite clearly non-committal. Moreover, the same paragraph ends with a remark that "nothing in this title shall impede closer co-operation in the field of security between certain of the high contracting parties within the framework of the Western European Union or the Atlantic Alliance".

15. Conversely, intergovernmental institutions other than WEU have tried to develop international co-operation in armaments matters, either in the framework of NATO or

among its European member countries. Furthermore, the creation of a single European market as from January 1993 will compel the Community to consider the problem of the armaments industries from a new angle as they become increasingly dovetailed in industrial activity with the use of a wide variety of technology in the production of armaments. The Commission of the Community is also considering introducing customs duties for imports of defence equipment by member countries, thus increasing Community resources. This is meeting with strong opposition from the United States, the main supplier of arms to member countries, as it would thus be excluded from these markets in favour of its European competitors. This is an area in which European and Atlantic interests diverge sharply.

16. At the time of the Rome declaration, the WEU member countries gave priority to the choice of the IEPG for organising European co-operation in this area, reserving for WEU a rôle of "political impetus" which the WEU Council has never explained. The Standing Armaments Committee no longer meets, except at the level of a few sub-groups, while the IEPG decided at its meeting in Seville in 1988 to set up certain structures.

17. In order to see more clearly in this area, several levels have to be circumscribed:

- (a) from an industrial standpoint, consideration should be given to the restructuring which might be carried out in the framework of the Community on the one hand and the way technological arms development programmes are accepted on the other in order to see what the next step should be. Nothing seems possible before 1992;
- (b) for military orders, there is every interest in holding exchanges of views in the widest, most flexible framework possible, and the IEPG is probably the best one;
- (c) finally, faced with a still very vague future, the WEU Council should not give up its right of initiative in fostering, encouraging and facilitating co-operation, even if it is to be developed in other forums, just as the Assembly must not, in such matters, give up hope of finding a competent partner in the Council. It has always wished the latter to report to it on the work of the IEPG in one way or another. In this connection, at the joint meeting on 4th April 1989 it received, if not an official answer, at least words of encouragement from the Chairmanship-in-Office of the Council.



18. (iii) The proposals that led directly to the reactivation of WEU date back to the time when, following NATO's twofold decision in 1979, the West, noting that the Soviet Union was continuing to deploy medium-range SS-20 missiles, decided in turn to deploy Pershing II and cruise missiles on the territory of several NATO and WEU member countries. In 1983 in particular, with the encouragement of the Soviet Union, this deployment aroused a strong anti-nuclear movement in many western countries and one might have wondered whether western cohesion would survive the crisis.

19. This prompted the governments to consider whether it would be possible to pursue a coherent security policy if they could not manage to convince public opinion of the need for it. The reactivation of WEU, as envisaged in 1984, concerned the Assembly first and foremost, as it is considered to be the ideal instrument for action to promote joint defence among a public which did not seem to be very convinced. The Assembly, for its part, recalled that as a parliamentary body it would not just echo the views of the governments, but being in touch with public opinion it could make the public grasp the true dimensions of the problem through encounters with the Council, debates and dialogue, not by mere public relations methods. As your Rapporteur has already said several times, in the end it was the failure of European political consultations on security matters that gave decisive impetus to the reactivation of WEU.

20. Furthermore, WEU parliamentarians can play such a rôle because the Assembly is composed of members of national parliaments, capable of acting in their own countries to bring out the European dimension of security matters, in particular when they take part in debates and votes on defence budgets. This consideration is the basis for the Assembly's constant call for an improvement in the dialogue with the Council, a European dialogue designed to promote a European view of security problems in national parliaments.

21. (iv) There is no doubt that certain aspects of United States security policy made many Europeans want more exchanges of views on the questions thus raised.

(a) President Reagan's March 1983 announcement of his strategic defence initiative, designed to protect American territory against Soviet missiles through mastery of space, led Europeans to consult each other in WEU, on the one hand on their possible participation in the project and on the other on its probable consequences for Europe's security.

(b) The fact that the Reykjavik summit meeting in October 1986 almost led to a nuclear disarmament agreement, about which the United

States' allies had not been consulted, led the latter to try to organise themselves to give greater weight to opinions on which they could agree.

(c) The discussion that has been under way in the United States for several years about a reorientation of the country's defence policy towards Latin America, the Middle East and the Pacific at the expense of the continuing presence of the American forces now in Europe has encouraged Europeans to make an effort to co-ordinate so as to compensate, as far as possible, for the weakening of the alliance if American forces were to be redeployed outside Europe.

(d) Long reluctant about the public expression of European views on security matters, the United States authorities changed their point of view sharply in 1987-88:

(i) because they saw that WEU, far from being an obstacle to their policy, could on the contrary support them, as in December 1987 when the WEU Assembly, by unanimously approving the INF agreement, helped the United States Government to convince Congress that the agreement would not estrange Europe from the United States. Similarly, WEU's action in the Gulf helped the United States administration to show that America had not taken isolated action in that region;

(ii) because they hoped WEU would be a useful partner in promoting their views, particularly on improved burden-sharing in the alliance in return for more responsibility-sharing.

22. (v) Certain threats to international peace in areas not covered by the North Atlantic Treaty led the WEU member countries to develop their consultations. These went as far as a co-ordinated mine-sweeping operation in the Gulf as from July 1988. What the Chairmanship-in-Office of the Council said on 4th April 1989 gives the impression that the Council is seriously considering giving these consultations the permanent nature they always lacked.

23. (vi) The development of détente and the extension of negotiations on conventional, nuclear and chemical disarmament are forcing Europeans to view their security from a new standpoint. As long as there is a major threat to Europe, and in particular its centre, the Atlantic Alliance, designed to meet this threat, will remain the keystone of European security.

24. If these really are the reasons that led to the reactivation of WEU, it is possible to draw a few conclusions on how a forthcoming revision of the modified Brussels Treaty should be envisaged.

(a) A revision must in no event call in question the system of security and deterrence offered by the Atlantic Alliance: the platform adopted in The Hague showed that the seven governments – or even nine, since Portugal and Spain have subscribed to that document – were convinced of this necessity.

(b) It must maintain or even develop a close association between WEU and the European Community, bearing in mind the possibility of a merger of the European organisations.

(c) It must allow détente to be continued and generalised, ensuring that twelve-power Europe does not stand in the way of the development of relations of all kinds between the two halves of Europe. In this connection, a merger of the two institutions would probably make the Soviet Union exert very strong pressure against any enlargement of the Community and slow the growth of trade between the Eastern European and Community countries.

25. The revision of the treaty should be examined in the light of these requirements.

### *III. The enlargement of WEU*

26. Following the accession of Portugal and Spain, the question of the further enlargement of WEU has again arisen officially with the candidatures of Greece and Turkey. It may also arise in regard to Denmark and Norway, which have not applied for membership but which might possibly be invited in accordance with Article XI. Your Rapporteur has no intention of assessing the respective merits of each of these countries from the point of view of its accession to WEU but wishes to recall the fundamental questions thus raised which are not settled by the treaty.

27. Depending on whether one opts for the "European" or the "Atlantic" concept of WEU, very different conclusions may be reached on how enlargement should be envisaged. While the accession of Portugal and Spain, members of both the Community and the Atlantic Alliance, raised no questions of principle, this is not so in the other cases. Of the Community countries, three do not belong to WEU: Ireland, Denmark and Greece. Ireland does not belong to the Atlantic Alliance and is showing no intention of joining it any more than WEU. There is obviously no question of inviting it to do so and any steps by WEU to encourage its candidature could only be interpreted as an attempt to draw WEU away from the alliance. Ireland's special position is one reason why it is difficult to integrate defence questions into the European Community. But it is a fact which has to be taken into account. Denmark, for its part, while a member

of the alliance, shows no intention of developing military co-operation with members of the alliance and, as long as it has not notified its wish to do so, any approach to it would seem premature.

28. The case of Greece is obviously different since it has applied to join WEU. It should be noted, however, that its candidature raises difficulties:

(a) relations between Greece and its partners in the Atlantic Alliance have in recent years run into obstacles because Greece does not seem to be giving priority to the goals of the alliance in its force deployments, its relations with its allies, in particular the United States, or the conduct of its diplomacy;

(b) continued tension between Greece and Turkey, members of the alliance, suggests that, if one of these countries has subscribed to Article V of the modified Brussels Treaty, it might call on its WEU partners to attain aims not shared by the other members of the organisation or, in any event, its national ambitions might thereby be enhanced;

(c) the relations which Greece seems to wish to maintain with certain countries of the Middle East, including some which, in recent years, have obviously been weak in regard to terrorism, already have a paralysing effect on European political consultations. It does not seem desirable to introduce this factor of impotence into WEU;

(d) in any event, the means available to WEU members for possible action in the Eastern Mediterranean are not sufficient for them to be able to subscribe to Article V for the benefit of countries in that region.

29. An "Atlantic" concept, moreover, means examining, apart from the cases of Denmark and Greece, those of Norway, Turkey and, possibly, Iceland. So far, the latter has shown little interest in WEU which, for its part, does not have the wherewithal to make a significant contribution to its security.

30. The case of Turkey, which has applied for membership of WEU, is in a way similar to that of Greece, with the sole difference that Turkey is not a member of the European Community but provides NATO with the largest army and makes an essential contribution to western security. Conversely, the Turkish Government has sometimes reacted to threats to its security by means

that do not concord with the principles set out in Article III of the modified Brussels Treaty.

31. Finally, Norway, which has not yet applied for membership, clearly does not wish to be left out of the building of Europe, just as it plays an active part in the western defence system. Consideration might therefore be given to inviting it to join WEU if it confirmed its intention to apply Articles I and II of the treaty. However, the distance separating the most threatened areas of Norwegian territory from the other WEU member countries makes it doubtful whether the latter would be able to subscribe to the commitments provided for in Article V. It is mainly the United States and Canada which ensure Norway's security and it could hardly be otherwise.

32. For these reasons, your Rapporteur feels it is impossible to enlarge WEU further in the near future, on the one hand because this would mean the nine present members agreeing on the nature and vocation of WEU, apparently not now the case, and on the other because it would weaken the European pillar of the alliance that WEU wishes to constitute. The Council answered the Greek and Turkish applications in this sense at the close of its meeting on 3rd April 1989.

33. In spite of this, the question is whether it would be possible for these countries to take part in some of WEU's activities, even if they do not accede to the modified Brussels Treaty. There has already been indirect participation insofar as the Council informs the European member countries of the Atlantic Alliance of its work. Furthermore, the 1955 decision setting up the Standing Armaments Committee specified that the agreements concluded under the aegis of that body would be open to the other members of the Atlantic Alliance, thus creating a precedent for the Council's "subsidiary bodies" referred to in Article VIII of the treaty. Hence there is no obstacle of principle to any of these countries taking part in some of WEU's activities. It remains to determine which. This obviously depends on the future of these subsidiary bodies.

34. The first thing that comes to mind is that the Mediterranean countries members of the Atlantic Alliance might take part in the Council's Working Group on the Mediterranean. But that would raise the problem, not yet solved, of whether such a body is intended to prepare or even possibly ensure the existence of a European security policy in that region, in which case the participation of Greece and Turkey might block such a policy, or whether it is intended first to strengthen NATO's action in the region, in which case the participation of those two countries, if it led to no effective results, would have few disadvantages.

#### *IV. Creation of a European institute for advanced security studies*

35. Meeting in London on 16th March 1989, the Presidential Committee adopted, in application of Rule 14, paragraph 2, of the Rules of Procedure of the Assembly, Recommendation 467 calling for the abolition of the WEU security agencies and the creation of a "European institute for advanced security studies" to promote a European spirit in matters of defence. This recommendation was communicated immediately to the Council which, at its ministerial meeting on 3rd April, decided to instruct the Permanent Council "to review the question of an institute for strategic studies and the related question of the WEU agency with a view to a further discussion at its next meeting", which is the first part of a reply to Recommendation 467. At the joint meeting on 4th April, Sir Geoffrey Howe asked the Assembly to submit its suggestions on the matter without delay and, the same day, the Presidential Committee expressed the wish that the General Affairs Committee submit a draft recommendation on the subject to the Assembly at its next session. In view of its urgency, preparation of this text had to be assigned to a rapporteur who had already been appointed and it was logical for it to be associated with the report on the future of European security.

36. Consideration must be given on the one hand to the nature of the Assembly's proposal and, on the other, to how it can help to solve the problems raised.

37. The proposal to abolish the agencies stems from the fact that the decision taken in 1985 to set up three new agencies does not correspond to WEU's requirements as it is now operating. By instructing them to conduct studies determined by the Council, the governments made them annexes of the Secretariat-General and not fairly independent agencies. They acknowledged this when they made the Secretary-General responsible for directing the agencies, when they accepted the principle of their collocation with the Secretariat-General and when, after abolishing several posts in the agencies, they created others in the Secretariat-General without infringing the principle of global zero growth.

38. Creation of the institute is linked with many proposals, each one quite different from the others, made by governments or the Assembly since 1984. For ease of comparison, they may be placed in three groups:

39. (a) The proposal by Mr. Genscher, then Chairman-in-Office of the Council, to the Assembly on 5th December 1984 to set up a scientific institute for research in security and defence matters. This proposal seems to have given rise to some reservation insofar as an inter-

governmental organisation with political aims, or, a fortiori, a parliamentary institution for open discussion, is hardly in a position to sponsor a research institute in which freedom of work and expression must be the rule. Conversely, the idea of promoting co-ordination of existing research institutes in member countries and collating and publishing information relating to their specific work, without in any way jeopardising their freedom, might help the views of European research workers to be expressed in this area. Furthermore, WEU might receive a few research workers insofar as it has archives open to the public and a library, which does not apparently seem to be the case at present. However, the fact that, on 3rd April 1989, the Council referred to an institute for "strategic" studies indicates that it was taking as a reference the International Institute for Strategic Studies in London, thus approaching Mr. Genscher's proposal.

40. (b) The proposal made by Mr. Rocard, French Prime Minister, at the European session of the French Institut des hautes études de défense nationale on 15th November 1988 to create a "European openness centre" was worded as follows:

"The disarmament agreements form part of a global political process that is tending to replace mistrust and confrontation with dialogue and co-operation. Encouraging openness where secrecy once reigned is therefore more than desirable, it is necessary to calm the international atmosphere. Not everything can be said; much can be done: for instance, information can be exchanged on the organisation of forces, defence budgets, military training manuals and major weapons programmes.

Why should consideration not be given to creating a European openness centre to gather, circulate and explain information? We must avoid becoming bogged down in cumbersome procedure. Several tangible solutions might be envisaged, including attaching the openness centre to existing institutes."

Thus it would be a sort of documentation centre with specialised staff and meaningful data-processing means. It should have sufficient resources to issue publications, regularly or not, and to circulate them to the press and the public.

41. (c) Another proposal made by Mr. Rocard on 15th November 1988, on setting up a European institute for advanced security studies, was worded as follows:

"I wish a European institute for advanced security studies to be set up, attached to WEU by means to be defined. This would allow WEU, which is still hesitating, to

find its way more easily. Let us therefore start by allowing it to develop joint thinking. The task of the institute would be training and teaching in order to promote a spirit of joint defence and make national public opinion aware of the notion of collective European security. It is not a question of standardising policies but first of encouraging the convergence of our analyses. If we do not have common grammar, how can we speak with one voice?"

42. This last proposal is obviously the closest to those made by our Assembly in Recommendations 442 and 463. It was also referred to in Recommendation 467 which uses Mr. Rocard's words and specifies that the aim of the institute would be to promote a European spirit in matters of defence, but presumably, if the Council used different words to describe the institute whose creation it was asking the Permanent Council to re-examine, it was because the Council did not want to be too closely linked with this proposal.

43. The institute meets a need of which the Assembly has long been aware. Peace in Europe is indeed based on deterrence, which necessarily has nuclear and conventional aspects but also a psychological aspect. Deterrence is based both on public determination and cohesion and on public understanding of security requirements. This consensus is what is known as the spirit of defence.

44. The Council and the Assembly aim to promote a spirit of defence. For this purpose, however, they must have an instrument capable of assisting them in their effort to register public opinion and to inform and shape it.

45. The problem is particularly delicate in present circumstances since the West has at one and the same time to be vigilant and take advantage of the more favourable prospects offered by Mr. Gorbachev's initiatives, seek security at a lower level of armaments and maintain a financial effort to ensure the effectiveness of its defence, promote a European consensus and safeguard Atlantic solidarity.

46. The Council cannot just inform the press about its own activities. All who exercise influence in society must be able to perceive security problems since all society's activities are linked with the nature of the security it is afforded, just as that security stems from these activities. The Council therefore has every interest in ensuring that its action is accompanied by that of an institute which is not a mere governmental instrument but whose independence of governments ensures its authority.

47. The Assembly for its part relies on its Committee for Parliamentary and Public Relations to promote its ideas in parliaments and the

press. However, it also wishes to induce industrialists, the teaching profession, civil servants, journalists and military personnel to think about European security matters and to examine together the results of their thinking.

48. For this purpose, it organises colloquies, but its resources are not equal to the magnitude of its work. Its action would be enhanced if backed by that of an institute calling on persons who now assume, or are to assume, high-level responsibilities. This institute would allow them to develop their thinking on Europe's security and the problems of the alliance. It would endeavour to promote awareness of European solidarity in defence matters.

49. Such an instrument, designed to complement the action of both the Council and the Assembly, is defined briefly in Recommendation 467 on the creation of a European institute for advanced security studies. Its status and methods should be specified.

50. Your Rapporteur considers the French Institut des hautes études de défense nationale cannot be copied in toto for a European institute because it is not at present possible to present to a European public a body of defence doctrine comparable to what France can offer and because it is not possible to mobilise European participants for very long periods. Conversely, he endorses the initiative of convening a European session in the framework of the French institute, as described in part VII of the thirty-fourth annual report of the Council. In particular, he welcomes the use of a national institute as a framework for the European session, the convening of participants from various sectors, be they military or civilian officials, interested in security matters, the creation of an association of alumni of European defence studies in Paris on 25th November 1988 and the support of the WEU agency. It is gratifying that Belgium is in turn to host a further European session in 1989.

51. Training, the institute's vocation, is based on thinking that itself implies adequate information. This threefold rôle of informing, thinking and training requires independence which should be ensured by appropriate juridical means.

52. Article VIII, paragraph 2, of the modified Brussels Treaty would provide the juridical basis for creating such a body insofar as the notion of "subsidiary" bodies of the Council is extremely vague. It is obviously going too far to assimilate these to "intergovernmental organs", as is done in the reply to Recommendation 463. A research institute should indeed retain some degree of independence from political bodies if it is to be able to provide objective information and conduct independent thinking. However, it cannot remain totally independent insofar as WEU cannot allow just anything to be done in its name and with its subsidiary bodies.

53. In this connection, a clear distinction must be drawn between the tasks of the institute, aimed at making public opinion aware of security matters through action among persons with influence in wide-ranging spheres, and those that the Council might assign to one or other body to meet its own needs, such as examining methods of applying space technology for the verification of arms control and crisis management. Only the former tasks would be the responsibility of the institute advocated by the Assembly, responsibility for the latter having to remain with a body solely dependent on the Council.

54. To ensure that the institute has the necessary independence, it should be directed by an administrative board on which all parties are represented, composed of the Chairman-in-Office of the Council, the President of the Assembly, the Secretary-General and the Clerk with whom might be associated a small number of persons, for instance one for each member country. The latter might advantageously be represented by the director of a national institute working on the same questions. This administrative board would appoint a director-general of the institute who would select his own limited staff.

55. The institute would organise conferences on general topics with quite a large number of participants and seminars on well-defined topics with a smaller number of participants. It would also have the support of existing national institutes and ensure the continuity of the European sessions organised by the latter.

56. The rôle of a European institute for security studies would include ensuring co-ordination and continuity of national initiatives. Because of the short duration of sessions, it might be desirable to ensure that alumni are kept regularly informed or are invited from time to time to conferences or brief colloquies so that they may update the information they obtained from the sessions they attended.

57. The basic documents for the discussions would be drawn up by experts from the institute. Proceedings of conferences and seminars would be published. The institute would also serve as a liaison body with the association of alumni, whose members would receive its publications.

58. As a subsidiary body of the Council within the meaning of Article VIII, paragraph 3, of the modified Brussels Treaty, the institute would be financed by contributions from member countries included in the overall WEU budget. It might benefit from income from its publications, the assistance of member countries in organising seminars and conferences and also, possibly, external financial contributions. The Presidential Committee recommendation does not imply an institution with a large staff. On the contrary,

substantial savings might be made if the organogram of such an institute is compared with that of the WEU ministerial organs in Paris.

59. It would be appropriate for such an institute to be located in the same premises as the Assembly which might at one and the same time benefit from regular exchanges with officials and participants in the institute and provide it with material assistance in the form of meeting rooms and general services. The library, documentation, translation, security and the management of the premises and staff might be common to the two bodies, priority obviously having to be given to the Assembly for everything relating to the meeting rooms. The Office of the Clerk might manage all the joint services.

60. Your Rapporteur does not claim to propose a solution to all the problems that would be raised by the creation of such an institute, but he feels that what he has said above would meet a need recognised by the governments of most member countries, on the condition, as several committee members underlined, that this institute remains small in size, staff and budget.

#### *V. Second part of the thirty-fourth annual report of the Council*

61. In December 1988, the Assembly welcomed the fact that it was being kept better informed than in the past about the Council's activities, in particular through the detailed letters addressed to it by the Secretary-General at roughly two-monthly intervals, which constitutes an acceptable pace. It also appreciated discussions with the Secretary-General, the Chairmanship-in-Office and certain ministers during sessions or at meetings before and after ministerial meetings. Finally, it was pleased with the speed at which replies to recommendations and the annual report of the Council were communicated. On all these points, it can but confirm its approval. However, it has noted that speed was often accompanied by less concern to give substantial, detailed or even accurate replies to its recommendations.

62. As for the thirty-fourth annual report, it notes, as it did in the case of the thirty-third, that, while it gives useful information about the Council's activities, it is not truly in keeping with the statutory aspects it should embody. For instance, unlike earlier reports, it does not give detailed information on the number of meetings at various levels or the activities of the Agency for the Control of Armaments or the Standing Armaments Committee, which is not even mentioned. Your Rapporteur had already complained about the references to those organs

being relegated to annexes to the thirty-third annual report. He wishes to complain even more strongly that they no longer appear in the thirty-fourth. It is not that he attaches very much importance to the activities of either of them but he believes that, if the modified Brussels Treaty is to be an instrument of effective deterrence, it is essential for the governments to respect absolutely all the provisions to which they have subscribed. Article IX of the treaty stipulates that the Council shall make an annual report to the Assembly "in particular" on the control of armaments, exercised by the Agency for the Control of Armaments. The annual report merely implies in part VI, paragraph 2, that it has accomplished "its residual tasks". The question of the control of chemical weapons is now of such importance that it is worth specifying what the Agency for the Control of Armaments has effectively achieved in that area. It is this practice that gives it the necessary ability to follow the Geneva negotiations in a useful manner.

63. Should it be concluded from this omission that the Agency for the Control of Armaments and the Standing Armaments Committee failed to submit a report to the Council on their activities in 1988? Are we to understand that they did so and that the Council specifically took no account of it? Your Rapporteur wonders, indeed, whether the Council has not adopted a quite deliberate tactic for avoiding the necessary revision of the treaty by glossing over and soon forgetting the application of provisions that it considers outdated. The Assembly has constantly opposed such procedure and it is one of the reasons why your Rapporteur wished to specify which amendments to the treaty he believed desirable. Part II A, paragraph 1, of the annual report usefully recalls that the governments believe it should be re-examined. As long as the treaty has not been revised, it is the Assembly's duty to insist that it be applied in full.

#### *(a) Enlargement of WEU*

64. The annual report tells the Assembly little new as it had been duly informed on 14th November of the arrangements made for the accession of Portugal and Spain. However, there is one point which, as far as your Rapporteur knows, has never been made plain to the Assembly. Although it has been told that Portugal has undertaken to fulfil the commitments under Article V and the platform of The Hague by earmarking a brigade for deployment in Northern Italy in case of need to take part in the defence of its allies at their frontiers, the Council has never informed the Assembly of the steps Spain intends to take to assist its allies at their frontiers.

65. Apart from this point, the Assembly can but welcome Portugal and Spain's acceptance of the principles defined in the platform and the twin goals of WEU as usefully recalled in part II A, paragraph 5. It will also welcome whatever measures the Council takes to ensure the immediate, full participation of Portugal and Spain in its work. It likes to think that it will, without delay, be given the wherewithal to accommodate, in turn, and in an adequate manner, the parliamentary delegations from those two countries.

66. Where the applications of Greece and Turkey are concerned, the Assembly will note that the annual report gives a satisfactory account of the approaches made by those two countries and the Council's answers. The guidelines issued to the press at the close of the meeting of the Council of Ministers on 3rd April 1989 give useful details of these answers. Several times the Assembly has expressed views similar to those adopted by the Council and it can but approve the measures taken to associate the two countries with WEU's activities without opening the door to accession before the treaty has been revised and the organisation restructured. It notes that such an association, provided for only in the case of arms co-production agreements concluded under the aegis of the SAC, will be an interesting legal innovation and compel the Council to give its views on matters which it had hitherto carefully avoided.

*(b) Activities of the Council  
and its working groups*

67. In 1987, your Rapporteur, noting difficulties in identifying the various transformations taking place in the Council to which the annual report then referred, tried, in Document 1117 of 4th November 1987, to present a picture of the different bodies. The names given in the thirty-fourth annual report give him the impression that this picture is now out of date and he is once again ignorant of the composition of each of the intergovernmental meetings referred to in this report and how regularly they meet. He learns from part I, paragraph 1, that the Permanent Council is a valuable forum "for discussing topical questions", which is a novelty and requires further comment, from part I, paragraph 5, that it is "under the co-ordination of the Permanent Council" that "the other working groups" meet, which is far from clear, particularly as it is stated in part III, paragraph 1, that the "enlarged Council" continues "to oversee all the activities of the intergovernmental organs of WEU", whereas there is no longer any mention of the "enlarged Council" constantly referred to in 1987, and in part III, paragraph 4, that it is "under the authority of the Council" itself that "the Special Working Group" meets, having (part II, paragraph 3) been given instruc-

tions by "the ministers" and (part III, paragraph 8) worked "in close co-operation" with the "Defence Representatives Group". Conversely, there is no longer any reference to the "Special Working Group at deputies level" or the "SDI Working Group". Do they still exist? Your Rapporteur could give many such examples which make it very difficult to explain "the rôle of WEU to public opinion" (part III, paragraph 9), as the Council claims to do. He asks the Council to append to the first part of the thirty-fifth annual report, for instance, a clear organogram of the WEU intergovernmental bodies, showing their composition and how many times they meet each year. He wonders what paragraph 6 of the reply to Recommendation 463 means when it assimilates the intergovernmental organs and Council meetings to "subsidiary organs" of the Council as provided for in Article VIII and, for some reason, Article IX of the treaty, although they are not subsidiary organs but merely delegations of the Council.

68. On the other hand, the thirty-fourth annual report gives many useful indications, if not about the conclusions, at least about the nature of the work of some of these bodies. This information is admittedly incomplete and the Assembly is kept in the dark about the purpose of the "ten studies (which) have been mandated, which will examine possibilities for specific new European contributions to the common defence" (part I, paragraph 2), just as it is about who is to conduct them. Have they something in common with the eight "themes of particular interest" referred to in part III, paragraph 6? However this may be, the titles of these themes are of real interest to the Assembly as they can help it to co-ordinate its own work with that of the Council.

69. However, while part III, paragraph 7, asserts that the Ministerial Council on 4th November "approved all the recommendations contained in the report (by the Special Working Group) on giving effect to the platform", part III, paragraph 8, states that the same working group has begun "work on the implementation of the report's recommendations", without any time limit having been fixed for completing this task, which is tantamount to saying that very little has been done and swift progress should not be expected towards agreement on implementing the platform. The Assembly will be surprised that the governments, which managed to reach such rapid agreement on the wording of the platform, i.e. on the principles governing WEU's activities, and which made its acceptance the essential condition for the accession of Portugal and Spain to WEU, are proving incapable of agreeing on its implications.

70. The Assembly will at least be gratified that the Council underlines "the importance of explaining the rôle of WEU to public opinion"

(part III, paragraph 9), to which it had hitherto paid little attention, apart from the remarkable activities of the Secretary-General during his four years in WEU. The Assembly was represented by the Chairman and several members of the Committee for Parliamentary and Public Relations at the seminar on "Changes in public perceptions of European defence" held in London on 6th and 7th March. This allowed its representatives to recall that the media would be interested in WEU only if the Council was active and gave the Assembly detailed, full information on its work. The thirty-fourth annual report will certainly convince no one of this. On the other hand, members of the Assembly who attended the joint meeting on 4th April were sorry not to receive information about the ministerial meeting until the day after the Chairman-in-Office spoke to the press on this subject.

71. The Assembly will fully endorse the Council's recognition of "the need for the West to be ready with substantive proposals when the talks opened" on limiting conventional weapons (part III, paragraph 11). There is no doubt that many observers now fear that détente may lead to de facto disarmament through a reduction in the defence budgets of the countries of the Atlantic Alliance. Far from restoring a balance of arms deployed by the two blocs, which the West wishes to obtain at the Vienna negotiations, this would make the negotiations more difficult because the West would have little left to offer where disarmament is concerned. This concern was expressed by United States Congressman Les Aspin, Chairman of the Defence Committee of the House of Representatives, when speaking to a group of French parliamentarians in Paris on 6th April 1989, a fear that is perhaps not unfounded.

72. In the Secretary-General's letter of 23rd March, the Assembly was given detailed information about the membership of the *Defence Representatives Group* and found that it was composed of both ministry officials and – for the first time – a number of deputy chiefs-of-staff. This suggests that the group has turned in a new direction covering the deployment of member countries' armed forces, but the annual report says nothing about this.

73. Finally, the annual report says nothing about the conclusions reached by the *Mediterranean Sub-Group*. Whereas it refers only to the Balkans and the Maghreb, which do not at present constitute major threats to international peace, the Secretary-General's letter of 3rd February says it also discussed the situation in Libya, a country which has proved far more of a threat. His letter of 23rd March does not confirm this, but it points out that Cyprus has been included in the agenda of the sub-group. None of this very vague information gives any idea whatever of which aspects of Mediterranean

problems the Council is studying. Clearly, the accession of Portugal and Spain and the applications from Greece and Turkey, even if the latter, for the immediate future, results only in association with some of the Council's activities, will give the Council's work a more Mediterranean turn. Does the reference to Cyprus mean the Council has been helping to find a solution to the problem raised by the de facto partition of the island? Does the reference to Libya mean the Council has looked at the Chad affair, Libya's rôle in the spread of international terrorism, the problems raised by its recent procurement of long-range bombers capable of reaching Southern Europe and its reported production of chemical weapons? The annual report does not answer these questions.

*(c) Activities of the ministerial organs*

74. As your Rapporteur has noted, part VII of the annual report says nothing about the activities of the SAC and practically nothing about those of the ACA. On the other hand, it gives information about the work of the Agency for Security Questions. According to the annual report, its reports in 1988 provided technical support for the Special Working Group and the Defence Representatives Group on six topics. None of these reports has been communicated to the Assembly. It is not therefore in a position to assess the existence and scale of the activities of the Paris ministerial organs. Nor is it very convinced by the assertion in the reply to Recommendation 463 that the classified nature of information given in the reports explains why the Council was unable to transmit any of them to the Assembly.

75. The thirty-fourth annual report and the Secretary-General's letters confirm that no decision has yet been taken on the restructuring of the WEU ministerial organs in the absence of agreement on where they should be collocated with the Secretariat-General. The purpose of Recommendation 467 is to propose to the Council a solution by abolishing the agency as an independent body. The tasks it is given in fact make it an annex of the Secretariat-General and there seems to be no relevant reason for it to remain separate. Conversely, the creation of an institute, independent of the Council, would allow the French Government's wishes to be met by keeping a WEU organ in Paris and facilitate a solution to the problems facing the Assembly with the arrival of the Portuguese and Spanish Delegations.

*(d) Public relations*

76. The Assembly is gratified that the Council is at last paying attention to the response to WEU's activities among the press and public and



welcomes the steps it has taken in this sense. However, it has to stress that these measures are quite inadequate for everything not related to ministerial meetings and, in particular, meetings of the enlarged Council, the Special Working Group and the Defence Representatives Group are totally unknown to the public. The Assembly is convinced that many of these meetings are not so highly confidential as to be impossible to reveal them to the press, in a communiqué, for instance.

*(e) Situation in the Gulf*

77. The Assembly gave its full backing to the Council's steps to ensure freedom of navigation in the Gulf as long as the war between Iran and Iraq lasted. However, the annual report seems to draw a distinction between "concerted action" by member countries and the Cleansweep demining operation that terminated it. Is it to be deduced that the concerted action went further than a mere mine-sweeping operation? The Assembly has never been told so. This is not without significance if one bears in mind the letter from Mr. Younger quoted in the Secretary-General's letter of 3rd February indicating that the United Kingdom was withdrawing its mine-sweepers from the Gulf but would keep other warships there. Are other countries doing so, too? Have they all withdrawn their mine-sweepers? Finally, by noting that this action "is a useful precedent" for the future, the Council attributes quite new significance to Article VIII of the treaty, since that implies that the WEU Council effectively examines any threats to international peace arising outside the area covered by the North Atlantic Treaty without this examination necessarily resulting in military action. For instance, this should now lead it to examine the situation in Lebanon.

*(f) Relations with the Assembly*

78. Subject to the reservation expressed by your Rapporteur in the introduction to this report and the lack of substance and rigour in the replies to recommendations and in the thirty-fourth annual report, it must be noted that relations between the Council and the Assembly have improved considerably in recent years thanks to the swifter transmission of replies to recommendations, the participation, for the first time, in 1989 of members of the Assembly in a seminar organised by the Council, continued meetings with the Chairmanship-in-Office of the Council before and after each ministerial meeting and, above all, the Secretary-General's letters to the President of the Assembly.

79. The Secretary-General's letters to the President of the Assembly have indeed been a very useful complement to the information given in

the annual report. In certain respects, they have filled the gaps in the report, in particular by giving essential explanations of institutional notions that are quite obscure in the report itself, such as that of "enlarged Council" and "Defence Representatives Group". But if the Council wishes the documents it produces to have any impact on public opinion, it must ensure that they are comprehensible on their own. With a view to the forthcoming departure of Mr. Cahen from the Secretariat-General and his replacement by Mr. van Eekelen, your Rapporteur wishes to underline a few aspects of these letters which have been of valuable assistance in the Assembly's work:

- the analysis of the Secretary-General's political contacts in the United States in November 1988 and the conclusions he drew about the security policy of the new administration (letter of 3rd February);
- the detailed description of the approaches made by Greece and Turkey with a view to joining WEU and the Council's reactions;
- details about the end of the operations in the Gulf. However, in this connection, your Rapporteur wishes to record his disagreement with the expression used by Mr. Younger and quoted in the letter of 23rd March about the "area of the modified Brussels Treaty". He recalls that Article VIII of the treaty asks the Council to hold consultations on any threat to peace "in whatever area this threat should arise";
- the chronological list of disarmament undertakings by countries of the two pacts (letter of 23rd March);
- quotations from remarks made by ministers to the Presidential Committee on 16th March 1989, the only means for the Assembly as a whole to be informed of what is said at such meetings;
- the analysis of the seminar held in London on 6th and 7th March on "Changes in public perceptions of European defence".

80. This is not an exhaustive list. Your Rapporteur wonders whether such letters could not also give information about documents or reports prepared by the WEU agency or by the Council's working groups which the latter refuses to transmit to the Assembly because of the classified nature of some of the information they contain. For instance, it would be useful for the Assembly to be better informed about the conclusions of the Special Working Group on the implications of the platform adopted in The

Hague and on the work of the Mediterranean Sub-Group.

81. In any event, the Assembly thanks the Secretary-General for what he has done to keep it informed of the Council's activities and trusts that his successor will follow the course thus started by extending it further since this is the only way to promote, without too much loss of time, a really useful dialogue on the Council's activities with all members of the Assembly.

### *VI. Conclusions*

82. The colloquy which the General Affairs Committee organised in Florence allowed present WEU activities, its enlargement and the revision of the modified Brussels Treaty to be placed in the wider framework of the prospects of European security now that the western defence system has to be adapted to a new situation. Not all the aspects of this newly-composed European environment are yet known. The new United States administration, which has taken some time to complete its nominations in the defence sector, has still not indicated the course it intends to follow in the country's security policy. The words of Mr. Gorbachev and the Soviet leaders, their disarmament proposals and their unilateral initiatives to reduce the level of their forces have so far had only partial results. Where its own future is concerned, the European Community is faced with choices that it is hesitating to make.

83. Your Rapporteur therefore believes the time has not yet come to take drastic measures for the future of European security. On the contrary, Western Europe must retain every possibility of helping to ward off an external threat that has not disappeared, play a useful part in negotiations to reduce the level of forces deployed in Europe and help to establish a new international order.

84. It is because the modified Brussels Treaty has, for thirty-five years, been one of the foundations of the policy of deterrence pursued by the Atlantic Alliance that its essential provisions must be safeguarded and, above all, its credibility maintained. This is what the Assembly has constantly been asking the Council to do, urging it to apply the treaty in full or revise it. Without denying the Council's sincere desire to meet the Assembly's wishes, of which there is ample proof, the thirty-fourth annual report nevertheless discloses a certain degree of carelessness among the governments, which seem to be respecting their collective undertakings less stringently than in the past. Today, it is mainly against this tendency that we must react, recalling that détente must not be the result of apathy but of a renewal of mutual confidence. Scrupulous respect for the treaties is the first condition for this confidence.

### PART TWO

#### *Revision of the modified Brussels Treaty*

85. The accession of Portugal and Spain to WEU makes it essential to revise the modified Brussels Treaty. In point of fact, a revision had already become necessary since most controls of armaments were abolished in 1985 and the WEU Council's activities took on new dimensions as from October 1984. In a way, the platform adopted in The Hague was not quite a revision of the treaty but a reorientation of WEU to take account of the fact that the situation in 1987 was no longer at all the same as in 1948 or 1954 and it had become essential to define European security requirements in new terms. Portugal and Spain seem to have acceded to WEU far more on the basis of the platform, to which they have both subscribed, than of the treaty. This produced a not very satisfactory situation since the two new members of WEU had at one and the same time to subscribe to a treaty which, on the one hand, was not wholly and directly applicable to them and, on the other, was due to be revised in the very near future.

86. The platform adopted in The Hague raises and solves a number of questions that are important for the activity of reactivated, enlarged WEU. But there are many others that it does not cover and which still come under the modified Brussels Treaty, although that treaty has not been applied satisfactorily for a long time. This situation is unacceptable because the modified Brussels Treaty is an essential part of the policy of deterrence and defence defined in the platform. The fact that it is not, or not fully, applied detracts from its credibility as an international act and consequently weakens significantly its deterrent value. It is therefore essential for the revision to take account of present realities in order to restore the unanimity of its signatories on the principles of a collective security policy.

87. There is accordingly no doubt that the nature and extent of the treaty revision are dividing member countries, some of them considering WEU to be more of a first form of security system for a future European union or, in other words, a sort of new European Defence Community, destined to be rapidly merged with the other European Community institutions, whereas others prefer to consider it mainly as a group of European members of the Atlantic Alliance that is intended to strengthen NATO. Finally, some committee members expressed the opinion that the Council of Europe and the Community in parallel should form the embryo of a politically and democratically integrated Europe.

88. (a) In the first hypothesis, Europe will have to become integrated if it is to survive in a world that is moving rapidly towards increas-

ingly strong competition between ever larger economic and political entities. This is necessary in particular if Europe wishes to remain in every aspect of the technological race. "Europe" is not only Europe of the Twelve, but the Community is the only embryo of a democratic and integrated federal Europe. Economic integration is but one stage in the historical process that requires true political integration. In the twenty-first century, can there possibly be a single market without a single currency, without a single financial and fiscal system, and hence a central bank, or a single economic – and social – policy? Inherently, economic integration leads inevitably to political integration and, consequently, brings out the need for a common foreign policy and, in the long run, a common security policy. This is where revitalised, enlarged WEU comes in. Since the military aspects of security policy cannot be handled in the Community – which in fact prevents any security question being tackled adequately – there is at present no choice but to do this elsewhere and between those members of the Community which are truly prepared to accord them serious attention. The only forum in which these countries come together is WEU, whose founding treaty has the same aim of integration as the European Community. A process of convergence between WEU and the Community should therefore emerge which might possibly lead to identical membership of the two organisations and the incorporation of WEU's progress in the Community, in a manner that obviously cannot be specified today. This would in no way be in contradiction with the existence of the Atlantic Alliance in which only the internal balance of forces would change because of the existence of a unified European partner.

89. From a Community point of view, integration would naturally imply the creation of an integrated European force. The major difficulty in the distant future would then be to solve the question of deciding on the possible use of nuclear weapons as long as there is no single, centralised European political power.

90. This concept calls for detailed, ambitious planning of WEU's work. It would be a question of gradually establishing a process of political and military integration of member states, in parallel with the process of political integration in the Community. Initially, changes would be slight and just a stage in a progressive process and not the ultimate aim to be attained. Community membership would be essential for any country applying to join WEU, together with accession to Article V of the modified Brussels Treaty, the Rome declaration and the platform adopted in The Hague. Moreover, this would mean paying very close attention to the conditions required of any country applying to join the European Community since the possibility

would have to be preserved for a true convergence between WEU and the European Community. From this point of view, the Community's response to any application from Austria would be significant.

91. (b) Conversely, under the second concept, Western Europe's security being ensured by the Atlantic Alliance, WEU's only rôle would be as an instrument for strengthening the alliance. In this concept, WEU would in the long run be merely a European sub-group of the alliance, a "Eurogroup" distinguished from the model by the fact that it grouped not only the defence ministers of member countries but also the ministers for foreign affairs, that France belonged to it and that the members of WEU would be a little more "militant" and homogenous. WEU's principal aim would then merely be to strengthen the alliance. The fact that it also served European integration would be secondary. Moreover, elementary principles of economy and efficiency advocate avoiding duplication of work that may or must be effected in the alliance. WEU would therefore have to limit itself to being a mere gathering of the most "ardent" European allies who are the most aware of the need for Europeans to assume a greater share of risks, burdens and rôles. There is no danger of this concept of WEU worrying Washington or Moscow. For the Soviet Union, a true common European house would probably be free of military alliances with the United States. But if this is not possible, it will be preferable to maintain two structured alliances so that the bilateral dialogue between the United States and the Soviet Union can be decisive. Nor would this second approach be unacceptable to Washington, which is and considers itself to be the alliance's natural leader and expects its loyal European allies not to complicate security matters: its own and European security are far too serious.

92. In general, this concept implies that, at political level, WEU member countries must try to harmonise their views on security matters, with due regard for the alliance and avoiding making WEU a nucleus that might be embarrassing for the other allies and compromise the principle of the indivisibility of western security. At military level, the principle of non-duplication would be essential. What could not be done in the alliance, but which might be useful for the allied defensive system, would be done in WEU and, to a certain extent, WEU would be used to allow a rapprochement between members not integrated militarily in the alliance and those which are. All this would probably also be useful for European integration since it would foster the political and military harmonisation of the WEU member countries. In this event, in order to apply for membership of WEU it would be essential to be a European country and member of the Atlantic Alliance. Any allied European country prepared to subscribe to

Article V of the modified Brussels Treaty, the platform adopted in The Hague and the Rome declaration would be a legitimate candidate.

93. Your Rapporteur believes – but some committee members found this view unduly pessimistic – that presenting the Council with such a choice, which it has in fact had to face up to since France rejected the EDC in 1954, is tantamount to condemning WEU to the uncertainty, delay and obstruction that it has constantly had to grapple with over the past thirty-five years. It should be possible to reconcile most aspects of these two points of view around a few guiding ideas. This is moreover what the Council suggests in part II, paragraph A 5, of its thirty-fourth annual report, which refers to the “dual objective” of WEU.

94. (a) The Atlantic Alliance remains the essential guarantee of European security and any steps taken by Europe must seek to strengthen it or, at least, prevent it from becoming weaker.

95. (b) The European union will have to associate a European security policy with the existence of a European Community.

96. (c) It is not yet possible to determine accurately the geographical limits or institutional structures of a future European union. It is not certain that its responsibilities will be identical in security and economic matters and initiatives taken today must not prejudice the solution found to these two questions.

97. (d) The parliamentary aspect of the problems cannot be settled without account being taken of the other aspects. There would be no point in assigning prerogatives to an assembly if it had no means of exercising them effectively.

98. On the basis of these ideas, your Rapporteur has made the following analysis of the changes which should be made to the modified Brussels Treaty. Some committee members recalled that it was for the governments to take a decision on this matter. This is undeniable, the Assembly's rôle being merely to make suggestions. However, if it wishes to play this rôle, it must express its opinion here and now, i.e. before the Council organs have gone too far in preparing a text. Since other bodies, less authorised than the Assembly to give their views on the matter, including the European Parliament, have not hesitated to do so, the least that could be said is that it would be curious if the Assembly did nothing.

99. It should be noted that, according to the Secretary-General's letter to the President of the Assembly dated 23rd March, the Chairman-in-Office of the Council, Sir Geoffrey Howe, told the Presidential Committee on 16th March 1989 that the revision of the treaty now being prepared by the Council “does not aim to change

the substance of the treaty but simply to remove certain provisions which are now obsolete”, which apparently limits the revision to Article VIII and Protocols Nos. II, III and IV. Sir Geoffrey Howe also announced that “the Assembly will be regularly consulted on this matter as the work progresses”. This statement must be duly noted. Your Rapporteur considers these words to be an encouragement to set out here and now his views on the changes that might be made, which does not mean that he would not be satisfied with a far more limited revision. In the first stage, at least, the aim is to identify what it is essential to revise and those parts of the treaty which must not be touched. Subsequently, it would still be possible, as certain committee members asked, to make a more detailed analysis of the new elements which might, in one form or another, usefully be added to the undertakings already entered into by member countries.

#### *Articles I to III*

100. These articles date back to the 1948 treaty. Articles II and III have remained as they were. The amendments to Article I under Article II of Protocol No. I of the 1954 Paris Agreements in no way jeopardise the fundamental intention of the contracting parties. This was to link the defensive alliance, the very subject of the treaty, closely with a European plan extending much further than the security field and attaining a global dimension, since it includes:

- (a) Organisation and co-ordination of member states' economic activities. This co-operation “will be effected through the Council referred to in Article VIII” but “shall not involve any duplication of... the work of other economic organisations” in which member states are represented, but shall “assist the work of those organisations”. It should be stressed that this article has constantly been applied satisfactorily in relations between WEU and the European Community. It guided the Council's activities until the accession of the United Kingdom to the EEC and, since then, it has been applied to the benefit of the Community in areas for which it is responsible.
- (b) An undertaking to “develop on corresponding lines the social and other related services of their countries... both by direct consultation and in specialised agencies”.
- (c) A decision “to lead their peoples towards a better understanding of the principles which form the basis of their

*common civilisation and to promote cultural exchanges*". This decision is not insignificant since it links membership of WEU with respect for certain principles, which obviously include human rights. It helps to associate WEU with the Council of Europe's activities since its creation, as certain committee members underlined.

101. Noting that these elements have never appeared, or no longer appear, among the WEU Council's activities, some believe that these three articles should be deleted when the treaty is revised. Your Rapporteur has quite the opposite opinion, since:

102. (i) The Council does not have to handle these matters directly as long as other organisations deal with them, as is the case of the European Community for the first point, the Council of Europe for the third and both for the second. In the case of cultural and social questions, only the exercise of the WEU Council's responsibilities was transferred to the Council of Europe by a decision of the Ministers for Foreign Affairs in April 1959. In the case of economic responsibilities, no special act was necessary since Article I of the treaty provides for such a transfer to avoid duplication. In actual fact, the matter was settled the day the United Kingdom joined the European Communities since economic matters were withdrawn from the agenda of WEU Council meetings. Thus, retaining these articles involves no risk of duplication or even of rivalry between European institutions.

103. (ii) Conversely, Articles I, II and III have the merit of associating WEU with other organisations responsible for such matters. In particular, it should be noted that the act of accession of Portugal and Spain is based on these articles since, in the fifth paragraph of the preamble to that act, it is stressed that, inter alia, it is because Portugal and Spain "are fully committed to the process of European construction" that they have been admitted to WEU. However, the Council did not explicitly make this commitment a condition of the accession of new countries to WEU.

104. (iii) Furthermore, these articles justify all actual or possible co-operation between WEU organs and the Community and the Council of Europe, for instance between the WEU Assembly and the European Parliament and the Parliamentary Assembly of the Council of Europe.

105. (iv) These articles also explain the decision taken by the Council, but not always satisfactorily applied, to agree to its dialogue with the Assembly covering application of the treaty as a whole, even if its responsibilities are exercised by other organisations.

106. (v) Hence, it is possible to resort to these articles should institutions larger than WEU not manage to solve problems that the Nine could tackle in the framework of WEU, in particular in the event of a crisis in relations between members of those institutions. The question does not seem to arise at present, but why should we deprive ourselves of a means which may one day be useful if there is nothing against it?

107. (vi) Article III of the treaty also provides a legal basis for a possible solution to questions recently raised by the Council. Thus, on 15th November 1988, when Mr. Rocard proposed creating a European institute for advanced security studies "to allow European awareness of security matters to take shape progressively with the possibility of giving birth to a true European strategic culture", he said he believed this institute should be "linked to WEU in accordance with methods to be defined", which would in effect be an application of Article III.

108. Your Rapporteur therefore considers it desirable for Articles I, II and III of the treaty to be retained, with the exception of the section of Article I which refers to "*the necessity of uniting to promote the economic recovery of Europe*". This recovery occurred a long time ago and it might now be possible to speak of "*the necessity of completing the economic union of Europe*". But this is a minor detail.

#### Article IV

109. This article dates back to 1954 and is the basis of co-operation between WEU and NATO. It is essential in many respects, in particular because it links countries which are not subject to NATO integrated command. It has not always produced all the results the Seven hoped for insofar as NATO has often refused to provide information requested by the WEU agencies with effect from the time the latter were asked to prepare studies. Admittedly a seven- or nine-power decision, whatever it may be, cannot commit a larger organisation. But the North Atlantic Council, in its Resolution of 22nd October 1954, said of the Paris Agreements that all the member countries "hereby record their agreement with the provisions of these protocols and documents insofar as they concern action by the North Atlantic Treaty Organisation". This constitutes an obligation to respond to requests for information transmitted by the WEU Council.

110. On the other hand, this article took on greater political importance when France withdrew from the NATO integrated commands. It justifies the articles about the rôle of the Atlantic Alliance in the platform adopted in The Hague and explains the Seven's attitude when negotiations were started with Spain. They

delayed the negotiations until the dispute between Spain and NATO or the United States had been settled. This article is therefore a guarantee against any tangent which might divert WEU away from NATO and your Rapporteur considers it essential to maintain it in full even if, in fact, the very real co-operation between NATO and the WEU Council in applying the protocols has shortcomings in the case of countries outside the integrated military commands.

#### Article V

111. Article V has been the very basis of the Brussels Treaty since 1948 and of European co-operation in security matters. To interfere with this article would be to call in question not only European co-operation in security matters but also the existence of a European Community that would be deprived of all meaning without the full solidarity of its members in face of external threats. Your Rapporteur merely wishes to recall that the French word "agression" is not an accurate translation of the English word "attack" and that the two texts should be aligned. The English word, which excludes all possibility of one of its members contesting the unprovoked nature of an "attack", which would make it an "agression", seems preferable to the French word, which leaves room for such an argument. What your Rapporteur is asking is not, strictly speaking, a modification of the treaty but merely the correction of an error in the alignment of two texts dating back to 1948. Moreover, this interpretation conforms with the text of the platform adopted in The Hague which specifies that the signatories intend to "ensure that our determination to defend any member country at its borders is made clearly manifest by means of appropriate arrangements".

#### Articles VI and VII

112. These articles seem to be corollaries to Article V and call for no change.

#### Article VIII

113. This is obviously the most important article in peacetime since it determines the nature and composition of the Council and guides its work.

114. *Paragraph 1* seems to fit present requirements perfectly, especially as it associates the treaty with European co-operation as a whole.

115. Since the reactivation of WEU, *paragraph 2* has been applied in an interesting manner because it justifies the proliferation of intergovernmental meetings through the Council. Furthermore, the Council's vocation to

set up "subsidiary bodies", whose links, other than budgetary, with the Council, and hence their status, are not fixed in a rigid manner, leaves the door open for the creation of various bodies, for instance:

- (a) in 1954, the Agency for the Control of Armaments, a body independent of the governments and the Council in the implementation of its tasks but run administratively by the Council;
- (b) in 1955, the Standing Armaments Committee, an intergovernmental organisation with a secretariat provided by WEU;
- (c) since 1985, three agencies closely dependent on the Council for the implementation of their tasks and their management;
- (d) any new body such as a European institute for advanced security studies might possibly, on this basis, be set up in WEU, as Mr. Rocard proposed, without it necessarily being placed strictly under the authority of the Council.

116. *Paragraph 3*, which had never been invoked before 1987, was applied for the co-ordinated operation by member countries in the Gulf, thereby receiving new justification that is particularly important as it specifies the worldwide responsibility which the treaty assigns to the WEU Council, whereas the Atlantic Alliance has only regional responsibilities. It therefore seems essential to maintain it.

117. *Paragraph 4* admittedly has the disadvantage of making all Council decisions, apart from those relating to arms control, subject to the unanimity rule. Your Rapporteur would like the governments to agree to procedure that makes it less difficult to take collective decisions, but doubts whether they would be prepared to do so.

118. References to the application of Protocols Nos. II, III and IV in paragraphs 2 and 4 will obviously have to be adapted to the decisions taken in regard to those protocols.

119. Furthermore, Article III (a) 4 of the platform adopted in The Hague contains a fairly satisfactory definition of what the governments are prepared to do to ensure application of the treaty. The question arises of whether it is desirable to include this programme in Article VIII of the treaty or to make it a new protocol together with the rest of the platform. Your Rapporteur considers that, subject to the necessary changes of form, this article should be included among the obligations the member countries imposed on the Council under Article VIII.

*Article IX*

120. This article, dating back to 1954, is the basis for the Assembly's existence and is now subject to much criticism, but not convergent, that may be summarised as follows:

121. (a) The fact that the representatives of the member nations of WEU to the Parliamentary Assembly of the Council of Europe form the Assembly has two drawbacks:

(i) these representatives, who already have heavy commitments in the Council of Europe as well as their duties as national parliamentarians, also have to bear the burden of work in the WEU Assembly;

(ii) the delegations to the Council of Europe are not necessarily composed of parliamentarians who are the most interested in security and defence questions, which are essential in WEU.

122. Prior to the existence of the European Community, the intention of the signatories of the treaty was obviously to form a group of representatives particularly concerned by European affairs in each national parliament. This was quite justified at a time when a European ideal had not yet taken root but is less so today because the Community has its own parliament and public opinion and national parliamentarians are far more aware of European realities than were their predecessors in 1954. Hence the proposal to modify Article IX to separate the delegations to the two assemblies. The following text might be considered, for instance:

*"The Council of Western European Union shall make an annual report on its activities to an assembly composed of representatives of the parliaments of the Brussels Treaty powers."*

123. (b) The fact that the common vocation of the European Community on the one hand and of WEU on the other, recognised by all member states for the past seventeen years, is the establishment of a European union has led to proposals that, when the modified Brussels Treaty is revised, the words "to the Consultative Assembly of the Council of Europe" be replaced by "to the European Parliament" so as to prepare for a union of European parliamentary assemblies even before there is a union of governmental institutions.

124. An obstacle is that members of the European Parliament have powers only in the framework of the treaty conferring them, i.e. the treaties whose merger is the basis of the Community. Members of the European Parliament therefore have no power over the governments of member countries since the election of the

European Parliament by direct universal suffrage. Yet these governments are still the only possible interlocutors for parliamentarians in areas not explicitly within the Community's responsibilities. Consequently, better than members of the European Parliament, national parliamentarians can take effective action on matters relating to the application of the modified Brussels Treaty. The WEU Assembly would lose much of its influence in areas for which it has exclusive responsibility if this proposal were followed up as matters now stand.

125. (c) Noting this situation, the European Parliament, which has been considering the matter for a long time, is soon to examine a report whose preliminary draft contained a proposal to have the WEU Assembly formed of a mix of national and European parliamentarians. It may be wondered what gives the European Parliament, including representatives of countries which are not members of WEU, competence to give its views on the modified Brussels Treaty. One way or another, such a solution would have the very serious drawback of basing the powers of members of the WEU Assembly on different principles, which would weaken the Assembly by detracting from its representativeness. Your Rapporteur considers such a proposal cannot be endorsed.

126. Your Rapporteur wishes to stress that, as the General Affairs Committee has already pointed out on several occasions, a federation or confederation of states always has a two-chamber parliament, one representing the union, the other the federal or confederal entities. It would therefore seem logical to consider a future European union with such a parliament, with one chamber emanating from the European Parliament, the other from national parliaments, each having prerogatives corresponding to the nature of the federation or confederation. He therefore sees no need to interfere with the present parliamentary system other than to separate the delegations to the WEU Assembly from those to the Parliamentary Assembly of the Council of Europe without, of course, excluding the possibility of dual membership.

127. On the other hand, the words "*and in particular concerning the control of armaments*" should be deleted since this is no longer an important part of the Council's work, it being accepted that, in the 1954 text, what was meant was the control to be exercised by the Agency set up under Protocol No. IV. The thirty-fourth annual report of the Council anticipates such a deletion, which implies that it will easily be adopted by the governments.

*Article X*

128. While noting Spain's reservation in regard to Article X and those of the Federal Republic and Italy in 1954, your Rapporteur has no reason

to think that these reservations, accepted by the other member countries, are liable to affect the drafting of this article and he sees no reason to modify it.

#### *Article XI*

129. Article XI as it now stands has the drawback of not specifying which states may be invited to accede to the treaty. Do they have to be members of the Atlantic Alliance? Article IV appears to make this necessary but then it would be better to specify this so as to avoid a misguided request to accede. Do they have to be members of the European Community? Article I and the de facto transfer of the exercise of the Council's economic responsibilities to the European Community make this desirable, but the fact that the United Kingdom was able to be a member of WEU before joining the EEC shows that it is not a necessity. Finally, this article should specify to what extent the subsidiary bodies of the Council provided for in Article VIII, paragraph 3, can be open to certain countries which have not acceded to the modified Brussels Treaty and in what conditions. The candidatures of Greece and Turkey and the answers the Council gave those countries make this problem highly topical. Your Rapporteur will set out later in this document his views on possible further enlargements of WEU, but he has to note here that Article XI leaves open too many questions of principle, thus creating much ambiguity about the true nature and vocation of WEU. However, to modify it would have the disadvantage of making a choice between the two concepts of WEU referred to above and opposing member countries. Your Rapporteur is very doubtful whether the governments are at present prepared to make such a choice.

#### *Article XII*

130. This article involves no particular political difficulty, but the second paragraph has given rise to speculation as a result of which certain points need to be specified. The paragraph lays down that the treaty "shall enter into force on the date of the deposit of the last instrument of ratification and shall thereafter remain in force for fifty years", at which time each high contracting party shall have the right to cease to be a party thereto provided that he shall have previously given one year's notice of denunciation. Some have concluded that the treaty was valid for only fifty years as from 1948, since this article was already included in the 1948 Brussels Treaty.

131. This does not take account of the fact that the modified Brussels Treaty is not the Brussels Treaty but a new treaty with other signatories that was renegotiated and ratified. Protocol No. I

of the Paris Agreements merely uses the text of the Brussels Treaty as a frame for the new treaty and the fifty-year period should start from the last ratification of the Paris Agreements, which means that no signatory of these agreements is authorised to denounce the treaty before 6th May 2005. On 14th November 1988, the nine governments recognised this fact in the first paragraph of the protocol of accession of Portugal and Spain, which states that the words "the treaty" refer to the 1948 Brussels Treaty "as modified and completed by the protocol signed at Paris on 23rd October 1954 and the other protocols and annexes which form an integral part thereof".

132. Whether or not a new treaty is drawn up or there is merely to be an amended version of the old one will depend on the kind of amendments made to these protocols following the accession of Portugal and Spain.

#### *Protocols Nos. II, III and IV*

133. By deleting the lists of armaments annexed to Protocol No. III in 1985, the governments in fact removed the substance of these protocols. By maintaining the protocols themselves, they showed that they abided by certain principles. Consideration must now be given to how these principles will apply in the Europe of future decades. Your Rapporteur will not therefore analyse the details of the various protocols but simply underline the principles that are still valid and determine to what aims they might henceforth be applied.

134. Protocol No. II has a twofold aim: first, to limit the level of forces of the continental countries in Europe and, second, to oblige the United Kingdom to maintain specific levels of armed forces on the mainland of Europe. In present circumstances, the first aim is no longer a matter of concern to any member, whereas the second retains its full importance. Conversely, application of Article V of the treaty makes it binding on all member countries to maintain sufficient force levels to be able, if necessary, to intervene on behalf of any of their allies that are the object of an attack. Finally, by counting, when calculating the forces taken into consideration, only those placed under NATO integrated command and "internal defence and police forces", Protocol No. II makes no provision for the case of non-integrated national forces. Today, however, this is the case of French and, to a certain extent, Portuguese and Spanish forces which might contribute to the defence of the central front. During the negotiations for its accession, Portugal undertook to maintain a brigade available for deployment in Northern Italy in case of crisis, but SACEUR is not as a result empowered to report on the level of Portuguese forces.



135. Your Rapporteur therefore considers that:

- (a) it would be desirable for each WEU member country to undertake to maintain a certain level of forces available with a view to application of Article V of the treaty;
- (b) the minimum level of these forces should be the subject of agreement between member countries;
- (c) their real level should be monitored so as to guarantee application of the treaty;
- (d) these requirements imply the inclusion of a new category in Protocol No. II, i.e. "forces under national command earmarked for joint defence purposes", minimum levels being fixed by joint agreement for each member country and subject to declaration and verification;
- (e) this would imply a radical modification of Protocol No. II designed henceforth to maintain a certain level of forces at the service of the joint defence of Western Europe;
- (f) this modification is essential if one country, the United Kingdom, is not to be the only one subject to specific, discriminatory commitments in regard to the maintenance of its forces in the Federal Republic, which means that there is now no longer a balance between the commitments imposed on that country and those of its continental partners. Conversely, the other WEU member countries, for which only ceilings are fixed, no longer suffer any discrimination.

136. Your Rapporteur therefore proposes defining a new category of forces and an all-round commitment to earmark for joint defence purposes, in peacetime, conventional forces which would be calculated on the basis of the commitments imposed on the United Kingdom in Protocol No. II.

137. Similarly, *Protocol No. III* has lost all meaning since no one fears the overarmament of any member state. Deletion of the lists of armaments subject to control has made it meaningless, except for Article III, which is not applied by the only country effectively concerned, France, in regard to its nuclear weapons. Deletion of the discriminatory provisions concerning the Federal Republic and extension to all members of WEU of the commitments entered

into by the United Kingdom lead naturally to the deletion of Article III, which is not respected and which, if it were, would discriminate against France, and consequently of the whole protocol. Maintaining agreements that are not respected is the worst of solutions because it casts a slur on the credibility of the treaty as a whole.

138. However, if commitments limiting member countries' rights in armaments matters were to be entered into in negotiations outside the framework of the modified Brussels Treaty, *Protocol No. IV* setting up the Agency for the Control of Armaments would again assume its full meaning, which is to have defined the status of a body independent of the governments responsible for controlling application of Protocol No. III. On the one hand, it provides a model that can be transposed to institutions other than WEU and, on the other, it has allowed methods to be worked out, archives built up and experts trained, thus forming a capital of experience that could be used in the context of international agreements on various aspects of arms limitation or disarmament, as the thirty-fourth annual report of the Council stresses in regard to chemical weapons (part VI, paragraph 2). It is clearly not possible to maintain an Agency for the Control of Armaments if it is not responsible for implementing one or more agreements, and the disappearance of Protocol No. III would necessarily involve that of Protocol No. IV.

139. Finally, it should be stressed that the present situation, in which governments are compelled to maintain an Agency without a mandate, is a challenge to common sense and to law. Any modification of the treaty implies a still far from complete consensus on the very nature of Europe and what the governments expect of it. The present standstill in decisions relating to the single seat of the ministerial organs is proof of this.

140. On the other hand, it may be wondered whether the platform adopted in The Hague and the Rome declaration might not become new protocols or whether some of their provisions might not be included in the treaty itself, as your Rapporteur suggested in the case of paragraph III (a) 4 of the platform, which might be included in Article VIII. Moreover, current discussions in the Council should naturally lead to contractual agreements on the defence effort required of member countries. These agreements might also form a new protocol, if necessary covering the status of a possible agency to monitor efforts actually made by each country and with powers similar to those of the Agency for the Control of Armaments, and replace the present Protocol No. II.

## APPENDIX I

*Preamble and Articles I, II, III, V and IX of the modified Brussels Treaty**Preamble*

(The High Contracting Parties)

Resolved:

To reaffirm their faith in fundamental human rights, in the dignity and worth of the human person and in the other ideas proclaimed in the Charter of the United Nations;

To fortify and preserve the principles of democracy, personal freedom and political liberty, the constitutional traditions and the rule of law, which are their common heritage;

To strengthen, with these aims in view, the economic, social and cultural ties by which they are already united;

To co-operate loyally and to co-ordinate their efforts to create in Western Europe a firm basis for European economic recovery;

To afford assistance to each other, in accordance with the Charter of the United Nations, in maintaining international peace and security and in resisting any policy of aggression;

To promote the unity and to encourage the progressive integration of Europe;

To associate progressively in the pursuance of these aims other states inspired by the same ideals and animated by the like determination;

Desiring for these purposes to conclude a treaty for collaboration in economic, social and cultural matters and for collective self-defence;

Have agreed as follows:

## ARTICLE I

Convinced of the close community of their interests and of the necessity of uniting in order to promote the economic recovery of Europe, the high contracting parties will so organise and co-ordinate their economic activities as to produce the best possible results, by the elimination of conflict in their economic policies, the co-ordination of production and the development of commercial exchanges.

The co-operation provided for in the preceding paragraph, which will be effected through the Council referred to in Article VIII, as well as through other bodies, shall not involve any duplication of, or prejudice to, the work of other economic organisations in which the high contracting parties are or may be represented but shall on the contrary assist the work of those organisations.

## ARTICLE II

The high contracting parties will make every effort in common, both by direct consultation and in specialised agencies, to promote the attainment of a higher standard of living by their peoples and to develop on corresponding lines the social and other related services of their countries.

The high contracting parties will consult with the object of achieving the earliest possible application of recommendations of immediate practical interest, relating to social matters, adopted with their approval in the specialised agencies.

They will endeavour to conclude as soon as possible conventions with each other in the sphere of social security.

## ARTICLE III

The high contracting parties will make every effort in common to lead their peoples towards a better understanding of the principles which form the basis of their common civilisation and to promote cultural exchanges by conventions between themselves or by other means.

.....

## ARTICLE V

If any of the high contracting parties should be the object of an armed attack in Europe, the other high contracting parties will, in accordance with the provisions of Article 51 of the Charter of the United Nations, afford the party so attacked all the military and other aid and assistance in their power.

.....

## ARTICLE IX

The Council of Western European Union shall make an annual report on its activities and in particular concerning the control of armaments to an assembly composed of representatives of the Brussels Treaty powers to the Consultative Assembly of the Council of Europe.

## APPENDIX II

***Resolution on the security of Western Europe  
adopted by the European Parliament on 14th March 1989***

The European Parliament,

– Having regard to the following resolutions:

- on security in Western Europe, by Mr. Poettering and others (Doc. B 2-1133/86),
- on security in Europe, by Mrs. Charzat and Mr. Saby (Doc. B 2-1223/86),
- on relations between the EEC and WEU with a view to achieving European Union, by Mr. De Gucht and others (Doc. B 2-590/87),
- on the signing of the INF agreements and the consequences thereof for European security, by Mr. Mallet and others (Doc. B 2-1524/87),
- on a European contribution to the verification of disarmament measures, by Mr. Linkohr (Doc. B 2-293/88),
- Having regard to its resolution of 20th May 1988 on EUREKA,
- Having regard to the report of its Political Affairs Committee (Doc. A2-410/88),

A. Whereas security is the fruit of stable political and economic relations, the observation of human rights and the existence of mechanisms for the peaceful settlement of disputes,

B. Whereas with modern technology and in the era of mutual assured nuclear destruction, security can no longer be achieved by military means, or even by disarmament measures, alone, and whereas the security of Western Europe will consequently depend also to a high degree on the development of a network of co-operative relations with the states of Eastern Europe,

C. Whereas a coherent set of views on the security of Europe must be based on a stocktaking and analysis of European interests, needs and risks,

D. Whereas the aim must be to elucidate and to bring closer together views and attitudes on:

- (i) East-West relations,
- (ii) West-West relations,
- (iii) the security relations of the Community and its member States with the rest of the world, as well as their economic security,
- (iv) institutional arrangements,

E. Whereas in his statement before the General Assembly of the United Nations on 7th December 1988 General-Secretary Gorbachev announced unilateral Soviet troop reductions, whereby:

- Soviet troops are to be reduced by 500 000 men over two years,
- by 1991 six tank divisions stationed in East Germany, Czechoslovakia and Hungary are to be withdrawn and disbanded and the Soviet troop presence in those countries reduced,

Whereas the Soviet Union has moreover declared its intention to convert a number of Soviet arms undertakings to civilian goods production, and to convert the Krasnoyarsk radar station into an international research centre under United Nations auspices,

F. Having regard to Article 30(6) of the Single European Act,

G. Having regard, furthermore, to its resolution of 14th October 1987 on the political aspects of a European security strategy,

H. Having regard to the Declaration of the European Council at Rhodes on the international rôle of the European Community,

Takes the view that:

*I. With regard to East-West relations*

1. Current developments in the Soviet Union and the Warsaw Pact deserve the positive support of the European Community, with a view to concluding new arms control agreements that will increase security on both sides, and to reaching agreements in other areas to implement and consolidate the Final Act of the Conference on European Security and Co-operation;

2. Welcomes the opening of the negotiations for conventional arms reductions in Vienna but deplores the fact that in approaching these and other arms control and disarmament negotiations with the Soviet Union, the Atlantic Alliance gives an impression of reacting to Soviet initiatives rather than of presenting to public opinion a coherent policy which will preserve peace through both nuclear and conventional deterrence while securing a real reduction in the burden of armaments;
3. The member States of the European Community must nevertheless continue to take into account that the Soviet Union is a European super-power with spheres of influence and security interests on the European continent;
4. European security policy must be based both on defensive capability and an openness to détente;
5. European security must moreover be based on wide-ranging co-operation in the areas of the economy, research, technology, environment protection and culture, to create a network of mutual dependency that will support and consolidate security through the interpenetration of shared interests;
6. Such a security policy must aim to prevent war and preserve dialogue through possession of a politically and technically credible deterrent; this concept of defence will require further disarmament, including asymmetrical reductions in conventional armed forces, with the objective of achieving a balance at the lowest possible level, the elimination of chemical weapons and a balanced reduction of the nuclear arsenals with the objective of retaining only a defensive capability on either side sufficient to deter war;
7. Today the system of nuclear deterrence is a component in the system of military security in Europe; the long-term objective remains to transcend the system of mutual deterrence by reducing arms and antagonism within a European and world peace order;
8. Both NATO and the Warsaw Pact should commit themselves to ensuring that their mutual security can be enhanced by opting for defensive strategies and commensurate deployment of armed forces, which should be as small as possible and should not be capable of launching surprise attacks and large-scale offensives;
9. The revitalisation of WEU, the extension of which to include Portugal and Spain is welcomed, can contribute towards the strengthening of Europe's rôle in the Atlantic Alliance without taking the place of the co-operation on economic and political aspects of security provided for in Article 30(5) of the SEA;
10. The European partner must, together with the United States and the other members of the Atlantic Alliance, decide on a strategy and a plan for the armed forces necessary to maintaining their security, whereby the armed forces and their equipment must be so structured as to ensure both a high nuclear threshold and effective prevention of war;
11. The countries of the European pillar must make a major contribution to devising the comprehensive concept of arms control and disarmament that was reaffirmed at the summit conference of the Atlantic Alliance in Brussels of 2nd and 3rd March 1988, including:
  - (a) a 50 per cent reduction in American and Soviet strategic offensive nuclear arms;
  - (b) the complete abolition of chemical weapons;
  - (c) the setting of a stable and safe level of conventional forces by removing imbalances throughout Europe, at a lower level and with equal upper limits;
  - (d) in conjunction with the abolition of chemical weapons and the establishment of a conventional balance, substantial, progressive and verifiable reductions in American and Soviet land-based short-range nuclear missile systems, bringing them down to the same level;
12. The INF Treaty is a valuable step in a process of security-boosting and verifiable arms control agreements;
13. The countries of the European pillar must try to ensure that in the forthcoming talks on conventional stability special efforts are made to remove imbalances;
14. The use of new technologies must be centered on the strengthening of the defensive potential of the armed forces;
15. The authorities should be given resources for studying the conversion of the weapons industry to other uses and how this can be done;
16. Verification procedures are a very important part of arms control agreements, particularly in view of the confidence-building aspects associated with them, and in this connection a separate European observation satellite is desirable;

17. Confidence-building and security-boosting measures such as those agreed at the European Disarmament Conference in Stockholm lead to greater openness and predictability and thus make a positive contribution to greater security in East-West relations, both as accompanying measures in arms control agreements and separately;

18. Similarly, a positive conclusion of the Vienna Conference along the lines of the positive developments already recorded is a decisive factor in providing a solid and institutionally guaranteed basis for disarmament and détente.

### *II. With regard to West-West relations*

19. The security of Europe calls for an increased effort of co-operation by Europeans to defend and ensure the integrity of their contribution to the Atlantic Alliance; it also depends on relations of loyal friendship between the countries of the European Community and the United States founded on genuine partnership and on permanent consultation on major international issues;

20. The Community members of the Atlantic Alliance must take care that in the transatlantic burden-sharing debate all the relevant factors are taken into account, such as the numbers of troops, ships, aircraft and tanks deployed by the various allies, the existence of compulsory military service in many European NATO countries and the considerable facilities made available by some European NATO members in the form of land, buildings and encampment costs;

21. Community member States belonging to the Alliance should be aware that, alongside the burden-sharing issue, relations with the United States are also troubled by problems in agriculture, trade and monetary policy;

22. The defence spending of the Community members of the Atlantic Alliance should take account of the stage reached in and the outcome of arms control and disarmament negotiations.

### *III. With regard to security relations with the rest of the world and economic security*

23. Member States must, in the framework of European political co-operation, continuously analyse the situation in the Mediterranean, the Middle East and the Gulf, and, in the event of crisis, make every effort to co-ordinate to the maximum their political and economic measures;

24. By pursuing a common policy on arms procurement within IEPG, the Community member States belonging to the Alliance should be able to effect major savings and create a better balance in transatlantic relations as far as arms procurements are concerned;

25. The completion of the internal market provides a sound technological and industrial basis for European security;

26. The Council must draw up a new list of the products referred to in Article 223, paragraph 1(b) of the EEC Treaty;

27. The Community member States should endeavour to implement the recommendations of the 'Vredeling study group' of the IEPG;

### *IV. With regard to institutional arrangements*

28. The objective of European Union incorporated in the Single European Act is bound also to lead to a European security policy;

29. Franco-German co-operation, which must be extended to other member States, could make a valuable contribution to European security;

30. The European Council should appoint a group of experts to report on:

- giving real substance to the security provisions of Article 30 of the Single European Act,
- the possible proposing of new provisions,
- giving the citizens of Europe consistent and adequate information on security problems, by means of the European Parliament, their elected representative body;

31. This report should be taken into consideration should the EPC agreement be revised, as provided for in Article 30(12) of the Single European Act;
32. The Foreign Ministers meeting in European political co-operation (EPC) should:
- ensure that security matters are dealt with more consistently in the framework of EPC and, if necessary, and where recent developments appear to require it, to convene extraordinary meetings devoted to problems of security;
  - take duly into consideration the views of the European Parliament in the debates that are held within the framework of EPC on problems of security;
  - regularly inform the European Parliament's Political Affairs Committee, by holding quarterly colloquies, of questions of security considered in the framework of EPC and of the extent to which Parliament's views have been taken into consideration in the discussions;
  - report to the plenary sitting of the European Parliament at least once during each presidency on the problems of security considered in the framework of EPC, so as to ensure that a joint debate can be held on that subject;
  - defend common positions in the institutions and international conferences called to consider questions of security, taking the views of the European Parliament into account.

\*  
\* \*


Calls on the President-in-Office of European Political Co-operation formally to submit his observations on this resolution, pursuant to title I, point 7(2) of the Decision of 28th February 1986;

Instructs its President to forward this resolution to the Commission, the European Council, the Council, European Political Co-operation, the Chairman of the WEU Assembly and the parliaments of the member States.





---

IMPRIMERIE  ALENÇONNAISE  
Rue Édouard-Belin : 2<sup>e</sup> trimestre 1989  
N° d'ordre : 11034

---

PRINTED IN FRANCE





