



Assembly of Western European Union

PROCEEDINGS

THIRTY-NINTH ORDINARY SESSION

SECOND PART

November-December 1993

III

Assembly Documents

WEU

PARIS



Assembly of Western European Union

PROCEEDINGS

THIRTY-NINTH ORDINARY SESSION

SECOND PART

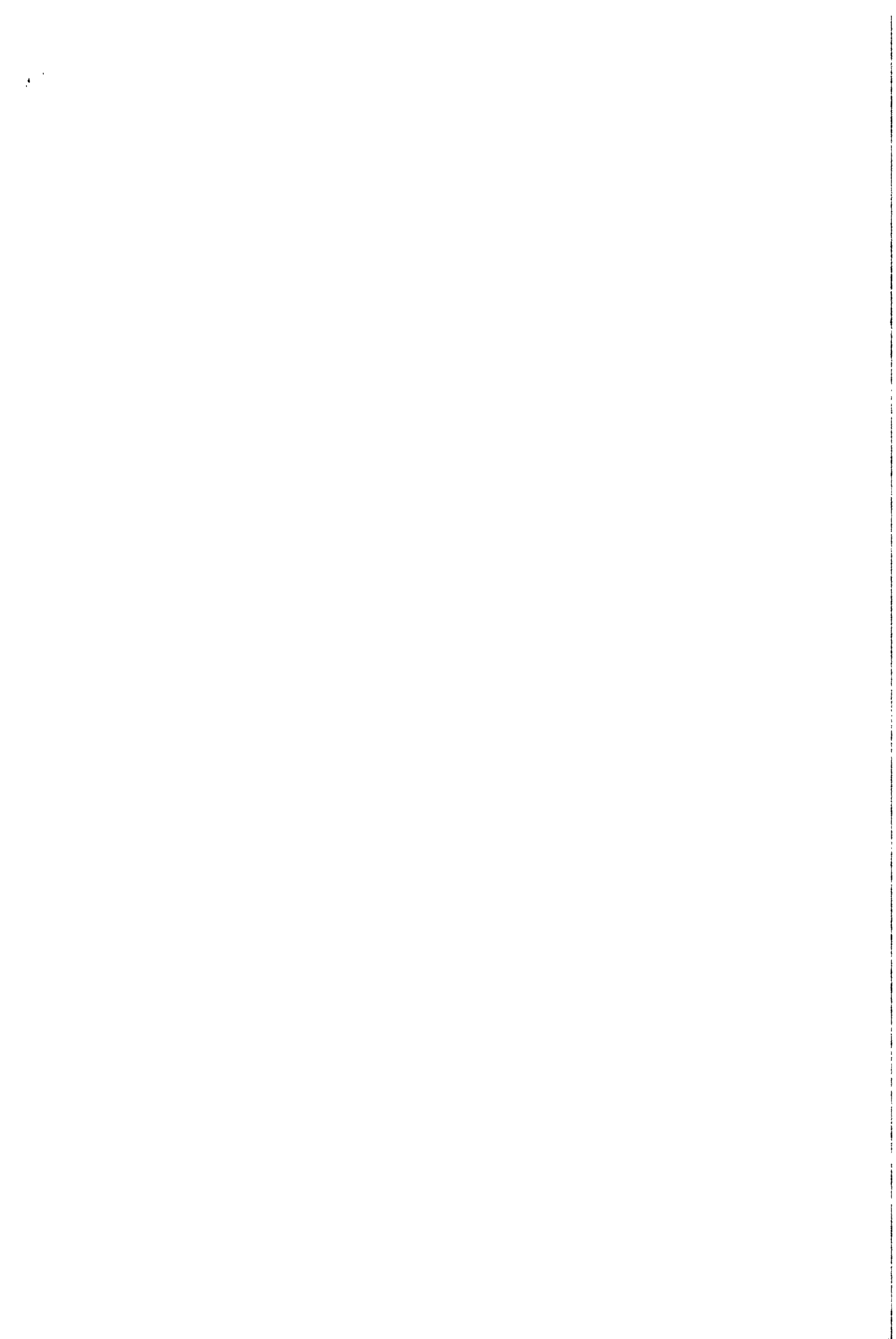
November-December 1993

III

Assembly Documents

WEU

PARIS



**The proceedings of the second part of the thirty-ninth ordinary session of the Assembly of WEU
comprise two volumes :**

Volume III : Assembly documents.

**Volume IV : Orders of the day and minutes of proceedings, official report of debates, general
index.**

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LIST OF REPRESENTATIVES BY COUNTRY

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WINTGENS Pierre	PSC

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LECCISI Pino	Chr. Dem.
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MANNINO Calogero	Chr. Dem.
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RUBNER Hans
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TRABACCHINI Quarto
VINCI Luigi
VISIBELLI Roberto

Socialist
PDS
SVP
Northern League
PDS
Ref. Com.
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Dem.
Soc. Chr.

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REGENWETTER Jean

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Soc. Chr.
Soc. Workers

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STOFFELEN Pieter
van VELZEN Wim
VERBEEK Jan Willem

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D66
CDA
Labour
CDA
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CDA
Labour
Labour
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Joaquim
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Soc. Dem.
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Socialist
Soc. Dem.
Soc. Dem.
Soc. Dem.
Soc. Dem.

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REIS LEITE José Guilherme
RODRIGUES Miguel Urbano

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PCP

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LOPEZ VALDIVIELSO
Santiago
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SOLE-TURA Jordi
VAZQUEZ Narcis

People's Party
Socialist
People's Party
C.i.U.
People's Party
People's Party
Socialist
Socialist
Socialist
People's Party
Socialist
United Left

Substitutes

MM. BOLINAGA Imanol
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MM. OLARTE Lorenzo
PALACIOS Marcelo
RAMIREZ Carlos
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Mr. ZAPATERO Virgilio

Basque Nat.
Socialist
C.i.U.
Socialist
Socialist
C. Canarien
Socialist
People's Party
People's Party
People's Party
Socialist
Socialist

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BANKS Tony
COX Thomas
Dame Peggy FENNER
Lord FINSBERG
Mr. HARDY Peter
Sir John HUNT
Sir Russell JOHNSTON
Lord KIRKHILL
Mr. LITHERLAND Robert
Lord NEWALL
MM. RATHBONE Tim
REDMOND Martin
Sir Dudley SMITH
Sir Keith SPEED
Sir Donald THOMPSON
MM. THOMPSON John
WARD John

Conservative
Labour
Labour
Conservative
Conservative
Labour
Conservative
SLD
Labour
Labour
Conservative
Conservative
Labour
Conservative
Conservative
Labour
Conservative

Substitutes

MM. ALEXANDER Richard
BOWDEN Andrew
CUMMINGS John
CUNLIFFE Lawrence
DAVIS Terry
DICKS Terry
Earl of DUNDEE
Mr. DUNNACHIE Jimmy
Sir Anthony DURANT
Mr. FRY Peter
Dr. GODMAN Norman
Baroness HOOPER
MM. HOWELL Ralph
HUGHES Roy
Baroness LOCKWOOD
Lord MACKIE of BENSHE
MM. MARSHALL Jim
TOWNEND John

Conservative
Conservative
Labour
Labour
Labour
Conservative
Conservative
Labour
Labour
Conservative
Labour
Conservative
Labour
Labour
SLD
Labour
Conservative

AGENDA

of the second part of the thirty-ninth ordinary session Paris, 29th November – 2nd December 1993

I. Report of the Council

Thirty-ninth annual report of the Council
(First part)

II. Political questions

- | | |
|---|---|
| 1. WEU's relations with Central and Eastern European countries | <i>Report tabled by Mr. Wintgens on behalf of the Political Committee</i> |
| 2. Political relations between the United Nations and WEU and their consequences for the development of WEU | <i>Report tabled by Mr. Soell on behalf of the Political Committee</i> |
| 3. WEU Assembly proposals for the forthcoming NATO summit meeting | <i>Report tabled by Mr. Baumel on behalf of the Political Committee</i> |

III. Defence questions

- | | |
|---|---|
| 1. An operational organisation for WEU – naval co-operation | <i>Report tabled by Mr. Marten and Sir Keith Speed on behalf of the Defence Committee</i> |
| 2. The European corps | <i>Report tabled by Mr. Zierer on behalf of the Defence Committee</i> |
| 3. Lessons drawn from the Yugoslav conflict | <i>Report tabled by Sir Russell Johnston on behalf of the Defence Committee</i> |

IV. Technological and aerospace questions

- | | |
|---|--|
| 1. The evolution of advanced technology in the Commonwealth of Independent States (CIS) and the consequences for Europe | <i>Report tabled by Lord Dundee on behalf of the Technological and Aerospace Committee</i> |
| 2. The development of a European space-based observation system – Part II | <i>Report tabled by Mr. Valleix on behalf of the Technological and Aerospace Committee</i> |

V. Budgetary questions

- | | |
|---|---|
| 1. Opinion on the budgets of the ministerial organs of Western European Union for the financial year 1993 | <i>Report tabled by Mr. Büchler on behalf of the Committee on Budgetary Affairs and Administration</i> |
| 2. Draft budget of the administrative expenditure of the Assembly for the financial year 1994 | <i>Report tabled by Mr. Rathbone on behalf of the Committee on Budgetary Affairs and Administration</i> |
| 3. Accounts of the administrative expenditure of the Assembly for the financial year 1992 – the auditor's report and motion to approve the final accounts | <i>Report tabled by Mr. Rathbone on behalf of the Committee on Budgetary Affairs and Administration</i> |

VI. Rules of Procedure and Privileges

Enlargement of WEU

1. Creation of an associate member status

Report tabled by Lord Finsberg on behalf of the Committee on Rules of Procedure and Privileges

2. Accession of Greece

Report tabled by Mr. Ferrarini on behalf of the Committee on Rules of Procedure and Privileges

3. Creation of an observer status, a permanent observer or guest member status

Report tabled by Mr. Ferrarini on behalf of the Committee on Rules of Procedure and Privileges

VII. Parliamentary and Public Relations

Parliaments, military service laws and public opinion

Report tabled by Sir Russell Johnston on behalf of the Committee for Parliamentary and Public Relations

DRAFT ORDER OF BUSINESS
of the second part of the thirty-ninth ordinary session
Paris, 29th November-2nd December 1993

MONDAY 29th NOVEMBER

Morning 10 a.m.

Meetings of political groups.

Afternoon 2.30 p.m.

1. Opening of the second part of the thirty-ninth ordinary session.
2. Examination of credentials.
3. Address by the President of the Assembly.
4. Adoption of the draft order of business of the second part of the thirty-ninth ordinary session.
5. WEU Assembly proposals for the forthcoming NATO summit meeting:
presentation of the report tabled by Mr. Baumel on behalf of the Political Committee.
Debate.
6. Address by Mr. Wörner, Secretary-General of NATO.
7. WEU Assembly proposals for the forthcoming NATO summit meeting:
Resumed debate.
Vote on the draft recommendation.
8. Address by Mr. van Eekelen, Secretary-General of WEU.
9. Revision and interpretation of the Rules of Procedure: Enlargement of WEU:
 - (a) Creation of an associate member status:
presentation of the report tabled by Lord Finsberg on behalf of the Committee on Rules of Procedure and Privileges.
 - (b) Accession of Greece:
presentation of the report tabled by Mr. Ferrarini on behalf of the Committee on Rules of Procedure and Privileges.
 - (c) Creation of an observer status, a permanent observer or guest member status:
presentation of the report tabled by Mr. Ferrarini on behalf of the Committee on Rules of Procedure and Privileges.
Debate.

TUESDAY 30th NOVEMBER

Morning 10 a.m.

1. Revision and interpretation of the Rules of Procedure: Enlargement of WEU:
 - (a) Creation of an associate member status;
 - (b) Accession of Greece;

(c) Creation of an observer status, a permanent observer or guest member status:

Resumed debate.

Vote on the draft decisions.

2. WEU's relations with Central and Eastern European countries:
presentation of the report tabled by Mr. Wintgens on behalf of the Political Committee.
Debate.

11 a.m.

3. Chairmanship-in-Office of the Council – Presentation of the first part of the thirty-ninth annual report of the Council – Address by Mr. Poos, Deputy Prime Minister, Minister for Foreign Affairs, Minister of Defence of Luxembourg.

Afternoon 3 p.m.

1. Address by Mr. Aleksandrov, Minister of Defence of Bulgaria.
2. WEU's relations with Central and Eastern European countries:
Resumed debate.
Vote on the draft recommendation.
3. Political relations between the United Nations and WEU and their consequences for the development of WEU:
presentation of the report tabled by Mr. Soell on behalf of the Political Committee.
Debate.
Vote on the draft recommendation.
4. Opinion on the budgets of the ministerial organs of Western European Union for the financial year 1993:
presentation of the report tabled by Mr. Büchler on behalf of the Committee on Budgetary Affairs and Administration.
Debate.
5. Draft budget of the administrative expenditure of the Assembly for the financial year 1994:
presentation of the report tabled by Mr. Rathbone on behalf of the Committee on Budgetary Affairs and Administration.
6. Accounts of the administrative expenditure of the Assembly for the financial year 1992 – the auditor's report and motion to approve the final accounts:
presentation of the report tabled by Mr. Rathbone on behalf of the Committee on Budgetary Affairs and Administration.
Debate.
Votes on the operative texts.

WEDNESDAY 1st DECEMBER

Morning 10 a.m.

1. An operational organisation for WEU – naval co-operation:
presentation of the report tabled by Mr. Marten and Sir Keith Speed on behalf of the Defence Committee.
Debate.
Vote on the draft recommendation.

2. Lessons drawn from the Yugoslav conflict:
presentation of the report tabled by Sir Russell Johnston on behalf of the Defence Committee.
Debate.
Vote on the draft recommendation.

Afternoon 3 p.m.

1. The European corps:
presentation of the report tabled by Mr. Zierer on behalf of the Defence Committee.
Debate.
Vote on the draft recommendation.
2. Parliaments, military service laws and public opinion:
presentation of the report tabled by Sir Russell Johnston on behalf of the Committee for Parliamentary and Public Relations.
Debate.
Vote on the draft resolution.

5.30 p.m.

3. Address by Mr. Juppé, Minister for Foreign Affairs of France.

THURSDAY 2nd DECEMBER

Morning 10 a.m.

1. The evolution of advanced technology in the Commonwealth of Independent States (CIS) and the consequences for Europe:
presentation of the report tabled by Lord Dundee on behalf of the Technological and Aerospace Committee.
Debate.
2. Address by Mr. Zlenko, Minister for Foreign Affairs of Ukraine.
3. The evolution of advanced technology in the Commonwealth of Independent States (CIS) and the consequences for Europe:
Resumed debate.
Vote on the draft recommendation.
4. The development of a European space-based observation system – Part II:
presentation of the report tabled by Mr. Valleix on behalf of the Technological and Aerospace Committee.
Debate.
Vote on the draft recommendation.

CLOSE OF THE SECOND PART OF THE THIRTY-NINTH ORDINARY SESSION

**DRAFT BUDGET OF THE ADMINISTRATIVE EXPENDITURE
OF THE ASSEMBLY FOR THE FINANCIAL YEAR 1994¹**

*submitted on behalf of
the Committee on Budgetary Affairs and Administration²
by Mr. Rathbone, Chairman and Rapporteur*

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EXPLANATORY MEMORANDUM

- I. Introduction
- II. Head I – Expenditure relating to permanent staff of the Office of the Clerk of the Assembly
- III. Operating budget
- IV. Pensions budget
- V. Conclusions

SUMMARY OF ESTIMATES OF EXPENDITURE AND RECEIPTS FOR THE FINANCIAL YEAR 1994

- Part I: Operating budget
 - Section A – expenditure
 - Section B – receipts
- Part II: Pensions budget
 - Section A – expenditure
 - Section B – receipts

APPENDICES

- I. Recapitulatory table showing changes in the staff of the Office of the Clerk of the WEU Assembly proposed in the 1994 budget
- II. Organogram of the Office of the Clerk of the WEU Assembly
- III. Description of the post of Chief Accountant
- IV. Salaries of staff recruited for Assembly sessions
- V. Five-year modernisation and maintenance programme for the equipment of the Office of the Clerk
- VI. Trend of the Assembly budget from 1993 to 1994
- VII. Implications of the various heads for the 1993 and 1994 budgets

1. Adopted unanimously by the committee and approved by the Presidential Committee.

2. *Members of the committee: Mr. Rathbone (Chairman); MM. Covi (Alternate: Rubner), Redmond (Vice-Chairmen); MM. Alvarez, Antretter, Biefnot, Branger, Büchler, Curto, Daniel, Diaz, Mrs. Durrieu, Mr. Eversdijk, Dame Peggy Fenner, MM. Garcia Sanchez, Howell (Alternate: Lord Mackie of Benshie), Jurgens, Maass, Manisco, Masson, Meyer zu Bentrup, Pinto, Pizzo, Regenwetter, Tatarella, Thissen.*

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

Explanatory Memorandum

(submitted by Mr. Rathbone, Chairman and Rapporteur)

I. Introduction

1. At a meeting with the Council in London on 24th June 1992, the President of the Assembly and the Chairman of the Committee on Budgetary Affairs and Administration were able to explain the strategy decided upon by the Assembly in the light of the political situation stemming from the upheavals in Eastern Europe and the Maastricht Treaty and to describe the political guidelines that should govern the preparation of the budget for 1993.
2. The broad lines of this strategy and the political guidelines they imply are still valid and the Assembly is determined to follow them with due tenacity and energy in view of the growing importance of WEU's place in the new organisation of Europe.
3. The Council has extended its activities to many areas and with the transfer of its seat from London to Brussels it has been able to adapt its structure and the organisation of its services to the new requirements. Conversely, the Assembly's requests for the means it considers essential for carrying out its programme have not been met, with the result that, in 1993, it is having to work with an operational budget (Heads II to V) that includes no substantial improvements compared with the budget for the previous year. The 6.50% growth rate granted for the operating budget (Heads I to V) for 1993 is hardly enough to cover the increase in the salaries of permanent and temporary staff recommended by the ad hoc committee of the co-ordinated organisations.
4. It is therefore now essential for the Council to grant the Assembly adequate means to carry out its tasks while taking into account the concern for budgetary stringency similar to that shown by the governments of member countries. For that purpose, the Assembly has included in the budget for the financial year 1994 the sums set out below, which are necessary for it to adapt its structures and have the necessary resources available for exercising its new activities.

II. Head I – Expenditure relating to permanent staff of the Office of the Clerk of the Assembly

5. The draft budget for the financial year 1993 (Document 1325) included the creation of three grade B3 posts and the regrading of one grade L post and three grade C posts. These proposals, which had already been included in previous budgets, were not accepted by the WEU Council, in spite of the favourable conclusions drawn in the study on the organisation of the Office of the Clerk carried out in 1990 by three parliamentary experts.

5.1. However, the need to apply the changes set out in the organogram of the Office of the Clerk which the Assembly proposed is confirmed in full during the financial year 1993. Corresponding sums therefore have to be included in the draft budget for 1994 with a reminder of the justifications which accompanied the presentation of the proposals in question.

5.2. Regarding the proposal to create three new posts of assistant, the experts, in their report on the organisation of the Office of the Clerk (Part 3, paragraph 3), expressed the following opinion:

“ The creation of three grade B3 posts of assistant is justified by the creation of new senior posts and the increase in the tasks of the research and administrative services although the Office of the Clerk proposes only two.

The post of assistant to the Political Committee is essential insofar as the committee would be run independently of the Clerk Assistant.

While the duties and responsibilities of the administrative Clerk Assistant are not questioned and must remain as they are, the creation of a post of assistant in the administrative services is made necessary by the increase in material tasks resulting from the Assembly's opening to the outside world (mail, printing, etc.).

The third post of assistant should bring the research and documentation service up to strength and allow it to be equipped with modern documentary data retrieval systems essential for the smooth running of the Assembly bodies. ”

5.3. It should also be mentioned that, in the explanatory memorandum to the draft budgets for 1991 (paragraph 13) and 1992 (paragraph 12), the place of the two grade B3 assistants in the committee service of the Office of the Clerk is specified: they will be assigned to the two new grade A officials. According to the opinion of the experts, this service should be able to count on:

- “ – a secretariat for the Political Committee consisting of a grade A5 secretary and a grade B3 assistant. This is essential to allow the Clerk Assistant, now Secretary of the committee, to carry out his new tasks in full;
- a grade A3/4 head of the research and documentation service and a grade B3 assistant. The creation of an efficient research and documentation service specific to the Assembly is essential to allow the presidency and the committees to give a new dimension to their work. This service should not have a cumbersome structure but a dynamic organisation using modern technology for the retrieval and processing of documentation so as, in particular, to ensure a computerised link with existing sources of documentation (national parliaments, specialised institutes, etc.). However, the attribution of enough staff from the outset is a condition for the success of this operation.”

5.4. As for the third post of grade B3 assistant for the archives, the Office of the Clerk has a true need for this since the archives section is also responsible for sending out documents for sessions (the Office of the Clerk does not have a dispatching office as is the case, for instance, in the Council of Europe) and is faced with an increase of 250% in the numbers sent out since 1989 and this figure will probably be higher in 1993. It is quite clear that the person in the archives service, in spite of the occasional assistance of temporary staff and recourse to a mailing firm, is no longer in a position to carry out all these duties alone.

5.5. Finally, for the regrading of four existing posts, the Assembly considers it fair to confirm in the 1994 budget the regrading of two of these posts, i.e. one grade L3 and one grade C4.

5.6. Regarding the regrading, in a personal capacity, of the post of translator-interpreter from grade L3 to grade L4, it should be noted that the holder has thirty years' experience as a linguist, sixteen of which in NATO (at grade L4 for ten years). Transferred to the WEU Assembly after having worked for the WEU agencies for security questions, she has taken over, under the responsibility of the Clerk Assistant for Administrative and Financial Questions, the management of the teams of interpreters and also takes part herself in the work of these teams, which allows the Assembly to limit recruitment to twenty interpreters instead of twenty-two for each session and five interpreters instead of six for other meetings, thus making a considerable saving. In addition, she also works in conjunction with the French translation section, which is particularly valuable since she also translates from Italian and Spanish. Finally, at the request of the WEU Secretariat-General, the Assembly places the services of this official at the disposal of the Council for ministerial meetings; the Secretariat-General has expressed its official appreciation of the extremely valuable assistance thus provided (worth more than the total cost of her regrading for the Assembly: approximately F 15 000). To sum up, the official concerned is at the ceiling of grade L3, which corresponds neither to her duties as chief interpreter nor to those of a translator/reviser (Grade L4/L5 in the Secretariat-General).

5.7. The other regrading concerns the post of the official responsible for storing and accounting for equipment and the reproduction service. Several times in its reports on the budgets of the ministerial organs, the Assembly has drawn the Council's attention to the problem of the staff's career possibilities, an essential condition for ensuring maximum motivation. This problem arises more specifically for this grade C6 official who, having reached the ceiling of his grade, has no further prospect of advancement, although his work has changed both quantitatively and qualitatively. This regrading is thus fully in line with the principle that there should be concordance between duties to be carried out, qualifications and the professional category of staff. This is justified by the staff member's qualifications and increased knowledge. It should be recalled that the official responsible for storing and accounting for equipment in the Secretariat-General, who has no other duties, has a grade B4/B5.

5.8. Conversely, the proposal to regrade the two grade C3 posts will be proposed again next year to allow a degree of progress in the reorganisation of the service concerned. By giving priority to regrading the post of head of the printing workshop, at the same time responsible for accounting for equipment, the importance of his responsibilities is recognised.

6. The growth in the WEU Assembly's relations with the governments and parliaments of European countries, including Eastern Europe, and some countries outside Europe makes it necessary to strengthen the English translation team which at present consists only of one reviser and one translator. The creation of a grade L2 post of translator with as wide a range of languages as possible is therefore included in the budget for the financial year 1994, the total expenditure involved being F 548 000. It will also be necessary to provide for an increase of F 50 000 under Sub-Head 8 for the temporary translation service, this being essential to allow the translation into one of the two working

languages (French/English) of texts received in languages that the staff of the Office of the Clerk are not currently able to translate, e.g. Russian, Polish, Greek, etc.

7. For the reasons set out in the introduction and in view of the very clear increase in administrative requirements linked with the relations between the WEU Assembly and the governments and parliaments of member and non-member countries, including the Central and Eastern European countries, and with a number of international organisations, provision should be made for the creation of a grade B3 post of assistant in the Private Office of the President, the expenditure involved being F 325 000.

8. The Assembly should also propose the creation of a grade C3 post for an official combining the duties of usher, messenger and driver of the Assembly's official car. The creation of this post, which has been requested for several years, can no longer be deferred. The cost of this post (F 205 000) would be partly offset by savings of approximately F 60 000 under Sub-Head 22 because it would no longer be necessary to hire a chauffeur-driven car for the President. It should be emphasised that, at the present juncture, the Assembly is the only WEU organ in the paradoxical situation of having no official car with driver, which is real discrimination compared with the other WEU organs.

9. Finally, the regrading of the post of chief accountant from grade B6 to grade A2 corresponds to the principle of the concordance between the duties exercised and the professional category. The Assembly's chief accountant – as can be seen from the description of his post at Appendix III – is responsible for keeping the accounts of commitments and expenditure and the budget, with the recent addition of individual accounts in the Provident Fund of all WEU staff, this having previously been the task of MIM in London under the supervision of the administrative service of the Secretariat-General. It is worth mentioning that such duties are exercised in the Secretariat-General by at least two grade A2/A3 officials.

10. To sum up, the proposals on the restructuring of the Office of the Clerk included in the draft budget for the financial year 1994 lead to the following increases in the budget:

– creation of three grade B3 posts assigned respectively to the Committee for Parliamentary and Public Relations, the Research Office and the Archives	F 777 000
– creation of a grade L2 post of translator for the Translation Service (English section)	F 548 000
– creation of a grade B3 post of assistant for the Private Office of the President	F 325 000
– creation of a grade C3 post of usher/messenger/driver	F 205 000
– regrading of a grade L3 post to grade L4	F 15 000
– regrading of a grade C6 post to grade B4	F 57 000
– regrading of a grade B6 post to grade A2	F 10 000
	TOTAL F 1 937 000

11. With particular regard to Sub-Head 4 “Expenses relating to the recruitment and departure of permanent officials”, the relevant estimates take into account, apart from the cost of travel and removal and installation allowances linked with the creation of new posts, those relating to the replacement of a senior official who is to retire on 1st July 1994.

12. It should be underlined that the estimates under Head I have been calculated on the basis of the scales provided for in the nineteenth co-ordination report. The possible increase in the salaries of permanent and temporary staff in 1994 is not taken into account since, at the time of preparing this budget, the results of the relevant studies by the Inter-organisation Study Section on Salaries and Prices are not yet known. Any adjustments to these estimates that may prove necessary will be given in an addendum to this draft budget.

III. Operating budget

13. Estimates under Heads II to V have been calculated in accordance with the directives of the Presidential Committee, which decided on the overall course of the political activities of the Assembly bodies for 1994, reflecting the changed circumstances and direction of the Assembly's work in the post-Maastricht era, as frequently identified by ministers. To make an accurate analysis of the financial implications of these directives, they should be grouped in the following categories:

- (a) implications of Greece's accession to WEU;
- (b) programme of work of the Presidential and other committees;
- (c) equipment modernisation programme;
- (d) other operating expenditure.

14. *Implications of Greece's accession to WEU*

14.1. Since the process of ratifying the agreement on Greece's accession to WEU is under way, it is to be expected that Greece will participate as a full member in both parts of the fortieth session of the Assembly. The draft budget for 1994 therefore takes this possibility into account along the same lines as the contingency budget item included for 1993. The following sums have been included under the various sub-heads of the budget for this purpose:

Sub-Head 6.1 – Sittings service (2 Greek sub-editors)	F 80 000
Sub-Head 6.2 – Interpretation service (4 Greek interpreters)	F 240 000
Sub-Head 6.3 – Translation service (2 translators)	F 60 000
Sub-Head 9.2 – Provident fund for interpreters	F 28 000
Sub-Head 9.3 – Insurance for interpreters	F 1 000
Sub-Head 12 – Installation of an eighth interpretation booth in the chamber of the ESC (including the purchase of electronic equipment, building a dais, labour required for the installation and hire of the booth)	F 125 000
Sub-Head 30 – Expenses for political groups The Greek Delegation will probably have fourteen members (seven representatives and seven substitutes)	F 35 000
TOTAL	F 569 000

14.2. It should be pointed out that no credit is requested for an office for the Greek Delegation and temporary staff since, when the time comes, it will be possible to solve this problem only by redistributing offices in the building in agreement with the Secretariat-General.

14.3. It should also be pointed out once again that no further national delegations can be accommodated in the present Assembly building. Considerable relocation costs will have to be met when that becomes due – though these administrative costs will be nothing like the same magnitude as those associated with the move of the Secretariat-General to Brussels.

15. *Programme of work*

15.1. The Assembly's programme of work was examined closely by the Presidential Committee, which studied the proposals for meetings (and the travelling associated with them) prepared by the various committees on the basis of the following political guidelines already indicated by ministers:

- (a) establishing and maintaining relations between the WEU Assembly and:
 - (i) the European Parliament;
 - (ii) NATO and the North Atlantic Assembly;
 - (iii) the Assembly of the Council of Europe;
 - (iv) parliaments of observer and associate countries and member countries of the Forum of Consultation;
 - (v) parliaments of other European countries;
 - (vi) parliaments of "out-of-area" countries;
- (b) increased contacts between the WEU Assembly and the parliaments of member countries;
- (c) work arising from the development of the CSCE and WEU's rôle in that body.

15.2. The financial implications of the very intensive activities planned by the Assembly for 1994 concern three sub-heads in particular, i.e. Sub-Heads 7 "Interpretation staff required for Assembly work between sessions", 24 "Travelling and subsistence allowances and insurance for the President of the Assembly, chairmen of committees and rapporteurs" and 27 "Official journeys of members of the Office of the Clerk". Under each of these sub-heads, it is estimated that an increased cost of 20% should be anticipated, particularly due to the zero increases allowed over recent years. In regard to Sub-Head 24 in particular, it should be pointed out that, in 1994, the President of the Assembly will be making a certain number of important visits associated with the start of his term of office; and there are inevitably increased costs associated with travel to and from the seat of the Assembly in Paris in the exercise of his duties.

16. *Programme for the modernisation of equipment*

16.1. The five-year programme for the modernisation of equipment, updated for the period 1994-98 (see Appendix V), takes account of:

- (a) reorganising the printing workshop with the purchase with maintenance contract in 1993 of a RX 5380 photocopier to replace the old Gestetner 2382 ZDS; this is crucial to meet the vast increase of workload;
- (b) cancelling the hire and maintenance contracts for the abovementioned Gestetner photocopier and the maintenance contracts for two stereotypers and one offset machine no longer in use;
- (c) a new maintenance contract for the committees' computers and those used by the French verbatim and summary reporters;
- (d) the purchase of a second telecopier which is essential since the single telecopier now available will not be enough to cope with the growing requirements of the various services of the Assembly which are frequently obliged, for reasons of urgency, to transmit to the national delegations their reports and other documents by the fastest possible means.

16.2. Taken as a whole, this programme shows an increase of F 97 000 (F 15 000 under Sub-Head 16 and F 82 000 under Sub-Head 17) compared with the financial year 1993.

16.3. The higher cost of this programme is largely offset by savings achieved by reorganising the printing workshop. Thanks to the acquisition of the RX 5380 photocopier, it is possible to stop hiring two other copiers during sessions (savings of F 18 000 under Sub-Head 6.1 "Staff recruited for sessions of the Assembly - Sittings service", F 50 000 under Sub-Head 13 "Various services for the organisation of sessions" and F 3 000 under Sub-Head 19 "Duplication paper, headed writing paper and other office supplies").

17. *Other operating expenditure*

17.1. Estimates under other sub-heads of the budget, except for Sub-Heads 6, 9, 18 and 29, generally correspond to those of the previous financial year, increased by 2.5%, the foreseeable rate of inflation in France. It was in this spirit of economy that estimates under the sub-heads of the operating budget not specifically examined above have been worked out.

17.2. In regard to Sub-Heads 6 and 9, which cover the salaries of temporary staff recruited for Assembly sessions, by reorganising the services concerned, the Office of the Clerk has managed to reduce the number of temporary staff recruited (four in the sittings service and one in the translation service) and the number of days worked in the translation service, thus making significant savings which largely offset additional costs of the Assembly's expanded rôle.

17.3. Estimates under Sub-Head 18 "Postage, telephone, telefax and transport of documents" are based on experience and also take account of the rise of about 10% in postal rates that has been announced.

17.4. For the press service, an increase of about F 80 000 is requested to allow the Press Counsellor:

- to invite three additional journalists to each session (whereas at present only two have been invited to sessions on a regular basis). This would allow a rotation among the representatives of member countries;
- to allow proper presentation to journalists of all the Assembly documents;
- to have an optical system for storing data allowing access to remote users such as universities, libraries, etc.;
- to have a second laser printer to back up the only printer assigned to his service which is shared by three people and is now quite inadequate for the present workload;
- to provide a slide projector instead of continuously hiring one for the briefings frequently given to groups of students or specialised associations.

17.5. Conversely, the proposals submitted to the Assembly by the Committee for Parliamentary and Public Relations (Document 1378) are not taken into account in this draft budget. They will be considered separately when the Council's answer to Recommendation 546, adopted by the Assembly on 17th June 1993, has been received.

IV. Pensions budget

18. Two new pensions are included in the estimates for this financial year. One is payable to a grade A2 official who has taken early retirement with effect from 1st October 1993 and the other to a grade A6 official whose contract expires on 30th June 1994. These estimates therefore cover the pensions for 17 officials (14 retirement pensions, 2 invalidity pensions and 1 survivor's pension), calculated in accordance with the nineteenth co-ordination report. As for the salaries of permanent staff, any future adjustments to these scales will be set out in an addendum to the present draft budget.

19. For receipts under this part of the budget, i.e. contributions by the permanent staff to the pension scheme (7.5% of basic salary), account has been taken of the fact that these contributions have been increased from 7% to 7.5% by a Council decision based on the fifteenth co-ordination report. The amount included in the budget includes contributions relating to the new posts to be created and those to be regraded, which amount to approximately F 84 000.

V. Conclusions

20. In conclusion, as shown in the table at Appendix VI, the net grand total of estimates in the draft budget of the Assembly for 1994 (operating budget plus pensions budget minus receipts) amounts to F 34 326 500 which, compared with the net grand total for the financial year 1993, shows a growth rate of 8.04%. The operating budget (expenditure under Heads I to V) shows a growth rate of 8.35% whereas the figure for overall estimates under Heads II to V, where the Assembly has budgetary autonomy, is 6.97%.

Summary of estimates of receipts and expenditure for the financial year 1994

Details	Receipts	Expenditure
PART I: Operating budget		
<i>Section A:</i> Expenditure		
<i>Head I:</i> Permanent staff		19 450 000
<i>Head II:</i> Temporary staff		4 332 000
<i>Head III:</i> Expenditure on premises and equipment		2 199 000
<i>Head IV:</i> General administrative costs		2 238 500
<i>Head V:</i> Other expenditure		2 539 000
<i>Section B:</i> Receipts	95 000	
	95 000	30 758 500 95 000
NET TOTAL		30 663 500
PART II: Pensions budget		
<i>Section A:</i> Expenditure		
<i>Head I:</i> Pensions, allowances and social charges		4 588 000
<i>Section B:</i> Receipts	925 000	
		4 588 000 925 000
NET TOTAL		3 663 000
NET TOTAL BUDGET		34 326 500

Budget estimates

PART I: OPERATING BUDGET

*Section A – Expenditure**Head I – Permanent staff*

Sub-Heads	Estimates for 1994	Budget for 1993	Expected expenditure in 1993	Actual expenditure in 1992
Sub-Head 1 – Basic salaries	13 180 000	12 614 950	12 515 000	11 340 938
Sub-Head 2 – Allowances:				
2.1. Expatriation allowance	1 456 000			
2.2. Household allowance	703 000			
2.3. Allowance for children and other dependent persons	795 000			
2.4. Rent allowance	43 000			
2.5. Education allowance	76 000			
2.6. Allowance for language courses	2 000			
2.7. Overtime	80 000			
2.8. Home leave	50 000			
	3 205 000	2 662 340	2 707 000	2 374 371
Sub-Head 3 – Social charges:				
3.1. Social security	1 826 000			
3.2. Supplementary insurance	688 000			
3.3. Provident fund	106 000			
	2 620 000	2 526 840	2 500 000	2 223 024
Sub-Head 4 – Expenses relating to the recruitment and departure of permanent officials				
4.1. Travelling expenses of candidates for vacant posts	25 000			
4.2. Travelling expenses on arrival and departure of permanent officials and their families	29 000			
4.3. Removal expenses	225 000			
4.4. Installation allowance	150 000			
	429 000	0	0	81 306
Sub-Head 5 – Medical examination	16 000	13 000	7 000	4 633
TOTAL OF HEAD I	19 450 000	* 17 817 130	17 729 000	16 024 272

* Including F 305 130 carried over from the financial year 1992 to financial year 1993 to meet 1992 commitments which fall due in 1993.

Explanations

Sub-Heads 1 and 2

Estimates under these two sub-heads cover emoluments (basic salary and allowances) paid to permanent staff in accordance with Chapter III of the Staff Rules of the Office of the Clerk of the WEU Assembly. They are calculated on the basis of global salaries in application of the scales in force on 30th June 1992¹ set out in the nineteenth co-ordination report.

These estimates also take account of the financial implications of creating six new posts (one Grade L2, four grade B3 and one grade C3) and the regrading of three existing posts. Expenditure involved in these proposals amounts to F 1 937 000.

The table of establishment of the Office of the Clerk, showing grades, is given at Appendix I and the organogram at Appendix II.

Sub-Head 3

Estimated expenditure for "Social charges" is based on commitments stemming from:

- application of the social security agreement signed between Western European Union and the Government of the French Republic on 2nd June 1979 (Sub-Head 3.1)²;
- application of the convention on complementary collective insurance (Sub-Head 3.2)³;
- application of Article 27 of the Staff Rules providing for the employer's contribution to the Provident Fund, amounting to 14% of basic salary for staff not affiliated to the pension scheme (Sub-Head 3.3).

Social charges (F 219 000) relating to the creation of six new posts and the regrading of three existing posts are included in the total for this sub-head.

Sub-Head 4

These estimates relate to the expenditure involved in recruiting new officials.

Sub-Head 5

The sum requested is to cover the cost of the annual medical check-up which all members of the staff must undergo in accordance with Article 9 of the Staff Rules. Medical check-ups for WEU staff in Paris are carried out at the OECD medical centre.

1. These scales are worked out by the Inter-organisation Study Section on Salaries and Prices and approved by the WEU Council and the Councils of the other co-ordinated organisations (NATO, OECD, Council of Europe, ESA, ECMRWF).

2. Under this agreement, WEU staff benefit from the French general scheme, with the exception of family allowances and retirement pensions.

3. Under this convention, WEU staff benefit from complementary insurance in the event of sickness or temporary or permanent disability. Furthermore, in the event of the death of an insured person, the insurance company pays a lump sum to the beneficiaries he has named.

Head II – Temporary staff

Sub-Heads	Estimates for 1994	Budget for 1993	Expected expenditure in 1993	Actual expenditure in 1992
Sub-Head 6 – Staff recruited for sessions of the Assembly				
6.1. Sittings service	1 440 000			
6.2. Interpretation service	890 000			
6.3. Translation service	865 000			
6.4. Other services	<u>90 000</u>			
	3 285 000	3 249 550	3 000 000	2 837 725
Sub-Head 7 – Interpretation staff required for Assembly work between sessions	765 000	638 000	650 000	602 383
Sub-Head 8 – Temporary staff for the Office of the Clerk	75 000	25 000	20 000	23 601
Sub-Head 9 – Social charges				
9.1. Insurance for temporary staff other than interpreters	9 000			
9.2. Provident fund for interpreters	190 000			
9.3. Insurance for interpreters	<u>8 000</u>			
	207 000	199 700	170 000	145 874
TOTAL OF HEAD II	4 332 000	* 4 112 250	3 840 000	3 609 583

* Including F 47 750 carried over from the financial year 1992 to the financial year 1993 to meet 1992 commitments which fall due in 1993.

Explanations**Sub-Head 6**

Estimates under this sub-head relate to:

(a) Salaries and, where appropriate, per diem allowances, allowances for travelling time and the reimbursement of travelling expenses of temporary staff recruited for sessions (sittings, interpretation and translation services). A list of such staff, showing their respective duties and salaries, is given at Appendix IV. It should be underlined that, with the accession of Greece to WEU, two extra parliamentary sub-editors for the sittings service as well as four interpreters for the Greek booth are to be recruited.

(b) Lump-sum payments made to staff recruited for various services during sessions (doctor, post office technician, typewriter mechanic, guards for the security service, etc.).

Salaries for temporary staff are calculated in accordance with scales in force on 1st July 1992, as set out in the nineteenth co-ordination report.

In application of the agreement signed between the co-ordinated organisations and the International Association of Conference Interpreters (IACI), the salaries of interpreters are calculated on the basis of the scale in force for grade L4.8 staff, increased by 6%.

Sub-Head 7

This sub-head shows the sums paid to interpreters recruited for simultaneous interpretation at meetings between sessions (salaries and, where appropriate, per diem allowances, travelling time and travelling expenses).

Salaries and working conditions are the same as for interpreters recruited for sessions (see Sub-Head 6 (b) above).

Sub-Head 8

An increase of F 50 000 is foreseen under this sub-head to recruit temporary translators to translate into English and French texts received by the Assembly in languages that cannot be translated by the Office of the Clerk.

Sub-Head 9

Estimates under this sub-head correspond to the following social charges:

Insurance for temporary staff other than interpreters

Staff recruited for Assembly sessions are insured with the Van Breda insurance company against the risks of death, accident or sickness, 60% of the premium being paid by the Office of the Clerk and 40% by staff. The estimates take account of the updating of the capital and premiums as from May 1988.

Provident fund for interpreters

In accordance with the agreement between the co-ordinated organisations and the IACI, WEU has to pay into the conference interpreters' fund or, where appropriate, another provident fund, a contribution of 14%, which is added to a contribution of 7% by interpreters.

Insurance for interpreters

A Lloyds insurance policy, taken out through the intermediary of Stewart Wrightson in London, covers interpreters for accidents, sickness and temporary or permanent disability preventing them from working. The premium of 1.1% of their fees (lower rate) is divided between the Office of the Clerk (0.7%) and the interpreters (0.4%).

Head III – Expenditure on premises and equipment

Sub-Heads	Estimates for 1994	Budget for 1993	Expected expenditure in 1993	Actual expenditure in 1992
Sub-Head 10 – Share of joint expenditure on the Paris premises	585 000	570 000	570 000	446 088
Sub-Head 11 – Hire of committee rooms	10 000	10 000	0	6 304
Sub-Head 12 – Technical and other installations for Assembly sessions	815 000	645 000	690 000	669 345
Sub-Head 13 – Various services for the organisation of sessions	55 000	105 000	54 000	110 353
Sub-Head 14 – Maintenance of the premises of the Office of the Clerk	15 000	15 000	15 000	5 869
Sub-Head 15 – Purchase or repair of office furniture	40 000	40 000	40 000	20 472
Sub-Head 16 – Purchase of reproduction and other office equipment	25 000	10 000	10 000	4 000
Sub-Head 17 – Hire and maintenance of reproduction and other equipment	654 000	572 000	570 000	498 260
TOTAL OF HEAD III	2 199 000	1 967 000	1 949 000	1 760 691

Explanations*Sub-Head 10*

Estimates under this sub-head represent the 30% share of joint expenditure relating to the management of the WEU premises in Paris. Following the abolition of the agencies, the Council confirmed the validity of the previous system of sharing this expenditure and made the administrative service of the WEU Institute for Security Studies responsible for managing joint services.

Sub-Head 11

For meetings outside Paris, Assembly bodies normally have committee rooms with simultaneous interpretation equipment made available to them by the national delegations concerned. However, in certain cases the Assembly may have to pay for hiring a room or installing portable interpretation equipment in rooms not so equipped. Sums requested under this sub-head are to allow the Assembly to cover such expenditure if necessary.

Sub-Head 12

As its title indicates, this sub-head relates to expenditure for the installation of simultaneous interpretation equipment, telephone booths, a telefax, screens, a detection gate and other installations in the premises of the Economic and Social Council during Assembly sessions.

The large increase in these sums compared with the previous financial year is due to the proposed installation of an eighth interpretation booth for Greek (F 125 000) and the installation of a seventy-five seat television area in the lobby of the Economic and Social Council. This area, for which the need arose at recent sessions, is intended to accommodate guests and the public for whom there is not room in the galleries because of security measures under which no more than seventy persons may be admitted to the galleries.

Sub-Head 13

Estimates under this sub-head relate to contracts for the provision of various services during Assembly sessions (removal of equipment, cleaning of premises, cost of using reproduction machinery loaned free of charge, etc.) and are based on experience. It should be specified that, following the modernisation of the printing workshop, the hire of two additional photocopiers during sessions is no longer necessary. A saving of F 50 000 compared with the previous financial year is therefore shown under this sub-head.

Sub-Head 14

As in the past, this sum is requested to allow minor repairs to be carried out to the premises of the Office of the Clerk.

Sub-Heads 15, 16 and 17

Sums under these sub-heads are justified by the five-year maintenance and modernisation programme for equipment given at Appendix V to this budget.

Head IV – General administrative costs

Sub-Heads	Estimates for 1994	Budget for 1993	Expected expenditure in 1993	Actual expenditure in 1992
Sub-Head 18 – Postage, telephone, telefax and transport of documents	646 000	630 000	680 000	707 566
Sub-Head 19 – Duplication paper, headed writing paper and other office supplies	237 000	240 000	200 000	199 567
Sub-Head 20 – Printing and publication of documents	1 215 000	1 185 000	1 100 000	1 163 112
Sub-Head 21 – Purchase of documents	75 000	75 000	60 000	48 336
Sub-Head 22 – Official car	65 000	125 000	90 000	58 950
Sub-Head 23 – Bank charges	500	500	0	556
TOTAL OF HEAD IV	2 238 500	2 255 500	2 130 000	2 178 087

*Explanations**Sub-Head 18*

Like last year, estimates under this sub-head take account of the considerable increase in the volume of documents being posted and of communications by telephone and telefax. Account has also been taken of an increase of about 10% in postal charges that has been announced.

Sub-Head 19

The reduction of F 3 000 under this sub-head is due to the use of a new photocopier.

Sub-Head 20

Estimates under this sub-head take into account the expected rate of inflation (2.5%).

Sub-Head 21

Estimates under this sub-head are the same as in 1993.

Sub-Head 22

Estimates under this sub-head include the cost of running the Assembly's official car (garage, petrol, servicing, insurance, etc.). Since it will be driven by the driver-usher-messenger whose recruitment has been requested, no estimate is included for hiring a chauffeur-driven car for the President of the Assembly.

Sub-Head 23

The estimate of F 500 remains unchanged.

Head V – Other expenditure

Sub-Heads	Estimates for 1994	Budget for 1993	Expected expenditure in 1993	Actual expenditure in 1992
Sub-Head 24 – Travelling and subsistence allowances and insurance for the President of the Assembly, chairmen of committees and rapporteurs	295 000	246 000	260 000	140 119
Sub-Head 25 – Expenses for representation	360 000	350 000	350 000	326 242
Sub-Head 26 – Committee study missions	5 000	5 000	0	0
Sub-Head 27 – Official journeys of members of the Office of the Clerk	708 000	590 000	724 000	750 595
Sub-Head 28 – Expenses of experts and the auditor	60 000	50 000	60 000	79 210
Sub-Head 29 – Expenditure on information	510 000	430 000	450 000	444 751
Sub-Head 30 – Expenses for political groups	569 000	534 000	534 000	534 000
Sub-Head 31 – Contingencies and other expenditure not elsewhere provided for	3 000	3 000	0	18 304
Sub-Head 32 – Non-recoverable taxes	29 000	28 000	28 000	21 178
TOTAL OF HEAD V	2 539 000	2 236 000	2 406 000	2 314 399

Explanations

(Expenditure under all these sub-heads reflect experience during 1993 to date as well as anticipated increasing activity costs in 1994)

Sub-Head 24

The cost of travelling and subsistence allowances for members of the Assembly for sessions and committee meetings is borne by the governments of member countries, as are those of members of the Bureau and the Presidential Committee.

The Assembly bears the cost of travelling and subsistence allowances for visits by the President of the Assembly, rapporteurs and, when appropriate, committee chairmen when these visits are connected with the preparation of a report or the work of the Assembly. Journeys by committee chairmen and rapporteurs are subject to approval by the Presidential Committee.

Sub-Head 25

The participation in sessions of the Assembly of very high-ranking official speakers and the ever-increasing number of visits to the Assembly by parliamentary delegations from countries of Eastern Europe and the Mediterranean justify the increase in credits requested under this sub-head.

Sub-Head 26

Sums under this sub-head are to cover extraordinary expenditure for committee study visits. As these sums cannot be foreseen accurately, the same amount has been requested as last year.

Sub-Head 27

Estimates under this sub-head are based on the programme of work of the various Assembly committees in 1994.

Sub-Head 28

This sum is to cover the cost of auditing the Assembly's accounts and the participation of experts in the symposia organised by the Assembly.

Sub-Head 29

There is an increase of F 80 000 in the estimate for this sub-head to allow the Press Counsellor to develop and improve his service.

Sub-Head 30

Compared with the previous financial year, there is an increase of 6.5% in the estimate under this sub-head since, with the accession of Greece to WEU, the Assembly will probably have fourteen more parliamentarians (seven representatives and seven substitutes).

In accordance with the decisions taken by the Presidential Committee, each of the political groups of the Assembly has an equal fixed share and a further sum in proportion to the number of members listed. All the groups have to submit a balance sheet at the close of the financial year. All the balance sheets are appended to the accounts of the Assembly and are consequently subject to verification by the auditor.

Sub-Head 31

The same amount is requested as for 1993.

Sub-Head 32

There is a small increase of F 1 000 in the estimate for this sub-head.

PART I: OPERATING BUDGET

Section B – Receipts

	Estimates for 1994	Budget for 1993	Expected receipts in 1993	Actual receipts in 1992
1. Sale of publications	25 000	40 000	30 000	30 389
2. Bank interest	60 000	60 000	70 000	160 655
3. Receipts (Reimbursements, social security, etc.)	10 000	10 000	15 000	30 389
TOTAL RECEIPTS	95 000	110 000	115 000	221 433

Explanations

Estimates for bank interest and social security reimbursements are based on experience. Those relating to the sale of publications take account of the fact that one sales agent has cancelled his contract for economic reasons and that there has been a fall of 12% in sales in the United States. Efforts are being made to improve this position.

PART II: PENSIONS BUDGET

*Section A – Expenditure**Head I – Pensions, allowances and social charges*

Sub-Heads	Estimates for 1994	Budget for 1993	Expected expenditure in 1993	Actual expenditure in 1992
Sub-Head 1 – Pensions and leaving allowances				
1.1. Retirement pensions	3 708 000			
1.2. Invalidity pensions	477 000			
1.3. Survivors' pensions	63 000			
1.4. Orphans' or dependants' pensions	0			
1.5. Leaving allowances	0			
	4 248 000	3 963 650	4 015 500	3 332 294
Sub-Head 2 – Family allowances				
2.1. Household allowances	160 000			
2.2. Children's and other dependants' allowances	33 000			
2.3. Education allowances	0			
	193 000	188 300	189 500	166 855
Sub-Head 3 – Supplementary insurance	147 000	105 000	136 000	92 675
TOTAL OF HEAD I	4 588 000	* 4 256 950	4 341 000	3 591 824

* Including F 148 950 carried over from the financial year 1992 to the financial year 1993 to meet 1992 commitments which fall due in 1993.

*Explanations**Sub-Heads 1 and 2*

In 1994, the Assembly will be paying seventeen pensions, as follows:

- fourteen retirement pensions;
- two invalidity pensions;
- one survivor's pension.

Estimates of expenditure under these two sub-heads are calculated in accordance with the provisions of the pension scheme rules on the basis of the scales set out in the nineteenth co-ordination report.

Sub-Head 3

Pensioners are insured against the risk of sickness in accordance with Article 19 *bis* of the collective convention in force.

Estimates of expenditure under this sub-head correspond to the proportion of the premium paid by the Assembly.

PART II: PENSIONS BUDGET

Section B – Receipts

	Estimates for 1994	Budget for 1993	Expected receipts in 1993	Actual receipts in 1992
Contributions by permanent officials	925 000	765 000	794 000	699 870

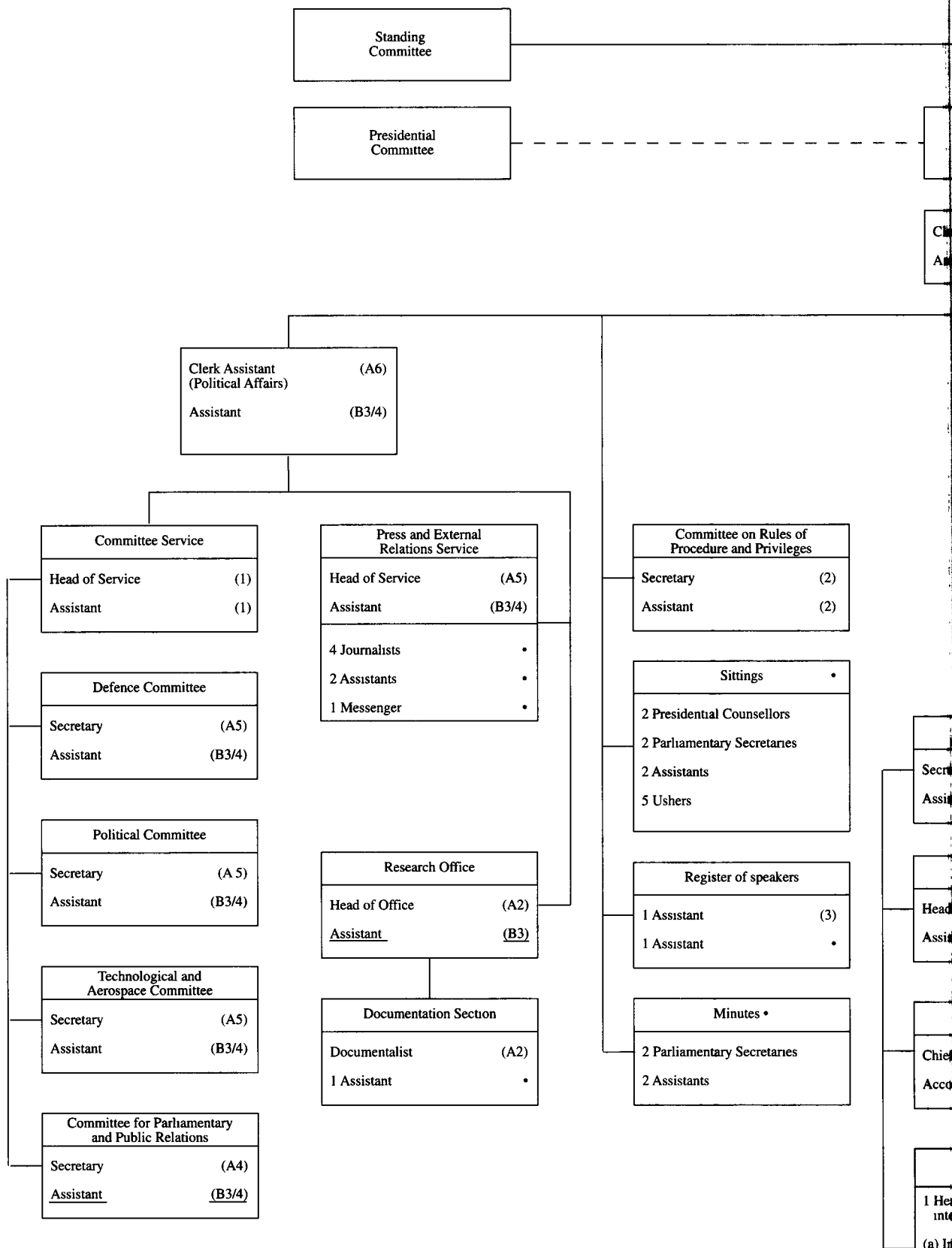
Explanations

Estimated receipts are calculated on the basis of contributions to the pension scheme paid by the thirty-nine permanent staff members of the Office of the Clerk of the Assembly (7.5% of basic salary) affiliated to the pension scheme. By a decision of the Council taken on the basis of the fifteenth co-ordination report, this contribution has been raised from 7% to 7.5%.

APPENDIX I

*Recapitulatory table showing changes in the staff
of the Office of the Clerk of the WEU Assembly
proposed in the 1994 budget*

Grade	Duties	1993 budget	1992 budget	+ or -
H.G.	Clerk	1	1	0
A6	Clerk Assistants	2	2	0
A5	Counsellors	5	5	0
A4	First secretaries	2	2	0
L4	Translator-interpreter	1	-	1
L3	Translator-interpreter	-	1	- 1
L2	Translator	1	-	1
A2	Head of General Services; Head of private office	2	2	0
A2	Translators; Documentalists	4	4	0
A2	Chief accountant	1	-	1
B6	Chief accountant	-	1	- 1
B4	Qualified assistants	7	7	0
B4	Equipment accountant; Head of documents reproduction service	1	-	1
B3	Accountant	1	1	0
B3	Bilingual shorthand-typists	8	4	4
B3	Switchboard operator	1	1	0
C6	Head of documents reproduction service	-	1	- 1
C4	Offset operators	2	2	0
C3	Usher/messenger/driver	1	-	1
		40	34	6



Notes:

• Service organised/staff recruited during sessions of the Assembly.

Posts underlined are those it is proposed to create in 1994.

* Posts proposed for regrading in the 1994 budget.

1) The duties of Head of the Committee Service are exercised by the Clerk Assistant for Political Affairs. His assistant helps him in the exercise of these duties.

2) The Clerk and his assistant are responsible for the secretariat of the Committee on Rules of Procedure and Privileges.

3) This post is normally filled by the assistant in the English Translation Service.

4) The duties of Head of the Administration and Finance Service, Head of the Personnel Section, Security Officer and Secretary of the Committee on Budgetary Affairs and Administration are carried out by the Clerk Assistant for Administration and Finance. His assistant helps him in the exercise of these duties.

5) These duties are exercised by the translator/interpreter in the French section of the Translation Service.

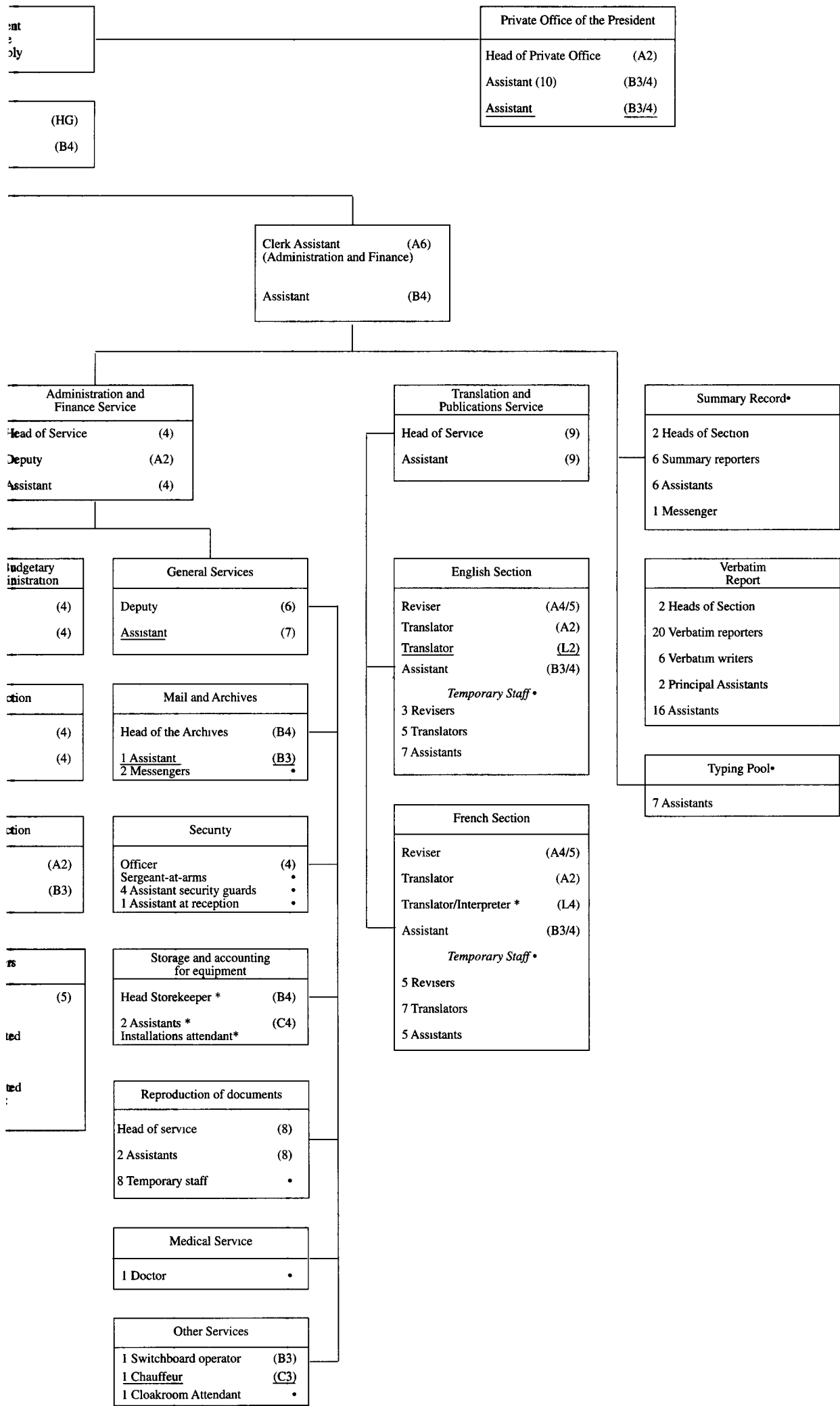
6) The Deputy Head of the Administration and Finance Service is responsible for General Services.

7) The assistant to the Deputy Head of the Administration and Finance Service is also the assistant for the Mail and Archives Service.

8) The staff responsible for storing and accounting for equipment is responsible for the operation of the printing workshop.

9) The duties of Head of the Translation and Publications Service are exercised by the most senior reviser who, since 1st October 1986, has been the English reviser. He is helped in the exercise of these duties by his assistant.

10) The assistant in the Private Office of the President is responsible for the reception desk.



Organogram of the Office of the Clerk of the Assembly

APPENDIX III

Description of the post of Chief Accountant

Grade: B6

I. *Duties*

1. *Management of the budget and accounting*

(a) Supervises and assumes responsibility for :

- the accounts of the Assembly's commitments and expenditure;
- the preparation of files on expenditure of all kinds and ensures the relevant payments (salaries, per diem allowance and travelling expenses of staff, purchase or hire of equipment and various supplies, representation expenses, etc.);
- the preparation and updating of administrative files on permanent staff (sick leave, social security, provident fund, overtime, medical check-ups, etc.) and also files on retired staff.

(b) Prepares monthly financial statements for the President of the Assembly and the Clerk.

(c) Prepares the Assembly's final accounts for submission to the auditors.

(d) Assists the auditors during their audit.

(e) Keeps the accounts of the provident fund and prepares individual annual statements.

(f) Prepares monthly and annual statements for the social security and the complementary insurance company.

2. *Finance*

(a) Keeps financial accounts of :

- contributions received from the Secretariat-General;
- transfers to and withdrawals from the budgetary account to which these contributions are credited;
- receipts paid into that account.

(b) Payment of all current expenditure : salaries, pensions, official journeys and travelling expenses of staff, bills for all purchases (office supplies, equipment, etc.), the salaries of temporary staff recruited for sessions and fees of interpreters recruited both for sessions and for committee meetings.

(c) Scrutiny of the financial balance with the WEU Secretariat-General and the bank holding the Assembly's account.

(d) Keeps an account of sums to be recovered from the Ministry for Foreign Affairs in respect of certain valued added taxes paid by the Assembly.

II. *Qualifications*

- Secondary education and training and diploma in accountancy or equivalent.
- Approximately five years' practical experience in a similar post.
- Experience of working on a personal computer, in particular for the study and application of accountancy programmes.
- Good knowledge of one of the working languages of WEU; knowledge of the other desirable.

APPENDIX IV

*Salaries of staff recruited for Assembly sessions**1. Sitings service*

Duties	Number	No. of days	Daily remuneration*		Total F
			F	F	
Counsellors to the President of Assembly	1 a	14	1 240	17 360	
	1 b	16	2 071	33 136	50 496
Heads of sections	2 a	8	1 358	21 728	
	1 b	10	2 189	21 890	
	1 b	12	2 189	26 268	69 886
Sergeant-at-arms	1 b	10	1 931	19 310	19 310
Parliamentary secretaries	2 a	8	1 100	17 600	
	2 b	10	1 931	38 620	56 220
Précis writers	3 a	8	1 100	26 400	
	3 b	10	1 931	57 930	84 330
Verbatim reporters	6 a	8	1 101	52 848	
	14 b	10	1 931	270 340	323 188
Editors	2 a	8	1 100	17 600	
	4 b	10	1 931	77 240	94 840
Principal assistants	2 a	8	716	10 960	
	3 b	10	1 248	48 520	
Assistants to the President's counsellors	1 a	14	493	6 608	
	1 b	16	1 025	16 000	
Assistants assigned to other services	10 a	8	628	48 080	
	20 b	10	1 160	225 800	
	1 b	12	1 160	13 548	369 516
Ushers	6 a	8	520	24 960	
Messengers	3 a	10	520	15 600	
Installations attendant	1 a	14	409	5 726	
Cloakroom attendant	1 a	8	520	4 160	50 446
Photocopier-assemblers	4 a	10	520	20 800	20 800
	96				1 139 032
Adjustment for 1994					1 139 032
Travelling expenses					300 000
					1 439 032
				Rounded up to	1 440 000

* In accordance with scales in force on 1st July 1992.

a. Recruited locally.

b. Recruited outside Paris.

2. Interpretation service

Duties	Number	No. of days	Total F
Interpreters	14 a	8	392 224
	10 b	10	375 900
	24		768 124
Adjustment for 1994			768 124
Travelling expenses			120 000
			888 124
		Rounded up to	890 000

a. Recruited locally.

b. Recruited outside Paris.

N.B.: On 1st July 1992, the daily remuneration of interpreters amounted to F 3 502. In addition, interpreters recruited outside Paris are entitled to payment for time spent in travelling (one or two half days as appropriate), a daily allowance (per diem) corresponding to that of a Grade L4 permanent official, plus reimbursement of their travelling expenses.

3. Translation service

Duties	Number	Daily remuneration F	Estimates ¹	Total F
Revisers	5 a	1 383	138 300	226 860
	2 b	2 214	88 560	
Translators	5 a	1 093	109 300	301 700
	5 b	1 924	192 400	
Principal assistants	1 a	563	14 075	68 825
	2 b	1 095	54 750	
Assistants	4 a	493	49 300	177 425
	5 b	1 025	128 125	
	29			774 810
Adjustment for 1993				774 810
Travelling expenses				30 000
				804 810
			Rounded up to	805 000
Financial implications of translating Greek texts into the WEU official languages				60 000
				865 000

1. Based on 20 days for revisers and translators and 25 days for assistants.

a. Recruited locally.

b. Recruited outside Paris.

APPENDIX V

Five-year modernisation and maintenance programme for the equipment of the Office of the Clerk*(The estimates given may fluctuate with the trend of prices)*

Ref. No.	Equipment	Modernisation and equipment programme	Budgets				
			1994	1995	1996	1997	1998
1	<i>A. Reproduction and printing equipment</i>						
1.1	1 RX 1090	Hire since 1991 (rate blocked). The contract expires at end of 1995. Maintenance contract for 240 000 copies per quarter included in the hire cost.	104 500	104 500	104 500	104 500	104 500
1.2	1 RX 5380	This photocopier, hired in June 1993, replaces the old Gestetner 2382 ZDF rate blocked. Maintenance (indexed). Maintenance calculated on the basis of the number of copies over and above 225 000 copies per quarter.	74 600 72 000	74 600 72 000	74 600 72 000	74 600 72 000	74 600 72 000
1.3	1 Gestetner 2382 ZDF	This is leased for a five-year period. The contract expires in April 1996. Cost of hire	25 000	25 000	25 000	25 000	25 000
1.4	2 RX 5034	The cost of maintenance depends on the number of copies made. As from 1992. Cost of hire	31 700	31 700	8 000		
1.5	1 RX 5317	The cost of maintenance depends on the number of copies made. This photocopier replaces the old Gestetner 2200 assigned to the archives and mail office. The cost of maintenance is calculated on the basis of a fixed number of 4 500 copies per quarter.	8 000 29 000	8 000 29 000	8 000 29 000	8 000 960	8 000
2	<i>Offset machines</i>		23 000	23 000	23 000	23 000	23 000
2.1	1 Gestetner 311	Purchased in 1984.	2 800	2 800	2 800	2 800	2 800
3	<i>Electrostatic stereotypers</i>						
3.1	1 Gestetner PM/9	Purchased in 1980.					
3.2	1 Gestetner DT1	Purchased in 1985.					
3.3	1 Gestetner 100PM	Purchased in 1986. As these machines are not often used, the maintenance contracts have been cancelled.					
4	<i>Binding machines</i>						
4.1	1 Gestetner 100						
4.2	1 Orpo Planax						
4.3	1 Orpo Thematic						
4.4		Property of the Assembly. This machine is in condition. Normal maintenance by the staff concerned is enough to keep it in good working order.					
5	<i>Miscellaneous equipment</i>						
5.1	1 Logabax-Ordina 7630 assembling machine with stapler	Purchased in 1977, this machine is serviced when required, since the cost of a maintenance contract is exorbitant. It is no longer considered necessary to replace it as the printing workshop was equipped in 1991 with photocopiers that assemble.					

Ref. No.	Equipment	Modernisation and equipment programme	Budgets				
			1994	1995	1996	1997	1998
5.2	1 AM International 5000 addressograph	Property of the Assembly.	4 300	4 300	4 300	4 300	4 300
5.3	1 Fortematic 655	Maintenance contract (indexed) Purchased in 1976.					
	<i>B. Typewriters and calculators</i>						
6	<i>Office of the Clerk</i>						
6.1	8 Olivetti ET 121 electronic typewriters	Purchased between 1981 and 1983, these typewriters are in good condition.					
6.2	1 ET 221 Olivetti	Purchased in 1983, it is in good condition.					
6.3	1 ET 2400 Olivetti	Purchased in 1989, it is in excellent condition.					
6.4	4 calculators	These machines are in good working order.					
7	<i>For use during the sessions</i>						
7.1	4 RX 6015 electronic typewriters (English keyboard)	These machines were purchased in 1986 and are assigned to session services.					
7.2	1 IBM electric typewriter (French keyboard)	Assigned to a political group.					
7.3	2 ET 109 typewriters (Italian keyboard)	Assigned to the Italian Delegation and the Italian summary reporters.					
7.4	1 Editor electric typewriter (Italian keyboard)	Assigned to the Italian summary reporters.					
7.5	2 Olivetti ET 2400 electronic typewriters 1 Portuguese keyboard 1 Spanish keyboard	Purchased in 1989, they are assigned to the Portuguese and Spanish Delegations.					
7.6		All typewriters and calculators are serviced by a mechanic twice a year, before each session. A single lump sum should be earmarked for possible repairs at other times.	9 000	9 000	9 000	9 000	9 000
7.7	Hired typewriters	To meet the requirements of the various services during Assembly sessions, the following hire programme is envisaged for each session: - 14 electric machines with English keyboards, - 6 electric machines with French keyboards, - 3 electric machines with German keyboards.	17 000	17 000	17 000	17 000	17 000

Ref. No.	Equipment	Modernisation and equipment programme	Budgets					
			1994	1995	1996	1997	1998	
8	<i>Typewriters in reserve</i>							
8.1	6 Olympia SGE 51 electric typewriters 2 English keyboards 5 French keyboards (one with long carriage)	Purchased between 1966 and 1979, they are kept in reserve in case of need (e.g. at the request of journalists or in the event of an electricity cut)						
8.2	21 Olympia mechanical typewriters 19 English keyboards 2 French keyboards							
	<i>C. Miscellaneous equipment</i>							
9	<i>Dictaphones</i>							
9.1	2 Uher 5000	Purchased in 1971, they will remain in service as long as possible.						
9.2	6 Sony BM	Purchased in 1987, 1990, 1992 and 1993. These dictaphones are in very good working order.						
9.3	8 Grundig Stenorettes	Purchased between 1963 and 1987, they should be replaced gradually as from 1992.						
9.4	1 telefax		25 000					
9.5	1 stenotype machine Grandjean	Purchased in 1974, this machine is in good working order.						
9.6		Provision for an overall sum in the budget for possible repairs to equipment in this category.	4 000	4 000	4 000	4 000	4 000	
	<i>D. Word processors and computers</i>							
10	<i>Computers and word processors</i>							
10.1	6 Olivetti M 300 3 Olivetti M 300/05 2 Olivetti M 300/08 6 Olivetti M 300/15 2 Olivetti M 300/30	These have been hired on a five-year leasing basis. The contracts expire in May 1995, January 1998 and July 1998. Cost of hire	186 000	145 000	106 300	106 300	54 900	
10.2	1 Olivetti M 24	Property of the Assembly.						
10.3		Maintenance contract (indexed) for all word processors and computers described in paragraphs 10.1	48 800	50 000	50 000	50 000	50 000	
10.4	3 Macintosh II CI SE SE 30	Purchased in 1988, 1990 and 1991. Maintenance contract (indexed)	14 000	14 000	14 000	14 000	14 000	
	<i>E. Office furniture</i>							
11	Office of the Clerk	Purchase or replacement of various items of furniture in the Office of the Clerk.	40 000	40 000	40 000	40 000	40 000	

Breakdown by budget classification

Budget classification		Ref. No. in programme	Budgets				
Head	Sub-Head		1994	1995	1996	1997	1998
III	15. Purchase or repair of office furniture	11	40 000	40 000	40 000	40 000	40 000
III	16. Purchase of reproduction and other office equipment	9.4	25 000	9 000	9 000		
III	17. Hire and maintenance of reproduction and other office equipment	1.1	104 500	104 500	104 500	104 500	104 500
		1.2	171 600	171 600	171 600	171 600	171 600
		1.3	39 700	39 700	16 000	8 000	8 000
		1.4	52 000	52 000	52 000	23 960	23 000
		1.5	2 800	2 800	2 800	2 800	2 800
		5.2	4 300	4 300	4 300	4 300	4 300
		7.6	9 000	9 000	9 000	9 000	
		7.7	17 000	17 000	17 000	17 000	17 000
		9.6	4 000	4 000	4 000	4 000	4 000
		10.1	186 000	145 000	106 300	106 300	54 900
		10.3	48 800	50 000	50 000	50 000	50 000
		10.4	14 000	14 000	14 000	14 000	14 000
	TOTAL		653 700	613 900	575 200	547 160	494 800
	ROUNDED UP		654 000	614 000	576 000	548 000	494 800

APPENDIX VI

Trend of the Assembly budgets from 1993 to 1994

	1994 a	1993 b	% $\frac{b-a}{a}$
A. Operating budget			
Head I. Permanent staff	19 450 000	17 817 130	+ 9.16
Head II. Temporary staff	4 332 000	4 112 250	+ 5.34
Head III. Expenditure on premises and equipment	2 199 000	1 967 000	+ 11.79
Head IV. General administrative costs	2 238 500	2 255 500	- 0.75
Head V. Other expenditure	2 539 000	2 236 000	+ 13.55
Total expenditure	30 758 500	28 387 880	+ 8.35
Receipts	95 000	110 000	- 13.64
Net Total	30 663 500	28 277 880	+ 8.43
B. Pensions budget			
Pensions and leaving allowances	4 588 000	4 256 950	+ 7.77
Receipts	925 000	765 000	+ 21.44
Net Total	3 663 000	3 491 950	+ 4.89
GENERAL NET TOTAL (A + B)	34 326 500	31 769 830	+ 8.04
TOTAL OF HEADS II TO V OF OPERATING BUDGET	11 308 500	10 570 750	+ 6.97

APPENDIX VII

Implications of the various heads for the 1993 and 1994 operating budgets

	1993			1994		
	Amount	% of		Amount	% of	
		A	B		A	B
<i>Operating budget</i>						
Expenditure						
Head I - Permanent staff	17 817 130	62.76	63.01	19 450 000	63.24	63.43
Head II - Temporary staff	4 112 250	14.49	14.54	4 332 000	14.08	14.12
Head III - Premises and equipment	1 967 000	6.93	6.96	2 199 000	7.15	7.17
Head IV - General administrative costs	2 255 500	7.95	7.98	2 238 500	7.28	7.30
Head V - Other expenditure	2 236 000	7.87	7.90	2 539 000	8.25	8.28
A. TOTAL	28 387 880	100.00	100.39	30 758 500	100.00	100.30
Receipts	110 000		0.39	95 000		0.30
B. NET TOTAL	28 277 880	100.00	100.00	30 663 500	100.00	100.00

Column A = Total of expenditure.

Column B = Net total (expenditure less receipts).

*Draft budget of the administrative expenditure
of the Assembly for the financial year 1994*

ADDENDUM 1 to the REPORT

*submitted on behalf of the Committee on Budgetary Affairs and Administration
by Mr. Rathbone, Chairman and Rapporteur*

Explanatory Memorandum

(submitted by Mr. Rathbone, Chairman and Rapporteur)

1. In paragraph 12 of the explanatory memorandum to the draft budget of the Assembly for 1994, it was underlined that estimates for the salaries of permanent and temporary staff and for pensions – calculated on the basis of the scales in force on the date when the budget was prepared – were subject to adjustment in accordance with decisions to be taken by the Council on the new scales proposed at co-ordination level.
2. These scales, which were the subject of the twenty-second report of the CCR (Co-ordinating Committee on Remuneration), were approved by the Council with effect from 1st July 1993. Hence it is now possible to make the necessary adjustments to the initial estimates, taking into account the fact that, for 1994, it is possible, in accordance with information communicated to the Assembly by the Deputy Secretary-General of WEU, to foresee an increase of 2% in the total amount resulting from the new scales.
3. The following tables, showing the new estimates, replace the tables given in Document 1383 “Draft budget of the administrative expenditure of the Assembly for the financial year 1994”:
 - summary of estimates of receipts and expenditure for the financial year 1994;
 - estimates under Head I – Permanent staff;
 - estimates under Head II – Temporary staff;
 - estimates under Head I of the pensions budget;
 - estimates for receipts under the pensions budget;
 - Appendix IV – Salaries of staff recruited for Assembly sessions;
 - Appendix VI – Trend of the Assembly budgets from 1993 to 1994;
 - Appendix VII – Implications of the various heads for the 1993 and 1994 operating budgets.
4. It should be underlined that, apart from the implications of the new salary scales, no other change has been made to the draft budget circulated under reference Document 1383.
5. As shown in the table at Appendix VI, the new grand net total of estimates relating to the draft budget of the Assembly for 1994 (operating budget plus pensions budget less receipts) amounts to F 35 304 500, representing, compared with the grand net total of the budget for the financial year 1993, a growth rate of 11.13%. In the operating budget (expenditure under Heads I to V), there is a growth rate of 11.32%, while the total under Heads II to V, where the Assembly has budgetary autonomy, is 8.21%.

**Summary of estimates of receipts and expenditure
for the financial year 1994**

Details	Receipts	Expenditure
PART I: Operating budget		
<i>Section A:</i> Expenditure		
<i>Head I:</i> Permanent staff		20 163 000
<i>Head II:</i> Temporary staff		4 462 000
<i>Head III:</i> Expenditure on premises and equipment		2 199 000
<i>Head IV:</i> General administrative costs		2 238 500
<i>Head V:</i> Other expenditure		2 539 000
<i>Section B:</i> Receipts	95 000	
	95 000	31 601 500 95 000
NET TOTAL		31 506 500
PART II: Pensions budget		
<i>Section A:</i> Expenditure		
<i>Head I:</i> Pensions, allowances and social charges		4 756 000
<i>Section B:</i> Receipts	958 000	
		4 756 000 958 000
NET TOTAL		3 798 000
NET TOTAL BUDGET		35 304 500

Budget estimates

PART I: OPERATING BUDGET

*Section A – Expenditure**Head I – Permanent staff*

Sub-Heads	Estimates for 1994	Budget for 1993	Expected expenditure in 1993	Actual expenditure in 1992
Sub-Head 1 – Basic salaries	13 675 000	12 614 950	12 515 000	11 340 938
Sub-Head 2 – Allowances:				
2.1. Expatriation allowance	1 575 000			
2.2. Household allowance	690 000			
2.3. Allowance for children and other dependent persons	790 000			
2.4. Rent allowance	45 000			
2.5. Education allowance	100 000			
2.6. Allowance for language courses	2 000			
2.7. Overtime	80 000			
2.8. Home leave	50 000			
	3 332 000	2 662 340	2 707 000	2 374 371
Sub-Head 3 – Social charges:				
3.1. Social security	1 885 000			
3.2. Supplementary insurance	710 000			
3.3. Provident fund	116 000			
	2 711 000	2 526 840	2 500 000	2 223 024
Sub-Head 4 – Expenses relating to the recruit- ment and departure of permanent officials				
4.1. Travelling expenses of candi- dates for vacant posts	25 000			
4.2. Travelling expenses on arrival and departure of permanent officials and their families	29 000			
4.3. Removal expenses	225 000			
4.4. Installation allowance	150 000			
	429 000	0	0	81 306
Sub-Head 5 – Medical examination	16 000	13 000	7 000	4 633
TOTAL OF HEAD I	20 163 000	* 17 817 130	17 729 000	16 024 272

* Including F 305 130 carried over from the financial year 1992 to financial year 1993 to meet 1992 commitments which fall due in 1993.

Head II - Temporary staff

Sub-Heads	Estimates for 1994	Budget for 1993	Expected expenditure in 1993	Actual expenditure in 1992
Sub-Head 6 - Staff recruited for sessions of the Assembly				
6.1. Sittings service	1 474 000			
6.2. Interpretation service	923 000			
6.3. Translation service	893 000			
6.4. Other services	<u>90 000</u>			
	3 380 000	3 249 550	3 000 000	2 837 725
Sub-Head 7 - Interpretation staff required for Assembly work between sessions	793 000	638 000	650 000	602 383
Sub-Head 8 - Temporary staff for the Office of the Clerk	75 000	25 000	20 000	23 601
Sub-Head 9 - Social charges				
9.1. Insurance for temporary staff other than interpreters	9 000			
9.2. Provident fund for interpreters	197 000			
9.3. Insurance for interpreters	<u>8 000</u>			
	214 000	199 700	170 000	145 874
TOTAL OF HEAD II	4 462 000	* 4 112 250	3 840 000	3 609 583

* Including F 47 750 carried over from the financial year 1992 to the financial year 1993 to meet 1992 commitments which fall due in 1993.

PART II: PENSIONS BUDGET

*Section A – Expenditure**Head I – Pensions, allowances and social charges*

	Estimates for 1994	Budget for 1993	Expected expenditure in 1993	Actual expenditure in 1992
Sub-Head 1 – Pensions and leaving allowances				
1.1. Retirement pensions	3 845 000			
1.2. Invalidity pensions	495 000			
1.3. Survivors' pensions	64 000			
1.4. Orphans' or dependants' pensions	0			
1.5. Leaving allowances	0			
	4 404 000	3 963 650	4 015 500	3 332 294
Sub-Head 2 – Family allowances				
2.1. Household allowances	160 000			
2.2. Children's and other dependants' allowances	34 000			
2.3. Education allowances	0			
	200 000	188 300	189 500	166 855
Sub-Head 3 – Supplementary insurance	152 000	105 000	136 000	92 675
TOTAL OF HEAD I	4 756 000	* 4 256 950	4 341 000	3 591 824

* Including F 148 950 carried over from the financial year 1992 to the financial year 1993 to meet 1992 commitments which fall due in 1993.

PART II: PENSIONS BUDGET

Section B – Receipts

	Estimates for 1994	Budget for 1993	Expected receipts in 1993	Actual receipts in 1992
Contributions by permanent officials	958 000	765 000	794 000	699 870

*Salaries of staff recruited for Assembly sessions**1. Sitings service*

Duties	Number	No. of days	Daily remuneration * F	Total F	Total F
Counsellors to the President of the Assembly	1 a	14	1 259	17 626	51 066
	1 b	16	2 090	33 440	
Heads of sections	2 a	8	1 379	22 064	70 684
	1 b	10	2 210	22 100	
	1 b	12	2 210	26 520	
Sergeant-at-arms	1 b	10	1 949	19 490	19 490
Parliamentary secretaries	2 a	8	1 118	17 888	56 868
	2 b	10	1 949	38 980	
Précis writers	3 a	8	1 118	26 832	85 302
	3 b	10	1 949	58 470	
Verbatim reporters	6 a	8	1 118	53 664	326 524
	14 b	10	1 949	272 860	
Editors	2 a	8	1 118	17 888	95 848
	4 b	10	1 949	77 960	
Principal assistants	2 a	8	728	11 648	37 800
	3 b	10	1 260	37 800	
Assistants to the President's counsellors	1 a	14	501	7 014	16 528
	1 b	16	1 033	16 528	
Assistants assigned to other services	10 a	8	638	51 040	372 070
	20 b	10	1 170	234 000	
	1 b	12	1 170	14 040	
Ushers	6 a	8	529	25 392	
Messengers	3 a	10	529	15 870	
Installations attendant	1 a	14	415	5 810	
Cloakroom attendant	1 a	8	529	4 232	51 304
Photocopier-assemblers	4 a	10	529	21 160	21 160
	96				1 150 316
Adjustment for 1994 2%					23 006
					1 173 322
Travelling expenses					300 000
					1 473 322
				Rounded up to	1 474 000

* In accordance with scales in force on 1st July 1993.

a. Recruited locally.

b. Recruited outside Paris.

2. Interpretation service

Duties	Number	No. of days	Total F
Interpreters	14 a	8	398 608
	10 b	10	388 140
	24		786 748
Adjustment for 1994 2%			15 735
Travelling expenses			802 483
			120 000
			922 483
		Rounded up to	923 000

- a. Recruited locally.
b. Recruited outside Paris.

3. Translation service

Duties	Number	Daily remuneration F	Estimates ¹	Total F
Revisers	5 a	1 405	140 500	229 940
	2 b	2 236	89 440	
Translators	5 a	1 111	111 100	305 300
	5 b	1 942	194 200	
Principal assistants	1 a	572	14 300	69 500
	2 b	1 104	55 200	
Assistants	4 a	501	50 100	179 225
	5 b	1 033	129 125	
	29			783 965
Adjustment for 1994 2%				15 679
Travelling expenses				779 644
				30 000
				829 644
			Rounded up to	830 000
Financial implications of translating Greek texts into the WEU official languages				63 000
				893 000

1. Based on 20 days for revisers and translators and 25 days for assistants.
a. Recruited locally.
b. Recruited outside Paris.

Trend of the Assembly budgets from 1993 to 1994

	1993 a	1994 b	% $\frac{b-a}{a}$
A. Operating budget			
Head I. Permanent staff	17 817 130	20 163 000	+ 13.17
Head II. Temporary staff	4 112 250	4 462 000	+ 8.51
Head III. Expenditure on premises and equipment	1 967 000	2 199 000	+ 11.79
Head IV. General administrative costs	2 255 500	2 238 500	- 0.75
Head V. Other expenditure	2 236 000	2 539 000	+ 13.55
Total expenditure	28 237 880	31 601 500	+ 11.32
Receipts	110 000	95 000	+ 13.64
Net Total	28 277 880	31 506 500	+ 11.42
B. Pensions budget			
Pensions and leaving allowances	4 256 950	4 756 000	+ 11.72
Receipts	765 000	958 000	+ 25.23
Net Total	3 491 950	3 798 000	+ 8.76
GENERAL NET TOTAL (A + B)	31 769 830	35 304 500	+ 11.13
TOTAL OF HEADS II TO V OF OPERATING BUDGET	10 570 750	11 438 500	+ 8.21

Implications of the various heads for the 1993 and 1994 operating budgets

	1993			1994		
	Amount	% of		Amount	% of	
		A	B		A	B
<i>Operating budget</i>						
Expenditure						
Head I - Permanent staff	17 817 130	62.76	63.00	20 163 000	63.80	64.00
Head II - Temporary staff	4 112 250	14.49	14.54	4 462 000	14.12	14.16
Head III - Premises and equipment	1 967 000	6.93	6.96	2 199 000	6.96	6.98
Head IV - General administrative costs	2 255 500	7.94	7.98	2 238 500	7.08	7.10
Head V - Other expenditure	2 236 000	7.88	7.91	2 539 000	8.04	8.06
A. TOTAL	28 387 880	100.00	100.39	31 601 500	100.00	100.30
Receipts	110 000		0.39	95 000		0.30
B. NET TOTAL	28 277 880	100.00	100.00	31 506 500	100.00	100.00

Column A = Total of expenditure.
Column B = Net total (expenditure less receipts).

*Draft budget of the administrative expenditure of the Assembly
for the financial year 1994*

Opinion of the Council

ADDENDUM 2 to the REPORT ¹

*submitted on behalf
of the Committee on Budgetary Affairs and Administration ²
by Mr. Rathbone, Chairman and Rapporteur*

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submitted by Mr. Rathbone, Chairman and Rapporteur

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1. Adopted unanimously by the committee.

2. *Members of the committee:* Mr. Rathbone (Chairman); MM. Covi, Redmond (Vice-Chairmen); MM. Alvarez, Antretter, Biefnot, Branger, Büchler, Curto, Daniel, Dimmer, Mrs. Durrieu, Mr. Eversdijk, Dame Peggy Fenner, MM. Homs I Ferret, Howell (Alternate: Cummings), Jurgens, Maas, Manisco, Masson, Meyer zu Bentrup, Mrs. Moreno Gonzalez, MM. Pinto, Pizzo, Tatarella, Thissen.

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

Explanatory Memorandum

(submitted by Mr. Rathbone, Chairman and Rapporteur)

1. The draft budget of the Assembly for 1994 was examined by the WEU Budget and Organisation Committee at its meetings on 22nd October and 12th November 1993. As can be seen in Document CB (93) 3 of 15th November 1993 (See Appendix I), the committee recommended that the Council grant the Assembly an operating budget with a growth rate of 4% as a working basis. In taking this decision, the committee specified that within these limits the Assembly was free to make adjustments in its estimates and also in regard to the organogram of the Office of the Clerk on the basis of its priorities.
2. At its meeting on 16th November 1993, the Council confirmed this recommendation.
3. The following measures might be envisaged to bring the 1994 budget within the 4% growth rate:
 - (a) creation of two Grade B3 posts of assistant for the Committee for Parliamentary and Public Relations and the Archives Office involving a total expenditure of F 463 000.
 - (b) regrading of the following posts: one Grade L3 to Grade L4; one Grade B6 to Grade A2; one Grade C6 to Grade B4 involving a total expenditure of F 82 600.
 - (c) withdrawal of the credits requested with a view to the accession of Greece to WEU (F 569 000). It is in fact unlikely that the process of ratification of the protocol of accession of that country will be completed before the second half of 1994.
 - (d) increase of F 35 000 in the estimates for sub-head 24 " Travelling and subsistence allowances and insurance for the President of the Assembly, chairmen of committees and rapporteurs " and of F 16 000 for sub-head 27 " Official journeys of members of the Office of the Clerk " to take account of recent actual expenditure.
 - (e) increase from F 95000 to F 110 000 in the estimate of receipts.
4. For the draft budget of the Assembly (Documents 1383 and 1383 addendum), these measures would involve the amendments set out in Appendix II. All in all, as Appendix III shows, the revised draft budget would represent an increase of F 1 132 120 over the financial year 1993, corresponding to the 4% growth rate in the operating budget. Accordingly, the Assembly's initial proposal for the operating budget would be reduced by F 2 096 500.
5. There are no amendments to the pensions budget except for receipts which are reduced by the amount of contributions to the pension scheme relating to the new posts withdrawn from the draft budget.

APPENDIX I

Document C-B (93) 3 of 15th November 1993

Secretary-General's Note

Subject: WEU Assembly's draft 1994 budget [B (93) 36]

In accordance with the WEU Financial Regulations, Article 21 and the Western European Assembly's Charter and Rules of Procedure, Article 49, the Budget and Organisation Committee has examined the WEU Assembly draft 1994 budget at its 12th November 1993 meeting.

The committee expressed the following recommendation:

“ The Budget and Organisation Committee, having considered that the percentage increases of the draft budget were too high, has invited the Assembly to revise the draft budget downwards, taking a 4% rate of increase in Chapters I to V as a working basis. ”

If the Council confirms this recommendation, the Secretariat will immediately inform the Clerk.

APPENDIX II

*Recapitulatory table of amendments to the draft budget of the Assembly
on the basis of the opinion of the WEU Council*

Heads and sub-heads	Draft budget for 1994 (Doc. 1383 - 1383 Add.)	Amendments resulting from the opinion of the Council	Revised budget for 1994
HEAD I – PERMANENT STAFF			
Sub-Head:			
1 – Basic salaries	13 675 000	– 775 000	12 900 000
2 – Allowances	3 332 000	– 331 000	3 001 000
3 – Social charges	2 711 000	– 158 000	2 553 000
4 – Expenses relating to the recruitment and departure of permanent officials ..	429 000	– 295 500	133 500
5 – Medical examination	16 000	– 3 000	13 000
TOTAL OF HEAD I	20 163 000	– 1 562 500	18 600 500
HEAD II – TEMPORARY STAFF			
Sub-Head:			
6 – Staff recruited for sessions of the Assembly	3 380 000	– 380 000	3 000 000
7 – Interpretation staff required for Assem- bly work between sessions	793 000	–	793 000
8 – Temporary staff for the Office of the Clerk	75 000	–	75 000
9 – Social charges	214 000	– 29 000	185 000
TOTAL OF HEAD II	4 462 000	– 409 000	4 053 000
HEAD III – EXPENDITURE ON PREMISES AND EQUIPMENT			
Sub-Head:			
10 – Share of joint expenditure on the Paris premises	585 000	–	585 000
11 – Hire of committee rooms	10 000	–	10 000
12 – Technical and other installations for Assembly sessions	815 000	– 125 000	690 000
13 – Various services for the organisation of sessions	55 000	–	55 000
14 – Maintenance of the premises of the Clerk	15 000	–	15 000
15 – Purchase or repair of office furniture .	40 000	–	40 000
16 – Purchase of reproduction and other office equipment	25 000	–	25 000
17 – Hire and maintenance of reproduction and other office equipment	654 000	–	654 000
TOTAL OF HEAD III	2 199 000	– 125 000	2 074 000

Heads and sub-heads	Draft budget for 1994 (Doc. 1383 - 1383 Add.)	Amendments resulting from the opinion of the Council	Revised budget for 1994
HEAD IV – GENERAL ADMINISTRATIVE COSTS			
Sub-Head:			
18 – Postage, telephone, telex and transport of documents	646 000	–	646 000
19 – Duplication paper, headed writing paper and other office supplies	237 000	–	237 000
20 – Printing and publication of documents ..	1 215 000	–	1 215 000
21 – Purchase of documents	75 000	–	75 000
22 – Official cars	65 000	–	65 000
23 – Bank charges	500	–	500
TOTAL OF HEAD IV	2 238 500	0	2 238 500
HEAD V – OTHER EXPENDITURE			
Sub-Head:			
24 – Travelling and subsistence allowances and insurance for the President of the Assembly, chairmen of committees and rapporteurs	295 000	+ 35 000	330 000
25 – Expenses for representation	360 000	–	360 000
26 – Committee study missions	5 000	–	5 000
27 – Official journeys of members of the Office of the Clerk	708 000	+ 16 000	724 000
28 – Expenses of experts and the auditor ..	60 000	–	60 000
29 – Expenditure on information	510 000	–	510 000
30 – Expenses for political groups	569 000	– 35 000	534 000
31 – Contingencies and other expenditure not elsewhere provided for	3 000	–	3 000
32 – Non-recoverable taxes	29 000	– 1 000	28 000
TOTAL OF HEAD V	2 539 000	15 000	2 554 000
Operating budget	31 601 500	– 2 081 500	29 520 000
Receipts	95 000	+ 15 000	110 000
NET TOTAL OPERATING BUDGET	31 506 500	– 2 096 500	29 410 000
Pensions expenditure	4 756 000	–	4 756 000
Receipts	958 000	– 59 000	899 000
NET TOTAL PENSIONS BUDGET	3 798 000	59 000	3 857 000
NET GRAND TOTAL	35 304 500	– 2 037 500	33 267 000

APPENDIX III

Trend of Assembly budgets from 1993 to 1994

	1993 a	1994 b	% $\frac{b-a}{b}$
A. Operating budget			
Head I. Permanent staff	17 817 130	18 600 500	+ 4.40
Head II. Temporary staff	4 112 250	4 053 000	- 1.44
Head III. Expenditure on premises and equipment	1 967 000	2 074 000	+ 5.44
Head IV. General administrative costs	2 255 500	2 238 500	- 0.75
Head V. Other expenditure	2 236 000	2 554 000	+ 14.22
Total expenditure	28 387 880	29 520 000	+ 3.99
Receipts	110 000	110 000	0.00
NET TOTAL	28 277 880	29 410 000	+ 4.00
B. Pensions budget			
Pensions and leaving allowances	4 256 950	4 756 000	+ 11.72
Receipts	765 000	899 000	+ 17.52
NET TOTAL	3 491 950	3 857 000	+ 10.45
NET NET TOTAL (A + B)	31 769 830	33 267 000	+ 4.71

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TOTAL OF HEADS II TO V OF OPERATING BUDGET	10 570 750	10 919 500	+ 3.30
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APPENDIX IV

Implications of the various heads for the 1993 and 1994 operating budgets

	1993			1994		
	Amount	% of		Amount	% of	
		A	B		A	B
<i>Operating budget</i>						
Expenditure						
Head I - Permanent staff	17 817 130	62.76	63.00	18 600 500	63.01	63.25
Head II - Temporary staff	4 112 250	14.49	14.54	4 053 000	13.73	13.78
Head III - Premises and equipment	1 967 000	6.93	6.96	2 074 000	7.03	7.05
Head IV - General administrative costs	2 255 500	7.94	7.98	2 238 500	7.58	7.61
Head V - Other expenditure	2 236 000	7.88	7.91	2 554 000	8.65	8.68
A. TOTAL	28 387 880	100.00	100.39	29 520 000	100.00	100.37
Receipts	110 000		0.39	110 000		0.37
B. NET TOTAL	28 277 880	100.00	100.00	29 410 000	100.00	100.00

Column A = Total of expenditure.

Column B = Net total (expenditure less receipts).

*Replies of the Council to Recommendations 536 to 546***RECOMMENDATION 536¹*****on the enlargement of WEU***

The Assembly,

- (i) Welcoming the Council's energetic action, which resulted in a protocol of accession to WEU with Greece, a declaration on WEU observers regarding Denmark and Ireland and a document on associate membership regarding Iceland, Norway and Turkey within a year after the WEU declaration on enlargement issued at Maastricht on 10th December 1991;
- (ii) Regretting that the Council has felt it necessary to declare that the field of application of Article V of the modified Brussels Treaty will be subject to certain restrictions;
- (iii) Noting that at an earlier stage it strongly expressed the wish for both Greece and Turkey to be admitted simultaneously as full members and regretting that the Council was not willing to accept this view;
- (iv) Welcoming the fact that, according to the document on associate membership of WEU, Iceland, Norway and Turkey will become associate members on the day that Greece becomes a member of WEU;
- (v) Considering that Article IX of the modified Treaty is the foundation of the Assembly's rôle and existence;
- (vi) Noting the Council's reply to Written Questions 300, 311 and 312, where it suggests that the existence of Article IX of the modified Brussels Treaty does not preclude the Assembly retaining its full autonomy for resolving the problems of participation in the Assembly's activities of representatives from states which are associate members of, or observers in, WEU;
- (vii) Stressing that the enhancement of WEU's relations with Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and the Slovak Republic should also find expression in specific relations between the WEU Assembly and the parliamentarians of those states;
- (viii) Considering that national parliaments, when examining for ratification the protocol of Greece's accession to WEU, will have to take account of the proposed suspension of Article V of the modified Brussels Treaty and of Greece's rôle in European efforts to solve the crisis in the former Yugoslavia;
- (ix) Stressing that the participation of parliamentary representatives from new member states, associate member states and observer states in the activities of the Assembly will be a significant burden on the budget, personnel, office space and chamber required for the Assembly to perform its task properly,

RECOMMENDS THAT THE COUNCIL

1. Confirm the Assembly's full autonomy for resolving the problems of participation in its activities of representatives from states which are associate members of, or observers in, WEU and provide sufficient accommodation and financial means for the Assembly to implement the consequences of the accession of Greece, associate membership of Iceland, Norway and Turkey, and observer states of Denmark and Ireland, as decided in Rome on 20th November 1992;
2. Indicate which countries will be asked to participate in the budget of the Assembly, and their respective contributions to the financing of this budget, so that the Assembly may keep an account of the effective participation in WEU;
3. Indicate whether Greece, which has not signed the document on associate membership, is nevertheless committed to this text;
4. Take no steps to promote ratification of the protocol of Greece's accession to WEU before Greece has clarified its position regarding the solution of the crisis in former Yugoslavia.

1. Adopted by the Standing Committee in Rome on 19th April 1993 (See Document 1360).

REPLY OF THE COUNCIL¹***to Recommendation 536***

1. The Council can only refer back to its reply to Written Questions 311 and 312 and confirm that "the Assembly... retains its full autonomy for resolving the problems" of "full participation in the Assembly's activities of representatives of states who are associate members of, or observers in, WEU". This reply itself referred to the wording of a previous reply to Written Question 300, which stated that only the representatives of the Brussels Treaty Powers could be full members of the WEU parliamentary Assembly.

In the Council's opinion, however, this does not preclude full participation in the Assembly's activities by the representatives of states that are WEU associate members or observers. The procedures for this participation should be defined by the Assembly. The Council is confident that the Assembly's decision-making bodies will in their discussions bear in mind the political importance of the texts adopted by the Ministerial Council and the positions it had taken regarding the place that it hopes new associate members and observers in all WEU bodies will be granted.

2. The Council is aware that future decisions by the Assembly will affect the alterations to its premises to accommodate new delegations. The initial study of the alteration work required is a matter for the Assembly and the host country. In due course, the Council will assess any budgetary repercussions in liaison with the Assembly's competent bodies.

A decision on a new cost-sharing formula for the contributions of associate member states and observers to WEU's budget is on the agenda for the Council Working Group, which has been given the task of assessing the merits of the various proposals submitted by delegations and the Secretariat. The Council will of course inform the Assembly of its decisions on the subject as soon as they have been reached.

3. Under the protocol of accession of the Hellenic Republic to WEU, the former accepted "the agreements, decisions and rules adopted in conformity with the treaty and the declarations starting with the Rome declaration of 27th October 1984". By its accession to the treaty, the Hellenic Republic becomes party to the agreements concluded between the member states, as listed in an annex to the protocol of accession. During the process of Greece's ratification of its accession to WEU, however, it cannot be assumed that Greece is already bound by the document on WEU associate members, to which it is not, moreover, a signatory. Nevertheless, the document is a part of the WEU "acquis", and Greece will be bound by this text as soon as it has in fact become a full member of WEU.

4. Member states could take steps "to promote ratification of the protocol of Greece's accession to WEU" only on a national basis. The Council does not feel that there is any causal link between the process of ratification of Greece's accession and developments in former Yugoslavia.

1. Communicated to the Assembly on 14th October 1993.

RECOMMENDATION 537¹

*on technical co-operation in the framework of the Open Skies Treaty*²

The Assembly,

- (i) Welcoming the new possibilities of transparency and openness regarding military forces and activities offered by the opening of the airspace of North America, Europe and the Asian parts of the Russian Federation from Vancouver to Vladivostok for reciprocal aerial observation agreed by the Open Skies Treaty signed in Helsinki on 24th March 1992;
- (ii) Emphasising that this important confidence- and security-building measure can reach its goal of creating a new multinational co-operative security approach only if all member states of the Community of Independent States accede to the treaty and if no member country of the CSCE is excluded;
- (iii) Stressing further that more than one year after the signature of the treaty the parliaments of WEU member states should shoulder their responsibility for allowing early entry into force and full implementation of the treaty by accelerating their ratification procedures;
- (iv) Welcoming the decision of the WEU Council to form a single group of states in the framework of the Open Skies Treaty;
- (v) Noting however the difficulties encountered by the WEU Open Skies Expert Group in harmonising the different options for practical WEU co-operation during nearly two years of discussions which made it impossible to reach an agreement for the use of a single type of observation aircraft;
- (vi) Noting that the WEU aircraft pool envisaged now is to be based on the number of aircraft actually available equipped with appropriate sensors in order to conduct joint air observation missions in accordance with the treaty in its most cost-effective conditions;
- (vii) Considering that a number of questions are still open such as:
 - the selection of appropriate sensors to equip the aircraft;
 - the status of associate members and observers within the WEU group of states;
 - cost-sharing;
 - whether and to what extent should the WEU Satellite Centre be asked to take on the task of interpreting the images gathered by the sensors;
- (viii) Welcoming the efforts of the Council to negotiate the conditions of co-operation with the Russian Federation, in particular regarding its participation in the WEU aircraft pool;
- (ix) Stressing however that the WEU contacts with the Russian Federation should not be exclusive and that co-operation should be enlarged to include all interested countries of the Community of Independent States and also the eight Central and Eastern European countries with which the Council has established regular consultations;
- (x) Deeming it necessary for WEU as a group of states within the Open Skies Treaty to elaborate at an early stage concepts for the possible extension of the open skies régime to wider areas as provided for in the treaty and to establish close working contacts with the Open Skies Consultative Commission,

RECOMMENDS THAT THE COUNCIL

1. Provide the Assembly with detailed information on its decision regarding the creation of a WEU aircraft pool intended for air observation missions in the framework of the open skies régime;
2. Ensure that no type of aircraft made available by a member country shall be excluded from the pool;

1. Adopted by the Assembly on 14th June 1993 during the first part of the thirty-ninth ordinary session (1st sitting).

2. Explanatory Memorandum: see the report tabled by Mr. Tummers on behalf of the Technological and Aerospace Committee (Document 1364).

3. Inform the Assembly:
 - (a) whether Greece, the associate members and the observers are already part of the group of states created by the WEU Vienna declaration;
 - (b) whether WEU has decided in the meantime to transform this group in accordance with Article III, Section II, paragraph 3 of the Open Skies Treaty, as announced in Vienna;
4. Give an enlarged mandate to the WEU expert group:
 - (a) to examine all the additional consequences not yet tackled and which arise from the decision taken in Vienna to act as a group of states;
 - (b) to evaluate the conditions for mandating the WEU Satellite Centre to interpret sensor imagery;
 - (c) in liaison with the NATO Verification Co-ordinating Committee, to determine how to use the open skies observation means for the CFE Treaty;
 - (d) to examine the possible extension of the open skies régime to wider areas such as conflict prevention, crisis management and protection of the environment;
5. Take a joint initiative urging Armenia, Azerbaijan, Kazakhstan, Moldova, Tajikistan, Turkmenistan and Uzbekistan to accede to the Open Skies Treaty;
6. Seek co-operation similar to that envisaged with the Russian Federation also with other member states of the Community of Independent States, in particular with Ukraine and Kazakhstan, and inform the Assembly of the results of the relevant negotiations;
7. Establish a permanent WEU representation with the Open Skies Consultative Commission in Vienna.

REPLY OF THE COUNCIL ¹

to Recommendation 537

1. The Council takes note of the Assembly's request and undertakes to forward to the Assembly in due course, "the preliminary set of rules for the operation of a pool of Open Skies observation systems".

2. The Council informs the Assembly that in principle no observation systems made available by a member country is excluded from the aircraft pool.

3. The Council refers to the declaration by the Head of the German Delegation at the Open Skies plenary meeting in Vienna on 16th, 17th and 18th March 1992:

"On behalf of the Delegations of Belgium, France, Germany, Italy, Luxembourg, the Netherlands, Portugal, Spain and the United Kingdom, I should like to state that our countries intend to establish, effective from signature of the Open Skies Treaty, a group of parties under Article III, Section II, paragraph 2 of the Treaty. We also reserve our right to transform in due course this group according to paragraph 3 of the section referred to. In this connection, I should like to recall the invitation which the member states of WEU have extended to a number of other states in their declaration issued on the occasion of the 46th European Council meeting on 9th and 10th December 1991 at Maastricht."

4. A review of the other consequences arising from the decision taken in Vienna and a possible rôle for the satellite centre, in particular in data analysis, has been on the agenda for the Experts Group since 3rd June 1993.

The Council shares the Assembly's concerns and will keep it informed of progress with negotiations and any work by states party to the treaty in these fields.

5. The Council informs the Assembly that, pursuant to Article XVII, paragraph 33, of the Open Skies Treaty, all the states mentioned in paragraph 5 of the recommendation may accede to the treaty. The decision to accede to the treaty is a matter of national sovereignty for the states mentioned.

6. The Council informs the Assembly that all third states have been invited to participate in the WEU aircraft pool on condition that they accept the general rules governing its operation. Not all the third states' replies have yet been received by the Council. The Council will inform the Assembly of the outcome of negotiations in good time.

7. The WEU Presidency is responsible for liaison with the Open Skies Consultative Commission in Vienna. The Council considers that the establishment of a permanent WEU representation to the Open Skies Consultative Commission in Vienna would not meet the cost-effectiveness criteria adopted for the Open Skies régime.

1. Communicated to the Assembly on 5th October 1993.

RECOMMENDATION 538 ¹

on security in the Mediterranean ²

The Assembly,

- (i) Conscious that it is in Western Europe's own interest to have equally good relations with both its eastern and southern neighbours;
- (ii) Aware that prosperous socio-economic conditions and democratic institutions are not only the most important factors for promoting the internal stability of each country and peaceful international relations, but also contribute to the flourishing of each people's culture and traditions;
- (iii) Recognising that the stability of a whole region increases with the homogeneity of the political institutions and socio-economic systems of the countries in that region;
- (iv) Convinced that Western Europe's historic relations give it a specific responsibility to promote economic and social development, peace and security in the Mediterranean as confirmed at the EC's Lisbon summit in 1992;
- (v) Aware that throughout the southern Mediterranean region there is growing concern over the increasing threat of Islamic fundamentalist movements, while in some of these countries terrorism may endanger the stability of society;
- (vi) Conscious that Egypt, while not a Maghreb country, shares many of the Maghreb member countries' security concerns;
- (vii) Convinced that a favourable conclusion to the Middle East peace process, which is vital for peace and security in the Mediterranean as a whole, will also lead to increased European responsibility for the promotion of economic and social development, peace and security in that region;
- (viii) Noting the proposals for a Conference on Security and Co-operation in the Mediterranean (CSCM) which would seek to emulate the success of the CSCE in arms control and reduction, enhanced security through confidence-building measures, and the protection of human and minority rights;
- (ix) Recognising that at the moment there is no military threat to Western Europe from any of the states south of the Mediterranean;
- (x) Convinced nevertheless that the risk of proliferation of weapons systems and technology, whether nuclear, biological, chemical or conventional, might, if confirmed, be a serious threat to peace and stability in the Mediterranean region;
- (xi) Convinced that co-operation between universities and institutes for research into and studies of security matters on the northern and southern shores of the Mediterranean might lead to better mutual understanding,

RECOMMENDS THAT THE COUNCIL

1. Implement its decisions to establish a gradual and phased security dialogue with the Maghreb countries, starting with a restricted number of individual southern Mediterranean countries, which at a later stage could be extended to include all the countries of the region and lead to true co-operation in security matters;
2. In the perspective of a global, integrated concept of security, affirm its interest in the development, prosperity and maintenance of peace and stability in the southern Mediterranean countries;
3. Promote bilateral military training and exchange programmes between its member states and countries in the southern Mediterranean region on a bilateral basis, as a first step towards a system of confidence-building measures;

1. Adopted by the Assembly on 15th June 1993 during the first part of the thirty-ninth ordinary session (2nd sitting).

2. Explanatory Memorandum: see the report tabled by Mr. Roseta on behalf of the Political Committee (Document 1371).

4. Promote efforts by its member states, both in their bilateral trade relations and in international negotiations, to prevent or at least reduce the proliferation of weapons systems, be they nuclear, biological, chemical or conventional, which could threaten peace and stability in the Mediterranean region;
5. Commit itself to the principle of a CSCM and, at the appropriate time, pursue its establishment with vigour and perseverance;
6. Encourage the WEU Institute for Security Studies to remain in regular contact with similar institutes in the area to the south of the Mediterranean;
7. Hold effective consultations with the Community institutions and European political co-operation so that action to ensure security may be co-ordinated with a strategy of political and economic co-operation in the region.

REPLY OF THE COUNCIL¹***to Recommendation 538***

1. The Ministerial Council held in Rome on 19th May 1993 "asked the Representative of the WEU Presidency and the Secretary-General to propose to the Brussels Ambassadors of the Maghreb countries the principle of periodic meetings, on a twice-yearly basis, in order to pursue the dialogue in greater depth by means of two-way information and an exchange of views, especially on the principles likely to contribute to a resolution of security questions in the Mediterranean".

Under the Ministerial mandate for contacts with the Maghreb countries, a representative of the Presidency and the WEU Secretary-General met the Tunisian Deputy Minister for Foreign Affairs in Brussels on 19th July 1993. At the time, Tunisia held the Presidency of the Arab Maghreb Union (AMU).

2. The Council is aware of the fact that the new risks and uncertainties faced by Europe in the Mediterranean have their roots not just in cultural and political problems but also in social and economic problems. In this respect, the Council looks forward confidently to the development of the future common foreign and security policy of the European Union.

3. The Council takes due note of the Assembly's recommendation. Forms of co-operation between WEU member states and countries in the Southern Mediterranean region are on the agenda of the Permanent Council's Mediterranean Group.

4. The Council reminds the Assembly that the principles defined by its Mediterranean Working Group which may contribute to the settlement of security questions in the Mediterranean includes the non-proliferation of weapons. The aim in its implementation should be to prevent the risks arising in particular from the spread of weapons of mass destruction in the region, as well as risks associated with the proliferation of ballistic missiles that could carry nuclear, bacteriological or chemical warheads, including those associated with the propagation of technical skills and expertise.

5. The Council's Mediterranean Group is the WEU forum for intergovernmental debate on the CSCM concept. It is apparent from discussions within this group that most member states feel that the time is not yet ripe for an initiative of this type covering the Mediterranean region as a whole.

6. The Council informs the Assembly that the rôle assigned to the WEU Institute for Security Studies includes developing contacts with the Maghreb countries in accordance with the missions it has been assigned by the Ministerial Council. For example, a seminar on the southern dimension of European security: the Mediterranean area and the European security identity was held in Rome on 5th and 6th March 1993. Its aim was to launch a debate with the countries of the southern Mediterranean on security in the Mediterranean. The institute's programme of work over the next few months includes the development of this type of activity.

7. The Council takes due note of the Assembly's recommendation and will keep it informed of the action it takes as a result, as soon as working relations and the exchange of information with the European institutions can be fully developed in accordance with the terms of the WEU Maastricht and Petersberg declarations.

1. Communicated to the Assembly on 14th October 1993.

RECOMMENDATION 539 ¹

on the interpretation of Article XII of the modified Brussels Treaty ²

The Assembly,

- (i) Considering that the Council has so far given no juridically-based justification for its decision to consider that the high contracting parties to the Paris Protocols of 23rd October 1954 would be authorised to release themselves from their commitments in 1998;
- (ii) Recalling that, in its answer to Written Questions 306, 309, 314 and 315, the Council at last agreed to examine the Assembly's views on this matter;
- (iii) Considering that the Assembly's competence to interpret, on the same basis as the Council, the Protocols of 23rd October 1954 is established by Article IX of the modified Brussels Treaty;
- (iv) Recalling that, in its answer to Recommendation 372, the Council assured the Assembly that "no substantial reforms of WEU will be undertaken without prior consultation with the Assembly";
- (v) Considering that the Paris Protocols are not simply a revision of the 1948 Brussels Treaty but establish a new treaty because:
 - (a) they are directed towards new goals;
 - (b) they are the basis of a European union whose vocation is to be enlarged and entirely new means are implemented;
 - (c) the Paris Agreements are not limited to Protocol No. I which modifies the Brussels Treaty but include three other protocols whose aim is different;
 - (d) they create a new organisation;
 - (e) for the first time they associate the parliaments of the high contracting parties with the application of an alliance;
- (vi) Considering it quite clear that the high contracting parties, when signing and ratifying the Paris Agreements, considered that the essential provisions of those agreements should remain in force for half a century because of Article XII of the new treaty,

RECOMMENDS THAT THE COUNCIL

Concur with its juridically-based interpretation of Article XII of the modified Brussels Treaty, according to which the 1954 Paris Agreements establish a new treaty, and conform to it.

1. Adopted by the Assembly on 15th June 1993 during the first part of the thirty-ninth ordinary session (3rd sitting).

2. Explanatory Memorandum: see the report tabled by Mr. Goerens on behalf of the Political Committee (Document 1369).

REPLY OF THE COUNCIL¹***to Recommendation 539***

The Council considers that, following the thorough legal examination of this problem it has conducted with the support of legal experts from member states, it has given a detailed reply to the series of written questions put by members of the WEU parliamentary Assembly on the interpretation of Article XII of the modified Brussels Treaty, which took up the wording of Article X of the Brussels Treaty. It points out that this consultation confirmed the position previously expressed by the Council in its reply to Written Question 288.

The Council does not therefore feel that the wording of the reply to Written Questions 306, 309, 314 and 315 calls for reconsideration or amendment.

1. Communicated to the Assembly on 5th October 1993.

RECOMMENDATION 540¹***on European security policy – reply to the thirty-eighth annual report of the Council***²

The Assembly,

- (i) Aware that the replacement of the former threat of a massive attack by the Warsaw Pact by the risk of smaller-scale conflicts has not improved stability in Europe;
- (ii) Considering that in these circumstances all existing security organisations have a rôle to play in ensuring and preserving peace and security;
- (iii) Considering that Western European countries will have to assume their responsibilities in a number of security issues which are apparently less vital for their North American allies;
- (iv) Noting that, apart from the criteria for recognition of new states adopted by the European Council, there is an urgent need for a more detailed definition of the rights of peoples to self-determination;
- (v) Noting that, without close co-operation between member states of the EC in intelligence-gathering and analysis, a common European foreign and security policy cannot be alert and effective;
- (vi) Aware that the deep changes in Europe since the end of the cold war are influencing the respective responsibilities of both the United States and Western Europe to such a degree that the transformation of the old transatlantic bargain into a new partnership should be considered, as this could reinforce the existing close relationship and safeguard it for the future;
- (vii) Aware that geostrategic changes have also influenced the rôle of nuclear weapons in European security;
- (viii) Noting that the work of the WEU military planning cell is of the greatest importance in preparing any operational activity by WEU;
- (ix) Considering that, for the implementation of an effective European foreign and security policy, it is also vital for the EC, in conjunction with WEU, to start making contingency plans for crisis management and conflict solution;
- (x) Recalling the recommendations already passed on the issues of conflict prevention and peace-making in the former Yugoslavia;
- (xi) Considering that a European security policy implies:
 - assistance to Central and European states, often with no experience of democracy, to find their way to pluralist societies;
 - financial and economic support for states to help them move away from command economies towards market economies;
 - cultural, educational and financial support to help states, peoples and minorities deal with the strife unbridled by the unfreezing of historic rivalries which, until recently, have been suppressed by imposed collectivism;
- (xii) Considering that this policy must give priority to the following goals:
 - to prevent any cross-border attack by one European state on another and to work towards ensuring that this principle is accepted by all European states;
 - to ensure that, within states, different ethnic or religious groups tolerate each other, minority rights are respected and to ensure that, if conflict does arise in one state, neighbouring states are not drawn into the conflict;
 - to ensure that Europe is able to resist any covert or overt threat to its security from outside Europe and is in a position to respond to crises, aggression and arms proliferation outside Europe;

1. Adopted by the Assembly on 15th June 1993 during the first part of the thirty-ninth ordinary session (3rd sitting).

2. Explanatory Memorandum: see the report tabled by Mr. Marshall on behalf of the Political Committee (Document 1370).

- to provide a collaborative structure for western security ties with the former Soviet Union;
- to encourage democratisation throughout Central and Eastern Europe and the republics of the former Soviet republics and encourage the development of shared liberal democratic values;
- to seek to ensure stability in Central and Eastern Europe through extensive economic co-operation and a fully-developed system of conflict resolution, peace-keeping and possibly peace-making;
- to avoid the re-emergence of nationalism amongst European armies; and
- to maintain a close relationship with the United States, based on a new partnership in order to pursue common economic, political and security interests,

RECOMMENDS THAT THE COUNCIL

1. Start to examine the aspects concerning European security which should be part of a new Atlantic partnership;
2. Re-examine the rôle of both United States and European nuclear weapons in European security in conjunction with a parallel re-examination in the framework of the Atlantic Alliance;
3. Give priority to the establishment of contingency plans for crisis management, conflict solution and the employment of forces under WEU auspices, including decisions regarding the necessary command, control and communication arrangements;
4. Establish as a matter of exceptional urgency ways of ensuring that CSCE and WEU are in a position to prevent the conflict in the Balkans from spreading, especially to Kosovo and the former Yugoslav Republic of Macedonia;
5. Always inform the Assembly of issues arising from ministerial and other meetings and to do so before communicating with the European Parliament.

REPLY OF THE COUNCIL¹

to Recommendation 540

1. To examine those aspects of European security which should be part of a new Atlantic partnership is a fundamental and challenging exercise, faced as we are with a twofold prospect of the development of the European Union and of transatlantic relations. The WEU Council is determined not only to continue to increase its contacts and exchanges of information with Atlantic Alliance bodies but above all to prepare, through its discussions, to formulate joint views during discussions on adapting transatlantic relations to the changing Euro-Atlantic geostrategic situation.
2. The Council takes note of the suggestion in point 2 of the Assembly's recommendation, pointing out that nuclear questions are not at present on the agenda of the Council or its working groups.
3. The Council reminds the Assembly that the Planning Cell is responsible for:
 - preparing contingency plans for the use of forces under WEU auspices;
 - preparing recommendations for the necessary command, control and communication arrangements for operations, including standing operating procedures for those headquarters that might be chosen;
 - keeping an updated list of forces and groups of forces that might be assigned to WEU for specific operations.

Where necessary, the Council may ask the Planning Cell to conduct studies on the reinforcement of WEU's operational rôle in pursuance of the Petersberg declaration which states that "military units of WEU member states, acting under the authority of WEU, could be employed for humanitarian and rescue tasks, peace-keeping tasks and tasks of combat forces in crisis management, including peace-making".

At the Council of Ministers in Rome on 19th May 1993, Ministers set it as a priority for the Planning Cell to advance studies with a view to enhancing European air-maritime co-operation and develop those relating to capabilities for strategic mobility.

At the Council of Ministers on 19th May 1993, ministers "welcomed the fruitful working links which had been established in Brussels between the Defence Representatives Group, the Military Delegates and the Planning Cell. This had enabled the Planning Cell to start work on a firm foundation, and had also led to the establishment of principles for the organisation and functioning of WEU in times of crisis. They also welcomed the valuable contribution made by the WEU CHODs at their meeting in Rome on 22nd April 1993, the first such meeting to be attended by future members and associate members of WEU. On the basis of earlier studies and following the recommendations of the CHODs, ministers agreed that the Planning Cell should advance studies with a view to enhancing European air-maritime co-operation and develop those relating to capabilities for strategic mobility".

4. The Council is fully aware of the risk of the conflict in the Balkans spreading. It constantly monitors developments in the situation. Its member states have thought fit to contribute towards "ways of preventing the conflict from spreading" in the broader framework of the United Nations.

5. The Council takes due note of this point and will treat it as a matter of priority to keep the WEU parliamentary Assembly informed at a date as close as possible to its meetings, especially those taking place at ministerial level. A meeting between the Presidency and the Assembly Presidential Committee is planned for 23rd November 1993, on the day following the Ministerial Council in Luxembourg.

1. Communicated to the Assembly on 14th October 1993.

RECOMMENDATION 541 ¹

on the situation in former Yugoslavia ²

The Assembly,

- (i) Noting that the lack of an effective international response to counter the policy of ethnic cleansing perpetrated by Serbian forces has created the precedent of impunity which has allowed them to continue their action and which has encouraged Croatian forces to adopt the same policy;
- (ii) Considering that the Security Council resolution authorising troops to be sent to protect the six "safe areas" in Bosnia-Herzegovina, combined with the apparent lack of willingness among the United Nations member states to provide the additional troops and equipment required to implement this resolution effectively is most probably further proof of the international community's inability to put an end to the conflict in former Yugoslavia;
- (iii) Aware that defensive air protection of blue berets throughout Bosnian territory is to be ensured by NATO, under the control of the United Nations, on the basis of structures already in place for monitoring air space;
- (iv) Considering that the lives of peace-keeping troops (blue berets) in Bosnia should not be put at risk by what might seem to be an undermining of their neutral status following air strikes against Bosnian Serb positions or a lifting of the United Nations arms embargo;
- (v) Considering that any plan of action which, on the one hand, in fact accepts the status quo, including the territorial gains made by the Serbs, and, on the other hand, fails to include guarantees for terminating ethnic cleansing practices and protection for the Muslim population in the safe areas is not a just and equitable solution to the conflict and may create a situation of permanent instability and violence;
- (vi) Noting that, despite operation Deny Flight, it is said that there have been some 500 violations by Croat and Serb helicopters making night flights to transport equipment, ammunition, food and even troop reinforcements to the Bosnian lines;
- (vii) Noting that there is still a serious risk of the present conflict spreading to the former Yugoslav Republic of Macedonia and Kosovo where heavily-armed Serbian security forces retain control over a 90% ethnic Albanian population, which is liable to lead to a further extension of the conflict;
- (viii) Aware that the United States has decided to send 300 troops to the former Yugoslav Republic of Macedonia to avoid an extension of the conflict;
- (ix) Noting that both humanitarian aid convoys and United Nations forces in former Yugoslavia are increasingly under deliberate attack by the warring parties;
- (x) Noting that the sudden removal of Dobrica Cosic from the post of Federal President, the ill-treatment of Vuk Draskovic, head of the Serbian Renewal Movement (SPO), the largest opposition party, and his arrest together with his wife and other opposition politicians and journalists are further evidence of the anti-democratic character of those holding power in Serbia-Montenegro;
- (xi) Noting that the action programme has put a de facto end to the territorial integrity and the maintenance, wanted by some, of the sovereignty of Bosnia-Herzegovina, independently of its future constitutional organisation;
- (xii) Noting that the refusal of the WEU countries to accept any fait accompli in Bosnia-Herzegovina is coming up against the fact that they are proving incapable of ensuring application of the Vance-Owen plan and the implementation of United Nations resolutions on this matter, including those demanding the retreat of Bosnian Serb forces from the territories they have conquered;
- (xiii) Also noting the apparent resignation of the international community in face of this situation;
- (xiv) Noting that every new day of inconclusiveness by the international community constitutes new encouragement for Bosnian Serbs and Croats to make new territorial conquests;

1. Adopted by the Assembly on 16th June 1993 during the first part of the thirty-ninth ordinary session (4th sitting).

2. Explanatory Memorandum: see the report tabled by Mr. Baumel on behalf of the Political Committee (Document 1379).

(xv) Convinced that, in spite of tacit agreement by the West on the "evolving" status quo in Bosnia-Herzegovina, including the territorial gains made at the expense of the Muslim population, such gains will certainly be challenged by that population and this will lead to the creation of a Palestinian-type situation in the heart of Europe;

(xvi) Wishing the working methods of the United Nations to be strengthened and a more effective command to be created for its operations;

(xvii) Noting that, at present, diverging opinions among Western European countries and the indifference of the United States are major obstacles to any early solution of the conflict;

(xviii) Convinced that, in view of continuing hesitation and delay in implementing the Washington common action programme, economic sanctions seem, for the time being, to remain the main means of leverage for ending the fighting;

(xix) Noting that, under the Security Council resolution adopted last April on tightening economic sanctions against Yugoslavia, United Nations members are required to take action against firms identified as working on behalf of Belgrade;

(xx) Noting that, on its borders with Bosnia, the Republic of Serbia does not accept the deployment of United Nations monitors responsible for ensuring that it stops sending supplies to the warring Serbs in Bosnia, except for food and medical supplies,

RECOMMENDS THAT THE COUNCIL

1. Support and strengthen the action of the United Nations, now involved in a series of regional conflicts which are bringing it face to face with a serious crisis of responsibility;
2. Ensure the strict application of Resolution 836 on the creation of security areas on the territory of Bosnia-Herzegovina, adopted by the Security Council on 4th June 1993;
3. In particular, help the adjustment and reinforcement of forces of WEU countries that may be required by the implementation of Resolution 836 and consider assigning some of these forces to the support of units responsible for protecting security areas;
4. Help to strengthen measures to apply economic sanctions against Serbia and Montenegro and to maintain the embargo on arms for all the belligerent parties, including Croatia;
5. Make every effort to avoid the conflict spreading to Vojvodina and Kosovo;
6. Arrange to send WEU units to the former Yugoslav Republic of Macedonia to ensure stability and security in that area of the Balkans;
7. Strengthen the operational structures and arrangements of WEU so that it may play a major rôle in preventing future crises under the aegis of the United Nations and, if necessary, in agreement with NATO.

REPLY OF THE COUNCIL¹***to Recommendation 541***

1. The Council is aware of the heavy responsibilities borne by the United Nations in the field of peace-keeping and international security. The member states of WEU support and reinforce the United Nations action by their various contributions. A typical example is provided by the operations in the Adriatic and on the Danube aimed at ensuring compliance with the embargo measures laid down in a series of Security Council resolutions. The Council wishes to draw the Assembly's attention to a letter sent by the WEU Secretary-General to his United Nations counterpart on 25th June 1993, in which it is planned to step up contacts and exchanges of information between WEU and the United Nations. In that letter, it is stated that: "the mission to the United Nations in New York of the country holding the Presidency of WEU will act as a point of contact for the United Nations and will be responsible for the introduction of WEU contributions to the United Nations. In addition, WEU is ready to discuss with you ways to develop appropriate contacts and exchanges of information between the WEU Secretariat and Planning Cell and the relevant United Nations Secretariat bodies".

2. The Council reminds the Assembly that WEU ministers, at their meeting in Rome on 19th May 1993, mandated the Permanent Council "following the WEU planning undertaken on Sarajevo Safe Haven which was submitted to the United Nations, to arrange for a study to be carried out on the establishment of different safe areas referred to in United Nations Security Council Resolution 824, as well as Mostar and other possible areas". Since Resolution 836 contained provision for ensuring full respect for the safe areas referred to in Resolution 824, the Council can assure the Assembly that it is giving this question all the attention it deserves.

3. The Council reminds the Assembly that, at their meeting in Rome on 19th May 1993, Ministers mandated the Permanent Council *inter alia* "to study the possibility for WEU to co-ordinate the rotation of the contingents deployed by its member states in the framework of UNPROFOR and the possible participation of WEU member states in the protection of the abovementioned safe areas under a mandate of the United Nations". The Assembly will be informed in good time of the outcome of this work.

4. The Council reminds the Assembly of the member states' contribution to the WEU/NATO combined operation Sharp Guard in the Adriatic and the police and customs operation on the Danube, both of which aim to strengthen the application of economic sanctions against Serbia and Montenegro in accordance with the relevant United Nations Security Council resolutions. The Council is aware of the need to "help to strengthen measures to apply economic sanctions against Serbia and Montenegro and to maintain the embargo on arms for all the belligerent parties, including Croatia".

5. The Council takes due note of points 5 and 6 of Assembly Recommendation 541 and fully shares the Assembly's concern to make every effort to prevent the conflict spreading to other regions of former Yugoslavia. It wholeheartedly welcomed the preventive deployment of Scandinavian and American contingents in the former Yugoslav Republic of Macedonia.

6. In answer to point 7 of Recommendation 541, the Council reminds the Assembly that the Petersberg declaration on WEU and European Security states: "As WEU develops its operational capabilities in accordance with the Maastricht Declaration, we are prepared to support on a case-by-case basis and in accordance with our own procedures, the effective implementation of conflict-prevention and crisis-management measures, including peace-keeping activities of the CSCE or the United Nations Security Council". The establishment of the WEU Planning Cell in Brussels meets this fundamental requirement and is a first step in the development of the organisation's operational capabilities.

1. Communicated to the Assembly on 14th October 1993.

RECOMMENDATION 542¹

on United Nations operations – interaction with WEU²

The Assembly,

- (i) Determined to uphold the authority of the United Nations Organisation and to support moves to make it much more effective;
- (ii) Welcoming therefore the UN Secretary-General's intention to improve the working of the United Nations and in general supporting the ideas expressed in "An Agenda for Peace";
- (iii) Strongly supporting the establishment of a UN military planning staff together with a 24 hour situation centre, appropriate training, logistics, transport, communications and intelligence-gathering facilities to enable the UN to play its proper rôle in command of its own operations;
- (iv) Pleased that increased links are now evident between Western European Union and the United Nations and that the presidency of the WEU Council has taken a series of initiatives to that end;
- (v) Convinced that the example shown by those nations which have traditionally supported the UN could serve us in good stead for the future conduct of UN operations, and congratulating those governments which have made forces available for UN, NATO and WEU operations, and the men and women who serve in those forces, often in difficult, trying and frustrating circumstances, at sea, on land and in the air;
- (vi) Believing that WEU's experience of operations both during the Gulf conflict and now concerning the former Yugoslavia is worth sharing with the UN and that there are many parallels between the two organisations which may be used to mutual benefit;
- (vii) Considering that the question of whether or not WEU may be declared a regional organisation under the terms of the UN Charter should be fully debated and that in general WEU should take action in accordance with Article VIII of the modified Brussels Treaty only under the aegis of a UN mandate;
- (viii) Recognising that sanctions can be an alternative to war and believing that when such sanctions have been approved by the United Nations they must be enforced, calling therefore on the Council of Ministers and national administrations to publish the evidence available to them of significant breaches of sanctions;
- (ix) Seeking support in national parliaments to ensure that defence budgets are restructured to take account of the need to participate in UN operations,

RECOMMENDS THAT THE COUNCIL

1. Include the subject of participation by member countries in UN operations promptly and regularly on its agenda and on that of the Chiefs of Defence Staff Committee, the planning cell, the Secretariat-General and its various working groups and keep the Assembly informed;
2. Study the possible participation in UN operations by WEU per se, with appropriate WEU co-ordination;
3. In parallel with the Assembly, make a thorough examination of the pros and cons of declaring WEU a regional organisation within the meaning of the UN Charter and reaffirm WEU's acceptance of the principle of possible action in accordance with Article VIII of the modified Brussels Treaty under the aegis and in support of the UN;
4. Establish a working relationship with the UN Secretary-General using both the WEU Chairman-in-Office's good offices and those of the WEU Secretary-General and his staff and instruct the planning cell to offer advice for the UN Secretary-General's Military Adviser in New York, especially with a view to facilitating the creation of a similar planning cell for the UN;

1. Adopted by the Assembly on 16th June 1993 during the first part of the thirty-ninth ordinary session (5th sitting).

2. Explanatory Memorandum: see the report tabled by Mrs. Baarveld-Schlaman on behalf of the Defence Committee (Document 1366).

5. Direct the WEU planning cell to examine ways in which WEU governments might support the UN in terms of:

- logistic co-operation and procurement;
- transport pooling;
- communication arrangements;
- intelligence gathering;
- command and control for operations;
- the formulation of rules of engagement;
- training co-ordination.

REPLY OF THE COUNCIL¹

to Recommendation 542

1. The Council points out that, in the Petersberg Declaration, Ministers stated that they were prepared, in accordance with the Declaration they adopted in Maastricht on 10th December 1991, to support, on a case-by-case basis, the implementation of conflict-prevention and crisis-management measures, including peace-keeping activities of the CSCE or the United Nations.

2. WEU co-ordination of the contributions and action of its member states, which have been called on by the United Nations to participate in peace-keeping operations, is one of the major topics which the WEU Council, both at Ministerial and Permanent Representative level, has placed on the agenda for political consultation on topical questions in accordance with the work programme contained in the Petersberg Declaration. Furthermore, the Special Working Group has been mandated to examine in greater detail WEU's role in peace-keeping. The Planning Cell, for its part, is at the Council's disposal to prepare contingency plans on the basis of any directives the Council may issue in response to possible needs in connection with, for example, the rotation of member states' units or the formation of multinational units within a WEU framework.

3. This matter is on the Permanent Council's agenda. The Assembly will be informed of its conclusions in good time.

4. The Council recognises the importance of increased contact and exchanges of information between the United Nations and WEU. The mission to the United Nations in New York of the country holding the WEU Presidency will henceforth act as a point of contact with the United Nations and will be responsible for presenting WEU contributions to the competent United Nations bodies. The WEU Council fully recognises the importance of promoting co-operation with the United Nations so as to support its work of safeguarding international peace and to give it the necessary resources to carry out peace-keeping operations with the requisite effectiveness. To this end, WEU contributions in the field of planning and periodic contacts between the Planning Cell representatives and the United Nations staff responsible could be of real value. The Council wishes to draw the Assembly's attention to a letter dated 25th June 1993 from the WEU Secretary-General to his United Nations counterpart, in which it is planned to step up contacts and exchanges of information between WEU and the United Nations.

5. WEU is prepared to envisage, with the United Nations Secretary-General, the development of contacts and exchanges of information between the WEU Secretariat-General and Planning Cell on the one hand and the appropriate United Nations bodies on the other.

1. Communicated to the Assembly on 14th October 1993.

RECOMMENDATION 543¹***on WEU initiatives on the Danube and in the Adriatic –²
reply to the thirty-eighth annual report of the Council***

The Assembly,

- (i) Recalling Recommendations 506, 512, 519, 525, 530 and 531 and in particular the recommendations to:
- (a) Prepare a resolution to be tabled by WEU members of the United Nations Security Council to reinforce the present embargo at least to the level of that enforced against Iraq in 1990/91 and in particular to take account of the problem of cargo in transit and also of the complications of the Danube Convention and to publish evidence at an early stage of any significant breach of the embargo;
 - (b) Fulfil its pledge for WEU member states to “offer expertise, technical assistance and equipment to the governments of Danube riparian states to prevent the use of the river Danube for the purpose of circumventing or breaking the sanctions imposed by United Nations Security Council Resolutions 713 and 757” and in particular respond to Romania’s request for assistance;
 - (c) In conjunction with the NATO authorities, rationalise naval and maritime air operations in the Adriatic area to form composite and cost-effective forces;
- (ii) Pleased that WEU has signed Memoranda of Understanding with Bulgaria, Hungary and Romania on helping police the Danube and that such operations are already producing a deterrent effect on possible sanction breakers;
- (iii) Pleased that WEU and NATO have agreed a composite force for Adriatic operations (“Operation Sharp Guard”) with a joint command in Naples;
- (iv) Pleased that all member countries are in one way or another fully supporting United Nations-mandated operations in the Adriatic, on the Danube, or in Bosnia-Herzegovina, Croatia or Slovenia and considering such action already a symbol of European willingness to co-operate in the field of security;
- (v) Pleased that the Greek Government has more actively encouraged the application of United Nations-mandated sanctions;
- (vi) Considering that the Memoranda of Understanding signed with Bulgaria, Hungary and Romania are a tangible sign of the good and practical relations prevailing in the WEU Forum for Consultation;
- (vii) Welcoming the recent contacts between WEU and both Russia and the Ukraine over the application of the United Nations embargo;
- (viii) Convinced that the Council should initiate a specific exercise programme so that forces now answerable to WEU may train together on a regular basis at all levels and further suggesting that the ideal starting point for such a programme would be the forthcoming Ardente 93 exercise in Italy;
- (ix) Congratulating the Council and the Presidency on their initiatives,

RECOMMENDS THAT THE COUNCIL

1. Inform the Assembly of the terms of the Memoranda of Understanding signed with Bulgaria, Hungary and Romania and in particular make explicit any security guarantees given to any or all of these countries;
2. Ensure that the longer-term political implications of WEU’s involvement in operations on the Danube and in the Adriatic are fully studied and appreciated;

1. Adopted by the Assembly on 16th June 1993 during the first part of the thirty-ninth ordinary session (5th sitting).

2. Explanatory Memorandum: see the report tabled by Mr. Marten and Sir Keith Speed on behalf of the Defence Committee (Document 1367).

3. Explore with the Greek authorities ways of helping them ensure complete and visible compliance with all United Nations sanctions even to the extent of asking member states to second customs and/or police officers to help with the task;
4. Encourage the Russian authorities to give practical expression to their offer to help ensure that all embargos are fully respected on the border between Serbia and Bosnia-Herzegovina;
5. Develop the liaison established with the Ukrainian authorities with a view to signing a possible Memorandum of Understanding for WEU to provide technical assistance to the Ukraine so that United Nations sanctions may be seen to be fully respected;
6. Urge the United Nations to implement a compensation scheme to reimburse at least in part those countries such as Greece, Bulgaria, Hungary and Romania, which have suffered considerable financial loss as a result of embargo enforcement;
7. Publish full details of the nationality, identity and characteristics of all vessels found breaking the embargo in the Adriatic and on the Danube in defiance of United Nations resolutions.

REPLY OF THE COUNCIL ¹***to Recommendation 543***

1. The Council will consider the possibilities of informing the Assembly of the terms of the memoranda of understanding.

The memoranda of understanding contain no security guarantees. The Council would however reiterate the terms of the last subparagraph of paragraph 4 of the communiqué of the meeting of the WEU Forum of Consultation at Ministerial level, held in Rome on 20th May 1993: "Moreover, Ministers underlined the importance of containing the current conflict and agreed that, were any country to suffer from aggressive action as a consequence of their support for United Nations-mandated operations, this would be a matter of direct concern to the international community".

2. The Council is fully aware of the need to study and appreciate the "longer-term political implications of WEU's involvement in operations on the Danube and in the Adriatic".

3. The Council reiterates that the embargo is the responsibility of the United Nations Security Council. WEU's assistance to the Danube riparian states was sought by those countries. In this context, the Council is not planning "to explore with the Greek authorities ways of helping them ensure complete and visible compliance with all United Nations sanctions even to the extent of asking member states to second customs and/or police officers to help with the task".

4. The Council takes due note of the Assembly's proposal. Member states' governments have been unstinting in their encouragement, both within the United Nations Security Council and in their bilateral relations with the Government of the Russian Federation.

5. The Council attaches the utmost importance to compliance with United Nations sanctions. The main aim of the contacts established with Ukraine was to consider supplying equipment to help the Ukrainian authorities implement the embargo. There were no plans, however, to ask WEU to coordinate a technical assistance operation to this end.

6. This problem comes under the sole responsibility of the member states as members of the United Nations.

7. The Council notes the Assembly's wish that "full details of the nationality, identity and characteristics of all vessels found breaking the embargo in the Adriatic and on the Danube in defiance of United Nations' resolutions" be published. The embargo was imposed by the United Nations and it is they who are coordinating the economic sanctions imposed on 30th May and 16th November 1992. The Sanctions Committee holds all the information on violations. The Council possesses no more than fragmentary information regarding the embargo in the Adriatic.

The Council is studying the possibilities of declassifying the data in its possession regarding the embargo in the Adriatic and on the Danube. In this event, such declassified data will be communicated to the Assembly.

1. Communicated to the Assembly on 14th October 1993.

RECOMMENDATION 544¹

on the situation in Somalia²

The Assembly,

- (i) Noting that the United Nations operation in Somalia is degenerating in a way that may be harmful to the authority of the United Nations;
- (ii) Recalling that armed forces from four member countries of WEU are taking part in Operation UNSOM 2;
- (iii) Considering that it is for WEU to ensure that any action in which forces of several of its members are involved conforms with Articles VI and VIII, paragraph 3, of the modified Brussels Treaty,

RECOMMENDS THAT THE COUNCIL

Meet as a matter of urgency to co-ordinate the efforts of member countries in order to ensure that the operation in Somalia respects the principles governing action by the United Nations.

1. Adopted by the Assembly on 16th June 1993 during the first part of the thirty-ninth ordinary session (5th sitting).

2. Explanatory Memorandum: see the motion tabled by Mr. De Decker on behalf of the Political Committee (Document 1377).

REPLY OF THE COUNCIL ¹***to Recommendation 544***

The Council takes due note of the Assembly's Recommendation.

On many occasions the Council has, under the heading of " topical questions " on the agenda of its weekly meetings, discussed the contribution made by WEU member states to operations UNSOM I and II, but it has not been considered appropriate for WEU to make a specific contribution, in the form of planning, logistic support or the rotation of units, to the European commitment to the United Nations action in Somalia.

In the case of Somalia, the United Nations Security Council decided to assume full control of the operations, authorising the Secretary-General, Mr. Boutros Boutros Ghali, and the Governments concerned to take the necessary steps as regards the unified command and control of the various forces.

1. Communicated to the Assembly on 5th October 1993.

RECOMMENDATION 545¹

on anti-missile defence for Europe – guidelines drawn from the symposium²

The Assembly,

- (i) Welcoming the recent progress achieved in international efforts to strengthen disarmament measures and to promote non-proliferation by concluding the START II Treaty and the chemical weapons convention (CWC) and by extending the scope and membership of the missile technology control régime (MTCR) ;
- (ii) Concerned, however, about certain Far Eastern, Middle Eastern and Mediterranean countries which do not yet intend to join the chemical weapons convention and the MTCR régime;
- (iii) Disturbed by North Korea's decision to withdraw from the Nuclear Non-proliferation Treaty;
- (iv) Observing that the proliferation of theatre and strategic missile technology into sensitive regions which might affect the security of Europe is still continuing;
- (v) Concerned that certain countries in unstable regions are continuing their attempts to try to obtain ABC and missile capabilities;
- (vi) Gratified that the symposium on anti-missile defence for Europe held in Rome provided a useful opportunity to draw the attention of decision-makers to the risks stemming from missile proliferation;
- (vii) Convinced therefore that the European governments, and in particular those of WEU member countries, must shoulder their responsibilities by taking appropriate decisions to guarantee the security of their populations and military forces before risk becomes threat;
- (viii) Taking note of the recent decision by the United States to abandon further research and development of an orbital-based anti-missile global protection system (SDI) in favour of a land-based system;
- (ix) Convinced that all the discussions and negotiations so far initiated on a bilateral or multinational basis on possible means of creating a system of protection of any kind whatsoever should lead to openness and enhanced international confidence and not a new arms race between a privileged group of states and others outside the system;
- (x) Reiterating that Western European Union has made great progress in taking a leading rôle in space observation and that – as demonstrated at the symposium – European industry has excellent experience and expertise of anti-missile technology;
- (xi) Convinced that the appropriate approach in the present situation should first be to create a universal early warning and surveillance system, concrete defence and protection requirements remaining initially under regional or national control,

RECOMMENDS THAT THE COUNCIL

1. Take a leading rôle in promoting, in relevant international conferences and institutions, further initiatives for developing and strengthening disarmament, confidence-building measures, non-proliferation régimes and political dialogue;
2. Take an initiative in the United Nations with the aim of establishing an international early warning and surveillance centre open to all countries interested in sharing data and information on missile activities and linked to an obligation to notify all missile firings and space launches;
3. Adopt without delay its position on a global protection system discussed between the United States and Russia and ask for there to be prior consultations between the United States and its allies before resuming these talks;
4. Decide on the basis of a careful risk assessment whether and to what extent it will be necessary to mandate European industry to conduct a feasibility study regarding the requirements for a cost-effective anti-missile protection system for Europe.

1. Adopted by the Assembly on 17th June 1993 during the first part of the thirty-ninth ordinary session (6th sitting).

2. Explanatory Memorandum: see the report tabled by Mr. Lenzer on behalf of the Technological and Aerospace Committee (Document 1363).

REPLY OF THE COUNCIL ¹***to Recommendation 545***

1. The Council takes due note of points 1 and 2 of the Assembly's Recommendation. Political discussions on further initiatives for developing and strengthening disarmament, confidence-building measures, non-proliferation regimes and political dialogue, as well as the establishment of an international early warning centre, have not yet come to a conclusion and the Council feels that it is too early to take them further in the immediate future. The Council congratulates the Assembly on the success of its symposium on anti-missile defence for Europe held in Rome on 20th and 21st April.

The Assembly's seminar confirmed the considerable interest in Europe in the development of a long-range missile-launch detection system provided by means of one or more geostatic satellites. The Council will take the conclusions of this seminar into account in all future initiatives that the member states may wish to adopt in this field and will keep the Assembly duly informed.

2. The Council takes due note of points 3 and 4 of the Assembly Recommendation. It confirms that the question of global protection against limited strikes and its implication for Europe is on the agenda of the Special Working Group, as already pointed out in its reply to Recommendation 533. The Council is closely following the discussions between the United States and Russia and attaches the utmost importance to consultation among all allies within the alliance on this subject. An assessment of the risks to Europe in this field is also within the Special Working Group's terms of reference. The Council will inform the Assembly as soon as current discussions lead to a concrete result.

Following the example of the *démarche* in the field of space co-operation within WEU, European industry should be associated with feasibility studies and an assessment of the requirements entailed in the creation of an antimissile protection system for Europe. Nevertheless, decisions as to principle need to be taken and the framework for European co-operation needs to be defined.

1. Communicated to the Assembly on 5th October 1993.

RECOMMENDATION 546¹

on the Assembly's communication policy²

The Assembly,

- (i) Convinced that the use by WEU of a form of graphic identification might help to ensure a clearer perception of the organisation and eventually a better knowledge of it among the public;
- (ii) Considering it necessary therefore that WEU, on the one hand, and its subsidiary organs, on the other, adopt a logo of their own;
- (iii) Taking into account paragraph 8 of Recommendation 530 asking that the Council:
“ Design a symbol of specific European identity to represent WEU and urge member countries to use it to distinguish their military forces – ships, aircraft, vehicles and personnel – taking part in WEU operations. Personnel serving in the planning cell should be among the first recipients of such a badge ”;
- (iv) Recalling Order 74,

RECOMMENDS THAT THE COUNCIL

1. Arrange for WEU to adopt a specifically European form of graphic identification;
2. Include WEU's information policy in its agenda as a matter of urgency with a view to examining specific measures that it might take, including:
 - (a) the publication of guidelines for the press at the close of meetings of the Permanent Council;
 - (b) the preparation and publication of basic information on WEU, presented in an understandable form with a view to wide circulation in all member countries;
 - (c) the establishment of WEU information offices in the European member countries of the alliance, the United States and Canada;
 - (d) the development of initiatives taken by the Institute for Security Studies to strengthen co-operation with groups, associations and private institutes that already exist in order to increase the interest aroused by studies of Western European security matters;
3. Take the necessary steps to ensure closer co-operation between its own press and information service and that of the Assembly.

1. Adopted by the Assembly on 17th June 1993 during the first part of the thirty-ninth ordinary session (6th sitting).

2. Explanatory Memorandum: see the report tabled by Sir Russell Johnston on behalf of the Committee for Parliamentary and Public Relations (Document 1378).

REPLY OF THE COUNCIL¹

to Recommendation 546

1. The Permanent Council has received a proposal for a WEU flag, which it has asked the Council Working Group to consider. The Council will inform the Assembly in good time of any decisions it may take in the light of the Council Working Group's recommendations.

2. Since its establishment in Brussels, the Council has not placed on its agenda a discussion of the communication policy of WEU ministerial organs. In essence, the points made in its reply to Written Question 285 still apply.

The Council shares the Assembly's concern that public opinion be widely informed of WEU's activities. It feels that an active public relations policy is an intrinsic part of WEU'S dynamic development.

To make WEU's rôle more widely known to the general public, two types of action have been stepped up: informing the public on Council positions and, where appropriate, on its institutional decisions, and stimulating public awareness of the changing requirements of European security.

The Council feels that at this stage such action should be conducted in various ways through WEU'S bodies, each in its own sphere of competence, rather than setting up special new communication structures. Members of the different bodies also have a rôle to play in their own countries as a channel for making WEU better known.

Over the past six months, no fewer than six press releases have been issued following major Council meetings, including those issued after the three Ministerial Councils convened since the beginning of the year.

The Council Presidency bears the main responsibility for providing political information to the Assembly, and its Ministers present a progress report on WEU's work at each of the sessions of the Assembly. On 7th September 1993, during the meeting between the Permanent Council and the President of the Assembly, the Luxembourg Presidency's Permanent Representative proposed coming regularly to brief the appropriate Assembly Committees on the Council's Work.

The Secretary-General also has an important rôle in public relations and contacts with the press through his participation in international seminars, meetings with political personalities and interviews with the press.

One of the missions of the WEU Institute for Security Studies is to contribute towards the emergence of the European security identity. The Institute has already made numerous contacts with study and research centres in WEU member countries and in the rest of Europe. It has arranged several series of seminars on subjects pertaining to the new security structures in Europe, relations with Central Europe and EFTA Countries, the EC Political Union and security in the Mediterranean.

The WEU Institute for Security Studies also has close links with academics, industrialists, the press and parliamentarians. One of the Institute's special priorities is the question of European armaments co-operation.

Lastly, the Council welcomes the Assembly's dynamic rôle in informing public opinion; in their respective Parliaments, its Members contribute towards a broader awareness of the requirements of European security, more particularly the work of WEU in the new geostrategic context.

3. The Council takes due note of the suggestion made in point 3 of Recommendation 546. It feels that it is highly desirable for the Assembly's and Council's Press and Information Services to co-operate actively, where necessary, within the limits of their respective remits and resources.

¹ Communicated to the Assembly on 5th October 1993.

WEU Flag

Letter from the Secretary-General of WEU

3rd November 1993

Dear Clerk,

At its meeting on 26th October last, the WEU Permanent Council confirmed the proposed WEU flag presented by the Council's Working Group.

I enclose in English and in French the corresponding extract of the summary report of that meeting and an illustration of the new logo for your information.

Yours sincerely,
Willem van EEKELEN

Mr. H. BURGELIN
Clerk of the Assembly of WEU
43, avenue du Président-Wilson
75775 PARIS Cedex 16

WEU Flag

On the CWG's recommendation, the Council accepted the proposal submitted on 21st October, i.e. a flag with nine stars, the number of stars standing for the number of WEU member states.

A star would then be added whenever a new member joined WEU (a new ten-star flag would be made once the procedure for the ratification of the Hellenic Republic's accession to WEU was completed).



White letters
Golden stars
Background: European blue

16th November 1993

WEU Flag

*Letter from Mr. Holthoff, Deputy Secretary-General,
to Mr. Burgelin, Clerk of the Assembly*

11th November 1993

Dear Clerk,

At its meeting on Tuesday, 9th November, the Permanent Council of WEU specified the method of use for the new flag of the organisation, which was adopted on 26th October, as you were informed by the Secretary-General in his letter dated 3rd November.

In order to complete this information, please find enclosed the relevant extract, in French and in English, of the minutes of the meeting of 9th November 1993.

Yours sincerely,
Horst HOLTHOFF
Ambassador

...

3. *WEU Flag*

Further to a point raised by the Italian Permanent Representative, it was confirmed that the new WEU flag would be flown by WEU vessels taking part in the Adriatic operation.

It was also confirmed that the WEU flag should now be flown in front of the WEU building in Brussels and Paris.

Parliaments, military service laws and public opinion

REPORT ¹

*submitted on behalf of the Committee for Parliamentary and Public Relations ²
by Sir Russell Johnston, Rapporteur*

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1. Adopted unanimously by the committee.

2. *Members of the committee:* Mr. Tummers (Chairman); Mrs. Fischer, Sir John Hunt (Vice-Chairmen); MM. Amaral, Birraux, Boucheron, Bühler, Caldoro, Colombo (Alternate: *Visibelli*), Decagny, Sir Anthony Durant, Mrs. Err, MM. Eversdijk, Ghesquière, Dr. Godman, Mr. Gouteyron, Sir Russell Johnston, MM. Kempinaire, Lopez Henares, Martins, Pfuhl, Reimann, Rodotà (Alternate: *Pizzo*), Tabladini (Alternate: *Trabacchini*), N..., N...

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

Draft Resolution*on parliaments, military service laws and public opinion*

The Assembly,

- (i) Recalling its Recommendations 469, 534 and 535 in which the Council is asked:
 - (a) to take steps to give practical expression to the European pillar of defence, in particular by encouraging the creation of multinational units, and to take action to allow, at an individual level, the exchange of military personnel between countries to enhance their awareness of European co-operation and to serve as a useful recruiting incentive for their armed forces;
 - (b) to take every opportunity to ensure that the debate on reserve forces and national service benefits from the common fund of experience and requirements, to stimulate informed debate in member countries on revised rôles for reserve forces, as well as reductions in and possible restructuring of national service, and to invite WEU parliamentarians to participate in discussions on these topics;
 - (c) to ask the ministries of defence of member states to organise the dissemination of appropriate information regarding military matters to all parliamentarians and especially those who have no service background;
- (ii) Recalling Resolution 90 inviting the parliaments of member countries to encourage the participation of members of the WEU Assembly in activities dealing with European security and defence policy;
- (iii) Noting that reforms are being conducted in the member countries of WEU with the aim of reducing the duration of national service, changing its form or terminating it outright and that substantial reductions in the strengths of the armed forces are being made;
- (iv) Aware of the need to reform the armed forces in order to prepare them for the geostrategic conditions of the post-cold war era and the new tasks being assigned to them in the framework of multi-lateral operations by WEU, NATO and the United Nations;
- (v) Convinced of the importance of reinforcing the link between citizens and the armed forces with a view to achieving an integrated European defence capable of playing its full rôle as the European pillar of the Atlantic Alliance and as the operational component of the European Union;
- (vi) Stressing the need to keep public opinion informed of what the reform of national service and the structure of the armed forces implies for the defence of Europe,

INVITES THE PARLIAMENTS OF MEMBER COUNTRIES

1. To hold debates on the reform of national service as appropriate and the structure of the armed forces, taking into account national requirements and also the overall requirements of European defence with due consideration for the reforms being conducted in member countries;
2. Taking into account the information drawn from debates in 1954, to encourage their defence and foreign affairs committees to co-operate with the defence and foreign affairs committees of the parliaments of other member countries of WEU, associate members and observers with a view to examining the present requirements of integrated European defence and, as necessary, the possibility of organising a European civil and military service;
3. To examine the harmonisation of legislation in member countries governing national service and the status of military personnel in order to reduce present differences and foster the exchange of personnel and the formation of European multinational military units;
4. To encourage the participation of parliamentarians, particularly those who are members of the WEU Assembly, in activities for informing the public about what the defence of Europe means and the need to pool defence efforts, resorting to the greatest possible extent to radio and televised means of communication;
5. To keep the WEU Assembly informed of their deliberations in this domain.

Explanatory Memorandum

(submitted by Sir Russell Johnston, Rapporteur)

I. Introduction

1. An important factor in the era of upheaval in the European continent since the second half of the eighties is a challenge to hitherto established ideas in defence questions. In the period of confrontation between the Atlantic Alliance and the Warsaw Pact, it was necessary to have vast human resources to meet the possibility of major warfare in Europe.

2. Although in every western country there was already a tendency towards reducing troop levels and the duration of military service, progress in this direction still depended to a large extent on the constraints of the geostrategic situation resulting from the second world war and it was essential not to weaken the defence posture of the alliance in face of the superiority of the enemy in both troops and equipment.

3. Everything changed with the collapse of the Berlin wall. The end of the Warsaw Pact and the diminishing threat of widespread hostilities in Europe gave the member states of the alliance and of WEU considerable elbow room for reforming the armed forces and both national and European defence arrangements in general. Pressed by economic problems, this process accelerated and moved very quickly from the framework of concerted reductions and reforms between allies to a purely national framework where far greater consideration was paid to economic and electoral matters peculiar to each country at the risk, in the medium and long term, of jeopardising the whole edifice of European defence.

4. Although each country may act according to its own criteria, there are a few easily-recognised common features, be it at the level of motivation (economic, electoral) or method (reduction of strengths and duration of national service, reform in the sense of greater professionalisation of the armed forces depending on the national particularity of each country). In the front line of these changes decided and desired by the existing political authorities are the parliaments, which have to vote the laws governing the reform of national service and the structure of the armed forces. The rôle of the legislative power is very important in this matter even if the process of drawing up texts is essentially under the control of the executive power and its administrations. Parliaments discuss the texts taking into account both the considerations of a general national

order and the impact of the laws voted on the regional network, since members of parliament are responsible to their constituencies. Any reform of national service will have local economic repercussions which are not negligible: the reduction or suppression of national service will result in the closing of bases and other military installations which sometimes make a significant contribution to the economic welfare of different regions in each country. Even if in most cases the outcome of the debates is generally approval of governmental decisions, parliaments may make amendments or changes to the texts proposed which allow them to play a supervisory rôle in matters concerning the reform of national service and the armed forces.

5. Since parliamentary activities are in the public domain (auditions and debates open to the public and the media) this allows public opinion to be associated with these questions other than through sociological studies whose results are only relative depending on whether those who organise the studies are governmental organisations or private institutions. In turn, the attitude of the public expressed nowadays through opinion polls and other public inquiries will have an impact on the debates on national service and the reform of the armed forces because, with an eye to the elections, politicians (future ministers and members of parliament) will be inclined to wish to follow the opinion of the electorate on these matters.

6. Coupled with economic problems, this partly explains why a similar process can be seen in most European countries with compulsory national service, i.e. the wish to reduce national service (a measure which is highly appreciated by the populations concerned, i.e. young people of call-up age) and possibly to suppress it outright, resorting increasingly to professional armies. If, initially, it is welcome news that states are reducing their armed forces and defence expenditure as a result of their perception of a more stable security environment in Europe and in spite of crises in the East, one must reflect on the medium- and long-term consequences of this process which is at the discretion of each state depending on their various concepts and interests. Here, parliamentary action is important because parliamentary debate can help to enlighten the executive and public opinion on what the reforms involve, not immediately, since the principle of reform is almost always accepted, but in the more distant

future where instability seems to be the only prospect.

7. In this context, it is important to reflect on the reform of national service and the armed forces not only in the national framework, but also taking due account of similar reforms being conducted in neighbouring and allied countries. Here too, parliaments have a rôle to play through their members who are in contact with other members of parliament from other countries in the various European interparliamentary institutions dealing with European political, economic and defence questions.

8. These institutions must also develop close co-operation on these matters with the parliaments and it is their responsibility to provide a framework for close examination of questions regarding the creation of an efficient joint defence system. The exchange of ideas and experience will be a means of transition from the national framework – which is still the first priority – to a European framework which will allow the foundations to be laid for a true European defence system based not only on texts but also confirmed in practice by the existence of a true European army composed of citizens of the various countries concerned which have had the same basic training and education, due account being taken of the specifics of each country.

9. Unity being strength, a credible European army must also have human resources which will allow it to carry through the tasks it is accorded at any time and in any place without losing sight of its principal *raison d'être* – the defence of each of its members which provide units and belong to the organisation concerned. This calls for the harmonisation of legislation governing national service which takes account of future priorities without which the defence of Europe will long depend on outside backing from others whose interests may not always coincide with those of Europe.

10. In the framework of this report on the member countries of WEU which are in the process of conducting reforms of national service and the armed forces and in order to illustrate further the need to harmonise legislation and inform public opinion of what is at stake, other than economic and electoral considerations, in the reforms being conducted, we shall first examine the responsibilities of parliaments in defence questions and military service, then present the laws in force in each country concerned and the reforms being conducted and, finally, present the attitude of public opinion towards these questions and its influence on those who take decisions and the reforms in question. This will offer an overall picture of the question of national service and its impact on the defence of Europe.

II. Parliaments and national service

11. In Recommendation 534¹, the WEU Assembly recommended that the Council “stimulate informed debate in member countries on revised rôles for reserve forces as well on reductions in and possible restructuring of national service” and “invite WEU parliamentarians to participate in discussions on these topics”. It has to be noted that in reality there is truly a restructuring of national service in the member countries of WEU which over-rides any other consideration concerning the question of reserve forces and their tasks. As in an economic process, strengths are first pared down with a view to improving productivity at least cost, forgetting that defence is not a commercial undertaking. Again, this process of restructuring of national service remains cloistered in the national framework of each country without WEU parliamentarians, who are above all representatives of their nations, being able to influence the decisions of their parliaments towards harmonisation of legislation and the search for solutions at WEU level. Moreover, in its reply to Recommendation 534, the Council merely confirms this state of affairs by affirming repeatedly that “questions pertaining to the debate on reserve forces and national service in any member country are not, at present, on the agenda of the Council and its working groups”. In other words, these questions are still exclusively a national matter to the detriment to prior consultation between members of WEU. It is therefore for the parliaments of each country concerned to decide on these questions in the national framework alone and in a manner peculiar to each country.

(a) Parliaments and the drafting of laws on national service

12. In western democracies, the laws of the country are at the top of the hierarchy of rules governing the operation of the national community. In theory, therefore, parliaments have the task of deciding on important questions concerning that community. National service, as one expression of the commitment of citizens to national defence, is one of the questions which are the responsibility of parliaments.

13. In most cases, the responsibility of parliaments in questions of national service is affirmed in the constitution or basic law of each country in often identical terms, as can be seen from the following table:

1. Document 1338, Defence Committee - Rapporteur: Mr. De Decker.

TABLE I
Sources of parliamentary responsibility

Country	Source	Text
Belgium	Constitution, Art. 118	The method of recruitment of the army is determined by law. It also governs the promotion, rights and obligations of military personnel.
France	Constitution of 4th October 1958, Art. 34, alinea 2	The law fixes the rules concerning... the constraints imposed by national defence on citizens in their person and in their property.
Germany ...	Parliamentary law Article 73 paragraph 1	The Federation has exclusive legislative competence in the following matters: 1. Foreign affairs and defence, including the protection of the civilian population...
Italy	Constitution, Art. 52	The defence of the homeland is a sacred duty of the citizen. Military service is compulsory within the limits and in accordance with the means fixed by law.
Netherlands	Constitution, Art. 98, paragraph 3	The law governs compulsory military service. It also governs the obligations that may be imposed for the defence of the country on those who are not members of the armed forces.
Portugal ...	Constitution, Art. 167, alinea (d)	The Assembly of the Republic has exclusive legislative responsibility in the following matters: ... (d) The organisation of national defence, definition of the duties stemming from programme laws fixing the fundamental principles of the organisation, operation and discipline of the armed forces.
Spain	Constitution of 27th December 1978, Art. 30, paragraph 2	The law shall fix the military obligations of Spaniards and will regulate, with the necessary guarantees, conscientious objection and other cases of exemption from compulsory military service. If necessary, it may impose alternative social service.

14. Thus parliamentary responsibilities regarding national service seem to be well defined in constitutional texts, this rule also being valid for Luxembourg². Article 96 of its constitution stipulates that everything concerning the armed forces is governed by law. Parliament can legitimately debate questions of national service even if in practice the initiative for reforms and changes is almost always a task for the executive i.e. defence ministers. When national service laws are discussed, this forces a procedural and fundamental balance between parliament and the governmental agencies concerned.

(b) Parliamentary debates

15. Consideration of bills presented in parliament follows specific procedures which vary

2. Luxembourg does not have national service, the armed forces are composed solely of volunteers.

from country to country in accordance with parliamentary tradition. In view of its implications for the defence preparedness of a country, national service calls for special precautions when the corresponding legislation is voted. In most countries, procedure is simple but the outcome is the result of a running compromise between parliament, its specialised committees, ministers of defence and sometimes of the economy, and other government authorities. Generally, parliaments have only a very narrow margin of manoeuvre which hardly encourages a wide-ranging debate that has an impact on public opinion, the only aspects which draw attention being the reduction in the duration of service or its suspension in favour of purely volunteer armed forces. The consequences of reforming national defence generally pass unnoticed, this being even more true when it is a question of European defence. This focalisation on the more attractive aspects of reforming national service leaves little choice to parlia-

mentarians who have to take into account the favourable judgment of public opinion regarding plans to reduce or terminate national service.

16. Another important factor in the debate on national service is the information available to parliamentarians regarding the intentions and plans of the executive. In principle, the appropriate committees are informed but they have few possibilities of changing significantly the texts submitted to them and in most countries the government is able to obtain approval for its programmes should views differ in the committees and in parliament. At the end of this process, parliaments have only an a posteriori power of supervision of the correct application of the texts approved.

17. If, on the one hand, handling questions regarding national defence requires certain special rules to be respected (the secrecy or confidentiality of certain information provided to members of parliamentary defence committees) on the other hand, the same rules leave little scope for open parliamentary debate on these matters. The British example is quite interesting in this matter concerning national defence and structure of the armed forces. All government information, including defence matters, is covered by the Official Secrets Act. This makes the unauthorised disclosure of information an offence. This leads to information on defence being much less readily available to parliament and the country at large than in many other democracies. In the British system, it is assumed that parliament has no automatic rights of information to state information unless it is released by the executive for a particular reason. Despite this general principle, several conventions have grown up which entail that parliament does have some influence over defence policy. The government presents an annual defence white paper, the statement on the defence estimates (SDE), usually between April and July. The SDE is subject to a two-day debate, usually held in the following October. By convention, three one-day debates are also held, one for each service, which provide a further opportunity for defence policy to be scrutinised. Individual members can also raise specific defence matters of interest during adjournment debates, which are held late at night on Monday to Thursday evenings and on Friday afternoons. Subjects debated might include a defence order for a particular company in a member's constituency, the closure of a local defence base or the disbandment of a local regiment.

18. Besides the SDE, two other sets of defence estimates are also subject to parliamentary approval. The former concerns the maximum number of personnel allowed for each service in the next financial year. The second set of estimates are the financial supply estimates. Although a limited analysis of expenditure is

provided in the SDE for the forthcoming year, which is usually published before the consolidated fund debate, and a more detailed analysis of procurement expenditure is later released in the major project statement, parliament must vote for the defence budget in its entirety. Unlike the United States or German systems, for example, there is no possibility for parliament to amend or veto a particular project or item of expenditure.

19. Members can also obtain information through the use of parliamentary questions. The Secretary of State for Defence is subject to oral questioning approximately once a month when the House is sitting. Defence ministers can and do refuse to comment on certain questions if they involve sensitive areas of policy. Under the constitution, ministers are responsible for the conduct of government policy and of civil servants to parliament. There is therefore little direct contact between MOD officials and MPs. One means of contact is via the Defence Select Committee which publishes reports on a wide variety of subjects. The committee is provided with much information which is not available to the public, particularly in relation to the costs and status of equipment projects. In doing so, the committee takes evidence from MOD officials in public and in camera, as well as ministers, and visits defence bases. Civil servants and ministers can, however, refuse to reply to particular questions. The situation is hardly different in other member countries of WEU since parliamentarians are fairly dependent on information they receive from their respective administrations. Instead of examining the consequences of the proposed reforms in the medium and long term, there is merely a debate on the immediate effects of such reforms (reduction of the duration or termination of national service). Furthermore, such a debate is always limited to the national framework without problems being tackled at European level, although certain members attend European or Atlantic parliamentary institutions with responsibility in defence matters.

20. This situation and the resulting concern are illustrated in paragraph 5 of the Assembly's Recommendation 535³ which recommends that the Council "ask the ministries of defence of member states to organise the dissemination of appropriate information regarding military matters to all parliamentarians and especially those who have no service background". The Council's reply that this question is "within the competence of the respective governments of WEU member states, not within that of the Council", confirms that the national factor is still the most important and the only reference for laws and reforms of national service.

3. Document 1338, Defence Committee; supplementary draft recommendation - Rapporteur: Mr. De Decker.

III. The laws and reforms of national service

21. Except for the United Kingdom and Luxembourg, where there is no national service, all the other member countries of WEU have started to reform their national service and the structure of their armed forces. The reasons invoked are the same in all cases: the end of the cold war, the peace dividend and economic problems in European countries.

22. The end of the cold war and the agreements signed concerning reductions in equipment and troops in Europe⁴ have resulted in the reduction of personnel and the duration of national service and even plans for terminating service altogether.

23. The peace dividend is the result of the near disappearance of the threat of major hostilities in Europe. The need for huge armies with heavy equipment and prepared for total warfare is no longer felt. At the same time, peripheral fighting, as in the Gulf and ex-Yugoslavia, has turned military thoughts towards light, highly-mobile units – although with very sophisticated equipment – composed mainly of professional soldiers or volunteers to take part in various operations to re-establish international order, maintain peace, protect peace and humanitarian or other operations. With the help of the media, the idea that it is possible to ensure the defence of a country by the means used for humanitarian assistance or the relative protection of civilian populations has made an impression on public opinion and certain leaders too. This is leading to reforms tending in the medium or long term to create armies almost completely composed of regular soldiers or volunteers prepared to accept fairly long contracts.

24. A determining factor is the need to reduce public expenditure in a period of economic austerity. Choices have to be made between maintaining armies of conscripts, procuring new technology, maintaining armaments programmes, all in a context of reducing defence budgets. In accordance with the predominant economic theory, strengths are reduced first without too much regard for future consequences in terms of national or European defence and also the social and economic repercussions. By amending existing laws on national service, the way is opened for reforming the very structure of the armed forces with a view to adapting them to the requirements of the day.

(a) National service laws now in force

25. It is difficult to speak of a national service law in each case. In each country several texts overlap, tackling this question from different

angles depending on the evolution of the concepts of national defence and of society – modification of the duration, conscientious objection, dual nationality. It is possible, however, to isolate texts which cover more or less all the rules of national service. By comparing the different laws, it is also possible to pick out the various national concepts regarding defence questions and find common points which will perhaps one day allow a European law on national service to be drawn up. Table II presents the laws on national service in force in each country.

26. Over and above differences of form such as the number of articles, more or less detailed provisions, national particularities, the laws governing national service have one common characteristic: affirmation of the principle that national service is the fundamental contribution of citizens to national defence, and not just in military terms as can be seen from the French and Italian laws. This basic idea of the participation of citizens in defending common values and their territory is the main pillar of national cohesion.

27. This does not mean that in countries where there is no national service the link between the citizen and national defence is less strong. In the United Kingdom, where conscription was abolished at the end of the fifties, the conversion to a professional army was accompanied by measures to maintain and strengthen the standing and image of the armies in the nation and to promote recruitment. The press and television are used to convey to the public a good image of the army, recruitment offices have action programmes directed towards young people in schools and universities to convince future recruits and everyone around them of the value of the army as a profession. These measures allow a link to be maintained between citizens and defence in a context where there is no national service. Each country has its own military tradition, however, and national standards are not completely interchangeable.

(b) Ongoing national service reforms

28. Flexibility and rationalisation are keywords in the reform of armed forces. It is a question of creating forces prepared for action at short notice, highly mobile and polyvalent, with the task of taking part in actions in conventional warfare (the Gulf war), low intensity fighting and conducting operations in the framework of United Nations missions. This type of force calls for highly motivated personnel, trained to act in all circumstances with a high degree of technical knowledge and able to use increasingly sophisticated weapons involving advanced technology.

4. CFE-1 and CFE-1 A.

TABLE II
National service laws⁵

Country	Laws	Details
Belgium	Laws on the co-ordinated militia of 30th April 1962 ⁶	Art. 2 § 1. All Belgian citizens must accomplish military service. § 2. Apart from the cases provided for in the present law and without prejudice to the execution of international conventions, this service has no exception. It takes priority over all other service.
France	Law 71-424 of 10th January 1971 on military service	Art. L.1. National service is universal. It is in the form of military service to meet the requirements of the army; civil service to meet the other requirements of defence and of solidarity...
Germany ...	Law of 13th June 1986 on national service	Art. 1 § 1 (1). Military service is compulsory for all German citizens, in accordance with the Basic Law, with effect from 18 years of age... (2). Military service is compulsory but it may be deferred for Germans resident abroad. § 3. The obligation to accomplish military service has two aspects: military service itself and civil service.
Italy	Law 958 of 24th December 1986	Art. 1 § 1. The armed forces serve the republic for the defence of the country; they participate in safeguarding institutions and the national wealth in the event of public catastrophe.
Netherlands	Law of 4th February 1922	This is the oldest national service law still in force.
Portugal ...	Law 30/87 of 7th July 1987	Art. 1 § 1. Defence of the country is the duty and fundamental right of all Portuguese. § 2. Military service, the accomplishment of which is compulsory in accordance with this law, is the military contribution of each citizen to the defence of the country.
Spain	Law 19/1984 of 8th June 1984	Art. 1 § 2. Military service in the armed forces is a fundamental personal contribution of Spaniards to national defence.

5. These basic laws on national service have subsequently been amended to take into account various changes concerning duration and conditions of service but they are still in application.

6. Application of the laws on the militia will be suspended with effect from 1994.

In order to create such units on a wide scale, while reducing defence budgets, choices have to be made in terms of personnel and equipment starting from the principle that strengths have to be lower but better prepared and equipped, less matériel but more modern and of higher performance. In terms of strengths, the greatest changes will be made in national service from reduction to its complete suppression.

(i) *Germany*

29. By the year 2000, the Bundeswehr will have 300 000 men, far less than the 370 000 planned in the framework of the 2 + 4 agreements on the reunification of Germany. Com-

pulsory military service will be reduced probably from one year to nine months. The basic structure of the armed forces will be built around rapid action units and units destined mainly for the defence of the territory.

(ii) *Belgium*

30. Compulsory military service will be terminated from 1994 in accordance with the law of 31st December 1992 amending the laws on the co-ordinated militia. It should be noted that these laws have not been abrogated but the law of 31st December 1992 has inserted a new article limiting their scope of application to the 1993 contingent and previous contingents. The

duration of service has been reduced to six months in Germany and eight months in Belgium for 1993. In the year 2000, the armed forces will be composed of 40 000 men (civilian and military) instead of 81 000 at present. A reserve of 30 000 will be maintained.

(iii) *Spain*

31. Spain wishes to have a smaller, more flexible army which can be mobilised quickly. The total of all services by the year 2000 is to be some 180 000 men, half of which will be called up only in the event of an emergency. Command authorities wish to stress the formation of militia and reservists who will serve in units formed only in times of emergency. About 50% will be regulars. National service has been reduced to nine months and it will be possible to recall the militia only during the three years following the end of their service.

(iv) *France*

32. In 1997, the ground forces will have 225 000 men⁷, 110 000 of which will be regulars and 115 000 conscripts. The navy and the airforce will remain at their present level of about 155 000 men. Compulsory military service will be maintained at ten months. The law of 4th January 1992 amending national service increased the list of possibilities offered through various forms of civil service, which now includes civil service in the police, the national security service, the civil service of conscientious objectors, the VSNE system (volontaires service national entreprise) and military service in cities. At present, 6% of recruits do civil service but this number will probably increase in future years. It should be noted that in his general policy statement on 8th April 1993, the Prime Minister, Mr. Balladur, described his aim as being to establish a white paper analysing the new situation at present, potential threats and the means for the country to ensure its independence and survival in all circumstances. He added that it was on the basis of the conclusions of that white paper that the minister of state would draw up a military programme for submission in spring 1994. Pending this law, no change concerning national service is to be introduced before 1995-1996.

(v) *Italy*

33. Italian armed forces will be composed of 15 brigades instead of 25 at present, five of which will be regulars and ten in what is known as a "second intervention" capacity with training and monitoring tasks. It is planned to form four replacement brigades in the event of emergencies. In 1997, the armed forces will have about 287 000 men. The number of volunteers

7. To which will be added the forces of the national gendarmerie.

will be increased by about 35 000 men and compulsory military service will continue to be reduced, starting with a reduction of 15 000 men in 1993. In the new approach to the armed forces, a greater place is to be accorded to women on a voluntary basis.

(vi) *Netherlands*

34. The Netherlands Government is planning a reduction of 44% in five years – for the ground forces the reduction will be 54%. Compulsory military service will be reduced to nine months in 1994 and abolished progressively in five years. At the beginning of 1998, the Netherlands armed forces will be wholly professional. Their strength will be 70 000 including civilian personnel. In case of need, it is planned to be able to increase strengths to 100 000 calling upon voluntary reservists.

(vii) *Portugal*

35. In 1994, compulsory military service will be four months after a transitional period during which the period will be eight months. Stress is laid on the recruitment of volunteers, initially for a period of one year and subsequently for the longer period of eight years. The duration of service will be reduced to four months only if the number of volunteers meets the requirements of the armed forces. Basic training will be the same for conscripts and for volunteers, except for those who serve in the airborne brigade.

36. Considering these plans for reforms, some of which have already been started, it can be concluded that the idea of compulsory military service now seems to be losing much of its attractiveness. It will not be possible for discussions between advocates and opponents of national service to change the course of the reforms started which seem to be increasingly irreversible. Even the United Kingdom, where national service no longer exists, is not evading the process of reducing strengths. By the end of the century, the United Kingdom armed forces will have 241 000 men (119 000 in the army, 70 000 in the airforce and 52 000 in the navy) compared with some 293 500 today. The maintenance of 40 infantry battalions instead of the 38 planned in the reform plans (compared with 55 in 1992) will be possible only to the detriment of equipment investment.

37. Faced with these plans for reform, one may wonder what forces WEU with its present membership will have after 1998 in order to exercise to the full its rôle of defending the interests of the member countries.

38. Another factor that has to be taken into account is the aging of the population due to falling birth rates. This will have an impact on available reserves and on the recruitment of vol-

TABLE III

*WEU: present strengths, planned reforms and limits imposed by the CFE-1A agreement*⁸

Country	Strengths in 1993 (thousands)	Strengths by 1997 after reforms (thousands)	Ceilings under the CFE 1A agreement
Belgium	81	40	70
France	411	370	325
Germany	408	300	345
Italy	325	287	315
Luxembourg ..	0.8	0.8	-
Netherlands ...	74	70	80
Portugal	58	35-40	75
Spain	201	180	300
United Kingdom	259	241	260

8. The Military Balance, 1993-1994.

unteers – two aspects which are important for the success of the planned reforms – due to the demographic deficits which will affect those reaching the age of recruitment, i.e. mainly 16-18 years. This partly justifies increasing the number of women in the armed forces to offset the shortage of men.

39. What is important in this process is to avoid breaking the link between the citizen and national defence. Informing the public is an important and necessary factor in guaranteeing the participation of citizens in the defence effort in time of peace and parliaments and governments have a crucial rôle to play in this respect.

IV. Defence, national service and public opinion

40. Be it in countries with compulsory military service or in those that have a professional army, the commitment of citizens towards defending national community values is primordial for strengthening their national defence capabilities. This can be done by two main means: recourse to national service (compulsory military and civil) and informing the public of what is at stake in defence questions, the activities of the armies and the relevant social and economic aspects. Here, each country acts in accordance with its own traditions and possibilities, but with slight adaptation certain experiences may be generalised.

41. In the period of transition from a conscription army to a professional or largely professional army, it is essential to keep the public informed of what is at stake in defence questions so that all citizens feel they have an interest in what is happening. At the time that available financial resources are being reduced, it is important to go beyond the national framework and think about defence at European level. Here too citizens can be mobilised from different countries around the defence of joint values. This rôle of European defence is the responsibility of defence organisations, i.e. NATO or WEU, and, in the latter framework, its Assembly can and must play an information rôle towards the parliaments and public in the member countries.

(a) Informing the public about defence and national service

42. At a time when most information passes through audiovisual means, it is paradoxical to note that practically nothing is seen or heard about debates on defence and the armed forces and their rôle, not to speak of national service. Images and information dealing with defence are reduced to the presentation of technological warfare as in the Gulf war, or peace-keeping operations and their more or less violent aspects (former Yugoslavia, Somalia, Cambodia, etc.). In these operations, many European soldiers are seen, mainly regular troops or including a very high proportion of volunteers.

43. This ultimately creates the dangerous illusion that all future hostilities can be managed by resorting to advanced technology weapons alone in operations conducted by the United Nations and that national defence or collective defence obligations can be fulfilled with a small number of well-trained men with modern equipment. How will a country defend itself if its duly prepared and equipped forces suffer a high level of casualties in fighting an enemy equally well prepared and equipped? There has been no discussion of any such eventuality. It therefore becomes very important to keep citizens regularly informed about every aspect of the problem of national defence, particularly in countries where national service is undergoing far-reaching changes. Several examples can be quoted of the action necessary for shaping a spirit of defence.

44. (a) When conscription was terminated in the United Kingdom, the defence authorities launched far-reaching information campaigns to ensure that an adequate flow of manpower enlisted in the regular army that was being formed. The press and television also followed up this action which was also extended in the direction of schools and universities. Mobile information units were created to present the army throughout the territory by projecting films. The KAPE plan (keep the army in the public eye) was launched. The purpose was to organise the presentation of army detachments in their areas of recruitment, thus establishing a link between the publicity campaigns and the local recruiting teams; subsequently, periods of training in units were organised for young people who were thus able to establish true contact with military life. These measures did much to ensure enough enlistments to meet the needs of the United Kingdom armed forces⁹.

45. (b) In order to increase the number of volunteers for a longer period (eight years), the Portuguese authorities resorted to modern marketing techniques for disseminating televised spots and announcements in the press. The armed forces stress the practical advantages of long service; as soon as the first contacts have been established with the recruitment offices, candidates are informed about the training and professional measures which will be available to them. They may have technical training in their units or in civilian professional training centres. Measures are proposed to improve cultural levels and a percentage of places available in universities (where places are limited) is reserved for volunteers. Enlisted men are provided with information about their military

career prospects and also the facilities they will be accorded for employment afterwards. On returning to civilian life, their career as volunteers will give them access to preferential loans for purchasing accommodation or starting professional activities. This shows that military service also plays an important rôle in economic, social and cultural matters which makes it more attractive for citizens.

46. (c) By developing the aspects of national service leading to civil activities (police, civil security, municipal service, firms), the French authorities are endeavouring to make service more interesting for young people and bring their training closer to matters of concern to them such as employment, security or the environment. At the same time, the development of these activities draws military personnel closer to the population insofar as they are required to help the community. The strictly military aspect is giving way in part to the social and economic aspect which might have favourable repercussions on the public and recruits.

47. In parallel, SIRPA (the French army information and public relations service) is making a considerable effort to inform the public by resorting to written and audiovisual means in addition to its work of presenting units, conferences and symposia organised by that service. The results obtained are not negligible and contribute much to maintaining a good image for the armed forces in French public opinion. This service regularly conducts polls and research on public opinion and defence, the results of which, although generally positive, are sometimes contradictory as can also be seen in other countries.

(b) National service and the state of public opinion

48. The spirit of defence links citizens with national defence. This is not a concept that is easy to measure because it varies according to age, social standing and the level of education. Opinion polls confirm these remarks and the same points of reference are found from one country to another.

(i) France

49. In May and June 1993, SIRPA ordered two polls on questions of defence policy and the image of the armies and national service. Each poll was conducted with a selection of 1 000 persons over 15 years of age. Regarding military service, 66% of those questioned considered it essential to ensure the defence of France (compared with 60% of favourable opinions in 1992). It should be noted, however, that among executives and intellectual professions, opinions are split at around 50% (48% consider that military service is not essential for the defence of France). Conversely, 75% of those questioned

9. Recruitment was also encouraged by various material and social measures for enlisted men which allowed the reform to be successful.

were in favour of a regular army¹⁰ compared with 17% in favour of conscription, but 27% were in favour of maintaining the present system. Regarding the duration of military service (ten months), 59% considered it satisfactory but 58% considered that far too many people evaded service and 67% thought that during military service young people were too often innocuiped. It also emerged from the enquiries that information is good on the various possibilities of civil service, 95% of those questioned having said that they knew what it was all about. The principal aims of national service are set out in Table IV. One should note the growing importance of non-military activities in the framework of national service such as service for the collectivity and professional training for recruits.

TABLE IV

Aims of national service in France (opinions)

To train soldiers to defend France	44%
To have young people take part in improving public services	43%
To contribute to the professional training of recruits	35%
To make young people aware of the need for national defence	33%
To allow young people from different social classes to know each other better	17%

50. Regarding general defence questions, 83% of those polled were prepared to fight for the defence of the territory, but only 29% believed that it was necessary to fight for a country with which France had contracted agreements of alliance. Possible use of armed forces is massively but unequally approved as shown in the following table.

51. The use of national servicemen in the event of armed intervention is still a sensitive subject. Only 13% of those questioned were in favour of sending recruits to any place of intervention whatsoever, compared with 32% against. 39% believed it was justifiable to send recruits to defend the frontiers of France and only 11% if the intervention was elsewhere in Europe.

52. Nuclear weapons are considered by 65% to be essential for the defence of France but 60% are opposed to the resumption of nuclear tests.

10. This option obtained a majority of favourable opinions in all categories of persons questioned.

TABLE V

Approval of the use of the armed forces

To obtain the release of French hostages	90%
To preserve French lives abroad	84%
To intervene in the framework of the United Nations to obtain respect for international law	84%
To destroy a terrorist hideout	83%
To afford assistance to a population in distress	81%
To restore peace in a region of the world	72%
To avert a case of major economic aggression	64%
To honour France's agreements with African countries	60%

The plan to restructure the armies is still not known to the public and 90% of those questioned said they did not feel they were concerned. Regarding alliances, 44% are in favour of the alliance between the countries of Western Europe and the United States compared with 30% who advocate a European alliance independent of the United States; 69% of those questioned considered the creation of the European corps to be a good thing. In conclusion, it should be emphasised that 68% of those questioned considered that military personnel should play a larger part in the public debate concerning defence policy.

(ii) Italy

53. In 1992, after a contingent of 12 000 men was sent to Sicily and Sardinia¹¹ to maintain public order, the Italian Defence Minister had an opinion poll taken on the use of armed forces for maintaining internal order. A sample of 1 072 persons over 18 years of age throughout Italy responded to this inquiry. In regard to the rôle of the armed forces in the nineties, answers gave a prominent place to the growing importance in public opinion of using armed forces for purposes of assistance in the event of internal problems in the country or in the framework of United Nations operations, be they humanitarian or peace-keeping missions. For many this result is due to the increasing rôle of the Italian army in such operations and public opinion thus gives its endorsement.

11. Operations Forza Paris and Vespri Siciliani in July 1992.

TABLE VI

Rôle of the Italian armed forces in the nineties

Assistance in the event of national catastrophe	92.2%
Humanitarian aid in Italy and abroad	90.5%
Participation in United Nations peace-keeping operations	88.4%
Maintenance of public order	84.4%
Antiterrorist struggle	74.8%
To prevent secessionist attempts	70%
To control immigration	64.5%
Military operations under United Nations control	54.9%
Operations under NATO control in Europe	54.6%
Operations under NATO control outside Europe	39.4%

54. Regarding the defence of Europe, 33% of those questioned were in favour of NATO, followed closely by 30% in favour of a reformed NATO in which the European countries would have greater decision-making powers (European pillar). Only 5% of those questioned were in favour of a purely European defence and 21% were in favour of neutrality. Compulsory national service obtained 17% of favourable opinions compared with 32% in favour of a regular army and 49% for a mixed system. The presence of women in the armed forces was approved by 66% of those questioned (27.5% being against).

(iii) Portugal

55. In 1992 the National Defence Institute (NDI)¹² of Portugal conducted an inquiry into the state of public opinion and security and defence questions. The inquiry was restricted to a sample of 1 250 persons (continental Portugal, the Azores and Madeira) from 18 to 65 years of age. 60% of those questioned said they were very or fairly interested in national defence in general compared with 31% who showed little interest in this question. For those questioned, national defence meant first the defence of the territory (30%) and then the defence of Portuguese interests (29%). On the other hand, amongst the most important duties of the citizen, national defence took only third place (40%) after work (79.4%) and defence of the environment

(60.7%). The defence of national territory was designated as the first cause for which one should fight (42.7%) followed by defence of democracy and freedom (35%) and equality between citizens (39.4%). Assistance to an allied country victim of aggression was mentioned only in 14% of the answers (19% for the Azores and 22% for the island of Madeira). It is interesting to note that only 24% of those questioned in continental Portugal considered that it was worth fighting to defend the Atlantic islands. The main task of the armed forces is the defence of national territory (70.9%) followed by assistance to populations in the event of emergency (70.7%). In peacetime, the armed forces must supervise forests to prevent fires (58.7%), co-operate in the preservation of the environment (41.3%) and assist old people (32.4%). On national service, opinions were divided, with 45.8% of favourable answers for compulsory military service compared with 51.9% for a wholly voluntary army. 76% favour the presence of women in the army. Regarding military alliances, NATO is still the first preference with 35.8% of the answers, followed by the idea of an alliance limited to European countries (21%). However, 83.7% are against the stationing of nuclear weapons on Portuguese territory, 52.9% against sending Portuguese troops abroad and 55% against the presence of foreign troops in Portugal. Participation in United Nations operations and other peace-keeping missions is reserved for East Timor (60%) and former Yugoslavia (43.9% for and 42.6% against). On European defence, the idea of a joint European armed defence force has the backing of 65.8% of those questioned in continental Portugal, 73.8% in the Azores and 82% in Madeira.

56. Three main ideas emerge from these three studies: armed forces are necessary for national defence to meet aggression, and also for domestic purposes (environment, assistance to the populations, the struggle against banditism); compulsory military service is no longer a necessity for defence in the nineties; the idea of a European army or, failing this, the creation of multinational European military units seems to be an attractive prospect for many of the persons questioned. This latter aspect is not the prerogative only of countries resorting to national service; according to a recent poll of public opinion in the United Kingdom with regard to the European Community published in *The Times*¹³ 55% of those questioned endorsed the idea of integrated European armed forces compared with only 37% for the idea of a joint European foreign policy. Politicians who pay heed to public opinion cannot not take these tendencies into account.

57. It is nevertheless necessary to proceed step by step with restructuring and reforms,

12. An institution depending on the Defence Ministry.

13. MORI poll, *The Times*, 28th October 1993.

always ensuring that there is an indispensable margin of manoeuvre in the event of any significant deterioration in the geostrategic situation on frontiers, in the largest sense of the word, of Europe. In wishing to create more professional armed forces, one should not try to give them obligations such as education, professional training and police operations which are the duty of other state administrations. In the long term, the armed forces might be tempted to use much of their diminishing budgets to take on these tasks to the detriment of traditional duties such as defending national sovereignty, integrity of the territory and the protection of interests abroad.

58. The parliaments required to vote on the reform of national service and the armed forces should take all these aspects into account and not lose sight of the long-term consequences of the decisions to be taken regarding the defence effort of a country. These consequences must be examined in the national framework and also in the light of experience in allied countries.

59. The move from the national framework to the European framework is indeed the way to create an efficient European armed force to serve European interests and the responsibilities stemming from transatlantic commitments. The harmonisation of legislation on national service between allied countries would thus be the first step towards meeting present needs in terms of European defence and would facilitate the constitution, by allied countries, of multinational military units composed of regular or volunteer soldiers and also national servicemen.

60. Moreover, the WEU Assembly had already drawn the Council's attention to this question in 1989 in paragraph 6 of Recommendation 469¹⁴ on the state of European security when it recommended that the Council urge member countries to recommend to NATO:

“that through the member countries of WEU the following steps should be taken to give practical expression to the European pillar of defence:

- (a) encourage more multinational units...;
- (b) take specific action to allow at an individual level the exchange of military personnel between countries to enhance their awareness of European co-operation, give them greater opportunity for travel and a more interesting work environment, and serve as a useful recruiting incentive at a time when the demographic levels are making recruiting most difficult.”

61. Today, more than ever, the question is still topical, be it merely because of the difficulties some member countries of WEU are

having in terms of personnel fulfilling their multilateral commitments to WEU, NATO and the United Nations¹⁵.

62. In their national parliaments, the parliamentary members of the Assembly of WEU are able to establish the link between the national and European frameworks for the discussion of defence questions. At the same time they can help to enlighten public opinion on the European aspect of defence and make the public understand the importance of having a European defence system. Whether the defence of Europe is ensured by regular soldiers, conscripts or by a mixture of the two, it is essential for all citizens to feel they are concerned with the defence of their country and European interests. At present, it is national service that in most member countries of WEU makes the link between defence and the citizen. The dominating tendency is towards reform and other means of defence but this process must take full account of future requirements for an autonomous European defence.

63. Thoughts must therefore be turned towards creating a European service for both military and civil purposes which would be the basis for the formation of true European armed forces. There the defence of Europe would find its link with the citizens it has the task of protecting, provided it is possible to avoid the stumbling-blocks of inequality and lack of adaptation to today's realities in defence questions which are darkening the image of national service in many countries.

64. Defence is a concept in permanent evolution which must adapt itself to society in order to improve its protection. To become reality, European defence must take account of this need to become more than a simple institutional framework and to respond to the expectations of those who are committed to building the Europe of defence. A condition for the success of this process is to make Europeans aware of the problems of defending their values and their joint space. Here, WEU and its Assembly have a broad area of action to foster a concerted approach by states and to inform the public of what is at stake in defending Europe.

65. Europe is an evolving reality and its defence must become a point of reference on the same footing as the defence of national territory and interests, provided the governments and national parliaments shoulder their European responsibilities. The defence of Europe must not be just the sum of national defence capabilities: it must be planned and built up as a clearly defined whole in which national interests find protection and security.

15. The debates about sending a NATO ground force to former Yugoslavia to monitor the application of the Geneva peace agreements clearly illustrate the limits confronting European countries members of the alliance.

14. Document 1183, Defence Committee - Rapporteur: Mr. Speed.

WEU's relations with Central and Eastern European countries

REPORT ¹

*submitted on behalf of the Political Committee ²
by Mr. Wintgens, Rapporteur*

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APPENDIX

Summary of the electoral position of Central European countries in the WEU Forum of Consultation

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

2. *Members of the committee:* Mr. Stoffelen (Chairman) ; Lord Finsberg (Alternate: *Marshall*), Mr. Roseta (Vice-Chairmen) ; MM. Aarts, Agnelli, Alegre (Alternate: Mrs. *Aguiar*), Andreotti, Benvenuti, Bowden, *De Hoop Scheffer*, Ehrmann, Fabra, Feldmann, Foschi, Goerens, Homs I Ferret, Sir *Russell Johnston*, Mr. Kaspereit, Lord *Kirkhill*, MM. Kittelmann, de Lipkowski (Alternate: *Baumel*), Polli, *Müller*, Péciaux, *de Puig*, Reddemann, *Rodrigues*, Seeuws, Seitlinger, *Soell*, Vinçon, Ward (Alternate: *Godman*), *Wintgens*, Zapatero.

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

Draft Recommendation

on WEU's relations with Central and Eastern European countries

The Assembly,

- (i) Reiterating its constant commitment to the establishment of a new order of security and stability throughout Europe as attested by the many reports it has prepared on this problem since the fall of the Berlin wall;
- (ii) Recalling in particular its Recommendations 511, 516, 526 and 528;
- (iii) Welcoming the creation of the WEU Forum of Consultation in which nine countries of Central Europe are participating;
- (iv) Noting, nevertheless, that the great majority of the countries of Central and Eastern Europe still consider that they have no firm security guarantees;
- (v) Aware of the risk of division of the countries of Central and Eastern Europe into two groups of states, one of which would have the benefit of membership of western institutions, the other remaining outside;
- (vi) Deploring the inadequacy of information provided by the Council on specific co-operation implemented in the framework of the forum and on the political aims it is pursuing in that body;
- (vii) But welcoming the operational co-operation between WEU and Hungary, Romania and Bulgaria for implementing the blockade on the Danube;
- (viii) Fearing, nevertheless, that fighting on the territory of former Yugoslavia might spread to neighbouring areas;
- (ix) Dismayed at the refusal of the Greek Government to recognise the former Yugoslav Republic of Macedonia;
- (x) Disturbed also by the unstable situation in several regions of the CIS and the uncertainty surrounding the foreign policy of Russia;
- (xi) Concerned by the ambiguity of Ukraine's policy, particularly with regard to nuclear weapons and its hesitation about ratifying the START I Treaty and the nuclear non-proliferation treaty;
- (xii) Inviting all the Central European countries in the Forum of Consultation to settle their problems of neighbourliness by peaceful means using the good offices of the appropriate European, Atlantic and worldwide institutions for crisis-management and peace-keeping;
- (xiii) Emphasising the importance of the forthcoming NATO summit meeting insofar as it must redefine the transatlantic partnership between allies and also establish a partnership of a new type with the countries taking part in NACC;
- (xiv) Stressing the importance of parallelism between the approach of the European Union and of WEU to the development of their relations with the Central and Eastern European countries after the entry into force of the Maastricht Treaty,

RECOMMENDS THAT THE COUNCIL

1. Define without delay the nature of its future relations with Austria (taking into account its relations with the Visegrad countries) and with Finland and Sweden (in view of their rôle in the Baltic region), these countries being candidates for membership of the European Union, offering them means of co-operation corresponding to the specific situation of each one;
2. Study forthwith whether and to what extent circumstances allow Slovenia to be associated with the work of the Forum of Consultation;
3. Inform the Assembly of the conclusions it reaches on the two questions mentioned above;
4. Remind the member countries of WEU of the joint decision taken by the Twelve on 2nd May 1992 to recognise the former Yugoslav Republic of Macedonia;
5. Urge Greece to recognise the former Yugoslav Republic of Macedonia without further delay;

6. Intensify the work of the Forum of Consultation by giving it a specific programme of work including, inter alia, the joint elaboration of risk and threat assessment;
7. Offer the Central European countries which are partners in the Forum of Consultation the possibility of taking part in the work of the Western European Armaments Group and all forms of European armaments co-operation;
8. Determine:
 - the areas in which these countries can be associated with the activities of the WEU satellite centre;
 - the conditions in which they can take part in meetings of WEU chiefs of staff and the work of the planning cell;
9. Examine what security guarantees it can give Hungary, Romania and Bulgaria in face of the risks these countries are running because of the blockade on the Danube and study the possibility of granting them appropriate financial compensation;
10. Intensify its political dialogue with Russia, Ukraine, Belarus, Moldova and Albania.

Explanatory Memorandum

(submitted by Mr. Wintgens, Rapporteur)

I. Introduction

1. The subject entrusted to your Rapporteur is particularly difficult to handle for several reasons:

- first the situation in Russia is still unstable even after the removal of the principal leaders of the conservative opposition to President Yeltsin in the wake of the failed coup in Moscow on 3rd and 4th October 1993. Likewise, it is difficult to identify a coherent and rational foreign and security policy within Russia; the most recent indications emanating from the leadership are extremely varied and at times contradictory;
- second, there is a growing impression that the period of grace that followed the end of the cold war and of the communist system is giving way to a feeling of growing perplexity regarding the path to be followed to give Europe a security architecture satisfactory to all concerned;
- third, the victory in the elections on 19th September last by the successors of the former communist parties in Poland, one of the Visegrad group of countries considered to be the closest to Western European institutions, arouses uncertainty regarding the future policy of that country and the consequences of this ballot for other countries in the region, Hungary for instance, where elections are to be held at the beginning of 1994.

2. To complicate even further your Rapporteur's task, the Assembly has not yet received the thirty-ninth annual report from the Council of WEU and the Secretary-General has stopped sending his letter of information. The Assembly is therefore not aware of the Council's activities in the evolution of its relations with the countries of Central and Eastern Europe since the publication of its Bonn declaration of June 1992¹ which reported on its meeting with the states of Central Europe and the Rome communiqué on the meeting with the WEU Forum of Consultation held at ministerial level on 20th May 1993².

3. The present report is nevertheless especially important, because it will indicate the direction in which the Assembly must move and consolidate its position following the series of reports that the committee has produced since 1991 on relations with Central and Eastern Europe and the enlargement of WEU³, and also, because it should be considered in the context of the preparation of the next NATO summit meeting, dealt with in the report presented by Mr. Baumel, and of the relations the European Union will develop with the countries of Central and Eastern Europe.

II. The activities of the WEU Forum of Consultation

4. It should first be recalled that in June 1992 the Council of Western European Union decided to select the following eight countries to start an institutionalised dialogue with Central Europe: Bulgaria, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland and Romania. With the division of Czechoslovakia into two states, the Czech Republic and Slovakia, there are now nine countries with which WEU is conducting regular consultations in the WEU Forum of Consultation.

5. With the backing of the Assembly, the Council therefore decided not to follow the example of the North Atlantic Co-operation Council which extended its dialogue to all the countries of the former Warsaw Pact plus the members of the Community of Independent States. By limiting the number of Central European participating states, WEU thus decided to follow the course set by Maastricht and establish relations with countries that might be expected sooner or later to join the European Union⁴.

6. To implement this policy the ministers of WEU member states and those of the countries of Central Europe that make up the Forum of Consultation took the following decisions *inter alia*⁵:

“The focus of consultations will be the security architecture and stability in Europe, the future development of the CSCE, arms control and disarmament, in

1. Document 1322, 29th June 1992.

2. See Document A/WEU/DG (93) 14, 24th May 1993.

3. See especially Documents 1263, 27th March 1991, 1309, 13th May 1992, 1340, 6th November 1992 and 1370, 24th May 1993.

4. Document 1342, 6th November 1992, paragraph 76.

5. See Document 1322, 29th June 1992.

particular the implementation of the CFE and Open Skies Treaties, as well as the 1992 Vienna Document. Developments in Europe and neighbouring regions will be of particular interest to the participants."

...

- Foreign and defence ministers will meet once a year. Additional meetings at ministerial level may be convened if circumstances require.
- A Forum of Consultation will be established between the WEU Permanent Council and the ambassadors of the countries concerned. It will meet at the seat of the WEU Council at least twice a year.
- These meetings will provide an opportunity to monitor the implementation of the measures adopted and, where appropriate, to make proposals for the inclusion of other fields of co-operation.
- Consultations at ministerial and WEU Permanent Council/ambassador level on security issues may be complemented by meetings with an ad hoc WEU troika at senior official level.
- The following initiatives will be continued and encouraged:
 - Regular exchanges of documents and information;
 - Growing co-operation between the WEU Institute for Security Studies and the corresponding bodies in the countries concerned. An increasing number of seminars and colloquia will be organised. The programme of scholarships will be continued."

Ministers also advocated the development of relations between the WEU Assembly and the parliaments of the states concerned⁶.

7. In the absence of information from the Council on the specific work undertaken by the Forum of Consultation, the committee is merely aware, through a publication on "WEU's security rôle in post-cold war Europe", circulated by the Secretary-General in September 1993 (no specific date), that "WEU member states consider that the twice-yearly meetings... have a dual objective: to explain WEU's rôle, objects and activities in the evolving framework of European security architecture on the one hand and, on the other, to understand more fully the security concerns of Central European countries".

6. See in this connection the report presented by Mr. Ward on the enlargement of WEU, Document 1340, 6th November 1992.

8. According to the Rome communiqué of 20th May 1993, the ministers in the WEU Forum of Consultation subsequently agreed:

"on the setting up of a Counsellors Group in Brussels, composed of senior representatives in the delegations of the WEU member countries and embassy counsellors of the consultation partners. This group would meet at least three or four times a year, would hold more detailed exchanges of view and would prepare the meetings of the Forum of Consultation".

9. The communiqué in question also contained the following statement:

"The ministers warmly welcome WEU's initiative on the Danube to assist and co-operate with Bulgaria, Hungary and Romania in the strict implementation of the sanctions provided for in UN Security Council Resolutions 820, 787, 757, and 713. They welcomed the signature of three memoranda of understanding in Rome to this effect.

Ministers stressed that the Danube mission, which was of a civilian character, represented a concrete example of co-operation between WEU and certain of its consultation partners."

10. In point of fact the WEU Council of Ministers had already taken a decision in Luxembourg⁷ on 5th April 1993 to propose that Bulgaria, Hungary and Romania be offered specific non-military assistance in order to strengthen their means of enforcing compliance with the embargo against Serbia on the Danube. Thus police and customs officers of the WEU member countries would co-operate with their counterparts from the three countries bordering the Danube in monitoring river traffic - with the aid also of some ten or so high-speed patrol boats - in intercepting, as necessary, vessels suspected of trying to break the embargo.

11. The three countries concerned having accepted this offer, the operation has been organised since June 1993 on the basis of memoranda of understanding signed in Rome between WEU and Bulgaria, Hungary and Romania. In the opinion of the German Government, this action constitutes a precedent in two respects:

- it shows that operational co-operation exists between WEU and certain countries within the Forum of Consultation,
- and that the operational rôle of WEU is not limited to military action.

7. See declaration on the implementation of sanctions imposed on former Yugoslavia by the United Nations, Document A/WEU/DG (93) 9, 5th April 1993.

12. Without knowing the content of the annual report of the WEU Council on this subject, it seems necessary to emphasise how much the WEU Assembly appreciates the commitment these countries have made in their decision to assist WEU and the international community in implementing the sanctions imposed on Serbia by the United Nations. The Assembly is well aware that the implementation of the embargo is very costly to these three countries, not just in purely economic terms but also politically, because some of them, Romania for example, have traditionally had friendly relations with Serbia, and because others, like Hungary, fear Serbian reprisals and have no guarantee of security from western nations. Apparently Hungary is already suffering Serbian reprisals and during the committee's visit to Hungary an official of the United Nations department in the Ministry for Foreign Affairs asked whether it might be possible to organise WEU patrols in the Serbian controlled waters of the Danube. It appears that Bulgaria may be worst hit by the economic fallout of the embargo.

13. Regarding the future development of WEU relations with the member states of the Forum of Consultation as a whole, the Rome communiqué provides insufficient information to enable one to form an idea of the essential security concerns of the Central and Eastern European countries belonging to the WEU Forum of Consultation.

14. The communiqué merely states that the ministers "reaffirmed the importance of intensifying these relations as a valuable contribution to the emergence of a more stable and peaceful order in Europe based on partnership and co-operation".

15. Regarding the withdrawal of Russian troops from the territory of the Baltic states, the communiqué refers to the declaration adopted at the 1992 Helsinki summit meeting and the CSCE Council meeting in Stockholm. The ministers also declared that:

"The development of WEU's relations with its consultation partners would continue to reflect increasingly close relations between the countries of Central Europe and the future European Union and its member states with the aim of extending the area of stability and security in Europe."

16. What is the particular significance of the interest shown in this communiqué for an exchange of views on peace-keeping? If WEU wishes to avoid duplicating what has already been achieved in the framework of NACC, it should provide more detailed information on the aims of such an undertaking. This is of interest to the forum countries and the Assembly too.

17. However, regarding the fundamental question of how WEU can respond to the aspirations of the countries of Central and Eastern Europe to live within a security architecture that meets the satisfaction of all concerned, the Council has not yet indicated the guidelines it intends to follow. During the meeting with the Permanent Council, held in Brussels on 5th October 1993, the Secretary-General confined himself to defining the tasks that await us. The true security concerns of the countries in question are yet to be determined; also whether we have to give them security guarantees. The impression is often that these concerns relate to a regional context and consequently it may be difficult to find answers.

III. The significance of creating various groups and associations of certain Central and Eastern European countries after the collapse of the Warsaw Pact and of the Soviet Union

18. The Petersberg declaration is precise in its definition of the group of states with which WEU has entered into a Forum of consultation as the "States of Central Europe" (and not Eastern Europe). Similarly the Rome communiqué of 20th May 1993 refers to "Central European consultation partners". If this title seems entirely justified given the states participating in the Forum of Consultation, the present report would not be complete if it did not also consider the evolution of the countries of the Commonwealth of Independent States (CIS) which lie to the east of Central Europe, namely Russia, Ukraine and Belarus, together with that of the Balkan states not directly involved in the conflict in former Yugoslavia. Developments taking place in all these regions will be of vital importance for the future security architecture of the entire continent of Europe. The present report rightly, therefore, takes as its subject-matter WEU's relations with the countries of Central and *Eastern Europe*.

(i) The Visegrad group

19. In Visegrad, near Budapest, on 15th February 1991, the Presidents of Czechoslovakia, Hungary and Poland met to exchange views on the risks of destabilisation in Eastern Europe, to co-ordinate their approaches to association with the European Community and to organise regular meetings between their countries in order to co-operate more closely in political, economic and cultural matters.

20. The Visegrad group had long been considered to have made the most progress in reforms and democratisation and it therefore seemed possible to envisage a privileged status of association with European integration and the

Atlantic and Western European security systems. After Czechoslovakia split into two independent states, the European Commission, on 24th June 1993, initialled new agreements of association with the Czech Republic and the Slovak Republic taking up, in the main, the contents of the agreement already concluded between the European Community and Czechoslovakia.

21. For some time, there has been discussion in the Atlantic Alliance about opening NATO to the Visegrad countries and preparing decisions in this respect for the NATO summit meeting to be held on 10th January 1994. The pace of this discussion increased after the visits by the Russian President to Poland, the Czech Republic and Slovakia at the end of August 1993 during which he made no objections to the wish of these countries to draw closer to NATO. The discussion however took a new turn when at the end of September the Russian President reversed his position in messages addressed to the signatories of the treaty on the final settlement of the German situation (2 + 4 Treaty). On this occasion the Russian President declared himself opposed to any eastward enlargement of NATO, instead proposing that NATO and Russia should together guarantee the security of the countries of Central and Eastern Europe. Under these circumstances and in view of the fact that the situation within Russia remains unstable in the wake of the attempted coup of 3rd and 4th October, it is hardly probable that the NATO summit meeting will reach firm decisions on its possible enlargement.

22. It should be noted that the now four Visegrad countries decided, at a meeting in Krakow at the beginning of September, to co-operate further in armaments questions and to give priority to the compatibility of their equipment with NATO systems. The deputy defence ministers and chiefs-of-staff of the four countries reached agreement on the exchange of military equipment and spare parts and the assistance they could afford each other at the level of maintenance. A final document and several bilateral agreements were signed at the close of the meeting. According to information gleaned from this document, the replacement of certain equipment now used by the Polish forces will promote compatibility with NATO equipment and particularly with its command systems. A further meeting of this type is to be held in Hungary in September 1994⁸.

23. It cannot be considered, however, that the division of Czechoslovakia will not be without repercussions on the foreign policy of the two newly-created countries and the position of the Visegrad group as a whole. It can be seen that the foreign policy of the Czech Republic is

intended to bring that country into close association with the West as swiftly as possible, priority being given to a close partnership with the countries of Western Europe, the United States and Germany. On the other hand, it seems that co-operation with its neighbours such as Poland, Hungary, Austria and Slovakia is based rather on bilateral relations, whereas the importance of co-operation in the framework of the Visegrad group and of the Central European initiative would take second place.

24. Certain negative declarations about the usefulness of co-operation between the Visegrad countries made by Prime Minister Klaus and his sceptical remarks about the Maastricht process have caused some irritation. However, it was at the beginning of September during the meeting of the Union of European Democrats in Budapest that the Czech Prime Minister made the most surprising statement, affirming that his country would not be interested in joining the Atlantic Alliance since it was not threatened and one had to calculate the high cost of incorporating his country's armed forces in the western security structures⁹.

25. During his recent visit to Prague, your rapporteur was reassured by the representatives of the Czech Government that the remarks by the Prime Minister were misunderstood and that the Czech Republic's wish to adhere to all the political, economic and defence institutions of the West is so clear that further repetition is unnecessary. Moreover, they confirmed that Visegrad co-operation no longer seemed to be primordial at political level for co-ordinating the rapprochement of the four countries with Western Europe. It almost seems that the Czech Republic, having thrown off certain problems which are now the sole responsibility of Slovakia, and aware that its economic situation is not of such great concern as that of some of its Visegrad partners, feels that it can stand on its own feet and possibly thus join up with the structures of Western Europe.

26. The separation of Czechs and Slovaks was no doubt a painful operation which made it necessary for the two newly-created countries to allow themselves time to redefine their positions and their policies. It is undoubtedly for Western Europe to make sure that neither of the two countries feels that it is being isolated, and particularly Slovakia.

27. This small country of some 5 million inhabitants, with significant Hungarian, Czech, Ukrainian and Ruthenian minorities, not counting a large number of gypsies, is surrounded by far more powerful neighbours such as Poland, Ukraine, Hungary and Austria. Its problems are not easy to solve. Weighed down

8. Agence France Presse, 8th September 1993.

9. NZZ, 7th September 1993.

by its past as a faithful ally of Germany during the second world war, this country's task is not limited to establishing an equitable policy with regard to its minorities: it also has differences with Hungary over the consequences of building the Gabčíkovo dam. Furthermore, the domestic situation is delicate because the Prime Minister has to rely on the backing of a minority government.

28. The country's economic problems are worsened by its dependence on steel exports and its large armaments industry which in the past was one of the pillars of Czechoslovakia's military power in the framework of the Warsaw Pact. The armaments export market has collapsed and the European Community has reduced its quotas for the importation of steel and Slovak agricultural products.

29. It is all the more important to take note of the decisive progress this country has made in making its structures democratic because of its very firm determination to settle questions of minorities, in particular the problem of the Hungarian minority, to the satisfaction of all concerned; one may therefore hope that these problems will be progressively depoliticised, including the disputes with Hungary over the Gabčíkovo dam.

30. It should also be noted that all the political parties are unanimously in agreement with the government about joining the process of integration with the political, economic and military structures of the West. The Slovak Government is therefore very reserved towards the Ukrainian proposal to create a special security zone between the Baltic countries and the Black Sea that it considers as a kind of safety belt which does not improve the security of Slovakia.

31. Yet the image of Slovakia is not without blemish in certain western political circles nor in some of its neighbouring countries. It is interesting to note that some politicians and editorialists do not even mention Slovakia when they speak of possibly accelerating the accession of the Visegrad group to NATO¹⁰. It is certain that the Slovak Republic has an interest in establishing firm relations with its powerful neighbours to the East, particularly with Ukraine and Russia, but your Rapporteur believes it would be dangerous to give the Slovaks the impression that they would no longer be welcome in the West after their separation from the Czech Republic.

32. It is still too soon to say what foreign policy the new Polish Government will pursue

after the 19th September 1993 elections, although the three victorious parties have given to understand that a Polish government, even one dominated by the left, would wish to become a member of the Atlantic Alliance at the earliest opportunity. So far, Poland has been one of the most active countries in drawing closer to the Atlantic Alliance and WEU, but at the same time it is trying to improve its security by concluding bilateral military co-operation agreements with its eastern neighbours (except Belarus). Its signing of these agreements was above all a question of strengthening confidence between partners. In this context the fact should not be overlooked that a substantial Polish minority lives in Lithuania (forming approximately 7% of the population). Poland's future position within a European security structure will depend largely on the evolution of its relations with Ukraine, whose rôle is not entirely unambiguous as will be seen in a subsequent chapter of this report.

33. Since May 1992, relations between Poland and Ukraine have developed considerably with reciprocal visits by the Heads of Government of the two countries and the signing of many bilateral agreements. Russia cannot remain aloof from this insofar as it might consider the development of such relations with Poland as an attempt to increase Russia's isolation.

34. In this respect, a more detailed study will have to be made of Ukraine's policy which officially is one of neutrality and non-membership of alliances, be they eastern or western. However, this did not prevent Ukraine from making a proposal to establish a security area including the Baltic countries, Belarus, the Czech Republic, Slovakia, Hungary, Bulgaria, Romania and Austria¹¹.

35. The idea of including the member countries of the Visegrad group in the Atlantic Alliance will most certainly arouse some concern in Kiev, where it is feared that Ukraine will be isolated between Russia and a western alliance which is not concerned with this matter: one more reason for the West to define more clearly the future architecture of European security. Indeed, the danger of the Central and Eastern European countries being divided into two groups, one of which would have the benefit of acceding to western institutions and the other remaining outside, is a matter of growing concern in certain capitals of Eastern Europe.

36. Turning to Hungary, the Political Committee's visit on 20th and 21st October 1993 was a particularly fruitful experience, yielding a wealth of information and likely to lead to numerous exchanges of views. However this

10. International Herald Tribune, 8th September 1993, "NATO opens up routes to the East European Democracies". Mr. Klaus Kinkel, Minister for Foreign Affairs of Germany, in a radio interview on 5th September 1993.

11. Jan J. Brezinski, *Survival*, Volume 35, No. 3, autumn 1993, page 31.

visit also revealed the seriousness of the difficulties experienced by neighbouring countries that Hungary currently has to deal with and which are unlikely to make any easier the task of restoring stability in the unsettled region at the centre of which Hungary lies.

37. However, before a more thorough investigation of the problems, it should be recalled that it was Hungary that broke through the iron curtain in 1989 and instigated the dissolution of the Warsaw Pact. Hungary was the first country to see Soviet troops withdraw from its territory. Moreover, while it was still a member of the Warsaw Pact, Hungary had already sought a rapprochement with WEU, the European Community and NATO, and its Minister for Foreign Affairs addressed the WEU Assembly in 1990.

38. The integration of Hungary in the European Community and its membership of European and Atlantic security structures appeared to pose fewer difficulties than was the case for certain other countries of Central Europe. Hungary's co-operation in the Visegrad framework was given new impetus with the conclusion of a Central European free trade agreement in December 1992. Hungary, however, also seems to feel that the Visegrad group still has some political importance which might help it to draw closer to Eastern Europe.

39. However, during the various talks we had with our Hungarian colleagues it became very clear that the presence of 3.2 million Hungarians within neighbouring countries (2 million of them in Romania and some 600 000 in Slovakia) is a political consideration which raises difficulties for Hungary's bilateral relations with its neighbours, especially Slovakia and Romania.

40. Despite parliamentary representatives' repeated allusions to "Hungary's traditional borders" the Hungarian authorities and first and foremost the Minister for Foreign Affairs clearly demonstrated their determination not to wish to alter existing borders but to seek, in co-operation with neighbouring countries, to ensure that the collective and individual rights of the Hungarian minorities should prevail and be safeguarded. The Hungarian Minister for Foreign Affairs in particular said that the fact that the Hungarian Government accepted responsibility for all ethnic Hungarians did not mean that Hungary was seeking to re-establish its traditional borders, nor that it intended to exercise a form of political control over Hungarian minorities living in other countries.

41. The Hungarian Parliament has, moreover, adopted exemplary legislation guaranteeing very wide rights and freedoms for foreign minorities living in Hungary in the hope of obtaining a similar status for its own minorities abroad. However, as the discussions during the

Council of Europe summit meeting in Vienna on 8th and 9th October last demonstrated, the problem of defining the rights of national minorities remains a controversial issue throughout Europe; Germany, supported by Austria and Hungary, wishes to go a long way in this direction, imposing very high standards based on collective rights, while France, the United Kingdom, Spain and Italy all share the apprehension that this issue might pave the way for demands for regional autonomy and prefer to think in terms of individual rights¹².

42. All things considered, it can be said that the will exists in Hungary, and in its neighbouring countries (with the exception of Serbia), to reach a satisfactory settlement of problems between neighbouring countries and in particular minorities so as to avoid these disputes interfering with regional security. Recent talks between the Hungarian and Romanian Foreign Ministers are an encouraging sign in this direction; however, a rapid decision on the inclusion in the bilateral treaty currently in preparation of a form of words attesting to the fact that Romania and Hungary did not intend to pursue any claim to each other's territory, would constitute a truly decisive step.

43. While differences between Hungary and Slovakia over minorities and over the Gabcikovo dam appear to be becoming less politicised, tension persists in Hungarian-Serb relations, Hungary being concerned over the fate of the large Hungarian minority in Vojvodina. Despite Serb reprisals against Hungarian patrol boats on the Danube and the economic loss Hungary has suffered, that country is participating fully in the embargo measures in co-operation with WEU; it has also opened its air space to NATO AWACS aircraft.

44. Although the proximity of the conflict in former Yugoslavia and the risk of involvement is a source of extreme concern to Hungary, its wish to be integrated at the earliest opportunity into western security structures – a point made forcefully by Hungarian representatives to the members of the Political Committee – dates back much further in time and derives from a profound feeling that the country is part of the West. In this connection it was very moving to hear the Hungarian Foreign Minister's impassioned warning to western politicians that they must in no circumstances yield to pressure to adopt a new policy of appeasement towards Russia. Certain Hungarian representatives even went so far as to state that in point of fact Russia had already accepted the idea of the Central European countries joining the Atlantic Alliance.

45. After all, it must be noted that circumstances are not the same for the various coun-

12. *Le Monde* and *Le Figaro*, 8th October 1993.

tries of the Visegrad group and for some time their interests have appeared to diverge. It is difficult therefore for the security and defence authorities of Western Europe, and particularly of WEU, to determine whether they ought to continue to count on this group as a stabilising factor with which continued co-operation is worthwhile in order to facilitate a joint rapprochement of its members with the structures of western security or whether they should give preference to a piecemeal approach whereby, for instance, the Czech Republic might be considered as the only country fulfilling all the required conditions. It is perhaps still too soon to make a final assessment, but your Rapporteur believes Western Europe should avoid anything that might fan the flames of rivalry between these four countries, but should on the contrary encourage anyone who may wish to continue to use this group as a useful instrument for co-operation and rapprochement with the West.

(ii) The Central European initiative

46. Created in 1989 by Italy as pentagonal co-operation for developing co-operation between the countries of South-Eastern Europe with a view to strengthening joint structures in transport, telecommunications, the environment, culture and science, this group has been enlarged in the meantime to include nine member countries, i.e. Italy, Austria, Hungary, Poland, the Czech Republic, Slovakia, Croatia, Bosnia-Herzegovina and Slovenia. At the last annual summit meeting of the group in Budapest, the former Yugoslav Republic of Macedonia was accepted as the tenth member.

47. Although the purpose of this forum is not to deal with questions that are of primary interest to WEU, it contributes to regional stability insofar as it aims to encourage a better climate of European relations and to carry forward the Helsinki process. This forum also provides an opportunity for working groups to discuss bilateral problems and harmonise various points of view on questions of mutual interest with particular regard to the consequences of the fighting in former Yugoslavia for refugees and minorities. This group is important because of its composition, which includes Italy as a member of the EC, NATO and WEU, neutral countries and former members of the Warsaw Pact and countries of former Yugoslavia. The interest expressed by several other countries, such as Belarus, Ukraine and Romania in the activities of the Central European initiative has so far involved the participation of their experts in the various working groups.

(iii) The Black Sea economic co-operation area

48. Economic co-operation between Black Sea countries was started in Istanbul on 25th

June 1992 in order to examine how to strengthen economic co-operation between participating countries. This initiative includes Turkey, Armenia, Azerbaijan, Georgia, Russia, Ukraine, Romania, Bulgaria, Moldova, Greece and Albania. This co-operation can also help to stabilise a difficult region in which partners defending very different interests co-habit. Bilateral contacts in the context of the first conference, for instance, led to Russia agreeing for the first time to envisage withdrawing, in the long term, the 14th army stationed in Moldova. Bulgaria is to organise a meeting of 11 ministers for foreign affairs of this group in Sofia on 9th December 1993.

(iv) The Hungarian Carpatas Tisza plan

49. Considering that the growing porousness of frontiers in Europe might lead to stronger solidarity between frontier regions, the President of the Hungarian Republic in July 1990 launched an initiative called Carpatas Tisza grouping the frontier regions of Hungary, Ukraine, Poland and Slovakia. The plan, drawn up on 14th February 1993, brought out a certain community of interests between the regions concerned, particularly in economic problems, and obtained the support of their governments. Moreover, it is set in a Euroregion type of framework and does not therefore rule out participation by Romanian regions.

(v) Baltic co-operation

50. The future of the Baltic countries, which were called upon by the heads of state in a joint declaration adopted at the European summit meeting in Copenhagen on 2nd June 1993 to start negotiations for association with the European Community before the end of 1993, should also be of interest to the European security authorities including WEU, with which the three countries are co-operating in the Forum of Consultation. At the Helsinki summit meeting on 10th July 1992, the CSCE had asked for the rapid and full withdrawal of all foreign forces from the territory of the Baltic countries. However, Lithuania was the only one of the three Baltic countries from which all Russian soldiers were withdrawn on 31st August 1993.

51. Lithuania, governed by former communists, has a Polish minority (7% of the population). Troops of the Commonwealth of Independent States (CIS) being withdrawn from the former German Democratic Republic are currently crossing Lithuanian territory – a process scheduled for completion by 31st August 1994. Lithuania is uneasy, however, about a major Russian military presence in the Russian enclave in the Kaliningrad region (the northern part of former East Prussia) and has already

demanded the demilitarisation of this region several times. Moreover the emergence of a small ultranationalist armed faction hiding out in the forest areas of Lithuania to pursue the "struggle against the communists" has caused the government considerable embarrassment. That apart, there is free movement of persons and goods between Russia and the Kaliningrad region within Lithuanian territory, based on an agreement between Russia and Lithuania reached on 29th July 1991. The Russian minority in Lithuania is relatively small (about 8%).

52. Elections were held in Latvia on 5th and 6th June 1993; Latvia's Way obtained about a third of the votes and thirty-six seats out of the hundred in the Saeima. This led to the formation of a centre-right coalition headed by Mr. Anatolijs Gorbunovs, formerly responsible for ideology in the local communist party. Most people of Russian origin, i.e. 35% of the population did not have the right to vote and this aroused strong protests in Russia. True-born Latvians represent only just over half of the population. However, in spite of this, the ultranationalists of the National Independence Movement of Latvia (LNNK) and the Fatherland and Freedom Party obtained respectively only 13.5% and 5.5% of the vote¹³.

53. Unlike Lithuania and Estonia, Latvia has not yet been admitted to the Council of Europe because it still has not presented satisfactory legislation governing citizenship and the rights of foreigners. The protracted presence of Russian troops in the country and particularly Russia's insistence on maintaining its antimissile early warning system at Skrunda is a matter of concern for the country. It remains to be seen whether the agreement concluded on 1st February 1992 between Latvia and Russia for the complete withdrawal of Russian troops from Latvian territory before the end of 1994 will be carried out. According to Latvian sources, on 23rd April 1993 a contingent of some 23 000 men was still on Latvian territory (about 17 000 according to the Military Balance 1993/94 published in October 1993).

54. Estonia has a Russian-speaking minority that accounts for 38% of a population of some 1.6 million inhabitants. In 1940, before the country was annexed by the Soviet Union, the proportion was 8.2%. The Russian population is principally concentrated in the towns of Narva and Tallin and in a referendum organised at Narva on autonomy for this region 97.2% of the inhabitants of that town voted in favour. However the turn-out was only 54%.

55. The Estonian authorities immediately declared the referendum "illegal" and its rela-

tions with Russia have since been difficult because of the latter's displeasure at the new law defining the rights of foreign citizens, which makes it difficult to obtain Estonian citizenship, and also because of the delay in the withdrawal of Russian troops from Estonian territory. About 7 000 troops are still there¹⁴. The Russian authorities imposed the following conditions for the withdrawal of their forces from the Baltic countries: (i) grant legal status to the armed forces there in the interim so as to ensure their normal functioning, (ii) accept Russia's strategic installations for the time being, (iii) drop compensation claims for the damage inflicted upon their territories by the USSR from 1940 to 1991, (iv) help construct housing in Russia for the departing troops, (v) guarantee transit rights for military cargoes going to Kaliningrad, (vi) provide compensation for the land and property vacated by the troops, (vii) guarantee social security (including pensions) and human rights for Soviet officers retired in the Baltic states and their families, (viii) alter laws that infringed upon the political and economic rights of the Russian-speaking population, and (ix) drop territorial claims on land annexed by Russia from the Baltic states after world war II.

56. As matters now stand, the impression is that the Baltic states have not yet adopted a coherent position on a firm direction for their foreign policies. Moreover there is no close co-ordination between the three countries, whose relations with Russia are all still quite delicate and this should not be discounted when studying ways and means of bringing the Baltic states closer to Western European structures. In any event, it is impossible to talk of Baltic unity for the three countries.

57. It has been suggested that the Baltic countries might act as a bridge between Russia and Western Europe, a course which Lithuania in particular seems to be following, but in the longer term all these countries see themselves as being finally anchored to the latter region. Their aspirations are therefore concentrated on co-operation with the Scandinavian countries, particularly Sweden, which has succeeded in obtaining European Community recognition for incorporating the free-trade treaties it has concluded with the three Baltic countries, in the framework of Sweden's accession to the European Community.

58. To sum up, it may be said that none of the abovementioned regional groupings can offer an alternative to the determination of the countries of Central and Eastern Europe to be integrated into western institutions. They should be considered rather as a means of directing the efforts of their members towards the West, which has

13. Echos de Russie et de l'Est, No 14, June-July 1993.

14. The Military Balance 1993/94, page 79.

not yet found a strategy for a new European security architecture at the level of the historical challenge constituted by the collapse of the Soviet bloc.

(vi) *Romania and Moldova*

59. In this context, account must be taken of the fact that some of these countries, particularly Bulgaria and Romania, may be considered as second zone countries in terms of their present relations with the West, in spite of their participation in the embargo on the Danube, NACC and the WEU Forum of Consultation. The visits made by the committee at the end of March/beginning of April 1993 to these two countries provided an excellent opportunity to become better acquainted with the problems and concerns specific to these countries and to intensify the dialogue with them.

60. Since the admission of Romania as a full member of the Council of Europe at the beginning of October 1993 and after the encouraging results of the talks between the Romanian and Hungarian foreign ministers last September with a view to achieving a satisfactory settlement of the problems that exist between the two countries – in particular the issue of minority rights and recognition of existing borders – it is to be hoped that Romania will gradually feel less at a disadvantage in comparison with other countries of Central Europe in terms of its connection with the structures of Western Europe. Many problems still remain, however.

61. In terms of domestic policy, the left to centre-left coalition in government hardly seems stable, even though, should it fall, it has no obvious successor. The 1989-90 revolution now seems to have been more of a sudden, sharp change in the majority than a complete break with the previous régime. The removal of the old leadership has therefore been only very partial and many members of the old communist party have retained high office and now seem to be loyally serving a different policy. According to recent information in the British Press a growing trend has been observed among a number of Romanian political parties towards accusing Hungarian minorities in particular of “conspiring” with the Hungarian Government.

62. Romanian legislation on minority rights has recently been supplemented by laws to improve the condition of minorities. However it appears that these elicited the traditionally extremely negative reactions among the population at large to fellow-citizens belonging to ethnic minorities. Economic difficulties, particularly in agriculture, industry, transport and foreign investments are still giving cause for concern.

63. In his speech to the WEU Assembly on 1st December 1992, Mr. Melescanu, Romanian Minister of State, emphasised that relations with the Republic of Moldova had a special place in Romanian policy, “practical objectives in Romania’s relations with this country being economic integration and the creation of a common space, and freedom of movement of individuals, capital and services”.

64. However, in the debate, the minister did not hide his personal convictions that “the reunion of Moldova and Romania is a process which will unfold concurrently with the integration of Romania and the Republic of Moldova in the European Community”¹⁵.

65. Indeed, the population of Moldova which declared its independence on 27th August 1991, is about 64% Romanian, the remainder being Russian, Ukrainian, Gagauz and Bulgarian. Moldova, initially a member of the CIS, refused to sign the charter of that organisation in January 1993. On the other hand, it asked to join the Council of Europe and would wish to establish permanent relations with WEU and NATO. Furthermore, the parliament has decided to organise early elections on 27th February 1994.

66. The possible reunification of Moldova and Romania, which raises some hope in the two countries separated as a result of the Molotov-Ribbentrop Pact, will necessarily affect Romania’s relations with Russia which has its 14th army in the Transdnestr region. This region raises special problems because its population has a large proportion of Russophiles nostalgic for the former Soviet régime which, with the backing of the 14th army, constituted the Moldovan Soviet socialist republic of Transdnestria virtually separate from Moldova. The situation in this respect might change, however, insofar as the leaders of Transdnestria rallied to the Moscow rebels during the events on 3rd and 4th October last. Western Europe and particularly WEU therefore have many reasons to attach great importance to the evolution of this country and its relations with Romania.

67. This matter also affects relations between Romania and Ukraine, which includes part of Northern Bucovina separated from Romania in 1940 after the Molotov-Ribbentrop agreement. Recently, Romanian and Ukrainian media and authorities have accused each other of discriminatory practices towards their minorities.

68. Even if the Romanian nation as a whole does not insist on territorial claims, it is concerned about the occupation of Moldova by the

¹⁵. Thirty-eighth ordinary session, official report of debates, December 1992.

Russian 14th army and a fortiori the evolution of Russia and Ukraine, their relations and claims to re-establish order in the CIS, including in Moldova. Faced with such uncertainty, Romania is waiting for guarantees from the West. Moreover, the Romanian army seems to be very ill-equipped for any modern military operation and little is being done to change this situation.

69. Considering WEU's future relations with Romania, it should be recalled that this country is firmly turned towards the West and any impression of being rejected by the West might have unforeseeable consequences for political developments in that country.

70. The application of the blockade on Serbia and Montenegro is very expensive for Romania because it is cutting off an important source of trade for the Romanian economy and is also putting an end to joint Romanian-Yugoslav ventures on Romanian territory resulting in very large financial and economic losses and considerable unemployment in the frontier regions. Romania is appealing to the solidarity of Western European Union to offset these losses and has the impression that its appeal is falling on deaf ears.

(vii) Bulgaria

71. In spite of its participation in the embargo on Serbia and Montenegro, Bulgaria is trying to keep out of the fighting in the Balkans insofar as possible. It is determined to take no part in any intervention abroad and not to place its territory at the disposal of any such operation. Its bilateral relations with neighbours such as Romania, Ukraine and Greece raise no special problems as now also with Turkey and its minorities living on Bulgarian territory. Bulgaria sees its relations with neighbouring countries as a factor of stabilisation in the region.

72. However, the Bulgarian authorities have frequently affirmed that they considered they had always been closer to Western Europe than to Russia in spite of their historical and cultural links with that country. Bulgaria is interested in joining NATO (and the European institutions), but when its Minister of Defence met his German colleague in Bonn at the end of September, the Bulgarian minister said that his country would make no such request before having completed its evolution towards a stable democracy.

73. Indeed, it seems that a growing polarisation is developing in the domestic political life of the country and many are speaking of early elections for the beginning of next year. In that event, however, it is not impossible that socialists emerging from the former communist party might win these elections.

74. Bulgaria recognised the former Yugoslav Republic of Macedonia on 14th January 1992 and was thus one of the first countries to do so; it has a pragmatic approach to that country which it criticises for pursuing something of an anti-Bulgarian policy. However, to avoid the Bosnian conflict extending to the former Yugoslav Republic of Macedonia, it is strongly insisting on Serbia and particularly Greece recognising that country. It has therefore agreed to a detachment of 300 American soldiers being stationed on the territory of the former Yugoslav Republic of Macedonia in the framework of United Nations preventive action.

(viii) Slovenia

75. Slovenia, which at the present juncture no longer feels directly concerned by the conflict in former Yugoslavia, has recently intensified its efforts and initiatives to draw closer to the institutions of Western Europe. Thus, it has started negotiations with the European Community for an association that should result in full accession not earlier than in five years' time. Slovenia is also negotiating with the Visegrad group of countries for the conclusion of a trade agreement.

76. After President Kucan announced at the end of September his country's intention to join WEU and NATO, on 26th October 1993, the Slovenian parliament adopted a resolution according to which it would ask for the status of permanent observer in WEU and that of associated national delegation in the North Atlantic Assembly. Certain politicians in Slovenia consider a resumption of hostilities between Serbs and Croats to be inevitable and consequently wonder, in that event, where the West will fix the peace line within which it will afford its protection.

(ix) Albania, the former Yugoslav Republic of Macedonia and Greece

77. The relations of Albania, which is also trying to draw closer to NATO and the European Community, with its neighbours are fairly complicated. This is particularly so for its relations with Greece after the recent expulsion of a priest who was believed to be a leader of disturbances among the Greek minority in Albania. Albania is also concerned about the situation in Kosovo where there are about 100 000 Serb soldiers and also about its relations with the former Yugoslav Republic of Macedonia. A large Albanian minority is present in both countries. The Albanian point of view is that the President of the former Yugoslav Republic of Macedonia has not yet managed to overcome the prejudices of Macedonians against Albania and Albanians.

78. Even more alarming were the comments that the new Greek Prime Minister, Mr. Andreas Papandreu, who, in presenting his government's programme to parliament on 23rd October 1993, declared that his defence policy would be based on the concept of a united Hellenic space including Cyprus, the Aegian, Greek Macedonia and Epirus (the Greek province on the Albanian frontier). Turkey would always be the enemy number one and Greece would never recognise a state bearing the name of Macedonia or one of its derivatives¹⁶. He also said that military expenditure of 7% of the GDP compared with 3% and less in the other countries of the European Community would be reduced once the balance of forces was ensured in the region.

79. Such a speech from the leader of a country that has signed a protocol of accession to the modified Brussels Treaty cannot be without repercussions on the procedure for ratifying that protocol in the member countries of WEU. The fact that the French Minister for Foreign Affairs recently assured the President of the former Yugoslav Republic of Macedonia that France would have to reconsider the question of recognising that republic is quite significant in this respect.

(x) Developments in the CIS

80. Without prejudging the outcome of the power struggle in Russia, it is clear that no European or Atlantic concept for a European security architecture can be validly worked out without defining the place of Russia and, a fortiori, the CIS in this architecture. Several factors should be taken into consideration. It is still difficult to assess the consequences of President Yeltsin's final victory over his conservative (and nationalist) opponents with the decisive assistance of his army which was very hesitant about intervening in this constitutional conflict. The position of the army will certainly be strengthened because of its decisive rôle in halting the putsch on 3rd and 4th October last as certain information gives us to believe.

81. The organisation of legislative elections to be held on 12th December 1993 is proving difficult since the democratic parties have very little time to conduct an electoral campaign that might reach the population. Discussion of constitutional questions also proved to be extremely complicated. President Yeltsin's recent announcement of his intention to remain at his post until the end of his term of office after having promised to hold presidential elections next year merely increases doubts about the coherence of his policy. The ban on certain

opposition newspapers decreed by the government and the Russian President's severe criticism of his government regarding its inability to put down the rebellion on 3rd and 4th October and to take effective economic decisions are also signs that the situation inside the country is far from being consolidated.

82. Regarding developments within the CIS as a whole, there are signs that Russia is taking more and more initiatives to resume control of the composite parts of the former Soviet Union and to bring order to regions it considers to be close neighbours abroad. The presentation of what might be called a Russian Monroe doctrine in the United Nations, Azerbaijan and Georgia joining the CIS, dominated by Russia, and Russia's request to amend some of the provisions of the treaty on conventional forces in Europe to allow it to deploy additional forces in the Caucasus are examples. The announcement of a new Russian military doctrine should be examined carefully in this changed context.

83. This latter development will inevitably have repercussions on Russia's relations with Turkey, particularly in regard to the fighting in Nagorno-Karabakh and in the Caucasus region in general. It is not therefore surprising that Turkey is opposed to any revision of the treaty on conventional forces in Europe.

84. Furthermore, it is important to note that on 7th September 1993, six CIS states – Russia, Belarus, Kazakhstan, Uzbekistan, Tajikistan and Armenia – signed an agreement on the principle of creating a rouble zone of a new type. The significance of a single currency for the future political relations of the participating countries still has to be assessed, but it may be important. It should also be noted that on 24th September 1993, nine CIS members – Russia, Armenia, Belarus, Kazakhstan, Kirgizstan, Tajikistan, Uzbekistan and Azerbaijan, together with Moldova – signed a framework agreement intended to lead to an economic union. Ukraine and Turkmenistan have asked for associate status.

85. Belarus, whose capital, Minsk, is the seat of the CIS and whose government, in the hands of former communists, has practically no credible opposition, has so far taken no noteworthy initiatives to give itself an identity of its own in face of its Russian neighbour. Relations between the two countries are therefore free of major problems and at its national level, Belarus has not hesitated to ratify the START I Treaty and the nuclear non-proliferation treaty. Furthermore, it has shown no intention of wishing to accede to the status of nuclear power and had no objection to the nuclear missiles stationed on its territory being placed under Russian control before being transferred to that country.

86. Conversely, relations are far more difficult between Russia and Ukraine whose evolution is still arousing serious concern. There is

16. *Le Monde*, 26th October 1993.

considerable uncertainty regarding the future evolution of Ukraine. The ambiguities of its foreign and security policy (policy of neutrality, on the one hand, and the proposal for a safety belt from the Baltic through to the Black Sea on the other), its differences with Russia over the problem of its nuclear weapons and the Black Sea fleet, its economic problems and the difficulties with its domestic policy call for closer study which your rapporteur wished to make on the basis of a visit to Kiev which has not yet proved possible. The proposal to invite the Ukrainian Minister for Foreign Affairs to speak at the next ordinary session of the Assembly is therefore of particular interest.

87. After the resignation of the Ukrainian Prime Minister at the end of September 1993, President Kravchuk attempted to put an end to the rivalry between parliament and the executive; parliament has to prepare legislative and presidential elections for next year. The economic situation in the country is still deteriorating.

88. The most disturbing factor is the ambiguity of Ukraine's policy in regard to nuclear weapons. After much hesitation, on 18th November 1993 the Ukrainian Parliament voted the "partial" ratification of the START I Treaty, a decision giving cause for concern in the international community. In fact, Ukraine will destroy only 36 of its ICBMs and 42% of its nuclear warheads. Furthermore, ratification was made subject to various conditions including international security guarantees and additional foreign assistance. Conversely, Ukraine has not yet acceded to the nuclear non-proliferation treaty. Even after the recent meetings between the United States and Ukrainian foreign ministers, information is confusing.

89. Ukraine at present has 1600 nuclear warheads and 174 intercontinental missiles, including 130 SS-19s and 46 SS-24s¹⁷. Statements in parliament and that of the Ukrainian President on the need to retain SS-24 missiles for the time being and Ukraine's insistence on obtaining security guarantees before disarming its nuclear means illustrate the difficulty of the situation. All these uncertainties betray Ukraine's fear of not being able to maintain its independence vis-à-vis a Russia that has not yet clearly revealed whether or not it will accept the emergence of new states resulting from the breaking up of the Soviet Union and, consequently, accept the new frontiers that will ensue.

IV. Consequences to be drawn for WEU's future policy

90. Many questions are raised for WEU: first, what will be the consequences of discussions on

the possible enlargement of NATO towards the East in the framework of preparing the forthcoming NATO summit meeting and the reaction of Russian leaders to these discussions for the future evolution of WEU's relations with the countries of Central and Eastern Europe and particularly with those taking part in the Forum of Consultation?

91. WEU's policy towards these countries is not affected directly by these discussions but there is an indirect effect insofar as WEU intends to be the European pillar of the Atlantic Alliance. WEU must not overlook the fact, however, that the modified Brussels Treaty accords it specific responsibilities allowing it to draw conclusions in an independent manner and take decisions corresponding to its vocation.

92. In this respect, mention should be made of the message our former President, Mr. Soell, addressed to all the countries concerned during his visit to Romania in the spring of this year, a message which is still very topical:

"What enabled Western Europe to develop an efficient security system is the homogeneity of its states and peoples. None would have undertaken to help its neighbours in the event of an attack from outside without being certain that its neighbours would not use the additional power afforded them by the alliance for the pursuit of specific aims. The texts of treaties are not enough to give this assurance which is based above all on the continuity of a policy backed by democratic practices in each nation. Countries wishing to benefit from the guarantees offered by NATO and WEU must provide proof of internal stability, the deep-rooted backing of the majority of the population for democratic practices, the continuity of foreign policy that takes precedence over national ambitions, however legitimate they may be, and the requirements of maintaining and consolidating peace in Europe."

93. Through peaceful settlement, solutions have to be found to the problems of relations between neighbouring countries with particular regard to minorities and frontiers. Implementation of the Balladur plan for a European stability pact based on a series of bilateral agreements between the countries concerned might prove to be useful in this respect. Such an approach under the aegis of the Twelve (and not in the framework of the Council of Europe or of the CSCE) would have the advantage of revealing to the countries concerned the ultimate aim of the undertaking: to prepare their association with the institutions of Western Europe.

17. Le Figaro, 27th October 1993.

94. WEU would not be following a good policy if it had privileged relations with one or other of the countries of the WEU forum. Consequences must be drawn, however, from the existence of special operational co-operation with three countries of the forum, i.e. Hungary, Romania and Bulgaria in the framework of the embargo on the Danube. These three countries are co-operating loyally with WEU and NATO without being compensated by any kind of protection or guarantee against possible reprisals from the countries against which the United Nations has imposed sanctions.

95. It is not possible to disregard such a shortcoming for ever and WEU should take firm steps to give these three countries security assurances corresponding to the risks they are having to face. In addition, greater use should be made of the contacts that can be established in the framework of the Forum of Consultation for giving participants the opportunity to explain their perception of the threat in order to work out a joint approach and solution. It is possible, for instance, that the Baltic countries, the Czech republic and also other countries concerned, particularly Ukraine, will not assess the threat in the same manner.

96. Another factor of crucial importance is that the Maastricht Treaty came into force on 1st November 1993 which means that WEU has become an integral part of the European Union. It is therefore necessary to ensure that there is parallelism between the approach of the European Union and that of WEU in regard to the development of their external relations.

97. So far, the European Community has concentrated its political dialogue and negotiations of association on six countries of Central Europe, i.e. the Visegrad countries, Bulgaria and Romania. No association agreements or formal negotiations with the European Community yet exist for the Baltic countries. The Franco-German proposal of 12th November which hopes to see:

“WEU adopt an association status that should be open to the partners in the consultation that have already signed an association agreement with the European Union and, when the time comes, to those that will have signed such an agreement.”

consequently seems turned in the right direction by proposing an opening which excludes none of the partners in the Forum of Consultation. Conversely, considerable progress has already been

made in negotiations on the accession of Austria, Sweden and Finland (and Norway) to the Community.

98. This evolution cannot be without consequences for the corresponding activities of WEU which should give serious thought to redefining its relations with the the latter three countries. Furthermore, it should study carefully what its future relations with Slovenia should be and recommend that all member states recognise the former Yugoslav Republic of Macedonia.

99. In practice, the activities of the Forum of Consultation should be increased considerably. To this end, the subsidiary organs of WEU should be associated more closely with its work, including the Institute for Security Studies which has already played a useful rôle; the Council should also study whether and to what extent it would be possible for countries of the forum to take part in some of the work of other subsidiary organs.

100. Regarding WEU's relations with the CIS countries and particularly with Russia, Ukraine and Belarus, it is mainly a question of increasing confidence on the basis of practical co-operation, a good example of which is the implementation of the Open Skies Treaty. The political dialogue with these countries, however, should be the principal means of increasing understanding, confidence, stability and co-operation.

V. Conclusions

101. The more the partners of WEU and of the European Union in Central and Eastern Europe develop their co-operation in specific areas, the more the countries of Central and Eastern Europe will succeed in the peaceful settlement of problems and disputes with their neighbours; the more Russia and the other members of the Community of Independent States are associated with a broader process of dialogue and co-operation, the less will feelings of isolation and threat prevail and the less will security guarantees be foremost in the minds of all concerned.

102. It is thus for all European and Atlantic bodies to strengthen co-operation with their partners in the East with a view to promoting the feeling of confidence and solidarity that will enable them jointly to face up to future challenges, which may be of a quite different kind.

APPENDIX

*Summary of the electoral position of Central European countries in the WEU Forum of Consultation***Bulgaria**

- Form of Government:** Parliamentary republic. The President is elected by universal suffrage for a term of five years.
- Head of State:** Jelio Jeleu, elected 1st August 1990 and re-elected in the first direct election of a Bulgarian Head of State on 19th January 1992.
- Head of Government:** Lyuben Berov, who replaced Filip Dimitrov on 30th December 1992.
- Last elections:** October 1991: Union of Democratic Forces: 110 seats; Bulgarian Socialist Party (former communists): 106 seats. The MRF ethnic Turkish minority party holds the balance of power.

The crisis in the country was resolved in December 1992 with the appointment of Lyuben Berov as head of a "government of experts". The parliamentary setbacks experienced by the former Prime Minister, Filip Dimitrov, had a variety of causes, but were the result of profound disagreement between a head of state who was determined to rule by consensus politics, on account of the very considerable influence still wielded by the Bulgarian Socialist Party, and a head of government opposed to any form of compromise.

Estonia

- Form of Government:** Parliamentary democracy.
- Head of State:** Lennart Meri, elected on 5th October 1992, replacing Arnold Ruutel, President of the Supreme Council of Estonia.
- Head of Government:** Mart Laar, who succeeded Triit Vahi on 21st October 1992.

On 23rd January 1992 the severe economic crisis in Estonia forced the Prime Minister, Edgar Savisaar, to resign. He was replaced by an administrator, Triit Vahi, who launched an unadventurous reform programme.

On 28th June 1992 over 90% of the Estonian electorate voted in favour of the new constitution, drawn up not without difficulty by an assembly, 50% of whose membership was drawn from the Soviet-style supreme council and members of the Citizen's Congress – an assembly elected solely by those who traced their Estonian citizenship back to the prewar period, or their direct descendants.

On 20th September 1992 parliamentary elections were held that resulted in victory for Isamaa (the centre-right nationalist grouping).

On 5th October 1992 parliament elected Lennart Meri as President.

Hungary

- Form of Government:** Parliamentary democracy since 1990. The Head of State appoints the Prime Minister who has the responsibility of forming the government.
- Head of State:** Arpad Göncz, elected President of the Republic by Parliament on 3rd August 1990.
- Head of Government:** Jozsef Antall, from 3rd May 1990.
- Last elections:** 25th March and 8th April 1990.
- Result:** Coalition led by the Hungarian Democratic Forum (MDF) (centre-right).

The emergence of a new ultra-nationalist trend in 1992 has led to the risk of a radicalisation of politics. The Hungarian Democratic Forum (MDF) is the main party in the ruling coalition. The Federation of Young Democrats (FIDESz) is the only party to escape the fall in popularity of all parties,

while the former communist party has made a notable come-back on the political scene. As the 1994 parliamentary elections draw closer, political struggles have intensified; in December 1992, members of parliament failed to pass a long-awaited law on the media which would have allowed privatisation of the radio and television networks. In July 1993, the two main opposition liberal parties – Alliance of Free Democrats (SZDSz) and the Federation of Young Democrats (FIDESz) – signed an electoral and parliamentary co-operation pact.

June 1993: Exclusion of the MFD, its extreme right-wing elements and the leadership of the liberal wing.

Latvia

Form of Government: Parliamentary democracy.
 Head of State: Guntis Ulmanis, President of the Republic, who replaced Anatolijs Gorbunovs (Former President of the Supreme Council) on 4th July 1993.
 Head of Government: Valdis Birikavs, who replaced Ivars Godmanis on 7th July 1993.
 Last elections: 5th and 6th June 1993, resulting in a victory for Latvian Way which obtained a third of the votes, and leading to the formation of a centre-right coalition.

Lithuania

Form of Government: Parliamentary democracy.
 Head of State and President of Parliament: Algirdas Brazauskas, President of the Republic, who replaced Bronislovas Lubys on 10th March 1993.
 Last elections: 25th October 1992 resulting in the DLP (former communist party) winning 72 of Parliament's 141 seats.

Poland

Form of Government: Parliamentary democracy.
 Head of State: Lech Walesa, elected on 9th December 1990.
 Last elections: 19th September 1993.

Representation in the Sejm (percentage of votes)

1. Democratic Left Alliance (SLD)	20.4%
2. Polish Peasant Alliance (PSL)	15.4%
3. Democratic Union (UD)	10.6%
4. Labour Union	7.3%
5. Confederation for an Independent Poland (KPN)	5.8%
6. Non-partisan bloc in support of reform (BBWR)	5.4%

The new government under Waldemar Pawlack (PSL) is based on a coalition between the SLD (former communists), the PSL (Polish Peasant Alliance) and the UP (Labour Union). The new Minister for Foreign Affairs, Mr. Oleszewski, belongs to the non-partisan bloc in support of reform (BBWR). The new Defence Minister, Mr. Kolodziejczyk has no political affiliation.

Romania

Form of government: Parliamentary but with strong presidential powers.
 Head of State: Ion Iliescu was elected on 20th May 1990 for a two-year term of office.
 Head of Government: Nicolae Vacaroiu, since 4th November 1992.

The parliamentary and presidential elections held on 27th September and 4th October 1992 led to the re-election of Ion Iliescu as Head of State, to the great disappointment of the democratic oppo-

sition. The democratic candidate, Emil Constantinescu, although unknown to the majority of the electorate, managed to attract 34% of the votes in the second round. These elections brought about a degree of fragmentation of the political scene since a parliamentary majority could not be formed, particularly after the split in the National Salvation Front in July 1992 as a result of differences between supporters of Ion Iliescu and Petre Roman, the former Prime Minister.

Slovakia

Form of Government: Parliamentary democracy.
Head of State: Michal Kovac, elected on 15th February 1993.
Prime Minister: Vladimir Meciar (HZDS).

A split occurred in the party currently in power, the Movement for a Democratic Slovakia (HZDS) which had lost a great deal of its popularity, resulting in the departure of its second-in-command, Milan Knazko, and his supporters. Thus it became the minority party in the Slovak National Council and had to make new alliances. At the beginning of November 1993, the HZDS and the Slovak National Party (SNS) formed a coalition. The next legislative elections are to be held in 1996.

The Czech Republic

Form of Government: Parliamentary democracy.
Head of State: Vaclav Havel, elected 26th January 1993.
Prime Minister: Vaclav Klaus.

After much hesitation Vaclav Havel agreed to stand as a candidate for the Presidency of the Republic, supported by the right-wing government in power which regarded him as the "least of all possible evils"; he was elected by a very slim majority. The next legislative elections are to be held in 1996.

WEU's relations with Central and Eastern European countries

AMENDMENTS 1 and 2 ¹

tabled by Mr. Wintgens

1. After paragraph (xiv) of the preamble to the draft recommendation, add a new paragraph as follows:

“ Consequently endorsing the Franco-German proposal of 12th November 1993 for creating a status of association with WEU for the parties of the Forum of Consultation which have already reached an agreement of association with the European Union and, when appropriate, for those which will reach such agreement, but regretting that the Ministerial Council of WEU, at its meeting in Luxembourg on 22nd November 1993, did not adopt this proposal; ”

2. Before paragraph 1 of the draft recommendation proper, add a new paragraph as follows:

“ Adopt before the NATO summit meeting a specific proposal to improve qualitatively its relations with its partners in the Forum of Consultation on the basis of the Franco-German proposal of 12th November 1993 so as to be able to start negotiations with the countries concerned in January 1994; ”

Signed: Wintgens

1. See 9th sitting, 30th November 1993 (amendments agreed to).

WEU's relations with Central and Eastern European countries

AMENDMENT 3¹

tabled by Mr. De Decker and others

3. Leave out paragraph 5 of the draft recommendation proper.

Signed: De Decker, Ferrarini, Pécriaux

1. See 9th sitting, 30th November 1993 (amendment agreed to).

WEU's relations with Central and Eastern European countries

AMENDMENT 4¹

tabled by MM. De Decker and Ferrarini

4. Leave out paragraph 4 of the draft recommendation proper and insert:
“Remind the countries of the European Community of their decision to recognise the former Yugoslav Republic of Macedonia;”

Signed: De Decker, Ferrarini

1. See 9th sitting, 30th November 1993 (amendment agreed to).

***WEU Assembly proposals for
the forthcoming NATO summit meeting***

REPORT ¹

***submitted on behalf of the Political Committee ²
by M. Baumel, Rapporteur***

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1. Adopted in committee by 12 votes to 1 with 0 abstentions.

2. *Members of the committee:* Mr. *Stoffelen* (Chairman); Lord Finsberg (Alternate: *Marshall*), Mr. *Roseta* (Vice-Chairmen); MM. Aarts, Agnelli (Alternate: *Ferrarini*), Alegre, Andreotti, Benvenuti, Bowden, *De Hoop Scheffer*, Ehrmann, Fabra, Feldmann, Foschi, Goerens, Homs I Ferret, Sir *Russell Johnston*, Mr. Kaspereit, Lord Kirkhill (Alternate: *Godman*), MM. Kittelmann, de Lipkowski (Alternate: *Baumel*), *Müller*, Péciaux, Polli, *de Puig*, Reddemann, *Rodrigues*, Seeuws, Seitlinger, *Soell*, Vinçon, Ward, *Wintgens*, Zapatero.

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

Draft Recommendation

on WEU Assembly proposals for the forthcoming NATO summit meeting

The Assembly,

- (i) Convinced that one of the main aims of the NATO summit meeting to be held on 10th January 1994 is to put an end to the uncertainty over the manner in which the security of Europe will be guaranteed in future decades – a matter of concern both for the nations of the Atlantic Alliance and for the peoples of the countries that have regained their freedom;
- (ii) Stressing the crucial importance for European security of maintaining NATO's credibility as major guarantor of the defence of Europe and of keeping an adequate American military presence on the continent of Europe particularly after the recent announcement by the Russian authorities of a new military doctrine;
- (iii) Disturbed by the differences that have recently emerged between Americans and Europeans on economic matters and world trade and also on questions of security policy and crisis management throughout the world;
- (iv) Convinced of the need to establish a new credible and stable transatlantic partnership based on:
 - (a) an American pillar which leaves no doubt about the importance it still attaches to maintaining peace in Europe and the security of the members of the Atlantic Alliance;
 - (b) a European pillar strengthened by a WEU that has achieved full operational status;
- (v) Convinced that the NATO summit meeting must examine the feasibility of a new allocation of rôles, risks and responsibilities between American and European members;
- (vi) Understanding that all Central and Eastern European countries wish to obtain reliable security guarantees;
- (vii) Convinced nonetheless that the definition of future relations between NATO and the nations of Central and Eastern Europe depends on:
 - (a) defining a priori new goals for the alliance;
 - (b) continuing the evolution towards democracy within the countries concerned;
 - (c) the peaceful settlement of problems of coexistence between the countries concerned, particularly with regard to minorities and border disputes;
 - (d) a closer definition of relations between NATO and a Russia which is still in internal upheaval and must not be placed in a position which it might believe to be a threat to its own security, but without there being any question of Russia being granted a right of inspection in Central Europe;
 - (e) the evolution of policy in Ukraine and the other countries of the Commonwealth of Independent States and their relations with Russia;
- (viii) Considering therefore that it is too soon to extend to other countries the security guarantees which full membership of NATO implies, but believing that any increase in the threat to the countries of Central and Eastern Europe would at the same time constitute a danger for Western Europe;
- (ix) Convinced however that it is necessary initially to use the framework of NACC to strengthen confidence between Russia and the countries of Central and Eastern Europe and to examine whether the American proposal for a partnership for peace and the French proposals for developing bilateral relations can contribute to this aim;
- (x) Welcoming NATO's decision to participate if necessary in peace-keeping operations under the mandate of the United Nations and of the CSCE in areas outside the North Atlantic Treaty area and particularly in the conflict in former Yugoslavia;
- (xi) Deploring nevertheless the difficulties encountered in implementing a concerted approach both inside NATO and between NATO and the United Nations on ways and means of interaction between the two organisations, with particular regard to operational command;
- (xii) Recalling the urgency of determining procedures governing interaction between WEU and NATO in peace-keeping matters, in accordance with the Petersberg Declaration,

RECOMMENDS THAT THE COUNCIL

Present joint proposals to the NATO summit meeting on 10th January 1994 for a new Atlantic partnership on the following basis:

1. In joint defence matters:
 - (a) study attentively, in consultation with representatives of Russia, the significance of recent Russian statements on the use of nuclear weapons and examine their consequences for NATO's defence concept;
 - (b) confirm the commitment of substantial American forces on the continent of Europe as an essential factor of European security and reassurance for the countries of Central and Eastern Europe;
 - (c) confirm the attribution to the United States of supreme command of NATO allied forces;
 - (d) strengthen the process of consultation under Articles 4 and 5 of the North Atlantic Treaty;
 - (e) urge NATO to acknowledge the efforts made by European countries within the framework of WEU to strengthen their defence contributions, specifically;
 - the inauguration of the European Corps;
 - the work of the WEU Planning Cell;
 - the work of the Western European Armaments Group (WEAG);
 - the importance of the work undertaken by the WEU Satellite Centre at Torrejón;
2. Within the context of a possible enlargement of NATO:
 - (a) encourage all measures likely to strengthen confidence between Russia, Ukraine and the countries of Central and Eastern Europe in the framework of NACC based on the American proposals for creating a partnership for peace;
 - (b) at the same time intensify WEU's relations with the countries involved in the work of the WEU Forum of Consultation, by seeking to achieve greater cohesion with the work of the European Communities in Central and Eastern Europe;
3. In peace-keeping throughout the world:
 - (a) put the present consensus among the members of the Atlantic Alliance on a sound legal footing;
 - (b) make proposals on ways and means of interaction between NATO, WEU and the United Nations, particularly as regards operational command;
 - (c) reach an agreement with NATO for the latter to make NATO facilities available to WEU, as necessary;
 - (d) promote the formation in the framework of NATO of a special force capable of providing WEU commands and NATO commands with the appropriate means for their tasks;
4. In disarmament, arms control and non-proliferation:

propose a formula for task- and responsibility-sharing between WEU and NATO based on the past experience of the two organisations.

Explanatory Memorandum

(submitted by Mr. Baumel, Rapporteur)

I. Introduction

1. The development of a European defence organisation in the framework of WEU, although foreseen in the Maastricht Treaty, has since been held up by the slowness and difficulty encountered in the process of ratifying the treaty and by continuing uncertainty over the way NATO should evolve. The January 1994 summit meeting should put an end to this uncertainty by defining:

- new guidelines for NATO;
- its relations with the former Warsaw Pact countries;
- a European defence policy to face the threats that might re-emerge;
- the political and military means of action NATO can place at the disposal of a peace-keeping or peace-restoring policy in Europe and perhaps, too, throughout the world.

2. Clearly, WEU will subsequently have to take the measures necessary for Europe to be able to act in areas where NATO may not fully meet its security requirements. It is already necessary, however, for Europeans to concert their approach to the NATO summit meeting with the clearest possible views on the requirements of their security. For that reason, encouraged by the WEU Council, the Assembly has decided to include the present report in its agenda so that WEU will not appear merely as an organisation allowing Europe to accomplish what others are unable or unwilling to do as has so far been the case, but will confirm its position as the voice of Europe in its own particular domain, i.e. as the true European pillar of the alliance and the true defence organ of a Europe that wishes to play a political rôle commensurate with its economic capabilities, its place in the cultural life of the world and the requirements of its security.

II. What is at stake?

3. It was decided to hold the NATO summit meeting at the request of the United States Government. It is to be understood that President Clinton's main purpose was to achieve apparent success in his foreign policy by reaffirming the importance of NATO as an instrument of United States policy, particularly in the eyes of public opinion and the media.

4. The European members of the alliance agree in considering that a United States military presence in Europe is an essential factor of stability and peace on the European continent. They are therefore all prepared to make a number of concessions to ensure that this presence is maintained.

5. Will the western structures, which have ensured peace in Europe, security and the freedom of the peoples of the Atlantic Alliance for more than forty years, be able to provide such a reassuring response to the new challenges facing European security and transatlantic solidarity since the end of the East-West confrontation? There are many reasons for concern in this respect.

6. What then is at stake? The vision of a new world order based on the rule of law that was believed to be almost achieved after the success of the Desert Storm operation following Iraq's attack on Kuwait is still a distant goal. On the contrary, the multiplication of regional conflicts and the crisis centres in many countries which are liable to affect the stability and security of neighbouring countries and also of an international community that is incapable of controlling them, obliges us to face up to the question of whether the world is not moving increasingly towards disorder and instability.

7. In Bosnia, only a few hours from the capitals of Western Europe, fighting, killing, ethnic cleansing and indescribable suffering are still the lot of the population. Fighting in the Balkans might extend to other areas of former Yugoslavia and neighbouring countries and there is still a very real danger of hostilities being resumed between Serbs and Croats.

8. The inability of the European governments and that of the United States to agree on the initiatives to be taken for re-establishing peace in that area in the more than two years of fighting is the main cause of the failure of the United Nations, the CSCE, twelve-power Europe, NATO and WEU to bring hostilities to a halt. This has seriously undermined their credibility, including that of NATO and of WEU, in spite of the effectiveness of the military measures taken by these two organisations to ensure that the embargo decided by the Security Council in the Adriatic and on the Danube is respected.

9. This situation might jeopardise the reciprocal confidence of Europe and the United States in that one might wonder whether the hes-

itant position of the United States in the Yugoslav crisis is not a tangible sign of its intention to be more selective in its commitment to security in Europe insofar as the threat to Europe of a regional conflict is not considered as a significant threat to the United States. Any great divergence between Europe and the United States in assessing the threat would be particularly disturbing at a time when commercial differences between Americans and Europeans in the framework of GATT might have repercussions on political relations between the opposite shores of the Atlantic. Any such tendency would also affect the cohesion of NATO in its recent efforts to extend its field of action outside the area defined by Article 6 of the North Atlantic Treaty to allow it to take part in maintaining and/or re-establishing peace in other areas of the world.

(i) The enlargement of NATO

10. The western governments' loss of credibility as a result of the fighting in former Yugoslavia is a source of perplexity among the countries of Central and Eastern Europe, which are endeavouring to establish as quickly as possible links with the European Community, WEU and NATO, the only organisations they feel can guarantee their future security.

11. WEU's relations with these countries are examined in the report presented by Mr. Wintgens, which shows clearly the possibilities of strengthening the co-operation WEU can offer the countries that are interested. It also shows, however, that these countries are trying to obtain security guarantees that WEU alone is incapable of offering them: the guarantee of an alliance backed by the strength of the United States. Some members of NATO, including Germany, have expressed support for allowing the Visegrad countries to join NATO. The latter, however, has been faced with a difficult choice since the President of Russia sent the signatories of the 2+4 treaty (governing the conditions of the reunification of Germany) a letter warning against any integration of former Warsaw Pact countries in the Atlantic Alliance. This did not correspond to his statements in Warsaw and Prague to the effect that Russia had no objection to the wishes of these countries in this respect.

12. Other factors bring further complications: uncertainty regarding the internal and external evolution of Russia after the events in Moscow on 3rd and 4th October is still not dispelled and this raises the question of how NATO can develop its future relations with that country. Some advocate a kind of strategic partnership with Russia, but what does this mean in practical terms? The recent American offer of a partnership for peace including the countries of Central and Eastern Europe, together with

Russia, might perhaps satisfy the Russians, but it will inevitably increase doubts among the countries of Central and Eastern Europe.

13. Even if there are no legal obstacles and even if it may be a factor of stabilisation for Central and Eastern Europe, any enlargement of NATO would involve a number of drawbacks:

- (a) If limited to the Visegrad countries, it would constitute a new iron curtain in Europe and would exclude countries that are seeking to develop relations with Western Europe (Romania, Bulgaria, Baltic countries).
- (b) If extended further, it would lead to the isolation of the successor countries of the USSR and add to their feeling of being surrounded by hostile forces.
- (c) Enlargement extending to the successor countries of the USSR would deprive the Washington Treaty of its content since it would subject its application to the goodwill of countries whose present is uncertain and future unforeseeable. It would raise the very difficult question of whether the countries of NATO are prepared for Russia or Ukraine to take part in possible peace-keeping operations in former member countries of the Warsaw Pact and whether the member countries of NATO are prepared to take part in similar operations in the CIS countries alongside Russia, which would clearly exercise a preponderant political and military rôle in these matters.

14. Elections in Poland on 19th September and the putsch attempted by the Supreme Soviet in Russia showed that it is neither desirable nor possible to open the alliance to countries whose régime is not stabilised or is not homogenous with that of the members of NATO. Russian hesitation towards the action of the United Nations in the Yugoslav affair arouses fears that participation by these countries in alliance decisions might lead to paralysis in any deliberations on measures to maintain or re-establish peace.

15. As matters now stand, it would seem wise to defer any enlargement of NATO but, pending more favourable circumstances:

- (a) to strengthen the activities of NACC, whose aim is to develop co-operation with countries of the East and possibly with former neutral countries which may so wish on questions of joint security;
- (b) to limit NATO to its present membership with the proviso that its

enlargement can be examined when the time is ripe;

- (c) to ensure, in these conditions, the maintenance of a United States military presence in Europe;
- (d) to reserve for NATO all exchanges with the countries of the CIS whereas the WEU Forum would continue to develop exchanges with member countries and other former members of the Warsaw Pact;
- (e) to promote the progressive creation, through bilateral agreements with the countries of Central and Eastern Europe, of the conditions for a global organisation of security throughout the European continent.

16. The evolution of the member countries of the Community of Independent States and of their reciprocal relations is also uncertain. All attend the North Atlantic Co-operation Council together with the nine countries of Central and Eastern Europe and Finland, which has observer status. NACC's various activities are fairly similar to those of the CSCE with the exception that neutral and non-aligned countries (except for Finland) do not take part and its ultimate aims still have to be defined.

(ii) NATO's commitment to peace in the world

17. In this respect, the work of NACC's ad hoc group for co-operation in peace-keeping matters is worthy of special attention in view of present fighting in the Caucasus, Georgia, Armenia and Azerbaijan. The steps recently taken by Russia, which has asked for changes in the sections of the treaty on the reduction in forces in Europe which limit military equipment stationed in the Caucasus, are intended to strengthen its military presence in that area and have brought protests from Turkey.

18. The rôle of NATO and NACC in peace-keeping matters is certainly of interest to the United Nations which has recently increased its efforts to invite regional organisations to play a greater part in such matters (reference is made in this respect to the report by Mr. Soell on political relations between the United Nations and WEU and their consequences for the development of WEU). However, ways and means of interaction between NATO and the United Nations in peace-keeping matters are far from being harmonised. NATO has declared its preparedness to use force in Bosnia if necessary, provided the operations are conducted under a United Nations mandate but not under the direction of that organisation. The United States, for its part, agrees to send armed forces on peace-keeping missions only if its vital

interests are at stake and if these missions are placed under the direction of NATO or a coalition similar to the one formed for the Iraq operation.

19. If NATO wishes to remain a credible actor in peace-keeping without thereby playing the full rôle of world policeman which belongs to the United Nations, it cannot be content to base its new rôle on an ad hoc consensus and on considerations of expediency which may differ from one case to another.

20. A major aim of the forthcoming NATO summit meeting should therefore be to clarify the aim of that organisation with regard to the United Nations for strengthening its authority and not weakening it. Legitimation of any action for peace organised by NATO should remain a prerogative of the United Nations with the backing, if necessary, of the CSCE.

21. An important characteristic of the Atlantic Alliance is the difference between the very limited commitments under the Washington Treaty, the development of political consultation and the remarkable proficiency of the military organisation. These arrangements were adequate when there was agreement between all members on the nature and importance of a threat. They are no longer so appropriate in circumstances where risk assessment is no longer clear-cut and each member has to decide whether or not to take part in any military operation. Proof is to be found in the considerable reduction in force levels and the difficulty the allies are having in agreeing on effective action in Yugoslavia. If NATO wishes to avoid political paralysis, its member states must accept more specific and binding legal obligations than those to which they subscribed in 1949.

- (a) In view of the United States' unswerving reluctance to enter into formal commitments by its forces, it is not very realistic to envisage its acceptance of a clause similar to the one in Article V of the modified Brussels Treaty.
- (b) Conversely, the scope of Article 4 of the Washington Treaty might be extended to oblige the allies to consult with each other on any threat to international peace wherever it might arise. In fact, such consultations have already been held on many occasions, but the solidarity of the allies would be strengthened by making them compulsory.
- (c) From the fact that NATO cannot be transformed into an offensive alliance, i.e. determine, on its own authority, armed intervention for goals other

than the defence of the territory of member states, signatory countries should agree to fix the conditions and ways and means of possible joint action to fulfil any mandate that might be entrusted to them by the Security Council of the United Nations, with particular regard to humanitarian action or peace-keeping or peace-restoring operations.

Obviously, the authority of the United Nations would be considerably strengthened if it were evident: (i) that, in specific cases, joint forces of the alliance could be permitted to show respect for United Nations decisions; (ii) if the United Nations calls upon forces from the member countries of the alliance, they would have access to NATO infrastructure for intelligence, transport, logistics, etc.

(d) Finally, the aim of the summit meeting should be to achieve, if not necessarily a revision of the Washington Treaty, at least a reinterpretation of its clauses with particular regard to the link between the geographical area it covers and the military obligations of its members so that it will be able to meet the new requirements of maintaining peace in Europe and throughout the world. This is what WEU managed to do when it adopted the platform in The Hague. It is now for NATO to do likewise.

(iii) *NATO and WEU*

22. Unlike NATO, WEU has no need to seek new legitimization nor new fields of action. The modified Brussels Treaty provides it with the necessary bases for launching action to counter any threat to peace wherever it may occur. The Maastricht Treaty merely confirms and strengthens this legitimization by giving WEU the mandate to act on behalf of the future European Union. This is already embodied, moreover, in the preamble to the modified Brussels Treaty which invites the contracting parties to take the necessary measures "to promote the unity and to encourage the progressive integration of Europe".

23. Conversely, NATO has the necessary military infrastructure for the defence of Europe which WEU did not need to develop since Article IV of the modified Brussels Treaty allowed it to resort to the military forces of NATO should it have to contend with major aggression on the continent of Europe.

24. The development of WEU's own operational structures proved necessary from the moment the member governments started to

apply in full the modified Brussels Treaty in areas extending beyond the scope of the North Atlantic Treaty. The more NATO is prepared to enlarge its area of action, the easier it should be for it to place its structures at the disposal of WEU. On the one hand, this would avoid developing conflicting structures and, on the other, NATO might thus take advantage of the means WEU has under the modified Brussels Treaty for exercising the necessary political control of peace-keeping operations.

25. It is for the WEU Council to ensure that the NATO summit meeting recognises the advantages the Atlantic Alliance can derive from a true partnership with WEU on the basis of a credible definition of the risks, rôles and responsibilities of both one and the other.

26. Regarding rôles, there is a danger that discussions on NATO's new tasks, on a broader interpretation of Article IV of the North Atlantic Treaty and on the appearance of new notions such as partnership for peace, strategic partnership (with Russia) or even collective concept of security will add further doubts regarding the future direction of NATO and particularly future credibility in its primary task of defending Europe. It is essential for the summit meeting to reach a very clear decision on the direction NATO will have to take in order to have a chance of survival and to be understood by public opinion.

27. The main purpose of the NATO military system was to deter any Soviet attack on Western Europe. This meant a certain deployment of forces, a certain dose of armaments, a certain breakdown of national strengths and certain command structures adapted to this goal. The maintenance of a powerful army and modern nuclear weapons in Russia and uncertainty over the future of that country preclude the complete dismantling of NATO's military apparatus and particularly its nuclear capability. However, the reunification of Germany, the forthcoming withdrawal of Russian forces from the former GDR, and the radical change of direction in Russian policy allow considerable reductions to be made.

28. Integrated military commands can operate effectively only insofar as all the member countries of NATO take part in the operations entrusted to them. It is far from certain that this will always be the case in the event of peace-keeping or peace-restoring operations not covered by the Washington Treaty.

29. However this may be, in view of the all-round reduction of defence budgets, the use of the forces of member countries in such operations will increasingly require them to have access to means of information, transportation and logistics that only NATO can provide.

30. The members of NATO would therefore have to agree on the cases and the conditions in which the organisation would be able to afford its support to one or several member countries for such operations. These arrangements would obviously have to cover cases in which WEU would undertake action of its own. The conditions in which WEU vessels are deployed in the Adriatic show how necessary it is to have such arrangements.

31. Regarding risks, it must be realised that threats to peace now weigh more heavily on the European continent than on the American continent. This situation is also the result of the end of the cold war during which solidarity with the United States was more evident.

32. The United States' request to redistribute the burden of the joint defence of Europe is therefore understandable. It would consequently be highly desirable for WEU to be able to give its allies, at the NATO summit meeting, convincing assurances regarding the specific measures the Europeans are prepared to undertake in order to handle their own defence.

33. This is not just a budgetary question, but one of co-operation in armaments, rapid air transport capability and the maintenance of credible armed forces in each member country.

34. With the Torrejón satellite centre, WEU can already show that it has taken the first step, albeit modest, for equipping Europe with space-based means of observation. Conversely, the idea of setting up a European armaments agency has so far only produced a regrouping in the framework of WEU of the activities of the IEPG under a new name, i.e. the Western European Armaments Group (WEAG), but no new mission has yet been defined for this future agency. It remains to be seen whether and to what extent the French proposal to set up a Franco-German agency for armaments will be able to give fresh impetus to this undertaking.

35. However, burden-sharing cannot be confined to material contributions. It should also concern responsibilities.

(a) It is clear that maintaining American forces in Europe implies the military command of NATO forces remaining in American hands. Any other solution, moreover, would mean appointing a European SACEUR and it would be very difficult for the European members of the alliance to agree on his nationality.

(b) Conversely, application of the principles of transparency and complementarity between NATO and WEU should result in a very senior officer nominated by WEU being appointed

SACEUR's deputy and at the same time he should be given the supreme command of any operation under a WEU hat.

(c) France's return to the NATO Military Committee would help to find a new politico-military balance in the alliance.

(d) Above all, it is in the political field that it is necessary to make Europe's voice heard, particularly in the North Atlantic Council.

36. For its voice to be heard, Europe will have to be united. It is gratifying that, for the first time, the WEU Council has decided to make preparations for the NATO summit meeting. Even so, it will have to agree on how to express a joint position.

37. It is also essential for Europe to be able to act on behalf of continental and international peace outside the framework of NATO. This means:

(a) the WEU Council retaining the ability to take independent decisions;

(b) having effective access to information, logistic means and predetermined armed forces which should be provided either by NATO, which would imply a prior and unconditional commitment by the United States, which is not very probable, or by member states on the basis of national decisions, which means building up European means outside NATO. Hostilities in the Gulf and former Yugoslavia show that Europe is still far from achieving this.

38. No true balance is conceivable between a power that uses its armed forces at will and a Europe that does not have any. It is for Europe to assert itself and make the necessary effort without which there could be no true reform of NATO.

39. WEU is still the only organisation that might be able to mobilise the national means of European countries, including those assigned to NATO, to defend the security of Europe as a whole. To deny it this capability would be tantamount to refusing any balance within NATO and, hence, would condemn the NATO summit meeting to failure.

III. Conclusions

40. NATO has recently been compared to a large ship equipped with a powerful engine but no rudder; one might even wonder whether it is not in the process of changing from the work of a warship to that of a pleasurecraft. To dispel

uncertainty and to ensure that NATO remains the factor of stability it has been for the last forty years, members of the alliance must first re-establish order in transatlantic relations by putting an end to differences between the United States and Europe regarding present options in security and defence matters.

41. The more the alliance asserts itself as a homogenous and stable entity in its inner workings, the more it will be capable of exporting this stability to the outside. In this respect, Europeans have a special responsibility to assume by showing their allies across the Atlantic that the European defence identity is

becoming a reality that will strengthen the whole alliance.

42. To achieve that, Europeans and, above all, WEU, still have considerable efforts to make. The defence of a European point of view at the NATO summit meeting will have meaning only if Europe decides at long last to pursue, in the framework of WEU, initiatives it has defined itself, but whose implementation is still far too slow and far too limited. One of the results of the NATO summit meeting should be to help WEU to give tangible shape to plans that have so far been little more than vague ideas and make WEU a truly operational organisation.

*WEU Assembly proposals for the
forthcoming NATO summit meeting*

AMENDMENT 1¹

tabled by Mr. Atkinson and others

1. In paragraph 2 of the draft recommendation proper, leave out the words “a possible enlargement of NATO:” and insert the following new text:

“the interest shown by the new democracies of Central and Eastern Europe, and other applicants for membership of the Council of Europe, to join NATO:

(a) give urgent consideration to the enlargement of WEU by accepting Council of Europe member states as full members of WEU;”

Signed: Atkinson, Hunt, Lentz-Cornette

1. See 7th sitting, 29th November 1993 (amendment withdrawn).

*WEU Assembly proposals for the
forthcoming NATO summit meeting*

AMENDMENT 2¹

tabled by Mr. Atkinson and others

2. In paragraph 2 of the draft recommendation proper, leave out the words “a possible enlargement of NATO:” and insert the following new text:

“the interest shown by the new democracies of Central and Eastern Europe, and other applicants for membership of the Council of Europe, to join NATO:

(a) give urgent consideration as to how a closer relationship between WEU and the member states of the Council of Europe who have expressed an interest in joining NATO can be achieved;”

Signed: Atkinson, Hunt

1. See 7th sitting, 29th November 1993 (amendment agreed to).

*Political relations between the United Nations and WEU
and their consequences for the development of WEU*

REPORT ¹

*submitted on behalf of the Political Committee ²
by Mr. Soell, Rapporteur*

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Extract from the Agenda for Peace by Mr. Boutros Boutros-Ghali

1. Adopted unanimously by the committee.

2. *Members of the committee:* Mr. Stoffelen (Chairman); Lord Finsberg (Alternate: *Marshall*), Mr. *Roseta* (Vice-Chairmen); MM. Aarts, Agnelli (Alternate: *Ferrarini*), Alegre, Andreotti, Benvenuti, Bowden, De Hoop Scheffer, Ehrmann, Fabra, Feldmann, Foschi, Goerens, Homs I Ferret, Sir *Russell Johnston*, Mr. Kaspereit, Lord Kirkhill (Alternate: *Godman*), MM. Kittelmann, de Lipkowski, Polli, *Müller*, Péciaux, *de Puig*, Reddemann, *Rodrigues*, Seeuws, Seitlinger, *Soell*, Vinçon, Ward, *Wintgens*., Zapatero.

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

Draft Recommendation

***on political relations between the United Nations and WEU
and their consequences for the development of WEU***

The Assembly,

- (i) Considering that, with the end of the cold war, the East-West confrontation has been replaced by a series of different conflicts of a new type that have broken out in several areas of the world;
- (ii) Considering that it is now crucial to determine whether the United Nations can henceforth become the essential instrument for ensuring the prevention and settlement of conflicts and safeguarding peace in the world;
- (iii) Recalling that the year 1995, which will be the fiftieth anniversary of the creation of the United Nations, will be of particular importance for the prospect of reforming the organisation;
- (iv) Recalling the importance of the United Nations and the special responsibility of the permanent members of the Security Council for disarmament and non-proliferation with particular regard to the extension of the treaty on the non-proliferation of nuclear weapons in 1995;
- (v) Welcoming the success achieved so far by the opening of the register of conventional arms kept by the United Nations enabling better supervision of exports of armaments at world level;
- (vi) Noting the considerable increase in requests to the United Nations in the last five years for peace-keeping operations;
- (vii) Noting that it lacks adequate financial, organisational, technical, military and political means for the effective conduct of these operations;
- (viii) Concerned at the alarming financial position of the United Nations, due to the late payment of contributions by the majority of the member countries;
- (ix) Noting, on the one hand, the desire of the United Nations to seek greater co-operation with "regional arrangements or agencies" in the sense of Chapter VIII of the Charter and, on the other hand, the exchange of letters between the Secretary-General of the United Nations and the Secretary-General of WEU in this respect;
- (x) Noting, however, that, contrary to the United Nations, WEU is subjected to parliamentary supervision and, consequently, should consult its Assembly prior to any exchange of views with the United Nations;
- (xi) Recalling that all the provisions of the modified Brussels Treaty are based on the right of legitimate self-defence guaranteed by Article 51 of the Charter of the United Nations and not on the provisions of Chapter VIII of that Charter;
- (xii) Consequently, convinced that WEU is an independent organisation, whose decisions are not subject to Security Council authorisation;
- (xiii) Convinced, nevertheless, that the fundamental political interest of WEU is to strengthen the vocation of the United Nations in playing the rôle of primordial instrument for maintaining peace in the world and to submit its activities to the views expressed by the United Nations;
- (xiv) Recalling the Petersberg Declaration, according to which WEU affirmed that it was prepared to support "the effective implementation of conflict-prevention and crisis-management measures, including peace-keeping activities, of the United Nations Security Council";
- (xv) Recalling also that the resolutions of the Security Council concerning the maintenance of peace in ex-Yugoslavia and particularly in Bosnia-Herzegovina are addressed to "states, acting nationally or through regional agencies or arrangements";
- (xvi) Consequently, dismayed that WEU does not consider it has been called upon to take coercive action on the pretext that the United Nations has made a specific request only to NATO;
- (xvii) Emphasising that any constructive evolution in relations between WEU and the United Nations depends on solving the problems that may arise from the fact that WEU represents the start of a progressive integration of Europe in defence and security matters, whereas the United Nations and its Security Council are based exclusively on the principle of the sovereignty of member states;
- (xviii) Noting, further, that the United Nations is intervening increasingly in the internal affairs of member states, whereas the Charter does not provide sufficient legal bases for doing so;

(xix) Convinced that WEU and the bodies concerned with the common foreign and security policy (CFSP) of the European Union must co-operate and further co-ordinate their activities in preventive diplomacy and crisis-management and, possibly, place their means at the disposal of other regional organisations,

RECOMMENDS THAT THE COUNCIL

1. Work out forthwith a new platform of European security interests on the basis of an assessment of the new threats and risks in the world and their consequences;
2. Define WEU's vocation in relation to the United Nations and the specific areas in which it can offer its assistance to the United Nations while retaining its independence;
3. Without waiting for the United Nations to make a specific request to WEU:
 - establish contact with the bodies concerned with the common foreign and security policy (CFSP) of the European Union in order to reach agreement on the areas of joint activity and the sharing of responsibilities in peace-keeping, with particular regard to preventive diplomacy and the consolidation of peace at the end of hostilities;
 - co-ordinate with NATO ways and means of sharing peace-keeping responsibilities between the two organisations;
 - instruct its planning cell to have a report prepared by experts on the requirements and time necessary for implementing coercive measures in former Yugoslavia with particular regard to available resources and necessary personnel;
 - instruct the Torrejón satellite centre to present a report on the capabilities and experience it can offer for peace-keeping, particularly in establishing facts, monitoring and early warning;
 - inform the Assembly of the results of these studies;
4. Make proposals for reforming the United Nations and its Security Council with a view to strengthening its effectiveness in peace-keeping and improving WEU's participation in the decision-making process in the United Nations;
5. Give a new mandate to the representatives of the member countries of WEU at the United Nations headquarters in New York to hold regular consultations in order to co-ordinate their positions, particularly in the committees and working groups of the United Nations whose activities come within the framework of the responsibilities of WEU.

Explanatory Memorandum

(submitted by Mr. Soell, Rapporteur)

I. Introduction

1. Since Western European Union has been developed into an operational organisation carrying out – in accordance with relevant United Nations Security Council resolutions – its first military operations and contingency planning in the framework of the conflicts in the Gulf and in former Yugoslavia, the problem of interaction with the United Nations has become evident.

2. The Assembly's Defence Committee has already examined the operational aspects of the problem on the basis of the report submitted by Mrs. Baarveld-Schlaman in June 1993¹. For the necessary basic information on the international post-cold war realities, with the dramatic increase in regional conflicts and trouble spots in several world regions, and for a description of the various organisational and operational challenges the United Nations is now facing, your Rapporteur refers to the relevant chapters of that report.

3. What is still needed is an assessment of the consequences of the new world situation for the future political rôle of the United Nations and its Security Council, for the implementation of the United Nations Charter and for political relations between the United Nations and other organisations with the aim of maintaining the international peace and security within which Western European Union is called upon to assume an enhanced rôle.

4. The character of the United Nations' future activities in security matters and of its relations with WEU cannot be without consequences for the development of WEU itself which is based on the ideals proclaimed in the United Nations Charter in general and on the right of individual and collective self-defence in accordance with the provisions of Article 51 of the Charter in particular. This might also have an impact on WEU's position as the European pillar of the Atlantic Alliance and the defence component of the future European political union, and a fortiori on its efforts to define a common European security and defence policy.

5. In order to cover the whole range of political areas in which either the United Nations or Western European Union or both might be challenged, an analysis of the relevant provisions of the United Nations Charter and of the modified Brussels Treaty will be unavoidable. However, it is not the purpose of

this report to present legal expertise to be used as a basis for argument in the case of different interpretations of the respective responsibilities and rôles of the two organisations. On the contrary, the purpose of this report is to analyse the conditions under which the United Nations and Western European Union assume their responsibilities and to identify possible areas of co-operation. Such a task also requires an assessment of the new character of conflicts in which the United Nations is at present involved and, in particular, an analysis of the direction in which the United Nations itself has developed and is developing.

II. Correspondence between the Secretary-General of the United Nations and the Secretary-General of Western European Union

6. Such an assessment is the more urgent since the United Nations has, for the first time, actually approached Western European Union to ask it to strengthen its efforts in maintaining international peace and security and to improve co-ordination with the United Nations.

7. Following a statement by the United Nations Security Council issued on 28th January 1993, in which it took note with appreciation of the Secretary-General's report entitled "Agenda for peace" and in particular the views presented in paragraphs 63, 64 and 65² of this report, "concerning co-operation with regional arrangements and organisations", the Secretary-General, at the request of the Security Council, sent the following letter, dated 1st April 1993, to the Secretary-General of Western European Union:

8. "The Secretary-General of the United Nations presents his compliments to the Secretary-General of Western European Union and has the honour to transmit a copy of the statement made by the President of the Security Council, on behalf of the Council, in connection with its consideration of the item entitled "An agenda for peace: preventive diplomacy, peace-making and peace-keeping" (S/25184). The statement reads, inter alia, as follows:

The Security Council... invites within the framework of Chapter VIII of the United Nations Charter, regional arrangements and organisations to study, on a priority basis, the following:

– "ways and means to strengthen their functions to maintain international

1. United Nations operations – interaction with WEU, Document 1366, 19th May 1993.

2. See Appendix.

peace and security within their areas of competence, paying due regard to the characteristics of their respective regions. Taking into account the matters of which the Security Council has been seized and in accordance with the United Nations Charter, they might consider, in particular, preventive diplomacy including fact-finding, confidence-building, good offices and peace-building and, where appropriate, peace-keeping;

- ways and means to further improve co-ordination of their efforts with those of the United Nations. Being aware of the variety of mandate, scope and composition of the regional arrangements and organisations, the Council stresses that the forms of interaction of these arrangements and organisations with the United Nations should be flexible and adequate to each specific situation. These may include, in particular, exchange of information and consultations, with a view to enhancing the United Nations capability including monitoring and early-warning, with the Secretary-General or, where appropriate, his Special Representative, participating as observers in the sessions and the work of the General Assembly, secondment of officials to the United Nations Secretariat, making timely and specific requests for United Nations involvement, and readiness to provide necessary resources.

The Security Council requests the Secretary-General:

- to transmit this statement to those regional arrangements and organisations which have received a standing invitation to participate in the sessions and the work of the General Assembly as observers, and to other regional arrangements and organisations, with a view to promoting the aforementioned studies and encouraging the replies to the United Nations;
- to submit as soon as possible and preferably by the end of April 1993 to the Security Council a report concerning the replies from the regional arrangements and organisations."

The Secretary-General would be grateful if the replies requested by the Security Council could be communicated to him by Monday, 26th April 1993."

9. Identical letters were sent to those inter-governmental organisations that have received a standing invitation to participate in the sessions and the work of the United Nations General

Assembly as observers, among those the Commonwealth Secretariat, the Council of Europe and the European Community; the text was also transmitted to "other regional arrangements and organisations" in Africa, North and South America, Asia and the Pacific, Europe and the Middle East. In Europe, the following organisations (apart from WEU) received it: Black Sea Economic Co-operation, the Commonwealth of Independent States (CIS), the Conference on Security and Co-operation in Europe (CSCE), the Nordic Council of Ministers and the North Atlantic Treaty Organisation (NATO).

10. As at 14th July 1993, nine organisations out of fifty-two having received such letters had replied, including the European Community (on 20th April 1993), the CSCE (on 11th June 1993), NATO (on 12th May 1993) and WEU (on 25th June 1993). The text of WEU's reply has already been communicated to members of the Assembly in a separate document³ but, because of the importance of the matter, it seems useful to reproduce the full text hereafter:

11. Reply by the WEU Secretary-General dated 25th June 1993 to the letter of the United Nations Secretary-General of 1st April 1993:

"I thank you for your letter of 1st April in which you transmitted to me the note S/25184 of the President of the Security Council. WEU attaches great importance to enhancing the rôle of the United Nations and its Security Council in maintaining international peace and security. I welcome therefore this opportunity to indicate how WEU envisages future co-operation with the United Nations in the fields mentioned in your letter. My reply is without prejudice to the question of whether WEU is a regional arrangement or agency as referred to in Chapter VIII of the United Nations Charter.

In their declaration agreed at Maastricht on 10th December 1991, the member states of Western European Union committed themselves to develop WEU as the defence component of the European Union and as the means to strengthen the European pillar of the Atlantic Alliance. Since then, WEU has concentrated its efforts on giving concrete expression to this dual vocation notably by developing its operational rôle. In their Petersberg Declaration of 19th June 1992, foreign and defence ministers of WEU defined the three types of missions for which military units acting under WEU authority could be employed, namely: humanitarian and rescue tasks, peace-keeping and tasks

3. Document A/WEU/DG (93) 22, 19th August 1993.

of combat forces in crisis management, including peace-making. The WEU Planning Cell was created to conduct the necessary planning for these missions, inter alia. It is in the context of WEU's operational rôle that WEU member states, at the Petersberg meeting, declared their readiness to support, on a case-by-case basis and in accordance with WEU procedures, the effective implementation of conflict-prevention and crisis-management measures including peace-keeping activities of the CSCE and United Nations Security Council. Participation in specific operations will remain a sovereign decision of member states in accordance with national constitutions.

I wish to recall the various activities which WEU has undertaken, or is presently conducting, which are relevant to the subjects mentioned in your letter.

During the conflict between Iran and Iraq in 1987-88, WEU ships conducted mine-clearing operations in the Gulf to ensure the unhindered movement of international maritime traffic in this area. Secondly, in the context of the measures taken by the international community following the Iraqi invasion of Kuwait, ships of WEU member states conducted mine-clearing and embargo enforcement operations in the Gulf. All these measures were undertaken in the framework of the relevant United Nations Security Council resolutions.

WEU is also contributing in various ways to the search for a resolution of the conflict in former Yugoslavia. Since July 1992, ships and aircraft of WEU member states have been conducting first embargo monitoring and, subsequently, embargo enforcement operations in the Adriatic. Now, following the decision taken by the joint session of the Council of Western European Union and the North Atlantic Council held on 8th June, combined WEU/NATO operations are underway in the Adriatic to ensure the strict implementation of United Nations Security Council resolutions, in particular 820. WEU member states are also assisting Bulgaria, Hungary and Romania in enforcing sanctions and the embargo on the Danube.

Furthermore, WEU has conducted contingency planning on a number of aspects relating to the situation in former Yugoslavia, notably regarding the possible creation of the safe haven around Sarajevo. The results of this planning were transmitted to the United Nations earlier this year. WEU ministers, at their meeting in

Rome on 19th May last, have now requested that a study be made on the implementation of the United Nations Security Council resolutions relating to safe areas and on the possible rotation of UNPROFOR contingents from the WEU member states.

In response to your letter and in the context of WEU's enhanced rôle as outlined above, it therefore seems important to increase contacts and exchanges of information between the United Nations and WEU.

The mission of the United Nations in New York of the country holding the presidency of WEU will act as a point of contact for the United Nations and will be responsible for the introduction of WEU contributions to the United Nations.

In addition, WEU is ready to discuss with you ways to develop appropriate contacts and exchanges of information between the Secretariat-General and Planning Cell and relevant United Nations Secretariat bodies."

12. As far as your Rapporteur is aware, Western European Union is to date the only organisation to have stated explicitly that its reply is "without prejudice to the question of whether WEU is a regional arrangement or agency as referred to in Chapter VIII of the United Nations Charter". In contrast to that, the CSCE confirmed in its reply that at the Helsinki summit meeting in July 1992, it has declared its understanding that the CSCE is a regional arrangement in the sense of Chapter VIII of the United Nations Charter.

13. The Political Committee and Defence Committee's joint meeting with the Permanent Council and the Secretary-General of WEU on 5th October 1993 provided an opportunity to throw some light on the considerations that led the Council to draft in such terms the answer the WEU Secretary-General sent to the United Nations.

14. However, the committee first had to learn from the Secretary-General of WEU:

- that regarding the coercive measures that would possibly be taken to ensure the security of the populations in Bosnia-Herzegovina for which WEU had prepared the contingency plans, WEU did not consider it had been approached since the United Nations had made a specific request only to NATO and
- that there was no co-ordination between the member countries of WEU in the case of Somalia.

15. Furthermore, the Secretary-General confirmed that the Council was unanimous in considering that WEU was not a regional organisation in the sense of Chapter VIII of the Charter of the United Nations but a collective defence organisation and that, consequently, certain member countries had even contemplated not answering the letter from the Secretary-General of the United Nations at all. The committee was also informed that at the present time there were no plans for appointing a liaison officer to the United Nations and that there had been no co-ordination with NATO or the European Community before sending WEU's answer to the letter from the Secretary-General of the United Nations.

III. The new challenges facing the United Nations and their consequences

16. A number of other questions were still outstanding and in particular what was really behind WEU's wish to strengthen the rôle of the United Nations in international security and peace-keeping and how did WEU intend to increase contacts and exchanges of information with the United Nations as indicated in its letter of 25th June 1993. Before examining in detail the contents and significance of the United Nations approach to regional organisations it is important to realise that, with the end of the cold war, requests for United Nations peace-keeping operations have increased dramatically. Since 1988, fifteen new peace-keeping operations have been initiated compared with thirteen such operations over the previous forty years.

17. Of the operations now involving the United Nations, *nine* started no earlier than 1991, including:

- *UNIKOM* (United Nations *Iraq-Kuwait* Observation Mission) since June 1991. Its mission is to monitor the Khor Ab Dullah (water way) and a demilitarised zone (extending 10 kms into Iraq and 5 kms into Kuwait), to deter violations of the boundary through its presence and surveillance of the demilitarised zone, to observe any hostile or potentially hostile action mounted from the territory of one state or the other. Since 5th February 1993, UNIKOM has also had the power to prevent physically, and if necessary redress violations of the border or the demilitarised zone. UNIKOM has an authorised strength of three hundred military observers provided by more than thirty-four countries, plus two hundred other military personnel and some one hundred and eighty-six local civilian staff. *WEU member countries involved with military personnel are France, the United Kingdom, Italy, Greece* (as a future member) *Norway* (as an associate member) and *Denmark* (as observer).
- *UNAVEM II* (United Nations *Angola* Verification Mission II) since 1991. Its original mandate was to monitor the withdrawal of Cuban forces, the maintenance of the cease-fire and elections. However, the crisis that developed after the elections thrust UNAVEM II into a central mediating rôle. The deteriorating security situation has further limited the ability of the United Nations to facilitate negotiations between the government and UNITA. Since January 1993, fighting has intensified between the Angolan Government and UNITA forces. Despite all efforts to achieve a cease-fire, the civil war in Angola developed to such an extent that the United Nations Secretary-General described it as the most murderous conflict in the world with more than a thousand people dying every day as a consequence of the fighting⁴.
- The United Nations Security Council, by adopting Resolutions 864 on 15th September 1993, therefore decided for the first time to impose sanctions on a rebel organisation (UNITA) and not on a sovereign state. Originally, UNAVEM II's authorised strength was three hundred and fifty military observers and ninety police observers together with some eighty-seven international and a hundred and fifty-five local civilian staff (not counting electoral observers). *WEU member countries* were involved with military personnel from *the Netherlands, Spain and Norway* (as an associate member). Bearing in mind the dramatic deterioration of the situation in the country, it is especially peculiar that the United Nations Security Council agreed to reduce the strength of UNAVEM II to seventy-eight military and thirty police observers.
- Since July 1991, *ONUSAL* (United Nations Mission in *El Salvador*) has been established with the mandate to monitor the cease-fire agreements between the government of El Salvador and the FMLN (Frente Farabundo Marti para la Liberación Nacional) and to reform and reduce the armed forces, create a new police force, reform the judicial and electoral system and verify human rights. Its mandate also includes

4. Le Monde, 16th and 17th September 1993.

economic and social issues. *WEU member countries* involved with military and police observers are *France, Italy, Spain and Norway* (as an associate member).

- *MINURSO* (United Nations Mission for the Referendum in the *Western Sahara*) was established in September 1991 with the mandate to monitor the cease-fire between Morocco and the Polisario and the confinement of each party's troops to designated areas, to facilitate exchanges of prisoners of war and to organise and monitor a referendum for the self-determination of the people of the Western Sahara. For the some three hundred and twenty-eight military observers and military support personnel in the area, the following *WEU member countries* are involved: *Belgium, France, Italy, the United Kingdom and Greece* (as a future member).
- One of the most difficult tasks is to be fulfilled by *UNPROFOR I* (United Nations Protection Forces in former Yugoslavia) established in March 1992 and *UNPROFOR II* established at the end of June 1992. The problem of resolving the conflicts after the break-up of Yugoslavia, in particular in Bosnia-Herzegovina, was already the subject of Recommendation 541 adopted by the WEU Assembly on 16th June 1993 on a report⁵, submitted on behalf of the Political Committee by Mr. Baumel, Rapporteur. It is the subject of a report to be submitted by Sir Russell Johnston on behalf of the Defence Committee at the forthcoming session of the Assembly. Depending on the actual development of the situation in the area, the Political Committee will eventually present a further special report on this particular subject.

18. The involvement of several organisations such as the United Nations, the CSCE, the European Community, NATO and WEU in the efforts to terminate hostilities in former Yugoslavia provide a concrete example of the problems involved in organising their various political and military activities in such a complex situation. This became particularly evident when a dispute arose recently between Britain and France on the one hand and the United States on the other after President Clinton said he would send United States peace-keeping troops to Bosnia-Herzegovina only if the operation was under the control of NATO, not the United Nations. Furthermore, Mr. Wörner,

NATO Secretary-General, said in Brussels on 10th September 1993, that "NATO cannot be regarded as an instrument or as a military sub-contractor to the United Nations. Both must maintain the possibility to act independently".

19. *UNPROFOR*, based on a United Nations Security Council decision was to be an interim arrangement for creating the conditions of peace and security for negotiating an overall settlement of the crisis. Its mandate was enlarged several times to include support for efforts to deliver humanitarian relief throughout Bosnia and Herzegovina and to protect convoys of released civilian detainees, as well as monitoring certain areas in Croatia. *UNPROFOR* includes military, police and civilian components of some twenty-three thousand personnel from more than thirty-five countries. The following *WEU member countries* are contributing personnel: *Belgium, France, Luxembourg, Netherlands, Portugal, Spain, the United Kingdom, Norway* (as an associate member) and *Denmark* (as an observer country).

20. *UNPROFOR M* (United Nations Protection Force in the former Yugoslav Republic of Macedonia) offers the first example of the deployment of military forces of some thousand men including an American unit in the framework of a preventive diplomacy measure. At the request of the Macedonian President, Mr. Gligorov, the United Nations Security Council authorised this deployment to monitor the frontiers of the former Yugoslav Republic of Macedonia with Albania, Serbia and Montenegro.

21. *UNTAC* (United Nations Transitional Authority in *Cambodia*), preceded by *UNAMIC* (United Nations Advance Mission in *Cambodia*), was established in March 1992 to ensure maintenance of the cease-fire, to organise the demobilisation of the factions' armed forces, to arrange free and fair elections, to create a neutral political environment for those elections, to oversee human rights observance, to repatriate those displaced by war and to start the rehabilitation of the country. For these purposes *UNTAC* has about twenty-two thousand military and civilian personnel, to which the following *WEU member countries* contribute: *Belgium, France, Germany, Italy, the Netherlands, the United Kingdom and Norway* (as an associate member).

22. A particularly complicated situation has developed following the intervention of the United Nations in Somalia on the basis of *UNOSOM* (United Nations Operation in *Somalia*) set up in April 1992. From the very beginning, major differences arose on the definition of the mission to be carried out in a country which has been deprived of a central government since January 1991 and where fighting between opposing warlords has resulted in the death of hundreds of thousands, millions

5. Document 1379, 16th June 1993.

of refugees, and catastrophic famine in the country. The first mandate of UNOSOM was concentrated on national reconciliation and humanitarian assistance. But following continuous fighting between the rival militias, the next option was to pursue country-wide action by a group of member states authorised by the Security Council to ensure that the current violence against the international relief effort was brought to an end.

23. Following an offer by the United States to organise and lead such an operation, and bearing in mind that the United Nations Secretariat did not have the ability to command and control an enforcement operation of the magnitude required, the Security Council authorised by its Resolution 794 the use of "all necessary means to establish as soon as possible a secure environment for humanitarian relief operations in Somalia", acting under Chapter VII of the Charter. Thus a Unified Task Force (*UNITAF*) spearheaded by the United States was deployed in Mogadishu, including military units from twenty-one countries including the following *WEU member countries: Belgium, France, Germany, Italy, the United Kingdom and Turkey* (as an associate member).

24. In parallel, UNOSOM remains fully responsible for the political aspects and humanitarian assistance to Somalia. It is composed of military personnel from seventeen countries including units from *Belgium and Norway*. The heavy losses several United Nations units suffered in carrying out their duties in Somalia, in particular those of Pakistan, Italy, Nigeria, the United States and others, and the failure so far of allied operations to restore security and peace in the country has led to serious differences between the participants in the operation. Doubts have also been voiced regarding the ability of the United Nations to bring this operation to a successful conclusion. It should therefore be recalled that in Recommendation 544⁶ on the situation in Somalia in a report submitted by Mr. De Decker on behalf of the Political Committee, the Assembly reminded the Council that any action in which forces of several of its members are involved conforms with Articles V and VIII, paragraph 3, of the modified Brussels Treaty and asked for an urgent WEU Council meeting on the matter. The Council's answer on this matter is not at all satisfactory.

25. The total absence of political and logistic co-ordination between the member countries of WEU which is characteristic of the operations in Somalia, where the United Nations is faced with difficulties of such gravity that they may lead to the failure of the whole operation, leaves little hope that the WEU Council will show the

political determination to shoulder its responsibilities under the terms of the modified Brussels Treaty.

26. Finally, *UNOMOZ* (United Nations Operation in *Mozambique*) created in December 1992, is mandated to verify the cease-fire between the government and the RENAMO rebels after fourteen years of devastating civil war, the separation and concentration of forces, their demobilisation and the collection, storage and destruction of weapons; to verify the complete withdrawal of foreign forces and provide security in the transport corridors. Furthermore, *UNOMOZ*'s electoral division is to monitor and verify all aspects and stages of the electoral process which is to be organised in October 1994. About seven thousand or eight thousand military and civilian personnel members are involved in the process including units from the following *WEU member countries: Italy, Portugal and Spain*, whereas *Italy, France, Portugal, the United Kingdom and Germany* are members of the Supervisory and Monitoring Commission which is to guarantee the implementation of the general peace agreement.

27. Among the other activities of the United Nations, one must not overlook the information missions conducted in Armenia and Azerbaijan regarding the fighting in Nagorno-Karabakh where the rôle of the United Nations is mainly to back up CSCE efforts to manage this crisis. Moreover, after fighting started in Abkhazia, the United Nations Security Council decided on 24th August 1993 to create a United Nations Observation Mission in Georgia (*UNOMIG*).

28. Finally, the action started by the United Nations to re-establish democracy in Haïti shows that the United Nations is increasingly called upon to intervene in the internal affairs of states and that it is difficult to fulfil such tasks even in close collaboration with the Organisation of American States (OAS). To ensure the implementation of the New York agreement for returning President Aristide to Haïti, the United Nations had decided to organise in that country a peace-keeping mission known as MINUHA, mobilising about 1 300 men with a view to modernising the Haïtian army and creating a new police force. A serious obstacle was raised to the implementation of this undertaking when armed demonstrations managed to prevent the debarcation of American and Canadian forces of the United Nations at Port au Prince.

29. It is difficult to assess the risk that the increased number of United Nations peace-keeping missions will lead to operations which will never be determined. The number of armed forces serving under the United Nations flag has been increased dramatically: in 1987, 9 666 United Nations troops and military observers were deployed in different regions of the world,

6. Document 1377.

compared with 75 738 on 31st May 1993⁷. (In an article published in *Der Spiegel* on 16th August 1993, the United Nations Secretary-General reported 85 000 soldiers under the United Nations flag). Most of them are serving in former Yugoslavia, Cambodia, Mozambique, Lebanon and Somalia.

30. Freed from being paralysed by the global East-West conflicts, the United Nations has emerged as a central instrument for the prevention and resolution of various regional conflicts and for the preservation of peace, as its Secretary-General describes it in his report "Agenda for peace" which he presented to the United Nations Security Council in June 1992. But assuming its new and enhanced responsibilities, the United Nations is confronted with various new problems and difficulties of a very different type. The multiplication of burdens has led the United Nations to ask for the support of relevant regional organisations in order to decentralise its various tasks and responsibilities.

31. There is first the question of creating a United Nations armed force on a permanent basis in accordance with Article 43 of the Charter⁸. This is strongly advocated by the Secretary-General in his "Agenda for peace". But in view of the rather limited response so far from member states which are reluctant to transfer the control of their armed forces to the United Nations, the Secretary-General now seems to favour extending the existing practice of assigning armed forces and civil experts under bilateral agreements with the largest possible number of member countries. As the Secretary-General explained to your Rapporteur during his visit to the United Nations Headquarters in New York, the formation of proper United Nations armed forces would require new bureaucratic and command structures involving higher expenditure. The United Nations therefore had to rely on the help of member countries in this area too.

32. The bilateral agreements on assigning peace-keeping forces to the United Nations are normally concluded by verbal notes without reference to the United Nations Charter. According to the present practice of United Nations peace-keeping operations, the United Nations takes the decisions on missions and employment of the troops. The whole internal composition of the units, however, remains the responsibility of the relevant member state.

7. Source: Enid C.B. Schoettle, *Europa Archiv*, No. 16, 1993, page 453.

8. Article 43, paragraph 1 stipulates: "All members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accord with a special agreement or agreements, armed forces, assistance and facilities, ..., necessary for the purpose of maintaining international peace and security."

33. The present staff of the Secretariat-General is quite insufficient for coping with this task of commanding and controlling the increased number of peace-keeping operations. The peace-keeping department is therefore planning a large increase in staff from the present thirty-five to about ninety. Furthermore, the department is asking for additional experts from member countries who should be seconded to the United Nations for a certain period free of charge. The organisational situation within the Secretariat-General is not facilitated by the fact that the responsibilities of the peace-keeping department vis-à-vis the other departments, in particular the political and humanitarian departments, have not yet been spelled out in detail. Furthermore, any staff increases run counter to the efforts of the Secretary-General to tighten his organisation and come up against the policy of real zero-growth followed by certain member countries.

34. Furthermore, the United Nations lacks experience in commanding and controlling operations and does not have the requisite intelligence means. What it needs in particular is information about the political situation in certain countries, the powers of different political groups and individuals and relations between them. Offers from intelligence services of certain countries to provide some information are difficult to accept because of the difficulty of protecting classified information and because such information is possibly given only in a selective way. At a later stage, consideration might be given to how it might be possible to improve the monitoring and early warning activity of the United Nations by offering information obtained by the WEU Space Observation Centre in Torrejón. The conditions and ways of providing such information and the actual requirements of the United Nations might affect the effective communication of information. At present, your Rapporteur has the impression from his talks in New York that the United Nations is interested in information in the framework of preventive diplomacy and early warning. Regarding early warning, the "Agenda for peace" mentions in particular "environmental threats, the risk of nuclear accident, natural disasters, mass movements of populations, the threat of famine and the spread of disease. There is a need ...to strengthen arrangements in such manner that information from those sources can be synthesised with political indicators to assess whether a threat to peace exists and to analyse what action might be taken by the United Nations to alleviate it. ...Regional arrangements and organisations have an important rôle in early warning".

35. It does not seem that the United Nations is prepared to develop its own intelligence service for the moment. However, the question of recruiting United Nations experts for satellite

imagery interpretation capable of interpreting raw data or exploiting interpreted imagery from the WEU Satellite Centre is worthy of consideration.

36. In this respect, mention should be made of the long-standing activities of the United Nations in elaborating legal conditions to prevent or limit the military use of outer space, beginning with the outer space treaty of 1967 and the agreement governing the activities of states on the moon and other celestial bodies prohibiting *inter alia* the use of the moon and other celestial bodies for military purposes.

37. The United Nations Committee on the Peaceful Uses of Outer Space set up in 1959 is the focal point of United Nations action in this field. In considering the military uses of outer space, the United Nations Assembly expressed grave concern at the extension of an arms race into outer space and urged all states, in particular those with major space capabilities, to contribute actively to the goal of preventing such an arms race. Considering those efforts in a framework of peace-keeping in a broader sense, Western European Union, which is on the way to assuming a leading European rôle in space matters, should add this item to the agenda of how to develop its relations with the United Nations in this area.

38. Another important area for maintaining international peace and security in which the United Nations recently has considerably increased its efforts is disarmament and control of armaments transfer. Global and regional approaches in these matters need to be harmonised. What will be the respective rôle of the United Nations and other international organisations in preparation of the conference due in 1995 that will decide on the extension of the treaty on the non-proliferation of nuclear weapons? What will be the responsibility of the five nuclear powers which are permanent members of the Security Council in this respect? How will they reach a common position? How will NATO and Western European Union in which some of the nuclear powers are members reach a common position?

39. The nuclear test conducted by China on 5th October 1993 again raises the question of extending the moratorium on nuclear tests by the other nuclear powers and also the even more fundamental question of whether the planned negotiations to conclude a treaty banning all nuclear tests still have any real chance of success.

40. The problem of the use of chemical weapons has been settled by the signing of the chemical weapons convention (CWC), but since members of the Arab League and a number of Middle Eastern and Far Eastern countries did not sign, a regional problem in the matter remains.

41. In the United Nations much importance is attached to preventing the proliferation of ballistic missile technology; however, the elaboration of United Nations guidelines in this area is difficult because of differences between the positions of industrial and developing countries. This is a major obstacle for the worldwide extension of the missile technology control régime.

42. It seems however that the United Nations is well satisfied with the success so far in establishing the *United Nations register of conventional arms* for collecting data on international arms transfers. It is pleased with the response to calls for all member states to provide annual data on their imports and exports of armaments. According to United Nations sources, so far seventy-three member countries have responded to the request to provide information on their arms exports and imports covering 95% of weapons exports and 70% of imports. All major arms suppliers have replied.

43. Some countries, such as the United States, are naming in their replies the countries to which they export weaponry. An expert group of the United Nations set up to work out the follow-up activities of the register, will begin its work next year. There is no doubt that the creation of the register should give new impetus to European efforts to achieve a common and harmonised arms export policy. The United Nations is interested in stimulating efforts in *conversion* where it lacks appropriate means but where European countries could provide valuable assistance.

44. A fundamental and growing problem for the United Nations is that a continuing financial crisis is paralysing its ability to carry out its rapidly-expanding activities. Since 1956, peace-keeping has been financed outside the regular budget through a separate assessment for each operation. The current special assessment formula for peace-keeping divides member states into four categories. The economically least-developed states pay 10% of their assessment rate for the regular budget and the economically less-developed states pay 20%. The industrialised countries pay the same assessment rate as for the regular budget. The five permanent members of the Security Council pay the remainder, or approximately 22% over and above their regular assessment rates. In 1992, this meant that the permanent members paid 56% of the entire peace-keeping assessment⁹.

45. Member countries assigning armed forces for United Nations peace-keeping operations normally bear first and foremost their own expenses and are reimbursed by the United

9. Enid C.B. Schoettle, *Financing Peace-keeping*, March 1993.

Nations. But this is possible only if all the member countries have paid their regular assessment. This is far from so, however. According to an assessment published in *Der Spiegel* on 16th August 1993, for peace-keeping operations, in July 1993, the United States owed the United Nations (in \$ million) 318.6, Japan 99.1, Germany 78.2, Russia 417.9, France 42.5, Great Britain 1.1, Italy 49.7; Ukraine 58.7 and Brazil 10.7. Lord Finsberg nevertheless clarified that the United Kingdom Foreign and Commonwealth Office had drawn his attention to the fact that the United Kingdom had no debt to the United Nations and paid all its contributions to WEU without delay.

46. In the meantime, on 6th October 1992, the United States paid about half its debt to the United Nations, i.e. \$ 284 million to the regular budget and \$ 188 million for financing peace-keeping operations. The Secretary-General of the United Nations recently stated that only 62 of the 184 member countries had paid their regular assessment in full for the year 1993, which would normally be paid on 1st January, and the states owed the organisation \$ 1.7 billion¹⁰. The only weapon against non-payment is Article 19 which provides that such a member state may lose its vote in the General Assembly under certain conditions, but so far this article has not deterred late payments. On the other hand, the United Nations is from time to time obliged to defend itself against reproaches of financial mismanagement, waste of money or even corruption¹¹. These are undoubtedly very serious problems which will have a strong influence on all questions related to the future rôle of the United Nations in a new world order. A number of proposals to improve the financial position of the United Nations are under discussion and your Rapporteur will revert to this problem at a later stage.

47. But first a major political problem is to be assessed relating to the changing nature of activities in which the United Nations is increasingly involved and for which it is seeking the help of those organisations it considers as regional or agencies in the sense of Chapter VIII of the Charter.

48. United Nations activities have developed in two different directions: first they cover far more responsibilities in regard to human rights monitoring, refugee assistance and repatriation, the conduct of the elections and referenda, civil administration, public information programmes, humanitarian assistance and economic and social development. In playing a growing rôle in the internal problems of countries, the United Nations is treading on uncertain legal grounds. Such activities are not

covered by Chapter VI of the Charter dealing with the peaceful settlement of disputes, because they are totally different. If the United Nations wishes to use armed forces, police or other civilian experts for carrying out the type of assistance just mentioned, it needs the consensus of all the authorities concerned.

49. The United Nations Charter is based on the principle of the sovereign equality of all its members (Article 2, paragraph 1). It provides a legal basis only for purely interstate relations and for the settlement of conflicts between sovereign states. If a peaceful settlement of an interstate dispute has been reached and the United Nations is requested to monitor such an agreement with peace-keeping troops, Chapter VI of the United Nations Charter provides no legal basis for the deployment of such forces. The traditional peace-keeping forces have therefore been formed outside the Charter and need the consensus of all the countries in which they are to be deployed.

50. Whereas the coalition war against Iraq, similar to the war in Korea, might be considered as a classic application of collective self-defence, conducted by an allied coalition approved by the Security Council, matters become more complicated when the United Nations intervenes in civil wars in cases they consider to be a threat to international peace and security allowing enforcement action under Chapter VII of the Charter. In doing this, for instance in Somalia, the United Nations is departing from the principle of Article 2, paragraph 7, which confirms that:

“Nothing contained in the present Charter shall authorise the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the members to submit such matters to settlement under the present Charter.”

51. This broader interpretation of the Charter has several consequences: it makes it even more difficult to establish clear differences between peace-keeping operations requiring a consensus between the relevant parties and those of coercion which are particularly delicate when they are for humanitarian purposes. In some of these cases such enforcement action for humanitarian objectives has endangered the activities of the humanitarian organisations themselves.

52. It appears that the system of means provided by the United Nations Charter for maintaining peace and security, in particular in Chapters VI and VII, contains deficiencies which already existed in the past but which become more serious the more the United Nations extends its competence in maintaining international peace and security and becomes the central world instrument for the prevention and resolution of conflicts in the world.

10. *Le Monde*, 19th October 1993.

11. *NZZ*, 18th August 1993.

53. Conversely, another important aspect could offset deficiencies in the Charter: this is the degree of confidence the United Nations and its Security Council might have achieved since the end of the cold war by demonstrating its ability to play its rôle as a leading watchdog of international peace and security. Both considerations might have an influence on the position and rôle of regional organisations in the framework of Chapter VIII of the United Nations Charter and on the rôle Western European Union can play in this context.

IV. The modified Brussels Treaty and the Charter of the United Nations

54. The question of future relations between the United Nations and Western European Union is not just a legal question of whether WEU is to be considered as part of the regional arrangements or agencies in the sense of Chapter VIII of the United Nations Charter. However, this question, which is one for long drawn-out disputes between legal experts, is not just academic. The answer has important political consequences.

55. Chapter VIII of the United Nations Charter on regional arrangements begins with Article 52, the first three paragraphs of which are as follows:

- “ 1. Nothing in the present charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the purposes and principles of the United Nations.
2. The members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.
3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional agencies either on the initiative of the states concerned or by reference from the Security Council. ”

56. There was never a definition of what regional arrangements or agencies meant, and a proposed definition by the Egyptian Delegation during the conference in San Francisco was rejected. In the absence of such a legal definition, the United Nations Secretary-General

interprets these words in the broadest possible way, when he states in his “ Agenda for peace ”:

“ The charter deliberately provides no precise definition of regional arrangements and agencies, thus allowing useful flexibility for undertakings by a group of states to deal with a matter appropriate for regional action which also could contribute to the maintenance of international peace and security. Such associations or entities could include treaty-based organisations, whether created before or after the founding of the United Nations, regional organisations for mutual security and defence, organisations for general regional development or for co-operation on a particular economic topic or function, and groups created to deal with a specific political, economic or social issue of current concern. ”

57. For the United Nations Secretary-General, a collective defence organisation such as WEU belongs therefore to this category of organisation. The first consequence of such an interpretation follows from Article 53 of the Charter which stipulates in paragraph 1 that:

“ The Security Council shall, where appropriate, utilise such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorisation of the Security Council, ... ”

(The only exception applies to measures against former enemy states.) The second consequence is the obligation in Article 54 of the United Nations Charter, according to which:

“ The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security. ”

58. The dependence of regional arrangements or agencies on the United Nations in all cases of enforcement actions relating to the maintenance of peace and security is finally completed by the provisions of Article 103 of the Charter stipulating that:

“ In the event of a conflict between the obligations of the members of the United Nations under the present charter and their obligations under any other international agreement, their obligations under the present charter shall prevail. ”

59. Notwithstanding the non-existence of legal criteria defining the character of regional

arrangements and agencies, there seems to be no major dispute over the fact that the objectives of such organisations are first and foremost the settlement of *disputes between members*¹². Furthermore, one cannot disregard the political intentions of the contracting parties of a treaty establishing a regional organisation when deciding that the regional organisation they create is to be governed by the provisions of Chapter VIII of the United Nations Charter.

60. Apart from the required conformity of the relevant organisation with the purposes and principles of the United Nations (Article 52), Mr. Boutros Boutros-Ghali mentioned some years ago as a further condition the explicit desire of the organisation to be recognised as such by the United Nations¹³.

61. If one considers the modified Brussels Treaty and the history of its origins, the result is ambiguous. The precursor of the Brussels Treaty, i.e. the treaty of alliance and mutual assistance between Great Britain and France signed in Dunkirk on 4th March 1947, confirmed in its preamble the resolve of the parties "to co-operate closely with one another as well as with the other United Nations in preserving peace and resisting aggression, in accordance with the Charter of the United Nations and in particular with Articles 49, 51, 52, 53 and 107 thereof". Thus a clear reference to Chapter VIII of the charter was expressed.

62. Neither the Brussels Treaty of 1948 nor the modified Brussels Treaty of 1954 took up such references. The preambles of both treaties refer more generally to the ideals proclaimed in the Charter of the United Nations and to the will of contracting parties "to afford assistance to each other, in accordance with the Charter of the United Nations, in maintaining international peace and security and resisting any policy of aggression". The cornerstone of the treaty now became Article V (former IV), stipulating:

"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."

63. Thus the right of individual and collective self-defence in a case of an armed attack *from outside*, became the main objective of the treaty. These rights are explicitly guaranteed by Article

12. Rüdiger Wolfrum: *Handbuch Vereinte Nationen*, München (Beck) 1991.

13. Boutros-Ghali, "Régionalisme et Nations Unies", *Revue égyptienne de droit international*, 1968, page 10.

51 of the charter which has its place outside the framework of Chapter VIII of the charter and are specified as follows:

"Article 51

Nothing in the present charter shall impair the inherent right of individual or collective self-defence if an armed attack occurs against a member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security. Measures taken by members in the exercise of this right of self-defence shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security."

64. In order to fulfil the provisions of the charter, Article VI of the modified Brussels Treaty (former Article V) confirms that:

"All measures taken as a result of the preceding article shall be immediately reported to the Security Council. They shall be terminated as soon as the Security Council has taken the measures necessary to maintain or restore international peace and security."

65. If it is thus evident that the character of Western European Union makes it a system of collective self-defence outside the framework of Chapter VIII of the United Nations Charter one should not overlook the fact that the modified Brussels Treaty also contains elements and provisions dealing with the settlement of disputes among members (Article X) and internal matters as the control of armaments and the level of forces within the union. All these factors have characteristics similar to those of regional organisations covered by Chapter VIII of the United Nations Charter. But since the treaty is based first and foremost on the right of self-defence under Article 51 of the charter, according to some legal experts Western European Union is not subject to the obligations of Articles 53 and 54 of the charter¹⁴.

66. This question assumes particular importance when assessing possible measures decided by Western European Union on the basis of Article VIII, paragraph 3, of the modified Brussels Treaty according to which:

"At the request of any of the high contracting parties, the Council shall be immediately convened in order to permit

14. Rüdiger Wolfrum, *Handbuch Vereinte Nationen*, München, 1991, page 677.

them to consult with regard to any situation which may constitute a threat to peace, in whatever area this threat should arise..."

67. It should be recalled that the French text of the article uses the words "se concerter" which allows the possibility of reaching common positions and decisions. According to the legal opinion in the United Nations Secretariat-General, WEU should be considered both as an organisation for collective self-defence and as a regional organisation in the sense of Chapter VIII of the charter. Consequently, it could not act without the authorisation of the Security Council in cases outside the right of self-defence defined by Article V of the modified Brussels Treaty. Various measures might be taken under Article VIII, paragraph 3, of the modified Brussels Treaty. They may be through co-ordination between armed forces as during the Gulf crisis, but they may also agree economic sanctions and embargoes and their co-ordination or elaborate military contingency planning as in the Balkan crisis. In all these cases, WEU has a political interest in acting in accordance with the United Nations¹⁵. But such a political interest is not quite the same as a legal obligation.

68. The definition of enforcement action in the sense of Article 53 of the charter might be interpreted differently by the United Nations and the regional organisation concerned. If WEU consultations of any kind in accordance with Article VIII, paragraph 3, of the modified Brussels Treaty were felt to depend on United Nations Security Council authorisation, this could discourage member countries from invoking this article and consequently reduce the range of possible proposals. Furthermore, other United Nations member countries and in particular members of the Security Council which are not members of Western European Union might be tempted to influence consultations in WEU.

69. Consultations in the framework of Article VIII, paragraph 3, of the modified Brussels Treaty should be considered to be carried out in WEU's overall self-defence framework. WEU should always seek to co-ordinate its considerations and activities in this respect with the United Nations while at the same time safeguarding its full autonomy of decision.

70. There is therefore no reason for WEU to undertake any initiative in the United Nations which might be viewed as a wish to be considered as a regional arrangement or agency in the sense of Chapter VIII of the charter. But

15. For instance, the Chairman-in-Office of the WEU Council informed the United Nations Secretary-General of the measures envisaged by WEU after Iraq invaded Kuwait; the WEU Secretariat also gave the United Nations details of its contingency planning regarding former Yugoslavia.

there are further reasons to avoid such an approach: Article 53 of the Charter gives the Security Council "where appropriate", the right to make use of regional arrangements or agencies for enforcement action under its authority. It is yet too early to assess the full consequences should the Security Council one day wish to take such a decision with regard to Western European Union. Certainly, two member states of Western European Union are permanent members of the United Nations Security Council with a veto right. But what would happen if both these members, on the basis of a prior consensus reached in WEU, agreed in the Security Council to the use of the European Corps or other European multinational forces "answerable to WEU" being deployed in United Nations enforcement actions, and that one or several other WEU member states did not agree?

71. Of course, the Petersberg Declaration¹⁶ states that "Participation in specific operations will remain a sovereign decision of member states in accordance with national constitutions". But if WEU is governed by Article 53 of the United Nations Charter, difficulties of harmonising United Nations obligations with interests of WEU members cannot be excluded.

72. Furthermore, nothing in the modified Brussels Treaty obliges WEU representatives in the Security Council to defend the interests or decisions of WEU member countries in the framework of the United Nations. Even the Maastricht Treaty has only incomplete provisions regarding the obligations of the permanent Security Council members vis-à-vis other members of the Political Union. Article J. 5 of the Treaty provides that:

"Member states which are permanent members of the Security Council will, in the execution of their functions, ensure the defence of the positions and the interests of the union, without prejudice to their responsibilities under the provisions of the United Nations Charter."

73. This provision is a clear indication that permanent members of the United Nations Security Council who are members of WEU and the future political union can encounter a conflict of interest between their United Nations responsibilities and those of relevant European organisations. The United Nations is based on the notion of sovereignty of members whereas WEU's task is "to promote the unity and to encourage the progressive integration of Europe" particularly in security and defence matters. The political will to enhance the rôle of the United Nations and its Security Council

16. Document 1322, 19th June 1992.

expressed in the letter from the WEU Secretary-General to the United Nations Secretary-General¹⁷ should therefore duly take into account the different starting points of both organisations.

74. Another problem to be resolved as Western European Union moves towards basing its future co-operation with the United Nations on the United Nations Charter, is how parliamentary control based on Article IX of the modified Brussels Treaty will be able to find its place in the framework of an increasing WEU commitment to the United Nations which does not include any parliamentary structure.

75. There is no doubt that careful examination of the whole system of the modified Brussels Treaty leads to the conclusion that WEU cannot be considered as a regional arrangement or agency in the sense of Chapter VIII of the United Nations Charter. But the relationship between Western European Union and the United Nations should be seen as a dynamic process, which might lead to better structured and more constructive co-operation between them than has so far been achieved.

V. Thoughts on ways and means of enhancing political relations between the United Nations and Western European Union

76. The last meeting with the WEU Permanent Council in Brussels confirmed the impression gained from the very start of hostilities in former Yugoslavia. Apart from working out contingency plans and relatively modest participation in measures to monitor sanctions imposed by the United Nations on Serbia and Montenegro, no decisive political will can be discerned in the WEU Council that might induce it to take initiatives whereby it would shoulder its political responsibilities and impose WEU concepts.

77. Quite the contrary, WEU is still counting too much on the existence and activities of other organisations, particularly the European Community, the CSCE, NATO and the United Nations, taking refuge behind the fact that it has not been called upon.

78. The lack of enthusiasm among most of the member states to consult with each other on the course to be followed in the Somali problem, for example, reveals that WEU has still not come to grips with the full range of its responsibilities under the modified Brussels Treaty and particularly Article VIII. In these conditions, what value can be attached to the Council's answer to Recommendation 542 to the effect that:

“WEU co-ordination of the contributions and actions of its member states which

have been called on by the United Nations to participate in peace-keeping operations is one of the major topics which the WEU Council, both at ministerial and permanent representative level, has placed on the agenda for political consultation...”

and, a fortiori, the affirmation by the WEU Secretary-General in his communication on “WEU's security rôle in post-cold war Europe” distributed in Brussels:

“Given the difficulties now encountered by the United Nations in the execution of its missions and the risks of its decision-making mechanisms being blocked, the future European Union must be in a position to intervene on its own account; both within its own continental area and anywhere else where its vital interests or its nationals are under grave threat”?

79. Your rapporteur can but advocate the Council rallying to the opinion expressed by one of its representatives at the meeting in Brussels, an opinion that he shares in full: political determination and drive are necessary for implementing co-operation in peace-keeping. In this respect, WEU should play a greater rôle on the international scene, including in prolonged and preventive diplomacy. To this end, it must show collective awareness which implies the existence of a WEU defence identity. WEU cannot be content to handle leftovers from the activities undertaken by other organisations.

80. Particularly, since examples of actual United Nations peace-keeping operations and of other United Nations activities in maintaining peace and security in the world listed in Chapter III above show that WEU member countries or WEU as an organisation are involved in United Nations activities in an even more intensive manner than described by the letter which the Secretary-General of WEU sent to the United Nations Secretary-General on 25th June 1993.

81. But despite the different declarations and communiqués issued by the WEU Council since the end of the cold war, including those of Maastricht, Petersberg and Rome, WEU has so far failed to make a new comprehensive assessment of the changed European security situation which is the essential basis for any concrete decisions which might have to be made in the near future. The very useful effort by the United Nations Secretary-General, to describe the new security challenge for the United Nations and the consequences to be drawn in his “Agenda for peace” has not yet found an equivalent in the framework of Western European Union.

82. However, such an effort is more than necessary. For instance, a new platform on

17. See paragraph 11 above.

European security interests could be drawn up which could be presented as a major European contribution to the NATO summit meeting which is to be held at the beginning of 1994.

83. This new platform should define the new types of threats in the world and their consequences for armaments co-operation, training and intelligence. It should also include the items mentioned in the letter of the United Nations Secretary-General, i.e. preventive diplomacy, good offices, peace-building and peace-keeping.

84. In this respect, WEU should work out a joint concept concerning ways and means of closer co-operation and co-ordination with the European Community and the common foreign and security policy in the area of preventive diplomacy, including means available for imposing conditions in the framework of the policy to be followed in foreign trade and the granting of credits. Such a joint concept should also include the establishment of conditions whereby European institutions might possibly place their means and infrastructures at the disposal of other regional organisations.

85. An important part of such a task should be devoted to the future rôle of the United Nations and its co-operation with Western European Union and NATO, in particular with regard to armed forces assigned to the United Nations. This would be also a suitable opportunity for harmonising, in agreement with the United Nations, the different terms used in the relevant areas. At the moment, for instance, "peace-making" in the sense used by the United Nations, means action to bring hostile parties to agreement, essentially through peaceful means, whereas the Petersberg Declaration uses the term in connection with tasks of combat forces for terminating hostilities.

86. In this respect, WEU should make better use of the results of the work of the NACC ad-hoc group on co-operation and peace-keeping presented at the meeting of the North Atlantic Co-operation Council in Athens on 11th June 1993¹⁸. NACC not only has the advantage of having worked out terminology for the various options in these matters corresponding broadly to that used in the framework of the United Nations, it has also worked out and started a wide-ranging programme of work extending well beyond what is known about the activities of the WEU Forum of Consultation in these matters. It has to be noted that WEU is lagging well behind in an area that corresponds perfectly to its responsibilities, its obligations under the modified Brussels Treaty and the ambitious intentions it voiced in the Maastricht and Petersberg Declarations.

18. Report published in the NATO Review, No. 4, August 1993, Volume 41, page 30.

87. Conversely, it should be recognised that the tangible, civil, assistance WEU afforded to Bulgaria, Hungary and Romania in order to strengthen means at the disposal of those countries to enforce, on the Danube, respect for the embargo on Serbia is a good example of WEU's operational co-operation with its consultation partners. This effort calls for many economic sacrifices by the abovementioned countries and some have asked your rapporteur whether patrol boats cannot also be present in the Serb part of the Danube.

88. During your Rapporteur's meeting with the United Nations Secretary-General, the latter underlined that after the cold war the world is only starting to learn new experiences and new terminologies in the area of maintaining peace and security. After 1945, about a decade was needed before everyone understood and accepted the system of confronting pact systems. The learning process regarding a new kind of collective security would need almost as long.

89. An important matter for a new platform would of course be to redefine the possibilities and limits of the modified Brussels Treaty in the new security environment with special regard to Article VIII, paragraph 3, of the treaty. Nor should WEU hesitate to voice its views on the future development of the United Nations. The principle that only *states* can become members of the United Nations and its Security Council will create increasing difficulties as the importance of the United Nations Security Council increases and as European integration progresses. This is a particularly acute problem, because any revision of the charter is a delicate undertaking, but it has to be studied.

90. In practice, WEU should seek more opportunities to harmonise positions in the different committees and working groups at the United Nations headquarters dealing with matters within the purview of WEU. To the best of your rapporteur's knowledge, there has so far been only one meeting of representatives of WEU member countries in New York in order to discuss confidence-building measures in outer space. On the contrary, there are regular meetings of mission representatives of the Twelve, and there is even a special United Nations mission of the European Community. NATO has now seconded a liaison officer to the United Nations.

91. There are many reasons why missions of WEU countries should also meet in New York in order to co-ordinate their positions. In the special committee on peace-keeping operations created by the United Nations General Assembly, *France, Germany, the Netherlands and Great Britain* are full members, and *Belgium, Luxemburg, Portugal, Norway and Turkey* are observers. This is a very important committee, in which WEU should act with one

voice as far as possible. The same should be done in the framework of the Special Committee on the Charter of the United Nations and on the Strengthening of the Rôle of the Organisation which devotes its activities in particular to co-operation between the United Nations and regional organisations in maintenance of international peace and security.

92. But the most urgent question to which all interested member states and organisations should give priority is the steadily worsening financial situation of the United Nations, in particular with regard to peace-keeping missions. The United Nations Secretary-General said in New York that everybody agreed that the United Nations should be responsible for stopping violence and killing in the world because nobody else would be able or ready to assume this task. During the cold war, most countries spent vast sums of money to finance their defence and armaments. Furthermore, industrial countries delivered huge quantities of armaments to the third world. These burdens now have to be removed. This should not be too difficult since the contributions of each country are not excessive.

93. It is obvious that the financial aspect and the question of sharing the financial burdens in peace-keeping activities should also be discussed in WEU and in our national parliaments. Several proposals, including taxes on arms exports, creation of independent funds, etc., have been put forward. All these proposals should be examined carefully, including the study by the Stimson Centre in Washington which seems worthy of special attention, including the proposal to establish a two-year budget especially reserved for peace-keeping which would be revised each year jointly with the ordinary budget of the United Nations. According to this study, a special fund should be created for establishing peace which would constitute a collection centre for the contributions to be paid. But the crucial condition for improving the situation is whether there is enough confidence in the ability of the United Nations to assume its rôle of central instrument for preventing and resolving conflicts and preserving peace in the world.

VI. Conclusions

94. The debates and speeches during the present session of the General Assembly of the United Nations that opened in New York in September 1993 have revealed important diver-

gencies between Americans, Russians and Europeans regarding the future rôle and functions of the United Nations, particularly in peace-keeping and regarding the conditions for the participation of member countries in such operations.

95. The United States, apparently influenced by the failure of the Somalia operation, has redefined in a more restrictive manner the guidelines for its participation in United Nations actions, interpreting very closely the charter of the organisation, reserving the possibility of acting unilaterally in the event of a threat to its vital interests and asking for any peace-keeping operation in Bosnia to be conducted under NATO command. This position seems to be shared to a large extent by the United Kingdom.

96. On the other hand, France and Germany seem to lay greater stress on the need to strengthen the rôle of the United Nations and the control exercised by the Security Council. The Russian Minister for Foreign Affairs has put forward something of a Russian Monroe doctrine¹⁹ claiming for Russia the exclusive right to intervene within the frontiers of the former Soviet Union in order to attempt to quell national conflicts.

97. In the circumstances, it is not surprising that certain public statements made recently by the United Nations Secretary-General might be interpreted as signs of resignation, particularly with regard to the aptitude of the United Nations to impose peace. In an interview granted to *Le Monde* on 19th October 1993, Mr. Boutros Boutros-Ghali noted that the United Nations could intervene only with the agreement of the belligerents. If they did not want peace, it could not be forced upon them.

98. Any weakening of the rôle of the United Nations as the principal instrument for legitimising the settlement of conflicts and safeguarding peace in the world would dangerously affect the credibility of the United Nations itself and would also weaken the credibility of initiatives taken by organisations with the necessary infrastructures such as WEU and NATO in their endeavours to become serious actors in peace-keeping, provided they receive an appropriate mandate from the United Nations to this end. The two organisations and their member countries therefore share a heavy responsibility since it is their task to achieve the joint goal of working out and implementing appropriate arrangements for ensuring the maintenance of peace wherever it may be threatened.

¹⁹. *Le Monde*, 1st October 1993.

APPENDIX

Boutros Boutros-Ghali
An Agenda for Peace*Extract****VII. Co-operation with regional arrangements and organisations***

...

63. In the past, regional arrangements often were created because of the absence of a universal system for collective security; thus their activities could on occasion work at cross-purposes with the sense of solidarity required for the effectiveness of the world organisation. But in this new era of opportunity, regional arrangements or agencies can render great service if their activities are undertaken in a manner consistent with the purposes and principles of the charter and if their relationship with the United Nations, and particularly the Security Council, is governed by Chapter VIII.

64. It is not the purpose of the present report to set forth any formal pattern of relationship between regional organisations and the United Nations, or to call for any specific division of labour. What is clear, however, is that regional arrangements or agencies in many cases possess a potential that should be utilised in serving the functions covered in this report: preventive diplomacy, peace-keeping, peace-making and post-conflict peace-building. Under the charter, the Security Council has and will continue to have primary responsibility for maintaining international peace and security, but regional action as a matter of decentralisation, delegation and co-operation with United Nations efforts

could not only lighten the burden of the Council but also contribute to a deeper sense of participation, consensus and democratisation in international affairs.

65. Regional arrangements and agencies have not in recent decades been considered in this light, even when originally designed in part for a rôle in maintaining or restoring peace within their regions of the world. Today a new sense exists that they have contributions to make. Consultations between the United Nations and regional arrangements or agencies could do much to build international consensus on the nature of a problem and the measures required to address it. Regional organisations participating in complementary efforts with the United Nations in joint undertakings would encourage states outside the region to act supportively. And should the Security Council choose specifically to authorise a regional arrangement or organisation to take the lead in addressing a crisis within its region, it could serve to lend the weight of the United Nations to the validity of the regional effort. Carried forward in the spirit of the charter, and as envisioned in Chapter VIII, the approach outlined here could strengthen a general sense that democratisation is being encouraged at all levels in the task of maintaining international peace and security, it being essential to continue to recognise that the primary responsibility will continue to reside in the Security Council.

*Political relations between the United Nations and WEU and
their consequences for the development of WEU*

AMENDMENTS 1 and 2¹

tabled by Mr. Soell

1. At the end of paragraph (*xviii*) of the preamble to the draft recommendation, add the following words:

“ , but emphasising nevertheless that in practice the Security Council has introduced, since 1991, the possibility of intervening in internal hostilities when they constitute a threat to the peace and security of other states; ”

2. In paragraph 4 of the draft recommendation proper, delete: “ Make proposals for reforming ” and insert “ Study in detail the proposals made in the meantime with regard to reforming ”.

Signed: Soell

1. See 9th sitting, 30th November 1993 (amendments agreed to).

*Revision and interpretation of the Rules of Procedure:
enlargement of WEU*

I. Creation of an associate member status

REPORT ¹

*submitted on behalf of the
Committee on Rules of Procedure and Privileges ²
by Lord Finsberg, Rapporteur*

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1. Adopted unanimously by the committee.

2. *Members of the committee:* Mr. Thompson (Chairman); MM. Amaral, Ferrarini (Vice-Chairmen); Mrs. Aguiar, MM. Battistuzzi, Bolinaga (Alternate: *Grau I Buldu*), Mrs. Brasseur, MM. Couveinhas, Cuco, Deniau, Dicks, Lord Finsberg (Alternate: Dr. Godman), MM. Hughes, Junghanns, Le Jeune, van der Maelen, Mignon, Ottenbourgh, Sainz Garcia (Alternate: Mrs. Sanchez de Miguel), Scheer, von Schmude, Mrs. Soutendijk van Appeldoorn, Mr. Stoffelen, Mrs. Terborg, MM. Trabacchini, Visibelli.

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

Draft Decision

*on the revision of the Charter and Rules of Procedure of the Assembly
with a view to the creation of a status of associate member*

The Assembly,

DECIDES

- I. To revise the Charter of the Assembly as follows:
 1. After the first paragraph of the preamble, ending " 5th July 1955 " , add a second paragraph as follows:

" In application of the decisions taken by the high contracting parties to the modified Brussels Treaty set out in the Petersberg declaration of 19th June 1992 and in the 'Document on associate membership of WEU of the Republic of Iceland, the Kingdom of Norway and the Republic of Turkey', signed in Rome on 20th November 1992; "
 2. At the end of Article II, add a new paragraph (c) as follows:

" (c) The Assembly shall admit delegations of representatives and substitutes from the parliaments of each associate member state of WEU and grant them prerogatives appropriate to the participation of those states in the activities of WEU. "
 3. Replace paragraph (a) of Article VI by the following text:

" (a) Ministers who are members of the Council, other Ministers of member states and Ministers of associate member states of WEU may be present at all sittings of the Assembly. Ministers of member states may be heard by the Assembly at their own request and ministers of member or associate member states at the Assembly's request. "
 4. Replace the first sentence of paragraph (a) of Article VII by the following sentence:

" The Assembly shall set up a Presidential Committee which shall consist of the President of the Assembly, who shall be Chairman ex officio, his predecessors as long as they remain representatives or substitutes of the Assembly without interruption, the Vice-Presidents, the chairmen of committees and one member appointed by each political group and by each delegation of an associate member state of WEU. "
 - II. To revise the Rules of Procedure as follows:
 1. Replace the first sentence of paragraph 1 of Rule 14 on the Presidential Committee by the following sentence:

" The Presidential Committee shall consist of the President of the Assembly, who shall be Chairman ex officio, his predecessors as long as they remain representatives or substitutes of the Assembly without interruption, the Vice-Presidents, the chairmen of committees and one member appointed by each political group and by each delegation of associate member states. "
 2. After paragraph 2 of Rule 15, add a new paragraph 3 as follows:

" 3. Delegations of associate members shall participate and have voting rights in the Standing Committee provided for in Rule 15 in accordance with the prerogatives deriving from their status. The number of seats allocated to associate members shall be as follows:
Iceland: 1
Norway: 2
Turkey: 3 "
- Renumber subsequent paragraphs accordingly.
3. After Rule 16, add a new rule on the status of representatives of associate members of WEU in the Assembly, as follows:

" Associate members

 1. Associate member countries of WEU shall be represented at sessions of the Assembly by a delegation of members from their national parliaments whose number shall be equal to that provided for in Article 26 of the Statute of the Council of Europe, i.e.:
Iceland: 3
Norway: 5
Turkey: 12

These representatives shall be called 'associate members of the WEU Assembly'.

2. The Rules of Procedure of the Assembly shall apply to the delegations of associate member countries of WEU, with the exception of the following rules and paragraphs:

- (a) Paragraph 1 of Rule 6 on the ratification of credentials shall not apply to the representatives of associate member states.
- (b) Rule 10 on the election of the Bureau shall not apply to the representatives of associate member states.
- (c) Rule 21 on the languages of the Assembly shall not apply to the official languages of associate member states.
- (d) Rule 29 on the debate on the annual report of the Council of Western European Union shall not apply to the representatives of associate member states.
- (e) Rules 30 on motions, 31 on amendments, 32 on the right to speak, 33 on procedural motions, 34 on the organisation of debates, paragraph 2 of Rule 35 on methods of voting, 36 on majorities and 42 on procedure in committees shall apply to the representatives of associate member states only in respect of debates in which they participate.
- (f) Paragraph 4 of Rule 35 on methods of voting shall not apply to the representatives of associate member states.
- (g) Rule 48 concerning the Office of the Clerk of the Assembly shall not apply to associate member states.
- (h) By a vote by absolute majority of the representatives of the modified Brussels Treaty powers, the Assembly may suspend immediately the application of some or all of the provisions governing the status of associate member of the Assembly immediately in respect of representatives of states whose actions cease to conform to the general aims laid down in the preamble to the modified Brussels Treaty."

4. Former Rule 17 becomes Rule 18 and subsequent rules are renumbered accordingly.

5. At the end of Rule 37 on the quorum, add a new paragraph 4 as follows:

"4. In all cases, the quorum shall be calculated in accordance with the number of representatives and substitutes authorised to take part in the vote."

6. In paragraph 2 of Rule 40 on the appointment of committees, insert "Iceland 1, Norway 2, Turkey 4" for the composition of the first and second of the permanent committees and "Iceland 1, Norway 2, Turkey 3" for the composition of the third, fourth, fifth and sixth of the permanent committees.

III. These amendments shall be included in the Charter and Rules of Procedure of the Assembly of Western European Union as soon as the document on associate members of WEU, signed on 20th November 1992, comes into force.

Explanatory Memorandum

(submitted by Lord Finsberg, Rapporteur)

I. Introduction

1. The mandate of the Committee on Rules of Procedure and Privileges in regard to the status of countries becoming associate members of WEU was defined in paragraph 1 (a) of Order 85 (see Appendix I), adopted by the Standing Committee on 19th April 1993, as follows:

“ The Assembly,

.....

1. Invites its Committee on Rules of Procedure and Privileges:

(a) to examine the creation of a specific ‘associate member’ status for representatives of associate member states which will give full participation and voting rights in committees and the right to participate in the plenary sessions of the Assembly with membership of delegations on the same basis as the present Council of Europe arrangements.”

2. It emerges from this mandate that:

(i) the Assembly wishes to grant “special status” to the representatives of states becoming “associate members” of WEU, i.e. not to grant them the general status of representatives of member states;

(ii) the Assembly intends them to participate “fully” in Assembly sessions and committee meetings with, in particular, the right to vote, which means that it is not considering having them enjoy all the other rights granted to members of the Assembly, particularly that of participating in the bureaux of the Assembly and its committees;

(iii) the Assembly considers that these states, which are not signatories of the modified Brussels Treaty, are not bound by Article IX of the treaty, and this conforms with the indications given by the Council on the prerogatives of associate member states in its reply to Written Question 300 (see Appendix II). Consequently, their parliaments may constitute their delegations “in accordance with the same criteria as representatives to the Parliamentary Assembly of the Council of Europe”, i.e. delegations do not necessarily have to be identical with their countries’ delegations to the Parliamentary Assembly of the Council of Europe.

3. These three considerations were taken by the Committee on Rules of Procedure and Privileges as the basis for seeking to define a status allowing the representatives of associate member countries to participate fully in the Assembly, taking into account the nature and extent of their commitments to WEU as defined in the Petersberg declaration and in the “Document on associate membership of WEU of the Republic of Iceland, the Kingdom of Norway and the Republic of Turkey”, signed on 20th November 1992, and as set out in the Council’s reply to Written Question 300. It will be recalled that the Assembly’s wish was that Greece and Turkey should be admitted simultaneously as full members. This view was not shared by the Council of Ministers, thus giving rise to some unnecessary complications.

4. From a juridical standpoint, it is the document on associate members that determines their status in WEU. This text has neither the form of a treaty nor that of a convention or protocol as defined in the Vienna Convention on treaty law. Certain signatory states (Turkey, Germany) have nevertheless decided to submit it to ratification by their parliamentary bodies. On the other hand, it seems unlikely that all the signatory states will do likewise, thus leading to ambiguity about the nature and significance of this document and about the will of the governments.

5. According to the document signed in Rome on 20th December 1992, associate member states of WEU are in no way parties to WEU’s constituent act, the modified Brussels Treaty. The document does not say that they subscribe to the aims assigned to WEU in the preamble to the modified Brussels Treaty or certain articles of that treaty, particularly its Article IX. The Council confirmed this interpretation in its reply to Written Question 300.

6. This fact being established, it limits the implications of the will the Assembly might have had to grant representatives of associate members identical rights to those of representatives of the modified Brussels Treaty powers.

II. The status of associate member in the WEU Assembly

7. In view of the above considerations, the proposals set out below on the status of delegations of associate member countries in the Assembly follow up Order 85 as far as this is possible.

8. Since associate members are not parties to the WEU constituent act nor, consequently, to the juridical basis of its Assembly, their representatives do not have the right to approve or disapprove the annual report of the Council. This competence is set out *expressis verbis* in Article IX of the modified Brussels Treaty, whose content is not binding on associate members.

9. In any event, as the Council said in its reply to Written Question 300, representatives of governments of associate member countries participate neither in the drafting nor in the adoption of the annual report of the Council. If a decision were taken to grant parliamentary delegations of those states the right to vote on the annual report of the Council, Article IX would then have to be interpreted *infra legem*.

10. In accordance with Order 85, the status of associate member provides for associate member states to be represented in Assembly bodies and participate fully in its activities on a basis equivalent to that of member countries.

11. Granting *the right to vote* to members of parliamentary delegations from associate member states implies that they may be appointed rapporteurs in all committees, including the Standing Committee, which, under Rule 15 of the Rules of Procedure, ensures the continuity of the Assembly's action between sessions.

12. Hence the status of delegations of associate member countries includes, for their members, *the right to speak, the right to table amendments, the right to vote and the right to present documents* in accordance with the provisions applying to representatives of member countries of WEU.

13. However, the fact that delegations of associate member countries are not entitled to participate in votes in the Assembly and its committees on certain points *rules out the election of their members to the bureaux of the Assembly and its committees* since the President and Vice-Presidents of the Assembly and the Chairmen and Vice-Chairmen of committees have to preside over discussions that may relate to matters outside their purview. It seems desirable, however, for these delegations *to be*

represented in the Presidential Committee, in view of their active participation in the work of the Assembly, but they may be represented only under a special provision of the Rules of Procedure relating to them.

14. For the same reasons, associate member countries *are not entitled to participate in the Office of the Clerk of the Assembly* or in the appointment of its members. This provision corresponds with practice in the WEU Council.

15. Finally, associate members have not entered into the juridical undertakings vis-à-vis the aims of the modified Brussels Treaty that bind the signatory countries except insofar as these correspond to the aims of the Washington Treaty and insofar as they are, by the document of 20th November 1992, bound by the modified Brussels Treaty. The Assembly should therefore *reserve the right to suspend the application of certain provisions contained in the status of associate member or even to suspend application of that status* in its entirety, for example in the case of an associate member no longer fulfilling the conditions essential for its participation in the activities of the WEU Assembly. Unlike the Council of Europe, the Assembly is not empowered to exclude or suspend the participation of delegations of member countries from its work. It may only recommend that the Council denounce the application of the modified Brussels Treaty where they are concerned. However, such exclusion or suspension would follow automatically in the event of exclusion or suspension being pronounced by the Council of Europe because of the lack of valid credentials. This is not so for delegations of associate member states since there is no juridical text linking their participation in the WEU Assembly with their membership of the Council of Europe. The WEU Assembly should therefore have the unfettered right to exclude or suspend them.

16. From these considerations stem the proposed amendments to the Charter and Rules of Procedure of the Assembly. These amendments seek *to lay down a principle* according to which the Rules of Procedure are applicable to delegations of associate member states of WEU and to specify cases in which *derogations from this principle* are necessary and *to draw the consequences of this principle and these derogations* for the functioning of the Assembly.

APPENDIX I

ORDER 85¹*on the enlargement of WEU*

The Assembly,

(i) Considering the protocol of accession of Greece to WEU; the declaration on WEU observers regarding Denmark and Ireland and the document on the associate membership of WEU regarding Iceland, Norway and Turkey;

(ii) Stressing the need to formalise the relationship between WEU Assembly and parliamentary representatives from Denmark and Ireland on the one hand and from Iceland, Norway and Turkey on the other, in an "observer statute" and an "associate member statute" respectively;

(iii) Considering the enhancement of WEU's relations with Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and the Slovak republic at various levels;

(iv) Noting that parliamentarians from the states mentioned under (iii) should be invited to the Assembly's plenary sessions on a permanent basis as guest members, without voting rights;

(v) Insisting, however, that at all times, the Assembly should retain the right to suspend parliamentary delegations from countries where the practice of parliamentary democracy is violated or where human rights are not being respected;

(vi) Considering that the participation of a disproportionate number of parliamentary observers from non-WEU member states in the plenary debates of the Assembly may affect the character of the dialogue between Council and Assembly;

(vii) Aware that any reasonable enlargement of the number of parliamentary delegations participating in the Assembly will be impossible without major adjustments of the Assembly's accommodation and budget;

(viii) Considering that it is urgent to make a coherent examination of all political and budgetary questions, including the rules of procedure, in order to take full account of the consequences for the Assembly of WEU's enlargement,

1. Invites its Committee on Rules of Procedure and Privileges:

(a) to examine the creation of a specific "associate member" status for representatives of associate member states which will give full participation and voting rights in committees and the right to participate in the plenary sessions of the Assembly with membership of delegations on the same basis as the present Council of Europe arrangements;

(b) to examine the creation of an "observer status" and a "permanent observer" or "guest member status" for representatives of observer states and of the nine central European countries assembled in the forum of consultation respectively;

2. Invites the Political Committee to monitor the development of WEU's enlargement;

3. Invites the Committee on Budgetary Affairs and Administration to examine in detail the consequences of enlargement for the Assembly's budget and premises;

4. Invites the Presidential Committee to co-ordinate the activities of the Political Committee, the Committee on Budgetary Affairs and Administration and the Committee on Rules of Procedure and Privileges in this matter, so as to ensure that appropriate reports and recommendations can be put to the Assembly no later than its December 1993 meeting.

1. Adopted by the Standing Committee in Rome on 19th April 1993 (See Document 1360).

APPENDIX II

WRITTEN QUESTION 300

put to the Council by Mr. Goerens

Countries that become associate members of WEU will be invited to take part in all the activities of WEU and to contribute to the organisation's budget. Does this include the Assembly's budget? Will they take part in the drafting and adoption of the annual report of the Council? Will their delegations to the Parliamentary Assembly of the Council of Europe benefit from Article IX of the treaty? Does the Council consider that the definition of the status of associate member or observer in WEU is covered by Article XI of the treaty and that, consequently, it is for the Council alone to determine the nature of such status or that it is covered by Article VIII, paragraph 2, which would allow the Assembly to draw the consequences of decisions taken by the Council where it is concerned?

REPLY OF THE COUNCIL

*communicated to the Assembly
on 4th November 1992*

1. According to Part III of the Petersberg Declaration "on relations between WEU and the other European member states of the European Union or the Atlantic Alliance", "European member states of the Atlantic Alliance which are not member states of the European Union and which have accepted the invitation to become associate members of WEU, although not being parties to the modified Brussels Treaty, may participate fully in the meetings of the WEU Council - without prejudice to the provisions laid down in Article VIII of the modified Brussels Treaty - of its working groups and of the subsidiary bodies", subject to a number of provisions. These provisions include the following: "they [the associate members] will be asked to make a financial contribution to the organisation's budgets". The precise modalities of this provision will have to be specified by the Council in the dialogue with the states concerned.

2. As regards the drafting and adoption of the Council's annual report, the modified Brussels Treaty clearly states that a Council created by the High Contracting Parties (Article VIII, paragraph 1) "shall make an annual report

on its activities..." (Article IX). *It is pointed out that Part III of the Petersberg Declaration specified that neither associate members nor observers are parties to the modified Brussels Treaty.*

3. It should be recalled that Article IX of the modified Brussels Treaty states: "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". Part III of the Petersberg Declaration specifies that associate members and observers are not parties to the modified Brussels Treaty. Hence it appears that only the representatives of the "Brussels Treaty Powers" (i.e. full member states of Western European Union) to the Consultative Assembly of the Council of Europe could be full members of the WEU parliamentary Assembly.

4. According to Article XI of the modified Brussels Treaty, "the High Contracting Parties may, by agreement, invite any other state to accede to the present treaty on conditions to be agreed between them and the state so invited. Any state so invited may become a party to the treaty by depositing an instrument of accession with the Belgian Government". As specified in Part III of the Petersberg Declaration, neither associate members nor observers are parties to the modified Brussels Treaty. Hence associate membership and observer status are not covered by Article IX or Article VIII of the modified Brussels Treaty. The definition of a status of associate state or observer state cannot therefore be considered as creating a subsidiary body within the meaning of Article VIII, paragraph 2 of the modified Brussels Treaty.

The invitations extended by WEU to other member states of the European Union and other European member states of the Atlantic Alliance reflect the preamble of the modified Brussels Treaty which states: "[The High Contracting Parties,] resolved:... 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...".

Revision and interpretation of the Rules of Procedure: enlargement of WEU

I. Creation of an associate member status

AMENDMENTS 1 and 2 ¹

tabled by Mrs. Baarveld-Schlaman and others

1. At the end of paragraph I.2 of the draft decision, insert “without voting rights in plenary sessions”.
2. In paragraph II.2 of the draft decision, leave out “and have” and insert “without”.

Signed: Baarveld-Schlaman, Pécriaux, Martinez, Tummers, de Puig, Guirado, Roman, Cuco, Sanchez, Zapatero

1. See 8th sitting, 30th November 1993 (amendments agreed to).

***Revision and interpretation of the Rules of Procedure:
enlargement of WEU***

II. Accession of Greece

REPORT ¹

***submitted on behalf of the Committee on Rules of Procedure and Privileges ²
by Mr. Ferrarini, Vice-Chairman and Rapporteur***

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on the revision of Rules 1, 9, 15 and 40 of the Rules of Procedure

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submitted by Mr. Ferrarini, Vice-Chairman and Rapporteur

1. General
2. Changes to be made to the Rules of Procedure of the Assembly

1. Adopted unanimously by the committee.

2. *Members of the committee: Mr. Thompson (Chairman) ; MM. Amaral, Ferrarini (Vice-Chairmen); Mrs. Aguiar, MM. Battistuzzi, Bolinaga (Alternate: Grau I Buldu), Mrs. Brasseur, MM. Couveinhas, Cuco, Deniau, Dicks, Lord Finsberg (Alternate: Godman), MM. Hughes, Junghanns, Le Jeune, van der Maelen, Mignon, Ottenbourgh, Sainz Garcia (Alternate: Mrs. Sanchez de Miguel), Scheer, von Schmude, Mrs. Soutendijk van Appeldoorn, Mr. Stoffelen, Mrs. Terborg, MM. Trabacchini, Visibelli.*

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

Draft Decision

on the revision of Rules 1, 9, 15 and 40 of the Rules of Procedure

The Assembly,

DECIDES

- I. To revise Rules 1, 9, 15 and 40 of the Rules of Procedure as follows:
 1. *Rule 1*
In paragraph 2, after “ Germany: 18 ”, insert “ Greece: 7 ” .
 2. *Rule 9*
In paragraph 1, leave out “ eight ” and insert “ nine ”.
 3. *Rule 15*
In paragraph 2, after “ Belgium ”, insert “ Greece ”.
 4. *Rule 40*
In paragraph 2,
 - after “ The first and second of the permanent committees shall be composed of ”, leave out “ thirty-four ” and insert “ thirty-seven ”;
 - after “ Germany 5 ”, insert “ Greece 3 ”;
 - after “ The third, fourth, fifth and sixth permanent committees shall be composed of ”, leave out “ twenty-six ” and insert “ twenty-eight ”;
 - after “ Germany 4 ”, insert “ Greece 2 ”.
- II. To include the changes in paragraphs 1, 2, 3 and 4 of the present decision in the Rules of Procedure of the Assembly the day the accession of the Hellenic Republic comes into force.

Explanatory Memorandum

(submitted by Mr. Ferrarini, Vice-Chairman and Rapporteur)

1. General

1. According to Article IX of the modified Brussels Treaty:

“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.”

This provision implies that, as soon as the protocol of accession comes into force, i.e. once the last notification of ratification has been received, Greece's parliamentary delegation to the Council of Europe will take its rightful place in the WEU Assembly. Consequently, the Rules of Procedure of the Assembly have to be revised to allow members of that delegation, when the time comes, to benefit fully from all the prerogatives of members of the Assembly.

2. The protocol of accession of the Hellenic Republic to WEU was signed at the meeting of the Council held in Rome on 20th November 1992.

3. Following the signing of the Maastricht Treaty on 10th December 1991, on 30th June 1992 the Minister for Foreign Affairs of the Federal Republic of Germany, then Chairman-in-Office of the WEU Council, sent an invitation to the Hellenic Republic to hold negotiations to determine the conditions for its possible accession to the modified Brussels Treaty. These negotiations, which conformed with Article XI of the constituent act of WEU, led to a positive conclusion resulting in the signing of the protocol of accession in Rome on 20th November 1992.

4. According to Article XII of the treaty, the said protocol comes into force on the date of the deposit with the Belgian Government of the last notification of ratification by signatory states of the protocol in accordance with appropriate national procedure.

5. The signing of the protocol of accession of the Hellenic Republic to WEU leads to signatory governments starting the procedure for ratifying the said protocol. The accession of Greece and its date depend on a decision by the constitutionally competent bodies of the countries concerned. Consequently, although it is not at present possible to foresee the exact date of the accession of the Hellenic Republic to WEU, the Assembly must provide for it to take place.

6. When Greece becomes a full member of WEU, it will have the same rights and obligations as the other modified Brussels Treaty powers. This fact determines the changes to be made to the Rules of Procedure of the WEU Assembly.

7. The members of the Greek Delegation to the Parliamentary Assembly of the Council of Europe will be the representatives of the Greek Parliament to the Assembly; as such, they will have the same rights as the representatives of other modified Brussels Treaty powers in accordance with Article IX of the Treaty, the Charter and the Rules of Procedure of our Assembly. The Greek language will become the eighth official language of the WEU Assembly. The question whether the Rules of Procedure of the Assembly should be revised to limit the number of official languages is not linked with the accession of Greece. The Assembly may have to raise the matter when it believes this useful, but the case of the Greek language must not be dealt with differently from that of the official languages of other member countries.

8. The seven members and seven substitutes forming Greece's Delegation to the Parliamentary Assembly of the Council of Europe will take their seats in the chamber on the same basis as the representatives of the other modified Brussels Treaty powers. They will be able to participate fully in the work of the Assembly and its committees, where it will be possible for them to be elected as chairmen or rapporteurs.

9. The changes to be made to the Rules of Procedure of the Assembly therefore rule out any point of discussion or interpretation. They stem directly from the protocol of accession of Greece to the modified Brussels Treaty and the Rules of Procedure of the Parliamentary Assembly of the Council of Europe. They are of the same nature as those made to the Rules of Procedure of the WEU Assembly when Portugal and Spain acceded to the modified Brussels Treaty.

2. Changes to be made to the Rules of Procedure of the Assembly

10. Rule 1 of the Rules of Procedure will therefore be revised by the insertion of “Greece: 7”, this being the number of Greek representatives to the Assembly of the Council of Europe. The change in the composition of the Assembly will necessarily mean a change in the composition of its Bureau and committees. The spirit underlying the provisions of Rule 9 concerning

the Bureau of the Assembly is to allow each member country to designate a candidate for the Bureau.

11. Hence Rule 9, paragraph 1, necessarily has to be revised to read:

“The Bureau of the Assembly shall consist of the President and nine Vice-Presidents.”

12. Similarly, the provisions of Rule 40 concerning the appointment of committees have to

be changed to allow the new delegation to be represented in each of the six standing committees in proportion to the number of its members. The provisions of Rule 15 concerning the Standing Committee have to be changed in accordance with the same principle.

13. Since Greece has the same number of representatives as Belgium, the Netherlands and Portugal, it will therefore have three seats in the first and second permanent committees and two in the third, fourth, fifth and sixth.

*Revision and interpretation of the Rules of Procedure:
enlargement of WEU*

*III. Creation of an observer status, a permanent
observer or guest member status*

REPORT ¹

*submitted on behalf of the Committee on Rules of Procedure and Privileges ²
by Mr. Ferrarini, Vice-Chairman and Rapporteur*

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DRAFT DECISION

on the creation of a status of permanent observer

EXPLANATORY MEMORANDUM

submitted by Mr. Ferrarini, Vice-Chairman and Rapporteur

1. Adopted unanimously by the committee.

2. *Members of the committee:* Mr. Thompson (Chairman) ; MM. Amaral, Ferrarini (Vice-Chairmen); Mrs. Aguiar, MM. Battistuzzi, Bolinaga (Alternate: *Grau I Buldu*), Mrs. Brasseur, MM. Couveinhas, *Cuco*, Deniau, Dicks, Lord Finsberg (Alternate: *Godman*), MM. Hughes, Junghanns, Le Jeune, van der Maelen, Mignon, *Ottenbourgh*, Sainz Garcia (Alternate: Mrs. *Sanchez de Miguel*), Scheer, von Schmude, Mrs. Soutendijk van Appeldoorn, Mr. *Stoffelen*, Mrs. Terborg, MM. Trabacchini, Visibelli.

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

Draft Decision

on the creation of a status of permanent observer

The Assembly,

(i) In application of its Order 85;

(ii) Considering that the declaration of member states of Western European Union, made at the forty-sixth meeting of the European Council held in Maastricht on 9th and 10th December 1991, and the declaration on WEU observers, issued at the meeting of the WEU Council of Ministers held in Rome on 20th November 1992, led to the Assembly wishing to make the invitation to parliamentary observers from states that have become observers in WEU a permanent arrangement;

(iii) Noting the creation of the WEU Forum of Consultation and the fact that countries participating in that forum are now permanent interlocutors in WEU,

DECIDES

1. To create a status of "permanent observer" in the WEU Assembly for representatives of observer countries in WEU and countries participating in the WEU Forum of Consultation;

2. To this end, to redraft Rule 17 of its Rules of Procedure as follows:

"On the proposal of the Presidential Committee, the Assembly may admit representatives of parliaments of non-member states of WEU as observers. Its decision may be of a permanent nature, in which case observers from the states concerned shall assume the title of 'permanent observers'. These observers shall sit in the chamber but not be entitled to vote. They may speak with the authorisation of the President of the Assembly. "

Explanatory Memorandum

(submitted by Mr. Ferrarini, Vice-Chairman and Rapporteur)

1. Your Rapporteur does not propose to include among the aims he has set himself the creation of a wide range of juridical statuses for participants in the activities of the Assembly as this would make the exercise of the presidency extremely difficult.

2. The decision to create a status of observer in WEU stemmed from the refusal of two member states of the European Community to accede to the modified Brussels Treaty, although they wished to take part in the process of developing European integration in foreign and joint security policy as defined in the Maastricht Treaty. There has been no agreement between those countries and the member countries of WEU on the nature of their participation in the activities of WEU in general and of its Assembly in particular but simply a declaration by the WEU Council inviting them to take part in some of its activities, without making such participation a right. The only right granted by the Council to a state having the status of observer in WEU concerns Denmark. The purpose is to ensure that the transfer to WEU of institutions to which it belongs does not reduce the rights and responsibilities of Denmark vis-à-vis such institutions. This provision obviously has in mind the Independent European Programme Group whose transfer to WEU has, in the meantime, effectively been decided by the governments concerned.

3. Rule 17 of the Rules of Procedure provides for the admission, as observers, of representatives of parliaments of non-member states of WEU. Your Rapporteur considers that the status of permanent observer is simply an extension of the application of that rule to delegations from parliaments of observer countries in WEU, so that members of such delegations benefit on a permanent basis from the prerogatives granted to observers under Rule 17.

4. Rule 17 reads as follows:

“On the proposal of the Presidential Committee, the Assembly may admit representatives of parliaments of non-member states of WEU as observers. Its decision may be of a permanent nature, in which case observers from the states concerned shall assume the title of ‘permanent observers’. These observers shall sit in the chamber but not be entitled to vote. They may speak with the authorisation of the President of the Assembly.”

This allows the Assembly to decide, in conformity with the provisions of its Rules of Procedure, to give a permanent nature to the invitation that it sends to representatives of parliaments of observer countries in WEU and the nine Central European countries meeting in the framework of the Forum of Consultation, as it decided when adopting Order 85.

5. Since the observer countries in WEU have decided not to follow up the proposal made to them to accede to the modified Brussels Treaty and thus become members of WEU, there seems to be no question of granting representatives of their parliaments the right to vote in the WEU Assembly. Nor, in present circumstances, can this right be granted to representatives of parliaments of countries participating in the WEU forum since this forum does not exercise the responsibilities assigned to the WEU Council in the modified Brussels Treaty.

6. It should be recalled that Rule 42, paragraph 7, of the Rules of Procedure allows committees to invite observers whenever they feel this to be desirable. It is therefore for the committees to decide, when this is considered useful, to invite to their meetings representatives of the parliaments of observer countries in WEU or countries participating in the WEU forum. There can obviously be no question of giving such observers the right to vote if they are not entitled to do so at sessions of the Assembly since the rôle of the committees is to prepare documents for submission to vote by the Assembly.

7. Moreover, your Rapporteur’s proposal allows the Assembly to suspend or revoke the attribution of permanent observer status to the delegation of any country which no longer fulfils the conditions necessary for its participation in the work of the Assembly either following a decision by the Parliamentary Assembly of the Council of Europe to suspend or exclude it or because of a policy pursued by those countries which no longer corresponds to the aims assigned to WEU in the modified Brussels Treaty.

8. To create a status of “permanent observer” in the Assembly, it therefore suffices to add a sentence to Rule 17 and the conditions governing such a status may be specified in a decision of the Assembly without being included in its Rules of Procedure.

9. To take into account the fact that observer countries are members of the European Community and signatories of the Maastricht

Treaty and hence destined to become members of WEU, the Assembly might therefore decide to invite the two countries concerned to appoint a parliamentary delegation with the same number of members as their delegation to the Parliamentary Assembly of the Council of Europe. For their part, the countries participating in the

WEU Forum of Consultation might be asked to appoint two-member delegations. If, subsequently, these provisions were to be deemed inappropriate, they might be modified at any time by the Assembly or by the bodies empowered to replace it, i.e. the Standing Committee or the Presidential Committee.

*The development of a European space-based
observation system – Part II*

REPORT ¹

*submitted on behalf of the Technological and Aerospace Committee ²
by Mr. Valleix, Rapporteur*

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1. Adopted unanimously by the committee.

2. *Members of the committee: Mr. Lopez Henares (Chairman) ; MM. Lenzer, Borderas (Alternate for Mr. Palacios) (Vice-Chairmen); MM. Atkinson, Biefnot, Mrs. Blunck, MM. Böhm, Bosco, Curto, Davis, De Paoli, Dimmer, Gottardo, Mrs. Guirado Perez, MM. Guzzetti (Alternate: Paire), Jeambrun, Le Grand, Litherland (Alternate: Cunliffe), Menzel, Poças Santos, Roger, Sarens (Alternate: Monfils), Sir Donald Thompson, MM. Tummers, Valleix, Verbeek.*

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

Draft Recommendation

**on the development of a European space-based
observation system – Part II**

The Assembly,

- (i) Welcoming the inauguration of the Torrejón satellite centre and the start of the experimental stage of its activities;
- (ii) Considering, nevertheless, that this is a first step towards the final goal of implementing a European space-based observation system which would contribute to the maintenance of international peace and security;
- (iii) Satisfied that the memorandum of understanding between WEU and the French, Italian and Spanish Governments has been signed concerning the supply of Helios space images to the satellite centre;
- (iv) Welcoming the work done by the industrial consortium, i.e. the feasibility studies of the main system and the follow-up and analysis of this work achieved by the study management team;
- (v) Regretting that the Council has not taken into account Recommendation 523 of the Assembly with particular regard to the invitation to inform the Assembly regularly:
 - “ (a) about each stage of the entry into service of the satellite centre, its organogram and the progress of the feasibility studies;
 - (b) about criteria governing the choice of space industries to equip the centre and establish the observation system; ”
- (vi) Regretting that the software used for the equipment of the centre is not of European origin, that, furthermore, it is difficult to obtain more sophisticated versions of the software that would allow operational activities and, finally, that this software is not suitable for receiving Helios images;
- (vii) Believing, moreover, that the feasibility study confirms that the system is viable and corresponds to the specifications given;
- (viii) Strongly regretting that the ad hoc Sub-Group on Space, at its meeting on 27th October 1993, objected to the budgetary provisions regarding the activities of the study management team and of the industrial consortium in 1994;
- (ix) Believing that this decision in fact runs counter to the pursuit of the work of the team and of the consortium;
- (x) Considering further that co-operation in space matters with the CIS countries can be of very great interest for the two parties concerned and offer reciprocal advantages;
- (xi) Taking account of the fact that the aim of this co-operation would be to seek to use the technical and human resources of these countries for peaceful and preventive purposes;
- (xii) Considering that the European Space Agency has shown that it was prepared to provide technical assistance for WEU's programmes and activities in the framework of co-operation between the two organisations,

RECOMMENDS THAT THE COUNCIL

1. Inform the Assembly of the criteria leading to its choice of equipment for the Torrejón satellite centre;
2. Keep the Assembly informed of the steps it expects to take to ensure compatibility between the software now in service with that to be introduced, in particular when the Helios system is operational;
3. Take appropriate decisions to avoid the slowing-down or paralysis of activities planned in 1994 for the study management team and the industrial consortium;
4. Foster co-operation with the CIS countries in space matters to the advantage of the parties concerned with the main aim of using for peaceful and preventive purposes the technical and human resources of these countries;
5. Contact the European Space Agency without delay in order to promote close co-operation between the two organisations in space matters.

Explanatory Memorandum

(submitted by Mr. Valleix, Rapporteur)

I. Introduction

1. This report deals with a highly topical political issue. The security problems that have arisen in the Balkans, Eastern Europe and the Mediterranean region have made the creation of a space-based observation system for both military and civil purposes, that makes optimum use of existing resources, a matter of the utmost urgency. This is the way forward for Europe towards independence in an area of the greatest importance to its security.

2. The time has come for WEU to adopt a realistic and ambitious programme and to reinforce its contribution to the European ideal, demonstrating clearly the available opportunities for the integration that is the goal of the organisation.

3. Progress made over the last eighteen months has been very substantial – of that there can be no doubt. However considerable effort is still required and the most difficult stages are those which still lie ahead.

4. The Council has contributed very little by way of information to this report and that necessary for informing public opinion and obtaining popular support has been practically non-existent. This represents an attempt to circumvent the inalienable right of parliamentary representatives and the public at large to be kept informed and a failure to obtain their backing for government decisions which will profoundly affect the future of Europe.

5. The Assembly hopes that in future information released by the Council pertaining to the subject matter of the present report will be sufficient to enable the former to offer wholehearted support for the successful conclusion of a programme of interest to each and every one of us.

II. Activities of the WEU Council

(i) The Torrejón satellite centre

6. The Torrejón satellite centre was officially inaugurated by the Defence Minister of Spain and by the WEU Secretary-General on 28th April 1993 in a ceremony also attended by the President of the Assembly, the Chairman of the Spanish Delegation and the Chairman of the Technological and Aerospace Committee.

7. According to the Director of the centre, at the time of the inauguration, 60% of the staff from seven of the member countries had already

been recruited and present estimates were that all the staff would have taken up their posts by next September or October.

8. On 27th April 1993, before the inauguration of the satellite centre, the Spanish and French Defence Ministers, the Italian Ambassador in Spain and the WEU Secretary-General had signed a memorandum of understanding for supplying WEU with space images.

9. According to the communiqué from the Spanish Ministry of Defence, this memorandum authorised the release of images obtained by the Helios satellite to the WEU satellite centre in Torrejón for processing, thus allowing it to have adequate specific items for the accomplishment of its tasks, such as monitoring disarmament treaties, crisis-management and following problems connected with the environment.

10. Indeed, at the June 1991 session of our Assembly, the French Minister of Defence, then Mr. Joxe, spoke in the following terms:

“As you know, France, Spain and Italy are involved in the Helios programme in which the objective is to have a first observation satellite in orbit in 1993. In the WEU context, we hope that at the next ministerial meeting it will be decided to set up a centre for interpreting satellite images to which Helios could contribute.”

11. It is well known that Helios is a Franco-Italian-Spanish programme using optical observation satellites for military purposes (in fact, this will be the first European military observation satellite). The launching of the first satellite of this type is to be in September 1994, with a life expectation of four to five years.

12. The signing of this agreement was an important qualitative step for the future evolution of the centre and in this respect mention should be made of Mr. van Eekelen's comments in his speech at the satellite centre inauguration ceremony:

“...In its experimental phase, the centre will train analysts in the interpretation of satellite imagery. This will be done using data available from commercial sources such as Spot, Landsat and ERS. The aim will be to achieve a certain amount of integration by pooling knowledge and standardising working procedures. The work of the centre will be assessed towards the end of the three-year period and its future development then reviewed.”

Subsequently, the centre could become more operational particularly for crisis-monitoring and verification by using data from satellites with better resolution such as Helios – due to be launched in 1994. In this context, a memorandum of understanding has been drawn up under which the Helios partners (France, Italy and Spain) would make data available to the WEU satellite centre. It was signed only yesterday, on the very eve of the centre's inauguration. This data could then be analysed by the image-interpreters trained in the centre, and the results passed back to national capitals. In its ultimate phase, the centre could be responsible for operating WEU's autonomous satellite observation capability, currently the subject of medium- and long-term studies."

The political questions raised by these affirmations being reserved for the next chapter, consideration will now be given to the installation of equipment in the centre.

13. To this end, tenders were submitted by two consortia, one of which was led by Aérospatiale and the other by Marcol (which became Cray Systems Ltd. on 1st January 1993) which finally obtained the contract. The tender of the consortium led by Aérospatiale was for equipment and software intended mainly for the processing and use of images.

14. The Falcon consortium (led by Marcol) proposed supplying equipment intended mainly to train image-interpreters but offering few operational possibilities. In view of its mainly didactic characteristics, this tender was the lowest and the criterion of cost induced the Council to opt for the latter tender.

15. This choice is worthy of closer examination. First, the software chosen is American. Second, according to information available to your rapporteur, the equipment is not capable of handling images from Helios. Finally, it is apparently difficult for the Americans to supply more sophisticated versions of the software which might allow operational activities to be pursued.

16. In Part I of the present report (Document 1304), one can read that:

"Without knowing the result of the examination of national tenders, it seems quite right for the Council to give priority to European space industries with a view to enhancing their efficiency and competitiveness, which have increased with time, particularly through European Space Agency programmes. This policy is also, and perhaps more, justified in areas which are still the weak points of European industry, i.e. the development of data-processing and interpretation, which is the main vocation of the Torrejón centre."

17. The decision reached by the Council, apparently based on economic criteria, tempts your rapporteur to raise a number of questions: over and above economic criteria, are there other more profound reasons for justifying this decision? Does the Council not believe that the decision adopted makes the satellite centre nothing more than a European school for image-interpretation which would divert it from its operational task of a service for European headquarters? What response can the Council give to the considerations put forward in the first part of this report?

18. Clearly, as the abovementioned document noted, it will be necessary to overcome much uncertainty and many difficulties if this undertaking is to be crowned with success; our committee and the Assembly must continue to afford it their full support and also be vigilant lest it be diverted from its due goals.

19. One must also add that it will be necessary to take the appropriate measures for the centre to be in a position to process and classify Helios images, hence the need to adapt the centre and provide adequate financing; these measures are justified by the technical characteristics of the images received and by the degree of secrecy required by the supplier countries.

20. The centre's equipment was being delivered in three stages, the last being expected at the end of the year. According to information given by its Director, Mr. Blaydes, during the Eucosat symposium in Paris last June, the centre had started training image-interpreters and had also undertaken experimental tasking for a number of organisations.

21. Mr. Blaydes specified that the centre's missions were, first, to show the applications of space imagery for treaty verification, crisis-monitoring and environmental monitoring; second, to train a nucleus of analysts for interpreting images and developing computer techniques applied to the interpretation of images; finally, "we have the rôle to supply initial operational image-interpretation products under these missions back to our users".

22. Still according to its Director, the users of the centre would first be the Council and its organisations, second, the member states to assist in their decision-making processes as part of their involvement with WEU and third, the centre should satisfy the requirements of the member states themselves. Finally, other organisations such as the CSCE, the United Nations or similar institutions might also be users of the centre "if that is considered appropriate by the Council".

23. Mr. Blaydes believed that by the end of the experimental phase, users should be able to understand the benefits they could derive from the centre, which would help them to support

the decisions necessary concerning its future. He believed its tasks were, therefore, in conformity with the missions assigned to it and would finally lead to its use in a fully-operational manner.

24. It is clear that progress made so far and the fact that it is possible to speak of the Torrejón satellite centre as a tangible reality are important milestones in the development of a European capability for monitoring the earth from space; apart from negative judgments that may be made regarding certain aspects of its first steps, the fact remains that the centre now exists and for its future development it will be able to count on the full support of our Assembly provided its comments are taken into account.

(ii) Study management team - feasibility study on the creation of a European space-based observation system

25. The feasibility study for the main system was finally accorded to the only group submitting a tender, a consortium composed of almost 30 European firms, led by the German firm Dornier, of the DASA group. This feasibility study was conducted in two phases, the first from May to December 1992 and the second from March to November 1993. The results of this second phase are to be communicated on 2nd December 1993.

26. The results of the first phase of the study were presented in Rome in December 1992. In addition to following the progress of this phase and making a continuous assessment throughout its duration, the study management team ensured final verification of the study and submitted a series of questions and requests for details to the consortium which were answered after due analysis.

27. In February 1993 the study management team held a meeting with the Space Group at which analysis and the results of the first phase were agreed and the start of the second phase decided.

28. The aims of the first phase were to identify preliminary concepts of the system and various programme options and evaluate possible solutions; an inventory also had to be drawn up of all desirable options for the system.

29. According to this study, the elements of the system are as follows:

1. The *space sector* defined as all the satellites in orbit belonging to the system. This sector includes:
 - nominal satellites, operating in low orbit. This category includes two optical satellites and two synthetic aperture radar satellites;

- two small satellites operating at very low altitude as complements to the nominal satellites. These small satellites (also of the optical and SAR type) have a resolution and lifetime inferior to that of the nominal satellites but they allow a greater number of images to be taken each day across a predetermined area. The number of these small satellites will depend on their lifetime, the tasks they will be given and their availability.
- two relay satellites in geostationary orbit for transmitting images taken by various sensors and for tracking, telemetry and command of the low-orbit satellites;

The study specifies that two satellites of each type are necessary (except for the small satellites) for meeting requirements; if this number is reduced, the system could be used only for monitoring a single crisis area with far less satisfactory results whereas a greater number would improve the operational capabilities of the system but obviously at greater cost;

2. The *ground sector* includes ground-based means and installations necessary for command and use of the system as follows:

- a processing, archiving and interpretation centre;
- a system control centre;
- a central station with tracking, telemetry and command for the data relay satellites and through their intermediary that of the other satellites. It seems evident from the operational point of view that these three installations must be located close to each other;
- two stations possibly at high latitude for transmitting data and tracking, telemetry and command functions and which, when using data relay satellites, would be used as auxiliary stations of the main one or as main stations in the event of direct transmission;
- means of communication capable of connecting all the installations, transmitting data and receiving requests for data from official authorities.

30. It is clear that the operational aspects of the system are the most important since they have the greatest repercussions on its complexity and consequently its cost. The operational specifications of the system are set out in the document on the mission and requirements relating

to the payload which was drawn up at the end of 1991 by a group of experts mandated by the ad-hoc Sub-Group on Space Questions.

31. Regarding the tasks of monitoring disarmament treaties, the time between passes may be some three days, which certainly facilitates the use of the system, particularly if account is taken of the fact that priority areas are located in very specific places.

32. Crisis-monitoring, however, calls for passes at least every 24 hours, which are not confined to a specific area but anywhere in the world. There are many other solutions for obtaining access within the specified time-limits. While maintaining the nominal satellites in orbit, one solution is to gather the greatest possible number of images of the area by means of sensors and using the most appropriate resolution mode for this operation.

33. Another solution is to place optical and/or SAR satellites above the crisis area in lower orbit. This possibility allows other satellites to pursue their monitoring or supervisory tasks in other areas, although reducing their input. Furthermore, a change in orbit is costly in terms of fuel and considerably reduces the lifetime of the satellite. Finally, it is also possible to resort to small satellites with the specific purpose of monitoring one or several crises.

34. Mention should also be made of an operational problem of prime importance: whether or not to use data relay satellites. Not to use them would mean installing stations for the control and transmission of images at high geographical latitudes, which would make it necessary to install efficient communications with the processing, archiving and interpretation installation and the system operations centre; the difficulties of such communications could be solved only by using a communications satellite.

35. Phase 1 of the feasibility study finally allowed WEU to see the various solutions for developing a space-based observation system. Phase 2, which, as already mentioned, is to be concluded at the beginning of December, has been devoted to closer study of the solutions adopted and cost-assessment.

36. Two other contracts are also under way. The first covers special studies, the need for which became evident in the course of the feasibility study and is being conducted with the participation of the industries composing the consortium. The second is concerned with image simulation studies and has been passed with various European research institutes. The simulation of panchromatic images is achieved with DLR, ONERA, NLR and IDS and thermal infrared with NLR, INTA and CELAR-ONERA.

37. The results of this work will be available in December 1993 and January 1994 respec-

tively; the first phase of the study will thus be completed. In April 1994, the study management team will present a complete review of the results of the feasibility study of the industrial consortium and of the special studies and benefit assessment studies concerning the simulation of images we have just mentioned.

38. The study management team and the industrial consortium have already submitted to the WEU Council a programme of work with a budget for 1994. In both cases, planning is on the assumption that the WEU Council of Ministers will decide next year to start an earth observation programme. This decision will have to indicate a preference for one of the solutions proposed in the feasibility study.

39. In this case, a special study will be made of the preferred solution, i.e. phase A will be started and continued throughout 1994. This phase will allow both the space and ground sector to be studied, including the operation of the system and the interim system. According to the industrial consortium, the budget for this phase would be 15 million ecus. Phase A is also intended to fill out the cost estimates of subsequent phases: phase B, a detailed definition of the system and relative specifications; phases C/D, development, integration and testing; phases E and F, implementation and operation.

40. A crucial stage is being started in the elaboration of the system, during which the decisions to be adopted will have immediate and fundamental repercussions on the rôle and position of Europe in the world and consequences of exceptional importance for world security. Special attention will be paid to this in the following chapters.

III. Strategic importance of developing a European space-based observation system

(i) What is at stake?

41. Two of the main challenges facing Europe in the immediate future: guaranteeing military security and the provision of a large-scale satellite service backed by a wide-ranging network will be met by the creation of a single integrated system, capable at one and the same time of providing a service for military purposes and information for civil use within a European information network spanning the entire continent.

42. The first such challenge – guaranteeing military security – has become the more urgent following the problems that have recently arisen in the Balkans, Eastern Europe and the Mediterranean region.

43. The second is linked to the development of the world market in satellite services and

technologies. Taking a realistic view of the situation, it is obvious that countries which do not, in the near future, develop the ability to innovate and integrate further will remain technologically dependent.

44. It is now time for WEU to adopt a realistic and confident attitude towards a more sophisticated concept of its contribution to the European ideal through more positive development of opportunities for integration – such integration being the organisation's principal objective.

45. At the present time and bearing in mind WEU's current activities, principally in the course of this year, a possibility might be a mixed integrated system capable of carrying out military observation by satellite (anti-missile surveillance, for example) as well as civil operations: computerised land surveys by sector (agriculture, natural resources, infrastructure networks etc.) supplemented by facilities for detecting objects and a network for processing all types of information for civil, public or private use throughout Europe.

46. The challenge therefore is to integrate military and civil aims in order to achieve optimum use of existing resources, which would not be sufficient to create independent systems. In point of fact, resources made available from national budgets and by European institutions are inadequate for building simultaneously two technologically advanced observation systems – the one for military, the other for civil purposes.

47. It will therefore be necessary to find ways and means of bringing together the at present dispersed financial contributions of WEU member countries, in order to overcome this difficulty.

48. There is a need to move rapidly from the drawing-board to translating ideas into practice in order to establish WEU's contribution both to its own military mission and to a technological achievement which will contribute to a stronger, more integrated and more competitive Europe, as compared with other world powers.

(ii) Europe's industrial capabilities

49. From the 1970s and more especially the 1980s, Europe regarded space as a fundamental area for research and industrial development. Today Europe occupies an intermediate position between the American space industries on the one hand and the Japanese on the other.

50. The European space industry's initial development was largely in the telecommunications sector. It then extended into earth observation. Over the last few years, European nations have made substantial investment in space, mainly through the programmes of the European Space Agency, but also through addi-

tional initiatives at national level. Thus Europe has achieved outstanding ability in the industrial and technological spheres.

51. Europe has concentrated its efforts on the following areas:

- satellite launch systems
- satellite telecommunications systems
- meteorological and earth observation satellite systems.

52. A whole series of programmes have therefore been started and are operating very successfully:

- Ariane (launch system)
- Eutelsat (satellite telecommunications system)
- Meteosat (meteorological satellite system)
- SPOT (French earth observation satellite)
- ERS 1 (first European remote sensing satellite)

53. Mention should also be made of a scientific 150 infrared observation programme which, although not used for earth observation, demonstrates European expertise in this technology.

54. Europe is a major partner in international space programmes. It occupies a first rank position on the international satellite-launch market with more than a 50% market share and already has a 25% share in the telecommunications satellite sector. Europe is also rapidly expanding its position in the sector of earth observation. It is recalled that this is a relatively new sector.

55. The Ariane programme demonstrates Europe's capabilities in launchers. Ariane 5 is currently under development and is scheduled to become operational by end 1995. Earth observation programmes, and especially the SPOT and ERS programmes, are of particular interest to the present report. SPOT is a French programme undertaken in co-operation with Belgium and Sweden and operational since 1986. The programme includes full ground facilities, as does ERS, which is the first European Space Agency satellite for monitoring the earth from a polar orbit.

56. Other programmes for the near future are already underway. These include the Artemis programme, approved by the European Space Agency, for an experimental data transmission satellite. The first generation DRS will provide efficient telecommunications services to the various parts of the European space infrastructure. It is anticipated that the DRS will

come into service at the end of the current decade at the same time as ESA's polar platform.

57. A further programme – Envisat – is currently under consideration. This will provide continuous cover for observation programmes which started with ERS-1 and were continued with ERS-2. Envisat will be used for observation and study of the terrestrial environment, especially climatic change, and for meteorology.

58. Finally, in the military space sector, the initiatives taken have been principally national or in certain cases bi- or trilateral. Only the United Kingdom has a military space communications system, with its own network of satellites (Skynet). France has developed the Syracuse system, with a military communications payload on the Telecom civil satellite system. Spain has also launched its own programme, Hispasat, whose satellites carry a military communications payload and Italy, too, is proceeding with its own military communications programme by satellite (Sicral).

59. For earth observation, the first European military satellite, Helios, is the result of co-operation between France, Italy and Spain. It should be emphasised that the operational advantages Helios offers Europe will be much greater than the necessary investment, which itself is far lower than the amount the United States has allocated to this sector.

60. The space budgets of the European countries in relation to GNP and compared with the American space budget are extremely modest, a factor which is bound to have a major influence on their industrial development.

61. Additionally, the space industry has penetrated world markets with fair success. As stated previously, Europe is a front-runner in launch systems, largely due to a coherent policy which aims to attain a high level of international competitiveness. However the satellite industry has not yet achieved this goal, no doubt for a lack of a real strategy for industrial co-operation at European level and due to fragmentation of national markets which has led to the relevant industrial facilities being dispersed with the consequent reduction in competitiveness.

62. In any event, Europe has succeeded in developing a first-ranking space industry – located moreover throughout the continent. The economic difficulties now experienced by the industry the world over are also affecting Europe. However the European space industry is the spearhead for the rest of Europe's industry; it is highly competitive and has the necessary expertise in all the technologies required for the operation of a European space observation system.

(iii) The expediency of extra-European participation in space co-operation

63. Europe must give consideration to the problem of extra-European participation in space co-operation; quite apart from such co-operation with the world's greatest power, the United States, Europe must give careful thought to the space industry in countries of the former Soviet Union.

64. There is little need to point out that the space industries in such countries, especially in Russia, Ukraine and Kazakhstan, are of prime importance because of their know-how and achievements to date, despite the problems currently facing them because of their domestic economic situation.

65. Europe would undoubtedly derive both technological and financial benefit from co-operation with those countries. Other factors that could render such co-operation even more productive also have to be taken into account: firstly, virtually all Soviet scientific and industrial activity and particularly in relation to space was directed towards armaments production and had, in any event, a military dimension – hence the existence of a substantial number of highly-qualified experts and of systems capable of making a valuable contribution from a financial point of view to the development of a space-based observation system.

66. Moreover the disarmament process and the economic difficulties of converting the armaments industry of these countries to civil uses have produced a situation of extreme insecurity for such experts who fear for the loss of their jobs.

67. Additionally, the need to avoid the spread of technologies for the production of highly offensive weapons or weapons of mass destruction makes it necessary to examine the desirability of exploiting such technological and human resources for peaceful and deterrent purposes.

68. The opportunity presents itself for a major European contribution to the process of converting the former Soviet armaments industry to civil ends and turning the former Soviet Union towards a market economy through mutually beneficial co-operation which, beyond all doubt, would have both economic and technological advantages for Europe.

IV. Conclusions

69. First of all your rapporteur is gratified that the Torrejón Satellite Centre has been inaugurated and has already embarked upon the programme planned for the experimental phase. Having said this, we should not lightly dismiss concerns that the software selected for the centre is not of European manufacture – contrary to

the wish expressed in Document 1204 to which reference has already been made several times.

70. These concerns are the more pressing given that it would appear that the American manufacturer is having problems about supplying more sophisticated versions of the software and furthermore the equipment installed is hardly operational and has no facility for processing Helios images. As regards the feasibility study, careful note must be taken of the opinion of the study management team confirming the feasibility of the system, in accordance with the given specifications, in both its provisional and final configurations.

71. Moreover, it should be noted that in France, the prime mover in the project for the creation and development of a European space-based observation system, it has been noted that the centre, its management and the study management team have all been awarded to countries or individuals without taking into account France's leading rôle in the programme or the size of the French contribution to the organisation's budget.

72. Additionally, according to information available to your rapporteur, a meeting was held in Paris on 27th October last of the WEU Council's ad-hoc Sub-group on Space and the study

management team. The purpose of this meeting was *inter alia* to plan activities in 1994, in view of the fact that industry participation in the second phase ends in December 1993 or at the latest in January 1994 once the study management team has completed its assessment.

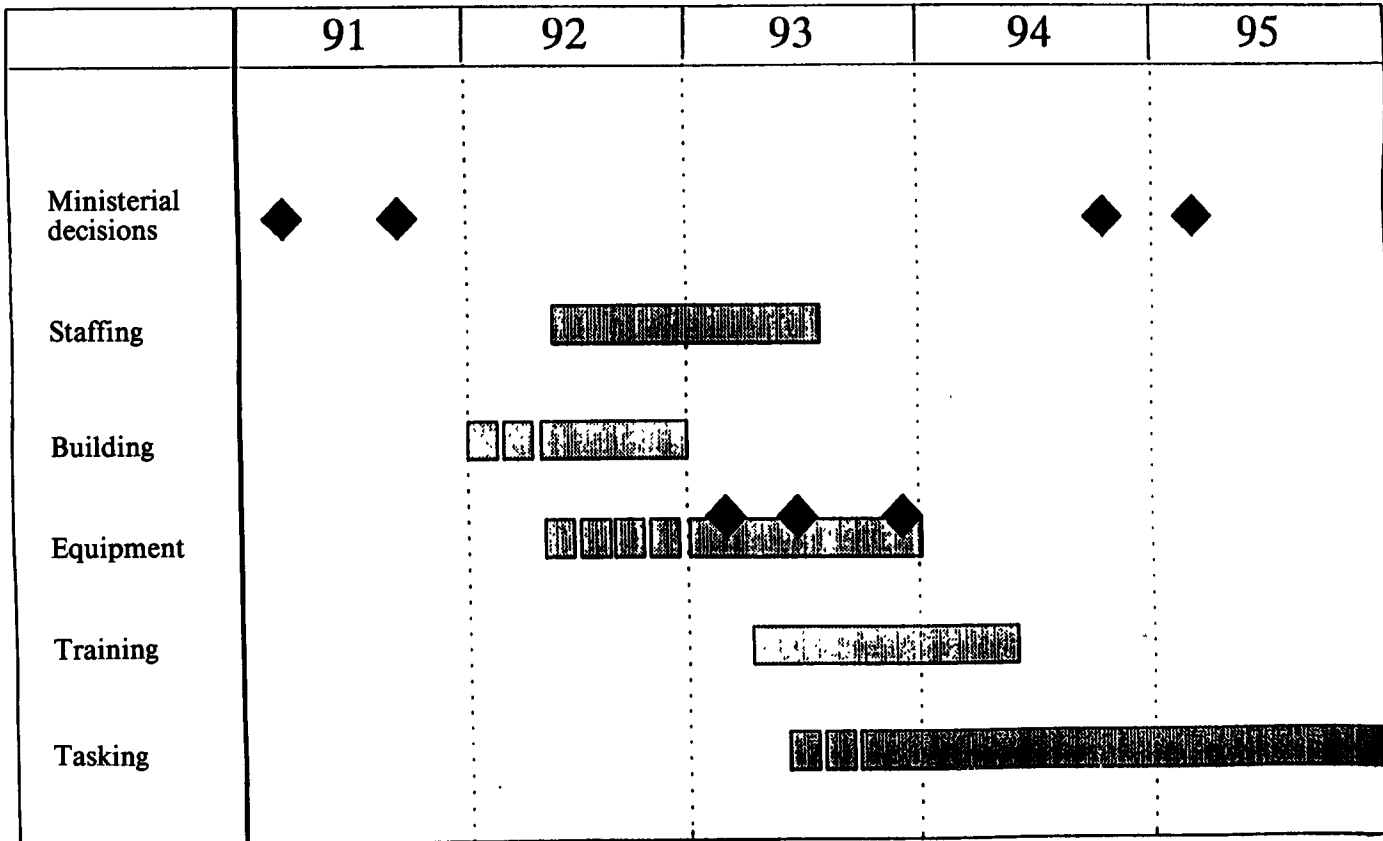
73. The latter envisages a series of activities for both the industrial consortium and outside consultants within a budget of 8 million ecus.

74. Because of certain objections to the budget and pending a ministerial decision due around May 1994, the programme runs a very serious risk of being closed down altogether, or, at the very least of a postponement of certain dead-lines which are already very difficult to meet; the hard-won efforts of the organisation might thus be reduced to the creation of a training and data-interpretation centre, which, although important in its own right, is nevertheless only the first stage of an ambitious and realistic programme which, in any event, is vital for the security of the continent of Europe and its independence.

75. The committee and the Assembly should therefore give urgent consideration to initiatives which might help overcome the obstacles, uncertainties and difficulties now besetting this undertaking.

APPENDIX I

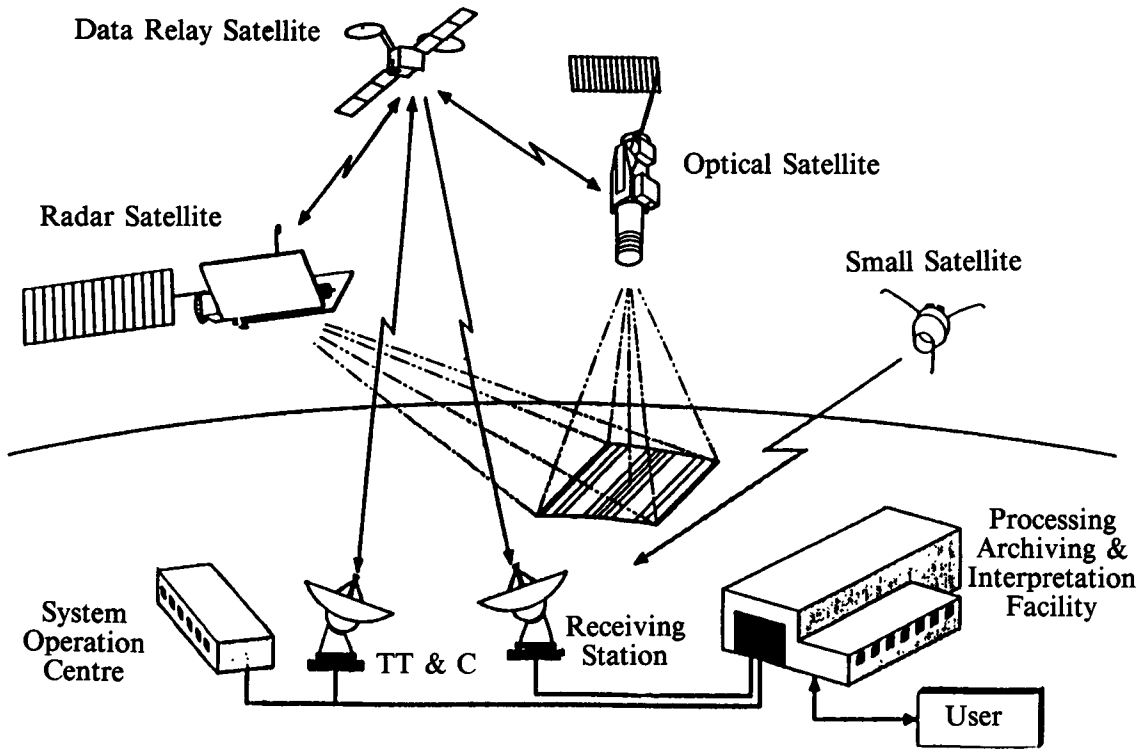
WEUSC experimental phase



APPENDIX II

Matra Marconi Space

System overview



APPENDIX III

Matra Marconi Space

System implementation

	2000	2001	2002	2003	2004	2005	2006	2008	2009	2010	2011	2012	-----	2022
PAIF Preliminary														
PAIF upgraded														
Interim space segment			▲ ■			▲ ■	▲ ■							
Final space segment									▲ ■	▲ ■			△ □ - - - - -	

Total interim satellites
3 OPT
3 SAR
2 DRS

Total final satellites
6 OPT
6 SAR
2 DRS

PAIF: Processing, Archiving and Interpretation Facility.

***The evolution of advanced technology
in the Commonwealth of Independent States (CIS)
and its consequences for Europe***

REPORT ¹

***submitted on behalf of the
Technological and Aerospace Committee ²
by Lord Dundee, Rapporteur***

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1. Adopted unanimously by the committee.

2. *Members of the committee: Mr. Lopez Henares (Chairman); MM. Lenzer, Borderas (Alternate for Mr. Palacios) (Vice-Chairmen); MM. Atkinson (Alternate: Lord Dundee), Biefnot, Mrs. Blunck, MM. Böhm, Bosco, Curto, Davis, De Paoli, Dimmer, Gottardo, Mrs. Guirado, MM. Guzzetti (Alternate: Paire), Jeambrun, Le Grand, Litherland (Alternate: Cunliffe), Menzel, Poças Santos, Roger, Sarens (Alternate: Monfils), Sir Donald Thompson, MM. Tummers, Valleix, Verbeek.*

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

Draft Recommendation

***on the evolution of advanced technology in
the Commonwealth of Independent States (CIS)
and the consequences for Europe***

The Assembly,

- (i) Noting the process of change now taking place in the republics of the CIS, in particular in the economic, industrial and technological sectors;
- (ii) Noting that, while some problems have already been solved, a great many difficulties still remain;
- (iii) Noting that stability inside these countries depends largely on bringing up to date industrial and commercial structures and adapting them to the criteria of a market economy;
- (iv) Noting the particular importance of help from the West with advanced technology in CIS countries;
- (v) Taking into account the variety of initiatives which have proved to be successful and those other international programmes now being carried out or planned;
- (vi) Believing it is possible and desirable to improve and develop western assistance and co-operation in all these areas;
- (vii) Noting a number of further ways in which these areas can benefit from the West;
- (viii) Noting the obvious mutual advantages which arise between the West and CIS countries over advanced technology;
- (ix) Noting that the START I Treaty has not yet been ratified by the Parliament of Ukraine which has retained nuclear weapons systems on its territory;
- (x) Noting that Kazakhstan and Ukraine have not yet acceded to the nuclear non-proliferation treaty,

RECOMMENDS THAT THE COUNCIL

1. Ask member governments to strengthen further their contacts with the member states of the CIS. This should be done not only at bilateral and multilateral level but also at regional and plant level where direct guidance can be given;
2. Urge the creation of a European data centre. At present, initiatives and endeavours often overlap and, even when they do not, the exchange of information is not as well-managed as it should be;
3. Encourage co-operation with the republics of the CIS in advanced technology within the context of Cocom rules;
4. Call upon Ukraine to ratify the START I Treaty and both Kazakhstan and Ukraine to accede to the nuclear non-proliferation treaty;
5. Invite member governments to give their full backing to the International Centre for Science and Technology. It would be short-sighted to do otherwise, since the aim of this body is to prevent the growth of technologies of widespread destruction.

Explanatory Memorandum

(submitted by Lord Dundee, Rapporteur)

I. Introduction

1. The collapse of the Soviet Union at the end of 1991 left its successor states with major problems. Ironically, these sprang from the break-up of the communist system and from the end to East-West confrontation. Then, the former state had to be dismantled and the old order replaced by new social, economic and political structures. The implications were numerous and the responses virtually unpremeditated, let alone unrehearsed. Such challenges included how to destroy nuclear and conventional weapons in accordance with the relevant international agreements, the definition of future nuclear policy, the prevention of the proliferation of nuclear know-how, the conversion of the powerful defence industry to civil production, the future of the space industry, the transformation of a bureaucratic, centralised economy under state control into a market economy, social difficulties stemming from the repatriation of hundreds of thousands of soldiers from Central and Eastern Europe and the sharp reduction in armed forces. Against this background should be added financial difficulties, not least the external debt itself and the fact that no clear military doctrine was in place to give guidance. These are just some of the urgent matters which still have to be tackled by the successor states of the former Soviet Union.

2. In these circumstances, the West has to do everything it can to promote political stability and to reduce the risk of civil war which is threatened by the desire of the new CIS countries to revise their frontiers.

3. Advanced industry was set up in those countries mainly to nourish East-West rivalry. Now, however, and in the interest of political stability, it is up to the West to encourage this industry to enter the world market.

4. Enormous potential has been developed by the former Soviet Union in advanced technology. In particular, the West should pay attention to the military and aerospace sector currently distributed over Russia, Ukraine and Kazakhstan.

5. In an article in the NATO Review for February 1993, Mr. Kozyrev, Minister for Foreign Affairs of Russia, said that "western firms will also have to allow Russia her place in world markets for high technologies, aerospace equipment and even military equipment, that is, in those areas where Russian enterprises can manufacture world-class products. Russia, for

her part, will improve conditions for foreign businessmen and will also co-operate in ensuring the non-proliferation of nuclear weapons and other weapons of mass destruction. We are trying to make sure that weapons exported by us do not upset existing balances anywhere in the world and are only acquired by stable partners".

6. According to Mr. Kozyrev, "the most important areas for co-operation [between Russia and the West] are monitoring the non-proliferation of destabilising technologies, armaments reduction and disarmament, regulating the arms trade, and assisting the conversion of defence industries".

7. With these remarks, the Minister for Foreign Affairs recognises the area of shared problems whose solution is of equal interest to Russia, her neighbours and to Western Europe.

II. The economic and political situation in the CIS

8. At present, setbacks emanate both from poor economic performance itself and from political infighting at the centre. Thus while we find a sharp fall in industrial production, high rates of inflation and as yet poor prospects of integration within world markets, we have also seen the paralysis or slowing down of economic reform due to constitutional disputes between the executive and the legislative. This process has been exacerbated by the absence of precise government programmes and by internal struggles whether between reformers and conservatives or nationalists and pragmatists (where relations between the new states and Russia are concerned). Worse still, it has even been exacerbated by nationalist conflicts themselves which are either latent or already in progress.

9. Nevertheless, in spite of many obstacles encountered and if haltingly, reforms have still continued and steps towards a market economy had been taken and endured by a population, sorely tested by the crisis, and in the face of major changes watching anxiously and with little confidence in the future.

10. Compared to the economic problems, the political ones are no less complex. The internal situation in Russia, the principal successor state of the Soviet Union, is still uncertain. Yet now that a firm date has been set for parliamentary elections it is to be hoped that after December 1993 when these take place the process of reform will be expedited.

11. Russia has replaced the Soviet Union in international organisations and notably so in the United Nations Security Council. It acts also as successor to the Soviet Union in the treaty commitments entered into by the latter. Nevertheless, Russia's position on the world stage is still not clearly defined, which omission is the fault of both East and West.

12. Like the other CIS states, Russia has developed relations with the Atlantic Alliance within the framework of the North Atlantic Co-operation Council. She is trying to forge links with the West, although the ways and means of doing so have not yet been clarified.

13. At the beginning of 1993 Russia signed the START II Treaty with the United States. However, this will not come into force until the START I Treaty is ratified by all successor states which still have nuclear weapons on their territory. Belarus signed the START I Treaty on 4th February 1993 and has undertaken to ratify the nuclear non-proliferation treaty. The attitude of Ukraine, which has delayed the process of ratifying the START I Treaty until the end of 1993, will be decisive. Ukraine, which has 176 intercontinental strategic missiles on her territory, has asked the West for security guarantees as compensation for becoming a non-nuclear country.

14. There is also the need to monitor the former Soviet nuclear arsenal. This comprises 27 000 nuclear warheads, the vast majority of which are in Russia but some of which are in Ukraine (about 1 500), Kazakhstan (1 200) and Belarus (80).

15. Circumstances still prevent the aforementioned countries from implementing the agreements signed in Alma-Ata in December 1991. These were intended to destroy nuclear weapons deployed outside Russia.

16. And efforts so far to strengthen political, economic and security co-operation within the CIS have been only partly successful. The January 1993 Minsk Charter has been signed by seven members of the CIS: Ukraine, Moldova and Turkmenistan have not subscribed to it.

17. In the military sphere, only six countries endorsed a document on the status of the Council of Ministers of Defence of the CIS, while Belarus, Ukraine, Moldova and Turkmenistan abstained. Ukraine and Moldova, in particular, are against the idea of close military co-operation within the CIS.

18. There are also profound differences between Russia and Ukraine over Soviet strategic nuclear weapons stationed on Ukrainian territory. While Russia considers these systems to be Russian property, Ukraine believes that those on her territory belong to it.

19. Ukraine insists that while the operational command of the strategic forces should be assigned to a joint CIS mandate, nevertheless she will keep control on her soil of the weapons themselves. Other disputed issues include supply of gas and oil from Russia, the status of the Black Sea fleet and the question of Russian military bases on Ukrainian ground.

20. While, on the one hand, Russia and Kazakhstan consented in February 1993 to a policy of joint defence for their two countries, the ministers of defence of the CIS have not managed to agree on joint CIS armed forces. Russia claims to be the only successor to the Soviet Union and thus argues the right to control Soviet nuclear forces.

21. Nor, in the interest of keeping or restoring peace has much progress been made with the establishment of a joint mechanism for coping with the ethnic conflicts which are rife on CIS territory. Ukraine has turned down President Yeltsin's request for a United Nations mandate to allow Russia to act as guarantor of stability on the territory of the former Soviet Union.

22. At present, several former Soviet republics appear to want to return to Russian control. This attitude may be born of a sense of realism and is possibly reflected by the recent pragmatic arrangement between Russia, Kazakhstan, Uzbekistan, Tajikistan, Armenia and Belarus to safeguard the rouble zone. An economic union between those countries is planned in the short term, although Russia would like to impose upon her associates a series of conditions. One quarter of the total inflation in Russia is caused by her subsidies to these countries. Hence her desire to save this cost.

23. In another respect there have been proposals to go back to how things used to be in the Soviet Union. These are in favour of turning the CIS interparliamentary assembly into a sort of European Parliament with limited powers.

24. Be that as it may, and given the separatist movements within Russia herself, such aims could well serve the purpose of maintaining Russian unity.

III. International, economic and financial assistance to the CIS

25. From the first moment of change in the former Soviet Union, western countries became fully aware of the need to work out a type of long-term Marshall plan in order to provide strong backing for this process and to create a firm economic and financial basis.

26. In the last three years, and in addition to bilateral measures at government level, international organisations have therefore set up a whole series of programmes. However, a

number of factors militate against the success of their schemes. The extreme inefficiency of the old Soviet production and distribution system is still in evidence and as yet there is hardly any awareness of how best to make and sell goods. Nevertheless, while some manufacturing and marketing practices will take a long time to develop, many parts of the CIS workforce are already highly skilled and able.

27. Not surprising, therefore, given the personal dramas and social unrest which increasing unemployment has caused, much hostility is now levelled against the new economic and social system post communism.

28. Where western initiatives are concerned there is the constant danger of duplication and overlapping. So far, there has been very little co-ordination among parties and agencies who are there, or profess to be there, to help. Until it becomes better known which bodies to contact in the former Soviet Union for which purposes, then efforts will continue to be dissipated. Improved methods both for exchanging information and for agreeing co-ordinated actions are also much overdue.

29. To these ends, the G7 could well give a lead in promoting a more intelligent and simpler way of exchanging information. The member countries of the CIS should also play their part by making contacts and objectives more easily attainable.

30. There is a strong case for creating a data centre and more attention should be given to the task of breaking down these suspicions and jealousies of various institutions, firms or countries which are often reluctant to offer complete data systems which might have been used to good purpose by others.

31. The conversion of military industry to civilian purposes, a few examples of which already exist, is of course a high priority. Generally, there is little purpose in disbursement by the G7 or anyone else to firms, or little purpose in attempting to privatise these firms until they have first been made profitable. In other words, privatisation is not a solution in itself if in the first place procedures have not been brought up today in order to turn loss into profit.

(i) OECD projects

32. The OECD Centre for Co-operation with the European Economies in Transition has drawn up a programme of work divided into two sections according to the source of finance. The first is financed by all member countries and the second supplements the first and may be paid for by member countries on a voluntary basis.

33. The core programme of technical assistance to new independent states of the former Soviet Union sets out a total of 28 activ-

ities in 1993 spread over five sectors. In some cases, these activities are conducted in co-operation with the United Nations, the World Bank, the EBRD, the PHARE programme of the European Community and other international organisations.

34. The five areas of activity are the following:

- (i) Development of an institutional and a juridical framework to stimulate a market economy, in particular a legal infrastructure for firms, reform of the accounting system, foreign investment, anti-monopoly legislation and, at the request of the Russian authorities, the organisation of a process for revising technological and scientific policy.
- (ii) Restructuring the enterprise sector in three ways: enterprise reform and privatisation, labour market and social policy implications and defence industry conversion.

Work was begun in 1992 aimed at devising an economic strategy which combines structural, microeconomic and regional policies to facilitate the conversion of the defence industry by giving priority to regions with a high concentration of defence-related industries. Emphasis is to be given to issues concerning civilian use of technological potential, infrastructure investment and local employment creation.

An important component of this activity is to improve the ability of local communities to manage military conversion and restructuring by developing local initiatives to support military enterprises undergoing conversion and also to stimulate alternative employment through the creation of small and medium-sized businesses. The activities are being carried out in three different phases. During the first phase, a fact-finding mission prepares a report selecting two communities whose local authorities have shown an active interest in organising the project with assistance from the OECD. At the end of the second phase, a detailed report will be issued and delivered to the communities for discussion. The third phase will involve guidance from OECD on the implementation of the report's recommendations.

- (iii) Developing reliable and relevant statistics for the functioning of a market economy.

(iv) Nuclear safety and the environment.

Activities in this sector include the participation of experts from Russia and Ukraine in the relevant activities of the Committee on the Safety of Nuclear Installations and closer collaboration between the authorities responsible for nuclear security. Advisory activities in environmental matters are also planned.

(v) This area of co-operation deals with agriculture and trade and with the monitoring of overall economic and policy developments.

35. The modular programme is more or less the same as the core programme just described. The only difference, as already said, is in the method of financing. Among the planned activities, mention should be made of those dealing with scientific, technological and industrial indicators. This work, which will be conducted in co-operation with the Centre for Scientific and Statistical Research of the Russian Federation, will help Federation authorities to work out international statistics standards in scientific and technological areas and to establish a reliable data base for receiving and transmitting such statistics.

(ii) *The European Community's TACIS programme*

36. At the European summit meeting in Rome in 1990, the European Council adopted a programme of technical assistance to the then Soviet Union amounting to 400 million ecus in

1991, 425 million ecus in 1992, rising to 510 million ecus this year.

37. The purpose of this programme is to help a market economy to work. The guidelines for 1991 set five priorities: energy, transport, financial services, training for public and private management and the distribution of food products. Consideration is also being given to setting up an international nuclear science centre.

38. These programmes, some of which will be regional, i.e. between states, will be implemented on a decentralised basis. They cover all the republics of the CIS and Georgia, but not the Baltic states, since they are among the countries covered by the PHARE programme for those of Central and Eastern Europe.

39. As from 1992, the military industrial sector was also considered as a priority sector. Guidance studies should lead to all the defence industries being converted into those producing equipment for the energy sector. If this necessary conversion – which is a source of industrial and social problems – is to make maximum use of existing capabilities, help should be directed to the following: advice regarding the range of products, financing market research, feasibility studies, new training for personnel and assistance in the search for factories capable of quickly producing agricultural machinery, medical equipment, means of transport and machine tools.

40. The TACIS programme represents a large percentage of the technical assistance which the West grants the former Soviet Union. According to the European Commission, the breakdown is as follows:

Former Soviet Republic M. Ecu		Division of experts per sector M. Ecu	
Armenia	9.5	Central government	36.8
Azerbaijan	12.5	Agriculture and food products	59.7
Belarus	14.6	Energy	119.8
Georgia	9.0	Transport	33.2
Kazakhstan	20.6	Telecommunications	6.8
Kirgizstan	9.2	Privatisation, finance and small businesses	80.5
Moldova	9.0	Human resources	41.5
Russia	110.0	Various	71.8
Turkmenistan	8.8	TOTAL	450.1
Ukraine	48.2		
Uzbekistan	18.7		
Other non-national programmes	179.0		
TOTAL	450.1		

41. TACIS has been accused of being slow to launch its activities. However, the disbandment of the Soviet Union has made it necessary to renegotiate many of the planned programmes with the successor states. Furthermore, other factors have come into play: nationalist and communist feeling in certain circles in the CIS countries has sometimes depicted foreign aid as a Trojan horse for a pernicious invasion by the West, detrimental to the pride of citizens of a Soviet Union which used to be powerful. Thus while there is not much interest in the concept of aid, sometimes it is even refused or boycotted.

42. This is one of the reasons why western help is not received with open arms. The other reasons have been touched upon earlier. It has been far from easy to promote a new outlook towards society and the economy. Then there is the political instability and the administrative chaos.

43. The lack of co-ordination between the various programmes and the different organisations has also already been mentioned. And it hardly looks good to those who are supposed to receive. Not least obviously is duplication a waste of resources. It has already been noted that the TACIS programme should make its bureaucratic procedures much simpler. Here some small improvements have already occurred. Nevertheless, the TACIS programme in terms of speed and effect could do worse than to model itself on the rather better methods and practices of bilateral programmes.

(iii) *The EBRD*

(European Bank for Reconstruction and Development)

44. The EBRD, so far a mixture between a business and a development bank, is one of several such organisations, of which the World Bank is another example, and has a capital of 10 000 million ecus. It carries out two different tasks, firstly funding with its own resources (its capital plus the loans it can obtain) and secondly technical assistance financed through bilateral or multilateral aid.

45. The EBRD only comes in to finance projects above 5 million ecus. So far, after figures in October 1992 the EBRD has supported programmes for a total of 620 million ecus. If co-financing by various associate members is included, we find that over 2 billion ecus have already been invested.

46. According to the International Monetary Fund, external funds coming to Russia for 1992 were estimated at \$23 billion, a level to be maintained in 1993.

47. For the conversion of military industry, the EBRD wants to provide backing for viable long-term programmes launched by small and medium-sized businesses.

48. Connecting to the earlier theme of the desired avoidance of double-handling, some progress could come from a comparative analysis of existing programmes. Therefore the result of those carried out by the OECD, by the European Community TACIS programme and by the EBRD should be compared with one another. This method of investigation from the answers it gave could then help the bodies concerned to avoid certain mistakes and to build upon some of their better practices.

(iv) *The Group of Seven*

49. At the meeting held in Tokyo last July, the G7 decided to give Russia \$3 billion for privatising industry. Spread over 18 months, this sum is sub-divided as follows: 500 million for technical assistance and promoting investment by G7 countries, one billion for export credits, one further billion from the World Bank and other international institutions for credit will be used to restructure state firms and, finally, 500 million, also from the World Bank, will be used to modernise the structures of Russian firms.

50. This fund will be looked after by a supervisory group to ensure that it will be used to good purpose but details regarding the creation and the composition of the group were not made public at the meeting.

51. The group will also channel further help to Russia and in particular will ensure that Moscow respects the conditions imposed by the western countries in exchange for their help.

52. The President of Russia, Mr. Yeltsin, considered that the privatisation assistance fund¹ might not be enough. He insisted particularly on the removal of discriminatory barriers on Russian products (such barriers exist in the United States for some 300 Russian products) and launched an appeal to promote trade.

53. Funds were awarded to Russia in July by G7 ministers, and they added to a previous amount which had been sent in April.

54. The other aspect of the problem tackled in Tokyo was the modernisation of nuclear plants on the territory of the former Soviet Union and in the countries of the ex-Soviet bloc. This is an area in which the European Community has made a special effort: 400 million ecus is the amount attributed to the programme in force which is to be prolonged until the end of 1994. The West is complaining about a lack of collaboration from the Russian authorities in this matter. So far, Russia has kept to herself the plans of nuclear plants in Russia and also of those in other states of the CIS. Moscow has undertaken to solve this problem.

1. According to Russian data, one sixth of Russian workers are already in the private sector.

55. Apart from the European Community's own financial contribution concerning nuclear security in the countries of Central and Eastern Europe, there are other interventions with the same goal at bilateral and multilateral level. These are supported by countries of the G7, other European countries, Nordic countries, the European Community and the International Atomic Energy Agency.

IV. The military-industrial complex and advanced technology in the CIS countries

56. The former Soviet Union had built the largest military-industrial complex in the world. According to recent CIA studies, the Soviet defence industry had some 3 to 5 000 production units estimated to employ between 7 and 10 million people, other sources quoting as many as 12 million. These installations include 150 large terminal assembly plants, some 12 000 factories producing spare parts and equipment and about 1 500 test, research and development establishments.

57. This enormous complex is spread throughout the territory of the former Soviet Union, sometimes in accordance with strategic criteria and elsewhere depending on the proximity of raw materials, specialised manpower or auxiliary industries. Some installations were set up in order to bring people to live in those areas whereas others are the result of pressure from local or regional leaders. Transport costs have never prevented a decision to locate in a certain area.

58. At present, all the member states of the CIS except for Russia are extremely dependent upon each other for the production of armaments. This situation urges each state to assess its own production capability; should the CIS prove to be a political and economically-viable community, there would be close co-operation between the republics. Since this decentralised approach seems to be the best way to exploit production structures, western countries should promote the launching of such a policy in the various republics.

59. The Russian Federation has about 70% of the military-industrial complex, Ukraine some 10% and Kazakhstan, Azerbaijan and Belarus 2% each.

60. The committee responsible for military-industrial questions, the VPK, had adopted a structure (which included 8 ministers with responsibilities in these matters) whose main purpose was to make sure that the army was properly equipped and the military-industrial complex made civilian goods (mainly electrical household appliances) of which it sometimes had a monopoly.

61. After the coup d'état in 1991, in the CIS states and particularly in Russia the ministers for the various sectors were regrouped into a large Ministry of Industry; afterwards, because of the complexity of the system and the inertia inherited from the past, a committee for industrial defence sectors was formed; it covered eight main sectors of activity: aeronautics, naval ship-building, munitions and specialised chemical products, the missile and space industry, ground-based armaments, telecommunications, electronics and radio-electronics. These eight sectors co-habit with other departments with horizontal functions, for instance the department of science, data-processing or external economic relations.

62. The policy behind the industrial defence is to leave a hard core which may well not be privatised but which nevertheless would conform to market principles and thus should manage to meet targets for making arms. It would contract with the state and its technology would be at least as good as that of the West, the aerospace sector being of particular importance.

63. This being so, the former military-industrial complex was faced with a totally new situation and a completely different system. In the next chapter we can look at the central problems faced by the military-industrial complex, which are also those which the title of this report highlights.

(i) Problems of converting the conventional armaments industry to civil production

64. In 1990, our committee addressed the question of conversion in the Soviet military sector (Tummers report, Document 1249). The conclusions then reached are still very pertinent. The conversion of the Soviet defence industry started at the beginning of the eighties. When Gorbachev took over, three main arguments were used: economic (only the military-industrial complex is in a position to supply the market with consumer products); diplomatic (the USSR advocates peaceful solutions for international conflicts) and technological (the military-industrial base must be improved).

65. In March 1992, Russia brought in a new law. This enabled funds released from military reductions to be spent on civilian targets. This programme encountered enormous difficulties. On the one hand, the cost, according to Russian estimates, could attain 150 billion roubles, not counting inflation which might make this figure multiply. The programme covers approximately 70% of the military-industrial complex and is to last three to four years.

66. And when this programme was carried out there was a large social cost to pay. Oppo-

nents within the country are asking for it to be slowed down until the main economic reforms are completed and, whatever happens, they wish salaries to be protected and those who lose their jobs to be compensated. The return of Mr. Gadar to the government clearly heralds a new impetus to conversion.

67. Be that as it may, it should be noted that part of the military-industrial complex has deteriorated to the point of collapse, the Russian potential in spite of its immense resources is limited and part of the military-industrial complex will have to be closed down: this failure will be a difficult pill for Russian pride to swallow, particularly in an area which is a symbol of prestige for the country.

68. So far, about 400 firms and 200 research institutes have taken part in the first stage of conversion. All these bodies encountered difficulties hitherto unknown (it should be recalled that at the time the cost factor was of no importance): reduction of armaments needed, concept of balanced budgets, investment for converting equipment, etc. All these factors affected the cost of final products which in general were not so good as those in the West and which then came to a depressed domestic market which could not absorb them.

69. The conversion of military industry for civil purposes will only work in Russia through joint venture which in advance has managed to identify a market for its products. For that reason, it organised in Birmingham from 24th to 27th May 1993 an industrial exhibition entitled "Conversion 1993" in order to demonstrate the progress made. As yet it is too soon, however, to give definite results from this.

70. Insufficient funding both at home and abroad causes conversion to suffer. Even the Russian Government gives a high priority to it.

71. Firms are now being hit by a fall in demand for military equipment not offset by increased civil production. Thus, firms and governments are starting to see arms exports as some contribution towards their financial difficulties.

(ii) Arms exports as a means of financing conversion?

72. Arms exports, first Soviet and then Russian as from 1992, have fallen spectacularly in recent years. Exports of more than \$21 billion in 1982 fell to \$17.8 billion in 1987 and in 1992 the figure was only \$1.8 billion. In comparison, United States exports rose from \$12.7 billion in 1982 to \$33 billion in 1992.

73. State orders also fell sharply – in 1992, compared with the previous year, orders fell by half in the production sector and in research and development – which of course has made the situation much worse.

74. This is partly due to the internal economic situation but it is also influenced by outside factors such as the loss of the market of countries formerly members of the communist bloc which are now facing serious economic problems and international détente.

75. Consequently, Russia's share of the market is now being taken over mainly by western countries just when it has the greatest need for foreign currency and at a time when its military-industrial complex would be best placed for earning such currency.

76. The Russian Government therefore has to decide: either it shows its political will to impose strict controls on the arms trade or it gives in to arms exports in order to help the conversion of the defence industry. Many leaders and pressure groups have followed the latter course, convinced that if the Russians fail to export the Americans will only do so instead.

77. As an example, a few comparative prices of Russian and American military equipment are quoted below:

American equipment	Average price \$ million	Russian equipment	Average price \$ million
Abrams tank	5.2	T-80 tank	3
		T-72 tank	1.7
F-18	45	Sukhol 27	30
F-16	40	MiG-29	24

78. Today, the three main clients for Russian defence equipment are, in order of importance, China, India and Iran which account for two thirds of total exports of this type. 70% of the equipment of the Indian army is Russian as a result of a treaty of co-operation dating back to 1971.

79. Part of the sales mentioned above are exchanged for food and consumer goods. This is the case for India. Recently, Russia sold Malaysia 18 MiG-29s and part of the payment will be made by barter. Russian arms exports to south-east Asia have now started to increase.

80. The Russian administration has three official organisations empowered to manage arms exports :

- Oboroneksport, successor to the Ministry of External Relations, which deals with exports of new military equipment;
- Spetsvneshteknika, which replaced the former technical administration and is an export-import body for advanced military technology, and

– the co-operation directorate, which manages sales to former CMEA countries.

81. The military and technological co-operation administration defines guidelines and tries to avoid overlapping.

82. There are also independent bodies which represent defence industry interests, the best-known being the Russian union of industrialists and contractors, under Mr. Volsky, and the industrial firms defence league, run by Mr. Shulunov, which promotes a national industrial policy.

83. Certain military or civilian industrial leaders have used the privatisation law to sell military technology and items abroad. This caused a ban on any commercial activity by military leaders. The Soviet leadership – which is against exporting defence equipment as a means of financing the modernisation of the country or as a means of preserving the national defence capability – believes that it is hardly possible to control the final destination of arms exports and, furthermore, that nothing good can come out of the uncontrolled privatisation of military industries.

(iii) Nuclear disarmament

84. The introduction of controls over Soviet nuclear armaments helps a great deal relations within the CIS and also outwards between the CIS and each of its composite states and the West.

85. About 90% of the Soviet Union's strategic nuclear arsenal is in Russia, roughly 5.5% in Ukraine and 4% in Kazakhstan, the remainder being in Belarus.

86. Belarus has signed and ratified the non-proliferation treaty and the START I Treaty which was signed in July 1991 between the United States and the USSR. Under this treaty, Belarus must deliver to Russia all her strategic missiles for destruction within seven years. Ratification of the START I Treaty was not endorsed by the parliamentary opposition. It should be noted that the Belarussian Parliament was elected in 1990 under an electoral system which allowed former communists to retain more than 80% of the seats. The nationalist-inclined opposition wanted Belarus to retain her nuclear weapons in order to participate on an equal footing in the process of disarmament and thus obtain additional advantages.

87. Kazakhstan, for her part, signed and ratified the START I Treaty; it did not subscribe to the nuclear non-proliferation treaty. Kazakhstan maintains excellent relations with Russia and her President, Mr. Nazarbaiev, is a keen supporter of integration in the CIS and of the development of that grouping.

88. Ukraine has not signed the nuclear non-proliferation treaty, nor has it ratified the START I Treaty. Ukraine's position on this has been unclear in recent months, mainly because of the internal political situation and differences of views between President Kravchuk and the parliament.

89. After the bilateral summit meeting between Presidents Yeltsin and Kravchuk on 3rd September 1993, Ukraine announced that under the protocol adopted at that meeting it would hand over to Moscow all the nuclear missiles stationed on Ukrainian territory. Subsequently, the Ukrainian authorities have been prepared to transfer to Russia 130 SS-19s and their 780 nuclear warheads, but have not wished to relinquish 46 SS-24s and their 460 nuclear warheads which they wish to retain in Ukraine. The agreement provided for the transfer of all nuclear weapons to Russia, in exchange for which the latter would supply Ukrainian power plants with nuclear fuel.

90. Difficulties raised in parliament over ratification of this agreement have led President Kravchuk to think about calling early elections. Mr. Kravchuk has pointed out that Ukraine has already started dismantling part of its arsenal. He believed Ukraine had already dismantled some 120 nuclear warheads of the 20 oldest SS-19 strategic missiles.

91. Fear of its great Russian neighbour, use of the nuclear arsenal as a means of negotiating and pressure from the most nationalist sectors explain Ukraine's dilatory tactics.

92. Russia, for her part, is concerned that Ukraine does not respect the agreements adopted in the CIS framework making Russia the only nuclear state among the successor states of the USSR, nor the Lisbon protocol annexed to the START I Treaty under which Ukraine undertook to subscribe to the nuclear non-proliferation treaty.

93. Finally, Russia is firmly behind maintaining the ban on nuclear tests: she argues that these tests encourage other countries (in particular Ukraine) to join the club of nuclear countries.

(iv) Creation of the International Centre for Science and Technology

94. In order to prevent scientists of the ex-Soviet Union from selling their knowledge and experience to other countries and in particular to those in less stable areas, a movement has been started to create an international foundation allowing these scientists to redirect their work towards civil applications. Thus, on 15th April 1992, the Council of Ministers of Research, meeting in Luxembourg, released the sum of 100 million ecus to create this foundation. The United States, Russia and Germany

have also launched an identical programme and the Commission of the European Communities has decided to start an institution which would correspond to the two programmes: the International Centre for Science and Technology, whose founder members are represented on the Council of Administration. Its main goals are to offer scientists the chance of using their knowledge for peaceful purposes, contributing to the evolution towards a market economy and promoting the integration of CIS scientists in the international community.

95. The International Centre for Science and Technology is based in Moscow and, although it has not yet begun its activities, financing is already a problem because it has not yet been finally approved. How this programme develops should therefore be watched in view of the great importance of carrying it out. A close eye will also need to be kept on the ability of Russia and more particularly Ukraine to create an efficient system for monitoring exports of sensitive military equipment and technology linked with nuclear, chemical and biological weapons.

(v) The aerospace industry

96. The most important sectors in which Russia has inherited and retained advanced technological capabilities are the civil and military space sector, aeronautics and the development of missiles. The recent organisation of activities such as the Mosaeroshow in Moscow and the presence of Russian advanced technology in other international aeronautical and armaments meetings such as Farnborough, Abu Dhabi or Defendory 92 in Athens, have proved that Russian technology covers practically all these areas and is both a new and serious competitor and also a possible partner for the United States and Europe.

97. At Minsk in 1991 and Tashkent in 1992, most of the CIS republics reached agreements to pursue the Soviet space programme using existing space centres and other infrastructure. For Russia, the main inheritor of Soviet space infrastructure, it is vital to co-ordinate its space activities with those of the other CIS countries and in particular with Kazakhstan and Ukraine. Baikonur (now rebaptised Tyuratam), which was the main centre for the Soviet Union's space launchers, is now in Kazakhstan and the Zenith launcher is now produced in Ukraine. The Russians have their Plesetsk launching centre in their own territory some 800 km from Moscow, but since Baikonur is the only centre from which Russia launches unarmed geostationary satellites and from which the Zenith and Energya space vehicles can be launched, any idea of transferring Russia's main launching activities from Baikonur to Plesetsk would cost too much and be too complex to administer.

98. In February 1992, Russia set up its own space agency (the RKA) to handle aeronautical and space policy and to gain a place in the international market in this field. Ukraine and Kazakhstan have also created their own space agency.

99. The Tashkent Agreements signed in May 1992 by the CIS member republics, with the exception of Moldova, encouraged a joint space infrastructure for the exploration and use of outer space in the interests of economy, science and international co-operation and thus the present infrastructure was set up thanks to the combined efforts of the member states of the CIS.

100. And these agreements recognise that the installations situated in Azerbaijan, Belarus, Kazakhstan, Russia, Turkmenistan, Uzbekistan and Ukraine belong to those states and that the inter-state Space Council will be responsible for co-ordinating the use of all their infrastructures.

101. Much of the former Soviet aerospace industry is today located in Russia, as has already been said. It is estimated that this sector employs about 600 000 persons. The production of the various constituent items of a programme is organised through what is called an industrial sector composed of various research offices grouped around NPO (scientific-producer association) and the factories.

102. In practice, the Russian aerospace industry builds satellites for reconnaissance and monitoring, telecommunications, meteorological observation, military navigation, launchers such as Proton, Energya and Zenith, a Buran shuttle, space exploration probes, manned capsules and the Mir station.

103. Inmarsat was Russia's first western client: this is a consortium of 64 national firms based in London and which exploits mobile telecommunications satellites. The contract with Inmarsat will allow the Russian Proton launcher to place the Inmarsat satellite in orbit. Links have also been established between Intelsat, an organisation which operates ordinary telephone communications satellites, and the Soviet space industry which is proposing to launch western satellites at a cost some 50% less than normal costs in the West. These are just a few examples of the Russian aerospace potential and its possible sales on the western market. More will be said about this in the following chapter.

104. Regarding Russia's space prospects, perhaps it is worthwhile reproducing here an extract from the European Space Report :

"The Russian Space Agency (RKA), in conjunction with the Russian Academy of Sciences and several ministries, has

developed a plan of the state's space programme for the years 1993-2000.

Lack of funding has spurred Russian technology leaders into uncovering ways of achieving goals critical to the progress of the Russian space campaign. The space programme, according to the RKA, needs 60-80 billion roubles each year, without accounting for inflation. In 1992, the branch received about 51 billion roubles, and in 1993 the budget will be the same. This figure should amount to 0.22-0.27% of the total 1993 federal budget. The most important civilian space programmes to receive government funding in 1993 are, in order of value: manned space flight (16%), space research (14.6%), launching systems (12.4%), remote sensing (12.2%), space communication (11.1%).

The remainder of the budget will go to the improvement of space technology and the development of space-launch complexes.

Russian space activities will be energetically aimed towards perfecting its existing communications and television broadcasting systems. Satellite communications, which are nearly six times cheaper than cable or radio relays, will be modernised by exchanging the Horizon system for the Express system, whose capacity is 4-5 times higher. This endeavour will begin in 1994. Planned for between 1994 and 1996 is the activation of the new Arkos and Mayak systems, which will be able to support up to 2 000 mobile telephone channels.

To develop navigation and geodesy, Russia plans to modify the already-existing Glonass system in 1994-1997. The 13-satellite array, similar to the American GPS-Navstar, determines the co-ordinates of mobile objects on any point on earth with an accuracy of 30 m on position, 45 m in altitude and speeds of 15 cm per second.

Expeditions to Mars will be made for scientific space exploration, and will feature wide international co-operation. In 1994, a study from orbit is planned, in 1996 the placing of a small Mars lander on the surface is planned and in 1998-2001 the Russian programme plans to deliver soil samples from the surface of Mars and Phobos to earth. Over twenty countries will participate in the exploration projects.

To follow in the wake of the Buran grounding, Russian scientists are now focusing extensively on vehicles smaller than the former 30-tonne payload "Siberian Snowstorm". Payload range of

nine tonnes is targeted for the new vessels. The Buran technology, far from being wasted, is being applied to envisioned hypersonic plane programmes.

In 1993, two piloted launches and about four launches of Progress cargo ships are planned, and approximately the same number of launches are slated for the following years. Also planned are flights of Russian cosmonauts aboard the Mir complex. In November of 1993, an expedition to Mir is scheduled to last 18 months.

RKA's Koptev stated that the Agency's intention in the coming years is to enter the international market of commercial launching systems and to have 12-14 launchings a year, which could bring in \$ 200 million annually."

105. Finally, in the military sector, Russia has strengthened her space activities in the hope that existing capabilities in the key areas of this sector can be kept at the operational level reached before the collapse of the Soviet Union. In the first three months of 1993, Russia placed twelve military satellites in orbit.

106. Furthermore, Russia has an operational tactical defence system of antiballistic missiles around Moscow which was revealed for the first time at the Mosaeroshow in 1992 and which has been sold to the United Arab Emirates. The technical abilities of the CIS and of Russia in particular are naturally not confined to the aerospace sector but also apply to conventional armaments. Exports of this type of armaments, in particular to countries of the third world, raise problems owing to the restrictions imposed by the Missile Technology Control Régime (MTCR) which Russia has not joined but intends to subscribe to in the future in accordance with a decision announced by President Yeltsin.

V. The place occupied by CIS advanced technology in the world

107. Due to the high level of staff training, the CIS countries have both the means and considerable potential in advanced technology. It is also clear that these countries seek their place in the world economy and, as was said at the beginning of this report, they do not intend to confine themselves to supplying raw materials.

108. The enormous difficulties caused by moving into a market economy, the political uncertainty and the multiplicity of power centres are among the factors which are delaying the achievement of the aims described above but this will not prevent them from being achieved in the medium or long term.

109. It is therefore for the western world to ensure that the place occupied by the CIS countries in advanced technology at world level is not

at the expense of western interests but, insofar as possible, in harmony with them, thus safeguarding the legitimate interests of both sides.

(i) Co-operation or competition?

110. For various reasons, the West must co-operate with the CIS countries. First, because without western assistance these countries might lose part of the extraordinary potential at their disposal or turn to other sources, which is not particularly desirable. Then, owing to the present position of the rouble and the cost of manpower in those countries, their prices defy competition. The price of the Proton launcher which is 100 times less than Ariane is now a classical example.

111. From the industrial, economic and political point of view, co-operation meets with problems not always easy to solve. World market conditions are not propitious for investment and even less in CIS countries where political parameters are still partly unknown and where the transition to a market economy is still a very complex process. Moreover, it is not always easy for western firms to decide exactly what a business partner there would do.

112. Co-operation must therefore be based on solid foundations of knowledge, understanding and pragmatism and supported by specific programmes which are more easily accessible and consequently have better chances of success.

(ii) Co-operation between the United States and the CIS in advanced technology

113. Recently, just when the peace agreement was being signed between the PLO and Israel, Russia and the United States, represented respectively by Prime Minister Chernomyrdin and Vice-President Gore, signed an agreement on space co-operation which will have widespread repercussions on space activities throughout the world.

114. This agreement is mainly concerned with manned space flights but also it authorises Russia to compete with western firms for large launching rockets (it can send up to eight communication satellites into geostationary orbit and 21 satellites into low orbit). Furthermore, the agreement prevents Russia from exporting missile technology and paves the way for the joint preparation of programmes for missions on other planets.

115. The purpose of this concord is to maintain the supremacy of the two countries in low earth orbit and in outer space while partially preserving the trade interests of western firms and, at the same time, preventing other countries from developing space vehicles.

116. The difference between American space technology and that of Russia brings a further

problem. American space technology is based on detailed study at the planning stage, documentary backing at each production stage and a very extensive test programme, all of which add considerably to the cost. Conversely, the Russian approach is to merge the production and testing stages with actual flight tests which speeds up the start of programmes, lowers the cost and allows considerable experience to be gained in operations in orbit. This method obviously worked in the Soviet Union but the prevailing political mood in the successor countries of the USSR will not allow much change now. Be that as it may, these differences make it all the harder to carry out the agreements.

117. Three stages are planned: first, up to 1995 NASA will carry out a series of missions with its space launcher (the Russian launcher, Buran, will perhaps not be used unless it is put through very costly development tests) to the Mir station. For this, NASA will spend \$100 million which is the amount necessary for maintaining in operation for three years the Baikonur base in Kazakhstan.

118. The second stage (up to 1997) includes the launching of a Russian space station which will form the nucleus to which the United States will add a series of modules. This stage will probably involve the transfer of the Houston mission headquarters to Kaliningrad, which may arouse some opposition in the United States Congress.

119. The third stage sees the completion of the space station with the addition of the American manned modules, Japanese and European modules and a Canadian manipulation arm. No specific timetable is laid down for that but it is expected to be concluded by about 2004.

120. These agreements, which still have to be ratified by the American Congress, will have considerable repercussions on other programmes such as the international Freedom station programme for which the budget is at present being readjusted by the United States administration.

121. Moreover, the American-Russian agreement may offer Europe a chance in this age of budgetary reductions. The deferment until 2004 of linking the European Columbus module with the international space station reduces the amount of investment necessary in the next few years; the agreement cannot however stipulate that the associated members, Europe, Canada and Japan, will pay to keep up and use the space station before they have been "moored" to the station and start using jointly the means made available. The participation of associate members might then be in the form of services offered or tasks attributed to them in the corresponding modules.

122. The agreement is important because it governs commercial launchings from CIS countries: this problem affects particularly western countries in view of the large number of launches in the CIS countries, the theoretical cost of which is insignificant (costs having been amortised under the communist régime) and whose sale price is thus a net profit recuperated in foreign currency.

123. These rules try to avoid the collapse of the western launcher market, thus protecting American interests and in their wake Europe's Arianspace which at present makes 60% of world commercial launchings. There, the agreement, which limits the total of Russian launchings, is of benefit to Arianspace which, so far at least, is not subject to a quota for contracts in the West.

124. To balance the signing of this agreement, Russia agreed to cancel part of its contract with India for the sale of missile components so as to exclude any possibility of nuclear technology transfer. This contract, amounting to some \$350 million, irritated the United States Government which had threatened Russia with sanctions: it considered that this transaction had provided the Indian Government with the technology necessary for producing ballistic missiles.

125. The agreements concluded between the Russians on the one hand and Lockheed and Motorola on the other, which will be examined later, constitute most probably a major risk for Arianspace. A decree signed by the Russian Prime Minister, Mr. Chernomyrdin, on 16th December 1992, opens the door for his country's co-operation with the two American firms. The text of this decree, which is particularly interesting, is as follows:

“ 1. Entrusts to the M.V. Khrunichev mechanical construction factory, on the basis of ballistic strategic rockets produced by that factory and destined to be destroyed in the framework of the programme for the reduction of strategic armaments, the production of commercial space vehicle launchers;

2. Asks the Ministry of Defence of Russia to present to the government, jointly with the Russian space agency and the military-industrial department of the Committee of the Federation of Russia, proposals concerning the building of a launching-pad at the Plessetsk launching centre for launching commercial space vehicles by launchers manufactured in the Khrunichev factory on the basis of ballistic strategic rockets;

3. Authorises the Khrunichev factory :

– to conclude with the American Motorola firm a contract for launching

three commercial communications satellites of the Iridium system by Proton;

– to spend, in the Iridium programme, \$40 million from the foreign currency obtained in the framework of its launching by Proton;

– to create with the American Lockheed firm a joint venture for marketing operations for space services in the international market;

4. Instructs the Russian Ministry of Telecommunications, the Russian Defence Ministry, the Russian Space Agency to work out jointly with the Khrunichev factory and taking account of the frequencies attributed, arrangements for the use of the Iridium system for the telephone and other requirements of Russia and of its industry;

5. Considers that the financing of the work planned by this decree is covered by the Khrunichev factory from its own resources and the resources of Russian and foreign investors.”

126. This significant and precise text clearly illustrates the degree of co-operation now being started between the United States and Russia.

*(iii) Prospects for co-operation
between the CIS and Europe
in advanced technology*

127. The conference of European ministers for space questions meeting in Munich in 1991 and in Grenada (Spain) in 1992 expressed the wish of Europeans to encourage co-operation in this area with the CIS and particularly with Russia. These meetings are proof of Europe's interest in further co-operation, particularly in advanced technology, with the member countries of the CIS.

128. In November 1992, the European Space Agency adopted a resolution on co-operation in space matters with the Russian Federation. This resolution invited the Director-General to negotiate and submit to the Council the practical procedures for the co-operation activities for the period 1993-1995 so that they may be included in the co-operation agreement between ESA and the Russian Space Agency (RKA) as well as in contracts with Russian industrial or research centres.

129. Apart from co-operation which is of great interest, a whole series of firms or industrial groups, with or without the backing of governmental authorities in their own countries, have taken steps towards co-operation agreements,

joint ventures, marketing agreements or other agreements with firms and public and private bodies in the countries of the CIS.

130. The ways and means of co-operation must necessarily take account of the needs of all parties. What the industries of the CIS can offer in the main is technology and they need, above all, investment, financial support, equipment, restructuring assistance, industrial agreements and commercial backing.

131. The agreements reached between the Aerospace group and the Russian aeronautical and space industry are an important example of industrial co-operation between Europe and Russia.

132. Mention must first be made of the joint programme to build the heavy transport helicopter MIL MI-38 which is already at a very advanced stage. Before the end of the year, it is planned to start a joint venture to produce and market this 14-tonne aircraft for civil purposes to transport up to 30 passengers and to be available within the next three or four years. Another programme under study is for a light helicopter built in co-operation between Eurocopter and the Russian Kamov firm.

133. There is also a whole range of projects at different stages of development such as the protocol of agreement with Tupolev on the various aspects of aeronautical industrial co-operation which would not compete with Airbus; for instance, the building of a 100-seat aircraft on the basis of the T-334 in the framework of the ATR consortium taking into account relations between DASA and Fokker. It is also planned to sign a contract with Tupolev to manufacture certain spare parts in titanium for Airbus and to supply Russian titanium (Russia is the main producer in the world) for French industry. Other studies are being pursued with Iliuchin for a commercial version of the four-engined civil transport Il-96M and with Yakovlev to produce under licence and to market a regional transport aircraft based on the ATR-42 or 72 for the CIS market.

134. Tupolev and Iliuchin have discussed a 600 to 800 seat civil transport aircraft: Aérospatiale favours Russian industry participating in this international programme in association with DASA, BAE, CASA and Boeing. Another area to be opened for co-operation between Aérospatiale and Russia is that of small launchers although at the time of writing no final result has been recorded.

135. The example of Aérospatiale is not the only one of importance in European co-operation with the CIS, but it illustrates clearly enough the immense scope of co-operation in specific viable programmes and also the fact that co-operation can but be of mutual benefit.

(iv) The future of Cocom

136. The Russian Federation is trying to form close ties with the member countries of Cocom in order to fight the proliferation of nuclear weapons in the world. In the specific framework of the principles established by Cocom, Russia has said she is prepared to create an effective system for monitoring the export of sensitive items and weaponry.

137. To this end, she has talked more to members of Cocom. In April 1992, a presidential decree laid the foundations for a new system for monitoring exports. At the beginning of this year, Russia presented a letter of intent together with five lists of equipment subject to control:

- a national list of material liable to be used for building nuclear missiles. This list, drawn from the MTCR (Missile Technology Control Régime) should cover all items on the Cocom atomic energy and munitions list;
- a list based on that of the group of nuclear suppliers, the group of states parties to the NPT which drew up a list of materials, products and technologies to which should be applied the nuclear guarantees of the International Atomic Energy Agency when exported to countries not members of the NPT and not possessing nuclear weapons;
- a list of chemical weapons drawn up from recommendations of the Australian Group (an informal group which includes OECD countries) but not including equipment;
- a list covering toxins, biological agents and chemical weapons;
- a fifth list drawn up with a view to co-ordinating and adapting the lists developed by Cocom. It is further specified that this list will be amended to include all the dual-use products on Cocom's industrial list.

138. Furthermore, the letter of intent describes procedure for granting export licences and also the administrative services concerned at inter-ministerial level.

139. Nevertheless, for negotiation to be successful, the Russian regions must also have appropriate monitoring systems. Nor does the risk of diversion to proscribed countries thereby disappear and the fears nourished by members of Cocom take on a political dimension.

140. According to Russia's unilateral declaration to which your rapporteur has referred, the principle of reciprocity is not observed by all the members of Cocom. Moreover, countries with a

system for monitoring dual-use items and technologies will be privileged insofar as they will be able to obtain and sell technology more quickly. And there can be no co-ordinated response at the Cocom level since its members have their own export policies: the system developed is not compulsory; it should be recalled that Cocom, founded in 1949 on the initiative of the United States, is based on no treaty nor intergovernmental agreement and hence it has no juridical existence, international status or official seat.

141. There is a *sine qua non* condition for reciprocity to be applied by both sides: Russia should first accept Cocom rules strictly and unilaterally. In this respect, the member countries of Cocom are proposing bilateral assistance.

142. A conference on the dialogue between the United States and the newly-independent states on export controls was held at Airlie House. This conference revealed an ambivalent attitude towards the slow evolution of Cocom. In particular, as a way out of the bilateral negotiations with the American Government, Russia referred to the possibility of changing Cocom into a multilateral organisation for monitoring exports in the service of non-proliferation. It would seem that the tasks attributed to Cocom and other international groupings have come to nought and these bodies should give way to a new authority responsible for co-operation in this field with the countries of the CIS and Central and Eastern Europe.

VI. Conclusions

143. The first consideration to be noted is that it was not possible to visit Ukraine and Russia due to the special situation in these two countries.

144. Second, it seems clear that the complexity and extent of most of the problems dealt with have made it impossible to examine many of them in sufficient detail. In other words, certain chapters and sub-chapters of the report would be worthy of a report in themselves and some of the questions raised in this document might and should be the subject of closer consideration by our committee, examples being nuclear disarmament, future nuclear energy policy, the prevention of nuclear proliferation, prospects of East-West co-operation (when a more detailed study is made) or even the future control of exports of sensitive items and weaponry.

145. It has already been said that the West, and Europe in particular, should remain particularly vigilant in order to guarantee political stability in the member countries of the CIS; to help stability, it is fundamental to co-operate with these countries in the sector of advanced technology which is of immense importance and interest for

the West and in which co-operation can prove to be of considerable mutual benefit.

146. It is first necessary to realise what a special political and economic situation is now prevalent in the CIS countries, to ensure that any technical and financial assistance and any co-operation programme first has to overcome the difficulties of all kinds arising in these countries as has been noted and emphasised in previous chapters of this report.

147. Apart from these contingencies, there is a clear lack of machinery for promoting the exchange of information, avoiding overlapping and knowing who the various western organisations should contact regarding their programmes in the CIS countries. It is then necessary to insist again on the need for a data centre for the purposes explained although it should not be necessary to create complex structures which might augment the problems rather than avoid them.

148. The creation of this centre for co-ordination and the exchange of information should be the result of affirmed political determination by both the western countries and the CIS countries if the obstacle of resistance and egoism is to be overcome.

149. Again, it should be emphasised that apart from the major difficulties being experienced in the military-industrial complex of the CIS, particularly in the most advanced sectors of the aerospace industry, their capabilities and technological potential are immense.

150. Furthermore, Europe needs these technologies which might be more costly on other markets and in other cases inaccessible, for instance, if it had to produce them itself. Europe will also have to decide whether it is better to be associated with or in competition with the countries of the CIS.

151. Clearly Europe must encourage close and mutually-beneficial co-operation with the CIS. This co-operation cannot nor should be confined to marginal or secondary areas and, one way or another, if Europe does not take part, such co-operation will be pursued by other countries and very probably at the expense of Europe's interests. Your rapporteur is thinking mainly of the aerospace sector which is of capital importance and of particular concern to our committee and the Assembly.

152. Co-operation in nuclear matters mentioned on several occasions to which our committee should devote much of its future work is worthy of very special attention.

153. Ratification of the START I Treaty, accession to the nuclear non-proliferation treaty, the moratorium on nuclear tests, transfers of technology and know-how and their control are areas providing ample scope for European co-operation.

*The evolution of advanced technology in the Commonwealth of
Independent States (CIS) and the consequences for Europe*

AMENDMENTS 1, 2 and 3¹

tabled by Lord Dundee

1. In the preamble to the draft recommendation, leave out paragraph *(ix)* and insert: “ Welcoming the recent ratification of the START I Treaty by the parliament of Ukraine ”.
2. Leave out paragraph 4 of the draft recommendation proper, and insert: “ Call upon Ukraine and Kazakhstan to accede to the nuclear non-proliferation treaty. ”
3. In paragraph 3 of the draft recommendation proper, leave out “ within the context of Cocom rules ” and insert “ to promote transparency in the transfer of equipment for civilian and military use ”.

Signed: Lord Dundee

1. See 12th sitting, 2nd December 1993 (amendments agreed to).

Lessons drawn from the Yugoslav conflict

REPORT ¹

*submitted on behalf of the Defence Committee ²
by Sir Russell Johnston, Rapporteur*

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on lessons drawn from the Yugoslav conflict

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submitted by Sir Russell Johnston, Rapporteur

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

2. *Members of the committee:* Mr. Baumel (Chairman); MM. De Decker, de Puig (Vice-Chairmen); Mr. Alloncle, Mrs. Baarveld-Schlaman, MM. Borderas, Briane, Brito, Chevalier, Cox, De Carolis, Dees, Dumont, Fernandes Marques, Ferrarini, Hardy, Irmer, Jacquat, Kelchtermans, Leccisi, Mrs. Lentz-Cornette, MM. van der Linden, Mannino, Marten, Lord Newall, MM. Pecchioli, Reis Leite, Scheer, Sir Dudley Smith, Sir Keith Speed, MM. Steiner, Lopez Valdivielso, Vazquez (Alternate: Cuco), Zierer.

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

(e) What are the chances?

(i) Peace-keeping in the independent republics of the former Soviet Union

(ii) Peace-keeping in the nine Central European states

(f) Conclusions

IX. What about peace-making?

APPENDIX

Assembly Document A/WEU/DG (93) 21 of 19th August 1993: letters from H.E. Mr. Dimitris Macris, Greek Ambassador to France, to Sir Dudley Smith, President of the WEU Assembly, and information on Greece's position regarding the United Nations Security Council sanctions on Serbia and Montenegro

Draft Recommendation
on lessons drawn from the Yugoslav conflict

The Assembly,

- (i) Noting that all the efforts of the international community to solve the conflict in former Yugoslavia have failed;
- (ii) Noting that the conflict in former Yugoslavia has shown clearly that in future there will be no possibility for EC member states to act independently in matters concerning peace and stability on the European continent;
- (iii) Convinced that Europe will have to develop an independent capability to act in defence of its own specific security interests, while recognising the continuing vital contribution of the United States to European defence;
- (iv) Considering that the EC, having realised that it had to give up its original mistaken objective of keeping former Yugoslavia together in a federative structure, has not yet managed to identify a clear political strategy towards the Balkans;
- (v) Noting that similarly international organisations such as NATO, the CSCE, the United Nations and even powerful countries like the United States have been unable to identify a clear and effective political strategy towards the Balkans;
- (vi) Noting that a peace agreement coming to grips with all conflicts in the region is the only viable way to deal with the dissolution of former Yugoslavia;
- (vii) Noting that in conflict-prevention apart from diplomatic and economic action, consideration must also be given to the possibility of preventive military presence through the deployment of peace-keeping forces;
- (viii) Considering that the seemingly hurried restructuring of armed forces in WEU member states in recent years may have to be reviewed in the light of Europe's inability to provide forces for long-term peace-keeping operations in its area of responsibility;
- (ix) Recognising at the same time that political will is naturally the first requirement for any operation involving military forces;
- (x) Noting that any peace agreement for the region must include rigorous provision for arms control, the reduction of armed forces and adequate enforcement provisions;
- (xi) Considering that the EC's regrettable difficulty in identifying its aims clearly has caused much fatal hesitation and many changes in its policy towards the conflict in former Yugoslavia;
- (xii) Noting that foreign and security policy are of little avail if they are not complemented by a defence policy;
- (xiii) Noting with satisfaction the creation of the Eurocorps and stressing the need for a European rapid action force;
- (xiv) Noting that, within Europe, recognition of new states requires a new approach which includes due appraisal of its security and the nature of the collective commitment to its integrity;
- (xv) Noting that recognition of a new state cannot be an end in itself and that the new state's ability to meet the criteria for recognition and the responsibilities resulting from this recognition must consequently be examined in depth;
- (xvi) Noting that the problems created by large movements of refugees clearly show that it is in the interests of European countries to have an agreed reception policy and, more important, to find a means of averting the conflicts which cause such movements,

RECOMMENDS THAT THE COUNCIL

1. Consider the establishment of a European rapid action force to which the member countries of WEU should make commitments including greater integration of training and equipment;
2. Implement the chapter of the Maastricht Treaty concerned with the joint foreign and security policy of the European Union as soon as possible, determine the rôle of WEU and set out terms for better integration of the foreign and defence policies of Europe;

3. Further develop the military contingency planning capability of the WEU Planning Cell, while at the same time including the widening of its intelligence access and powers of initiation;
4. Clearly identify threats to Europe's security and suggest preventive action at diplomatic, economic and military levels in part to provide practical assistance to the transition process in new democracies in order to avoid a reversion to past policies;
5. Emphasise to Greece the interest of its recognition of the former Yugoslav Republic of Macedonia in the period prior to its accession to WEU;
6. Re-examine the respective tasks and rôles of the United States and its European allies in the maintenance of peace and security on the European continent and take the appropriate measures to ensure that under no circumstances will it be possible for a security vacuum to develop for lack of appropriate preparation, co-operation and co-ordination;
7. Provide the UNPROFOR command with the ways and means it is seeking to ensure compliance with all the resolutions of the United Nations Security Council;
8. Suggest to the appropriate authorities that they should intensify low-level flights over Bosnia, particularly Sarajevo, as an effective deterrent to the repeated shelling of the civilian population, which results in daily slaughter.

Explanatory Memorandum

(submitted by Sir Russell Johnston, Rapporteur)

I. Introduction

1. The savage war in former Yugoslavia has profoundly shaken many convictions about peace and security in post-cold war Europe. A conflict in the centre of Europe with hundreds of thousands killed, both military and civilians, and even larger numbers tortured, persecuted and expelled from their houses and lands, an important part of the existing habitat and economic infrastructure devastated and the majority of the region's cultural heritage deliberately destroyed seemed unthinkable. Yet it happened. None of the serious efforts made by the CSCE, the European Community, or the United Nations, has been effective enough to prevent the bloodshed and devastation which, after more than two years of fighting, have become commonplace in the daily news reports.

2. Could a war and all its consequences have been prevented? Has the international community, and in particular the European Community, failed to take the appropriate action? Many questions have been asked and just as many proposals have been made by politicians and political commentators.

3. If in the present report the crisis in former Yugoslavia is again subject to discussion, the main objective is not to point out who was at fault. Indeed, fatal mistakes and misjudgments have been made and many of those who are, or were, involved in mediation efforts or negotiations are the first to recognise this.

4. Why did Europe make it clear that it would abstain from the use of force? Was there a fundamental reason to stick to the principle of respecting existing borders, even if these had been internal borders within the Federal Republic of Yugoslavia? Why were sanctions and other decisions meant to curb aggression or violence not enforced at an earlier stage?

5. One purpose of this report is to do some soul-searching which might help to establish a framework for policies and procedures which might prevent future similar crises. It may also help to further dispel some of the illusions about a new world order and the altruistic co-operation of all civilised nations in maintaining such an order.

II. Action taken by the EC

6. One feature of the war in former Yugoslavia is widespread violence and atrocity. Mass media have diffused images of unparalleled sav-

agery into the living-rooms of hundreds of millions of Western Europeans, many of whom had spent their holidays on the beaches of the very country where all this is happening.

7. No wonder, therefore, that in both public and parliamentary debates in all Western European countries there was an almost general appeal for governments to "do something" in order to stop the killing.

8. In fact the governments did something, in particular through the EC. Cease-fire agreements were brokered, EC observers were sent to the area of conflict, a peace conference was established, the conflicting parties were almost dragged to the negotiation table, and economic and arms embargoes were imposed. At a later stage, the United Nations was called upon, which not only resulted in an endless number of United Nations Security Council resolutions but also in the peace-keeping forces being sent to Croatia, humanitarian aid being facilitated in Bosnia-Herzegovina, the presence of a monitoring force in Macedonia and the enforcement of sanctions imposed.

9. It should also be noted that the EC managed to hammer out a common European policy which may have been the best one possible at that moment. However, it clearly had the flaws of a consensus policy and make-shift solutions which had been prepared not long before and after thorough examination of all the issues involved. This policy has not solved the conflict nor has it prevented the killing, but until now it has contained the conflict within the borders of former Yugoslavia. The different parties apparently had such a remarkable stamina in mutual butchery that none of the classic peaceful means enumerated in Chapters VI and VII of the United Nations Charter has been enough to stop the conflict. Can one reproach the EC – which was mentally not prepared to face the display of violence and savagery which came to the surface at an early stage – of not having made provision for rapid military action, which then might still have nipped the conflict in the bud, leaving room for negotiations between different parties on an equal footing? The specific issue of the use of force or the credible threat to do so will be discussed later in the present report.

10. What were the most obvious shortcomings in the EC's efforts to draft and implement a common policy?

11. The EC could have prepared itself better for a possible conflict in Yugoslavia. Nobody

can reasonably argue that in the EC's member states there was a lack of information about political developments in Yugoslavia.

12. During the cold war, Yugoslavia was generally considered to be the most open of all European communist states. The end of the cold war did not suddenly cut off this steady flow of information, but rather increased the possibilities of assessing the situation. Neighbouring countries, including in particular Hungary which was increasingly worried about the position of the Hungarian minority in the Republic of Serbia, actively informed EC member states about what could happen in Yugoslavia.

13. It seems, however, that many have turned a blind eye to some of the developments after Tito's death and their possible consequences and especially the rise of nationalism, in which many leading Serb intellectuals and former dissidents have played an important rôle. Among them are well-known people like Mihajlo Markovic, Dobrica Cosic, Matija Beckovic and Vojislav Seselj, to name just a few. As early as 1987, the Serbian Academy of Arts and Sciences prepared a memorandum, outlining a "national programme" which made a paranoid case for Serbian nationalism based on historic "injustices" done to Serbs, especially to those living in Kosovo.

14. It is only logical that their nationalist thinking finally gave birth to official party policy as contained in a document which was made public by the Serbian socialist party on 15th July 1991 stating that: "the regions in Croatia with a Serbian majority must establish an autonomous region of Yugoslavia", and that "arguments are no longer sufficient to defend the interests of the Serbian people... Serbia needs a real military force, highly motivated". Concerning the Albanians, it was said that "according to international criteria, separatist aspirations of ethnic minorities cannot be tolerated".

15. Since Milosevic came to power in Serbia in 1987, Serbia's government has conducted a consistent nationalist policy including the violation of the autonomous status of both Kosovo and Vojvodina and political repression of minorities.

16. Apparently there has been a lack of anticipation and forward planning, if not in national foreign ministries, then certainly in the European political co-operation framework.

17. Until the middle of 1991, when both Slovenia's and Croatia's secession were accomplished facts, the EC had been supporting federal Prime Minister, Ante Markovic's policy of national conciliation and economic recovery.

18. It has been argued that all the energy of Europe's diplomatic chancelleries was concen-

trated on the approaching collapse of the Soviet Union and on the Gulf war and its aftermath. This is a point in case, but still it is astonishing that so little attention was paid to the indications which foreboded the first major armed conflict on European territory since the second world war.

19. If, understandably, the EC has the ambition to play a rôle as the most influential and powerful moderator on the European political scene, it will have to create the conditions to enable it to do so. A prerequisite is more intensive co-operation in exchanging intelligence between all members.

20. At the same time, the EC must analyse and define its strategic interests. Only then will it be able to establish the principles and guidelines which should be the basis of a consistent foreign and security policy, with member states committed to its implementation with all necessary means at their disposal. Another apparent handicap in the EC's nascent foreign and security policy procedures is the collective decision-making machinery in the European Council, where consensus is considered vital for a common strategy. It appears to be difficult to decide on a common security policy if there is no authority within the EC or elsewhere, which leads the way. Especially in security matters, most, if not all, EC countries were used to waiting for the United States to tell them what to do. The crisis in Yugoslavia introduced an ambiguous situation in that on the one hand the EC was eager to demonstrate its ability to handle a security crisis in Europe, while on the other hand it was looking over its shoulder to see what the United States would say or do, more or less subconsciously expecting that Big Brother would rush in if things really turned nasty. The EC quickly learned, however, that the United States is no longer prepared to exert its leadership if it believes there is no threat to its own national interests.

21. Should this lead to the conclusion that the EC needs a new leader, a *primus inter pares*, who tells the other members what to do if Europe's security is threatened? Not necessarily, but if the EC wishes to be able to react rapidly and adequately under such circumstances, it may have to consider procedures where member states wishing to act should be allowed to do so under the aegis of the EC, if there is sufficient support among the member states. This would mean that foreign and security policy decisions could not be blocked by one single or perhaps two member states. On the other hand, it should be clear that no member state could be forced to participate in EC foreign policy action or to provide military forces for such action without first reaching agreement on the matters concerned.

22. While it is possible to imagine such opt-out procedures during the early stages of

building a European foreign and security policy, there can be no question of them in situations covered by the modified Brussels Treaty with the compulsory obligation of Article V.

23. The crisis in former Yugoslavia has made it clear that situations in which a single member state of the EC or WEU is prepared to act in order to solve a conflict in Europe outside the territory of the EC must be excluded. EC and WEU member states are far too interdependent to claim that they can or will act without the others.

24. Much has been said about the lack of forces and the possibility of co-ordinating military operations. These problems of a practical nature can be solved provided there is a political will, the first requirement for any operation involving the use of military force with all the inherent risks.

25. It should be noted in this framework that in NATO, there is a growing consensus over the need for a close link between NATO and the European defence identity, in particular WEU. The ideas put forward include the suggestion discussed by NATO's defence ministers at their recent meeting at Travemünde on 21st October 1993 that, in the event of a specifically European operation by WEU, NATO should place its technical and logistical assets at WEU's disposal.

26. The major lesson of the conflict in former Yugoslavia is that the EC has reached a point of no return in the development of a common foreign and security policy. Member states are aware that they have a common responsibility for peace and stability in Europe. They will have to act accordingly.

III. The EC's policy in the conflict in former Yugoslavia and the position of Germany and Greece

27. With the actual decision-making process in the EC, any European foreign and security policy has to take into account the attitudes and opinions of each member state. It is well known that this does not always facilitate the establishment of a very energetic policy. In particular Germany and Greece (surprised to find themselves together!) are often accused of having stood in the way of a reasonable and balanced EC policy in former Yugoslavia. Are these accusations justified? It would seem useful to have a closer look at the attitude of each country.

28. First Germany. As is known, the EC has been reluctant to recognise the Republics of Slovenia and Croatia too soon and many have pointed a finger at Germany for forcing the EC into early recognition. Today, however, there are few experts who would assert that

Germany's attitude on this issue caused war in former Yugoslavia. There were several arguments in favour of early recognition. First of all, it should be observed that the EC's hesitation to recognise the newly-independent republics had an increasingly adverse effect on efforts to restore peace, since it only reinforced the Serb leadership's expectation that the international community would accept a Greater Serbia policy of force under the guise of preserving the Yugoslavian state as a community of nations and peoples. Indeed, in the autumn of 1991, with war raging in Croatia, it became clear to most EC members that Serbia was using the peace negotiations as a shield to continue the war and that recognition of the new republics could be a means of legitimately halting aggression.

29. Opponents of the early recognition of Slovenia and Croatia argued that it would deprive Lord Carrington of the leverage to find an overall political solution. In fact, Lord Carrington had no leverage at all since the international community repeatedly affirmed that it would not consider military intervention in order to contain Serbian aggression against Croatia. As a consequence, Lord Carrington had no means of bringing pressure to bear on the non-Serbian parties to reach an agreement with Serbia on granting regional autonomy to Serbs in Croatia. It was the German Government that persuaded Croatia to change its constitution in this respect. It should be noted therefore that Germany has positively tried to help promote the best possible solution through active diplomacy.

30. Germany has also been accused of letting other EC member states send land forces to former Yugoslavia for peace-keeping and humanitarian aid, tasks which Germany itself could not perform for different reasons. Here too, Western Europeans should show some indulgence.

31. Recent history was a first valid reason for not sending German land forces as peace-keepers in a conflict between Serbs and Croats. It is also very hard to object to other constitutional impediments to the involvement of German armed forces in military operations in former Yugoslavia. Indeed, it should not be forgotten that after the second world war the allied countries took pains to re-educate and transform the population of Germany to become a peace-loving, if not pacifist, people. The same countries should not be surprised at the success of their efforts. Of course, there may be good reason to adapt Germany's attitude to the entirely different situation in the world today, but this can be safely left to the Germans to decide, knowing that they are concerned with the position of their country in Europe and its image in the world.

32. The position of Greece has been and still is a more complicated factor in the formulation of a European policy towards former Yugoslavia and its now independent republics.

33. First, Greece has from the beginning taken a negative view regarding recognition of the former Yugoslav Republic of Macedonia. Greece has used its veto to block the EC's recognition of the former Yugoslav Republic of Macedonia as an independent state, notwithstanding the fact that in January 1992 a committee of legal experts under the chairmanship of Mr. Badinter concluded that Macedonia met all the conditions for recognition by the EC.

34. The reasons for Greece's attitude are almost too well-known to be repeated here, but in essence, Greece has expressed fears that a new independent Republic of Macedonia may become a threat to peace in that region, alleging that in its constitution of 17th November 1991 there are references to the possibility of changing existing borders and intervening in the internal affairs of neighbouring states on the pretext of issues concerning the status and the rights of alleged minorities.

35. Moreover, Greece asserts that it has a monopoly on the name of Macedonia which, it argues, "has been Greek for 3 000 years". Neither had Macedonia the right to adopt the Star of Vergina as its coat of arms because it is a Greek symbol which was found on Philip of Macedon's tomb near Salomila.

36. In April 1993, the United Nations Security Council adopted a resolution which cleared the way for the admission of Macedonia, to be referred to provisionally as the "former Yugoslav Republic of Macedonia", to the United Nations. The questions of both the name and the flag of the new state were left to be settled under the auspices of the international mediators in the Balkans, then Cyrus R. Vance and Lord Owen.

37. Second, Greece has never been able entirely to dispel charges of connivance in violations of the embargo on Serbia and Montenegro.

38. After the last June 1993 session of the Assembly of WEU, the Greek Ambassador to France, H. E. Mr. Dimitris Macris, wrote to the President of the Assembly to inform him of Greece's position regarding the United Nations Security Council sanctions on Serbia and Montenegro (see Appendix). Since then, however, new charges have been made, as mentioned in Chapter V on sanctions.

39. The return to power of Pasok, under the leadership of Andreas Papandreou, after the last parliamentary elections in Greece may have serious implications for the situation in the Balkans.

40. In April 1993, Andreas Papandreou, then still the Pasok opposition leader, publicly declared that the embargo was an injustice done to one party in the conflict in former Yugoslavia, saying "Greece must not betray Serbia, its long-time friend."¹

41. He was elected on a nationalist programme promising resistance to the "Turkish threat", envisaging Greece allied with Serbia against Turkey. He also assured his compatriots of an "even tougher" policy towards the FYROM.

42. On 15th October, Prime Minister Papandreou announced that Greece would pull out of the United Nations-sponsored negotiations with the former Yugoslav Republic of Macedonia over its name.

43. With Greece due to assume the rotating EC presidency on 1st January 1994, this does not augur very well for a European Balkan policy.

44. What must be done? An important part of the agitation and rhetoric of Greek politicians over Macedonia serves their personal and domestic political objectives. Strong nationalist attitudes still pay off well in Greek politics. But the rhetoric may not always be well understood abroad and it may even worry other member states of the EC if it is accompanied by action running counter to European interests.

45. Greece has its own specific and justified security interests in the region to which the other EC member states should pay due attention. However, a reasonable examination and debate of these interests may be hindered if Greece continues to confuse priorities in its domestic and foreign policy.

46. It must know that being a member of a security alliance includes both rights and obligations. For more than forty years, NATO has been able to shelter Greece from the possible threat of the Warsaw Pact. There is no reason to even think that it would not be prepared to protect Greece against new post-cold war threats.

47. As is known, a protocol of accession to WEU was signed with Greece on 20th November 1992. There is no doubt that Greek accession to WEU fits into the logic of decisions taken in Maastricht in 1991 as regards the development of a European common foreign and security policy and of a genuine European security and defence identity.

48. Article V of the modified Brussels Treaty obliges member states to afford "all the military and other aid and assistance in their power... if

1. AFP, 29th April 1993.

any of the high contracting parties should be the object of an armed attack in Europe". As said earlier in a report on the enlargement of WEU², Greek membership should enhance the mutual coherence and security which is the objective of the WEU alliance and not be a source of additional risks. The accession protocol with Greece should therefore not be ratified before Greece has satisfactorily solved its existing dispute with FYROM.

IV. The United States' attitude

49. It is no doubt a significant feature of the conflict in former Yugoslavia that the United States did not participate in any diplomatic effort to find a solution to the conflict during the early phase lasting up to April 1992, when war broke out in Bosnia-Herzegovina.

50. For the first time since the second world war, the United States did not take the lead in handling a European security crisis. Why did that happen and should it be interpreted as a changing of the guard, with the EC taking over from the United States?

51. Before rushing into easy conclusions, certain specific developments should be taken into consideration.

52. Two connected reasons for United States reluctance to act were that it was thought that even though a break-up of Yugoslavia could have repercussions on political stability in Central and Eastern Europe, no American interest was directly at stake.

53. On the other hand, according to the Americans, the European Community was apparently best placed to conduct negotiations preventing a dissolution of the Yugoslav federation.

54. It should also be noted that United States diplomacy was fully involved in the Gulf crisis and its aftermath, in the Middle East peace conference and in arms reduction negotiations with an increasingly unstable Soviet Union, each of these matters being considered issues of far greater importance.

55. The 1992 presidential election campaign was approaching rapidly and it was clear that according to an overwhelming majority of the United States electorate, the Bush administration had paid far too much attention to foreign policy and too little attention to internal matters and the ever-increasing budget deficit. Involvement in any foreign policy adventure without a guaranteed chance of success was therefore excluded.

56. Moreover, while the political leadership saw little chance for successful mediation, the military were by no means eager to send troops into what is generally considered to be the notoriously hazardous Yugoslav environment. Lastly, the United States administration was aware of the EC's desire to demonstrate its ability in solving a European security problem. Although at times a persistent nostalgia for world leadership can be discerned, the United States administration supports the idea of greater integration for Europe, which could be a reliable partner in building and maintaining peace and in defending common interests.

57. As for the United States administration's political opinion on what should be done, there was no doubt that it agreed with the United Kingdom and France that Yugoslavia's territorial integrity should be maintained insofar as possible. The disintegration of Yugoslavia was considered to be a dangerous precedent for the whole region, where many other nationalist conflicts or crises were surfacing.

58. However, when a break-up of Yugoslavia appeared inevitable in the autumn of 1991, with heavy fighting quickly spreading over parts of Croatia, the United States agreed to the imposition of sanctions. Yet, throughout 1992, when the whole political scene was absorbed by the presidential election campaign, it avoided any direct involvement.

59. Only after President Clinton's inauguration did the United States offer to become "actively and directly engaged" in peace efforts in Bosnia-Herzegovina. It made a series of proposals and nominated Reginald Bartholomew as a special envoy to the international peace talks on former Yugoslavia.

60. As already known, the results of this direct engagement have not led to a significant breakthrough in the peace process.

61. Notwithstanding much criticism of the EC's inability to solve the conflict in former Yugoslavia, the United States has agreed to the Western European approach that a peace plan cannot be implemented before it has been accepted by all parties.

62. In September 1993, President Clinton, the United States Secretary of State, the national security advisor and the United States permanent representative to the United Nations explained their view of United States foreign policy. The President's message was that the United States would use its unique position "to expand and strengthen the world's community of market-based democracies". He also said that "the United States plans to remain engaged and to lead".

63. Altogether, however, the view presented was not very clear and left many doubts about

2. Document 1360.

the scope of United States determination to become involved in crises. A new definition of United States national interests in the post-cold war era has not yet been established and recent events in Somalia and Haiti seem to confirm the suggestion of a political commentator³ that a new kind of containment policy is being developed, in which the United States only intervenes in crises that are containable, manageable, cheap and close-ended, except in the event of mortal threats to American security.

64. After the Washington agreement on the joint action plan for containing the war in Bosnia, the United States Secretary of State said that "Beyond the Congress and outside the (Washington) Beltway" he felt "real support from the American people" for the government's policy. He was aware that some critics said that the United States had not lived up to its responsibility, but went on to say that:

"In this kind of situation, a humanitarian crisis a long way from home, in the middle of another continent, I think that our actions here are proportionate to what our responsibilities are.

We can't do it all. We have to measure our ability to act in the interests of the United States, but to save our power for those situations which threaten our deepest national interest, at the same time doing all we can where there's humanitarian concern."⁴

65. These guidelines were confirmed in the Secretary of State address on 20th September 1993, meant to clarify the new administration's approach to world affairs, when he stated:

"The central purpose of our foreign policy is to ensure the security of our nation and to ensure its economic prosperity as well, and to promote democratic values. The United States must maintain its military strength and reinvigorate its economy so we can retain the option to act alone when that is best for us."

Later he added that:

"We should not ignore the value of working with other nations."⁵

66. The message given here is clear. Europe should shoulder its own responsibilities and be prepared to take care of its own security interests if they do not coincide with those of the United States.

67. There is a strong feeling that the United States leadership is interested mainly in main-

taining good relations and a strategic partnership with Russia, while leaving it to Europe to solve problems in Central and Eastern Europe. This minimalist approach would seem to be neither in the interest of Western Europe nor that of the United States. What is needed is co-ordination, if not close co-operation, between the United States and Western Europe in helping Central and Eastern European countries, including Russia and Ukraine, to develop their economies and democratic institutions as the best guarantee against conflicts and insecurity.

68. In his recent address to the United Nations General Assembly, President Clinton enumerated four important conditions for United Nations peace-keeping operations, stating that the United Nations should assess peace-keeping proposals carefully to determine if there is a genuine threat to international peace, what the objectives would be, at what point the peace-keepers would be removed and what the cost would be.

69. Earlier, the United States permanent representative to the United Nations had stated that the United States would insist on answers to fundamental questions before undertaking new obligations in a United Nations peace-keeping operation. Among these questions would be the following:

- Does the proposed peace-keeping mission have clear objectives and can its scope be clearly defined?
- Is a cease-fire in place and have the parties agreed to a United Nations presence?
- Are the financial and human resources available to accomplish the mission?
- Can an "end point" to United Nations participation be identified?⁶

70. After clashes between United States peace-keeping soldiers and followers of the Somali warlord, General Mohammed Farrah Aidid, causing the death of 12 United States soldiers, President Clinton stated that he wanted to bring home all American forces before 31st March 1994. The President made it clear that it was not the United States' job to rebuild Somalia's society or even to create a political process that would allow Somalia's clans to live and work in peace⁷.

71. In Haïti on 11th October, a crowd of several hundred armed demonstrators managed to prevent the disembarkment of a small contingent of United States soldiers who had come to Port-au-Prince to join a United Nations assistance mission sent to help in the re-establishment of democracy on the island.

3. Thomas L. Friedman, *International Herald Tribune*, 2nd-3rd October 1993.

4. *International Herald Tribune*, 27th May 1993.

5. *International Herald Tribune*, 30th September 1993.

6. *International Herald Tribune*, 24th September 1993.

7. *International Herald Tribune*, 9th-10th October 1993.

72. Events in Somalia and also in Haïti have made it clear that even the United States is going to be ever more reluctant to commit troops for peace-making, or even peace-keeping, in regional and local conflicts when there are no guarantees of success and when there is not a direct and more or less self-evident threat to vital national interests.

73. The Clinton administration has until now favoured a multilateral approach to world affairs. This means that American power is being placed at the service of the world community on the grounds that the United Nations will use it only for purposes approved by broad international consensus and in conformity with international law. This attitude can only be welcomed.

74. At the same time, however, there is still some ambiguity in the implementation of this policy. While the United States is willing to work in the framework of the United Nations and other multilateral organisations, it does so only on the assumption that it can play the leading rôle, both politically and militarily, and thus it wishes to have the command of any military operation in which its troops are involved. This means that it always asks its partners to occupy a position which it would not be prepared to occupy itself. Another ambiguity which has only recently become more evident is that it still has the natural and instinctive habit of a superpower, inclined to tackle problems with a show of military force, while it backs off as soon as it encounters serious resistance, for fear of criticism at home in case of casualties.

75. This can lead to a paradoxical situation where United States soldiers are not sent on a mission to create a secure environment for the population in a conflict, but rather to have a secure situation created for themselves.

76. On the other hand, it should be admitted that, for understandable reasons, the United States has not yet defined accurately the full range of its national interests in the post-cold war world, which makes it difficult always to take the right decision about where and when to intervene and also to foresee the consequences of such intervention.

77. In these circumstances, what should be Europe's attitude? As regards the reappraisal of the United States foreign policy it must be patient, maybe even indulgent. Europe is not in a position to dictate to the United States what its vital national interests should be, nor is anybody else in the world.

78. On the other hand, Europe cannot wait to identify its own vital and strategic interests until the United States has made up its mind. It must act now and prepare for a future where, on the European continent, it will most probably have

to defend on its own certain vital and strategic interests which it may no longer share with the United States and which it therefore will have to handle under the benevolent eye, but without the active participation of, the United States.

V. Minority rights in Europe and the recognition of new states

79. Although it is generally admitted that minority rights are presumably the most explosive issue in post-cold war Europe, it is extremely difficult to find an adequate general solution acceptable to all the parties concerned. The conflict in former Yugoslavia has clearly revealed what can happen if minorities and majorities do not know where to draw the line. It has also shown that the EC had no ready response to the question of what to do when an ethnic, religious or other minority does not accept living in a state ruled by a different majority but claims the right to self-determination, including the adjustment of existing frontiers – goals that it is prepared to seek by the use of force.

80. It appears that since the beginning of the conflict, Western Europe has desperately tried to respect the principles of the Helsinki Final Act, as later specified and confirmed in the 1990 Charter of Paris in order to prevent the collapse of a system of values and lofty principles. This system not only confirmed the status quo in Europe as it emerged from the cold war, it should also, in the opinion of the EC, guarantee peace and security in Europe for the future.

81. In the following paragraphs, a succinct review will first be given of Western European activities in the issues of minorities and the recognition of new states. The review will be followed by concluding remarks with an indication of the possible road to take.

(a) Guidelines for the recognition of new states in Eastern Europe and the Soviet Union

82. When the EC member states gradually came to the conclusion that they had to accept the collapse of former Yugoslavia, they developed, not without difficulty, a common position concerning recognition of the republics of former Yugoslavia. The EC's foreign ministers, meeting in Brussels on 16th December 1991, agreed on a compromise consisting of the following elements:

- on 23rd December 1991, Yugoslav republics wishing to be recognised should make this known to the EC foreign ministers, indicating their willingness to meet the conditions set out in the EC's "Guidelines for the recognition of new states in Eastern Europe and the Soviet Union";

- following their requests, the Badinter Arbitration Committee should verify if these states indeed meet the conditions enumerated in the above guidelines;
- based on the Badinter Arbitration Committee's advice, the Twelve would take a decision on recognition on 15th January 1992.

83. In the "Guidelines for the recognition of new states in Eastern Europe and the Soviet Union", the Twelve mentioned the following conditions for recognition:

- "- respect for the provisions of the Charter of the United Nations and the commitments subscribed to in the Final Act of Helsinki and in the Charter of Paris, especially with regard to the rule of law, democracy and human rights;
- guarantees for the rights of ethnic and national groups and minorities in accordance with the commitments subscribed to in the framework of the CSCE;
- respect for the inviolability of all frontiers which can only be changed by peaceful means and by common agreement;
- acceptance of all relevant commitments with regard to disarmament and nuclear non-proliferation as well as to security and regional stability;
- commitment to settle by agreement, including, where appropriate, by recourse to arbitration, all questions concerning state succession and regional disputes."

84. Among other things, they also declared:

"The European Community and its member states will not recognise entities which are the result of aggression. They would take account of the effects of recognition on neighbouring states."

(b) The Badinter Arbitration Committee

85. When, on 27th August 1991, the Community and its member states in an extraordinary meeting of the foreign ministers convened a peace conference on Yugoslavia, it also created an Arbitration Committee, chaired by Mr. Robert Badinter. This Arbitration Committee produced a number of opinions, at the request both of Lord Carrington, President of the Peace Conference and of the EC Council of Ministers, to which reference was made under section (a) in this chapter.

86. It also produced two opinions at the request of the Serbian Republic, which used the conference as an intermediary. These Serbian requests concerned the right of the Serbian population in Croatia and Bosnia-Herzegovina to self-determination and the delimitation of internal borders.

87. The right of peoples to self-determination is vaguely defined in Article 1 of the United Nations Charter. Indeed, the Charter did not provide a definition of the word "peoples", nor did it lay down rules as to how this right is to be exercised.

88. The Arbitration Committee appeared to link the rights of minorities to the rights of peoples. As a consequence, the notion of "people" is no longer homogeneous and should not be seen as encompassing the whole population of any state. Within one state, various ethnic, religious or linguistic communities may exist. According to the committee's opinion number 2, each of these communities would have the right to see its identity recognised and to benefit "from all the human rights and fundamental freedoms recognised in international law, including, where appropriate, the right to choose their national identity".

89. The committee also noted that Article 1 of the two 1966 International Conventions on Human Rights establishes that "the principle of the right to self-determination serves to safeguard human rights", signifying that "by virtue of this right, each human entity might indicate his or her belonging to the community (...) of his or her choice."

90. The committee then suggested that the states concerned might accord to Serbs in Bosnia-Herzegovina and Croatia, if they so desired, the nationality of their choice. These persons, declaring themselves Serbs, could retain certain civil and political rights in the territories of Bosnia-Herzegovina and Croatia, without thereby questioning the sovereignty of the state. Rights of minorities can therefore be respected without this having to result in a break-up of an existing state. This could lead to a distinction between "nationality" and "citizenship" similar to what is set out in the Treaty on European Union.

91. Furthermore, the Arbitration Committee attached great importance to the principle of respect for frontiers existing at the moment of independence and recalled in its opinion number 2 that, whatever the circumstances, "the right to self-determination must not involve changes to existing frontiers". On the other hand, according to the committee, states may modify their frontiers by mutual agreement.

92. This conclusion of the committee does not leave much room for a flexible policy. What

should be done if a minority refuses to remain in the state of its citizenship if this state, while according it full minority rights, refuses to change its frontiers by mutual agreement? Can such a minority be denied its right to self-determination if it wishes to be part of a neighbouring state? Can this minority be condemned to remain in the state of its citizenship because of the principle of inviolability of frontiers? Would mass migration be the only solution if no mutual agreement to change frontiers can be reached between the two neighbouring states?

(c) *The Balladur plan*

93. Conscious of the acuteness of the problem of minorities in Europe and of the difficulties of the international community, including the EC, to implement the principles to which it had committed itself, the French Government, at the European Council meeting in Copenhagen on 22nd June 1993, presented a pact on stability in Europe, also called the Balladur plan.

94. France argues that this would offer the Central and Eastern European countries wishing to move closer to the EC a framework in which they could, between themselves and on a pragmatic basis, settle those problems which are considered to be potential sources of instability. The ultimate goal would be the signing of a pact embracing all the bilateral agreements thereby concluded.

95. It is proposed that the preparatory conference for the pact will do more than solemnly confirm the inviolability of borders in Europe. It should also prepare the signing of agreements of good neighbourliness which are based in particular on the respect of minority rights in cases where violation of those rights could lead to international entanglements.

96. As regards the rights of minorities, the proposal argues that existing texts on this subject have gradually developed from individual rights of people belonging to minorities towards recognition of their collective character and their close links with security problems.

97. The CSCE High Commissioner should be asked to prepare a report on the collective rights of minorities. Following this, the preparatory conference for the pact should ask the countries of Central and Eastern Europe to conclude mutual agreements which, on a case-by-case basis, contain solutions for their minority problems.

98. Preventive procedures should be established in order to avoid violation of minority rights resulting in security problems. The rôle and power of the CSCE High Commissioner should be re-evaluated and he might be given a more active rôle as a mediator.

99. The preparatory conference should also examine possible accompanying measures to promote stability. It could, in particular:

- examine the possibility for WEU to admit, as associate members, signatory states of a European pact whose accession to the European Union is envisaged and developing military co-operation with them, in particular in the field of peace-keeping;
- promote military co-operation between Central and Eastern Europe, the Twelve, NATO and WEU;
- propose concrete measures to reinforce CSCE institutions.

100. Apart from countries from Northern, Central and Eastern Europe, the list of participating countries should also include the United States, Canada, Russia, Belarus, Ukraine, Moldova and the Baltic states.

101. At the European summit meeting in Copenhagen, it was decided to integrate the Balladur proposal, now called the European stability pact, into joint action in common foreign and security policy. On 4th October 1993, a high-level working group presented an interim report to the EC foreign ministers in which problems relating to the application of the basic principles of the pact, in particular, respect of existing borders and of minority rights, were examined. The interim report also contained the first results of an information procedure in the countries interested in the pact. Ministers then decided to adopt a timeframe for action, in particular as regards informal consultations with the countries interested, priority being given to those countries which are candidates for the European Union via the European agreements.

102. The full text of the modified proposals for a European stability pact was not yet available at the time of drafting this report, but it has been established that no violation will be allowed of the principle of respect for existing borders. The pact will furthermore have a political rather than a legal character, although the underlying bilateral agreements should have a legal character. Security guarantees will not be included in the pact and no sanctions are envisaged. In general, the pact should be another element of a European framework of preventive diplomacy.

103. At the special summit meeting in Brussels on 29th October, it was decided that within the framework of the gradual development of a common foreign and security policy, one of the priorities for common action should be to promote stability, reinforce the democratic process and develop regional co-operation in Central and Eastern Europe. Furthermore, it was stated that a stability pact, intended to solve the problem of minorities and to reinforce the

inviolability of frontiers, would be an essential part of this common action.

104. A summit meeting organised by the Council of Europe in Vienna on 8th October has, however, again shown how difficult it is for European states to speak with one voice when rights of national minorities are concerned. In their final communiqué, the heads of state and government, "aware that the protection of national minorities is an essential element of stability and democratic security" in Europe, invite European states to establish conditions allowing the people concerned "to develop their culture, while preserving their religion, traditions and customs". On the other hand, there was no agreement to establish a definition of the notion of "national minorities", in particular because of French and British resistance. No mention was made of collective rights of minorities, an essential issue for many citizens in Central and Eastern Europe, but at the same time an issue on which the opinions of various governments in Western Europe still largely diverge. Because of these differences of view, the summit meeting called for the drafting of a protocol to complete the Council of Europe's Convention for the Protection of Human Rights and Fundamental Freedoms. This task, however, is limited to the cultural field, in that it is envisaged to protect "individual rights" (which corresponds to the French and British views) "particularly for persons belonging to national minorities" (which corresponds to German, Austrian and Hungarian concerns). Furthermore, the Council of Europe's Committee of Ministers asked to draft a framework convention defining principles which member states should respect to guarantee the protection of "national minorities". This convention should not be compulsory, nor should it allow for the development of jurisprudence.

(d) Conclusion

105. Understandably, the conflict in former Yugoslavia has produced haunting fears of further similar conflicts in Central and Eastern Europe. It must therefore be a top priority of the EC's nascent common foreign and security policy to develop a distinct and unambiguous position as regards the issues of self-determination, minority rights and the inviolability or not of borders. In doing so, it should be realised that the unimpaired application of each of these principles may be incompatible.

106. Furthermore, it may be too idealistic to assume that minorities and nations which, under communist rule, have suffered political suppression and cultural oppression will be prepared to accept the EC's reasoning regarding European citizenship and the relative unimportance of national borders in a unifying Europe. Western European states indeed have taken

many years to settle their borders and start the process of unification moving under far more favourable conditions of government.

107. Since the beginning of the conflict in former Yugoslavia, the EC has been obliged to do some intensive back-peddling on the application of principles which it had enunciated in the beginning, partly or perhaps even mainly because it lacked the political will to enforce application of these principles with military means. There is justified doubt over the question whether it will be prepared to do so in the future.

108. It would, therefore, make sense to take a more flexible stance towards the application of such principles. The establishment of a European Court of Conciliation and Arbitration, as proposed by Robert Badinter⁸, could create the necessary conditions for dealing with disputes on minority rights and frontiers in a more conciliatory atmosphere than through armed force and United Nations Security Council resolutions.

109. At the same time, the establishment of a European stability pact – of which only the outline is known at the moment – could oblige Central and Eastern European states to consider minority problems in a larger framework of European security than, as is now often the case, in a purely national perspective. A system where directly tangible economic advantages would be granted to those nations to conclude comprehensive agreements on good neighbourliness could be a strong incentive for civilised and conciliatory behaviour.

110. It should, however, be noted that any European stability pact should take Russian interests into account. Even if Russia does not belong to the the group of countries having the intention of joining the EC, it cannot be excluded from a European agreement which envisages a solution to minority problems.

VI. Inviolability of borders

111. Since the initial phase of the conflict, the EC has insisted on the principle that borders could not be changed by force. In a declaration adopted at the opening of The Hague peace conference on 7th September 1991, it was stated that internal borders could not be changed by force. Meeting in Bonn on 19th November 1991, the WEU Council of Ministers "recalled and confirmed the repeated statements by EC foreign ministers that under no circumstances will territorial changes brought about by force be recognised". It seems difficult to speak more boldly!

112. As quoted in Chapter V, one of the conditions for the recognition of new states in Europe,

8. Le Monde, 25th June 1992.

as agreed by EC foreign ministers on 16th December 1991, was acceptance of the inviolability of frontiers which could be changed only through peaceful means and by common agreement.

113. After a meeting with Secretary of State, Warren Christopher, in Luxembourg⁹, the EC said in a statement that the Vance-Owen plan had "no feasible alternative" and "remained the centrepiece of EC strategy".

114. On 19th June 1992, the WEU Council "recalled that territorial gains or changes brought about by violence are unacceptable and will not be recognised by the international community".

115. At the London conference on 26th-27th August 1992, it was again repeated that a political settlement of the conflict in former Yugoslavia was to include respect for the integrity of present frontiers unless changed by mutual agreement.

116. The Vance-Owen plan, as presented on 2nd January 1993 at the Geneva peace conference, which provided for a reorganisation of Bosnia-Herzegovina into 10 provinces, was considered by many as a major infringement of the principle of inviolability of frontiers, because it tacitly endorsed territorial gains obtained by force.

117. As already known, the rejection by Bosnian Serbs of the Vance-Owen plan in May 1993 later resulted in acceptance by the United States, Russia, France, the United Kingdom and Spain of a joint action plan for Bosnia which "temporarily", it was said, accepted territorial gains made by force. The plan called for the creation of six "safe areas"¹⁰ for Muslim civilians on the territory of Bosnia-Herzegovina and for the use of United States air power to protect United Nations peace-keepers in those areas. It was made clear, however, that the United States would not come to the rescue of the safe areas themselves, should they be attacked by Serbs, nor would they contribute troops to the peace-keeping effort on the ground.

118. It was said that the primary goal was no longer to roll back territorial gains, but "to contain and stabilise the situation and to put the brakes on the killing"¹¹

119. On the other hand, many agreed with the United States Republican Senator, Bob Dole, who said that the plan amounted to "writing off Bosnia as a state by ratifying the status quo on the ground".

9. International Herald Tribune, May 1993.

10. These areas, Srebrenica, Gorazde, Zepa, Turla, Sarajevo and Bihac, were identified in earlier Security Council resolutions.

11. International Herald Tribune, 22nd-23rd May 1993.

120. Immediately after the adoption of the joint action plan, both the United States and European governments tried to neutralise criticism that they had in fact accepted territorial gains obtained by force. In Washington, the White House said that the plan showed that the West was "refusing to accept territorial gains in Bosnia (obtained) by aggression"¹². In London, the Foreign Ministry stated: "We do our utmost to get the Bosnian Serbs to roll back their occupation", and "We do not accept that aggression be rewarded"¹³.

121. The French Foreign Minister, Alain Juppé, denied that the action plan was in any way a de facto recognition of Serbian conquests, saying "Our aim is clear: to obtain withdrawal from areas which have been occupied by force and to implement the Vance-Owen plan"¹⁴.

122. No sooner had the action plan been adopted after weeks of diplomatic negotiations than the western allies, sadly enough, again demonstrated their main weakness: lack of resolve.

123. Meeting in Brussels on 25th and 26th May 1993, they could not reach a consensus on how the plan would be carried out, how many troops would be required to protect the safe areas and which countries would contribute the additional forces. Of course, difficult questions were involved such as how to co-ordinate ground protection with air protection, how to fit that in with the enforcement of a no-fly zone and which command arrangements should be established.

124. Many EC and NATO member states complained about not having been consulted on the plan, others hesitated about sending more troops. The United States President had ruled out the deployment of United States ground forces and rules of engagement had yet to be established, requiring a change in the rules governing the use of force by United States peace-keeping troops.

125. All ministers agreed that no plans could be drawn up before a United Nations Security Council resolution was passed defining the safe area proposal¹⁵.

126. Again, precious time was lost because of western reluctance and hesitation to act decisively.

127. And still, Thorvald Stoltenberg stated that the option of using military force to end the conflict had not been abandoned by the international community, though other means to achieve peace would first be pursued.

12. Le Monde, 25th May 1993.

13. International Herald Tribune, 25th May 1993.

14. Le Monde, 25th May 1993.

15. International Herald Tribune and Financial Times, 25th, 26th and 27th May 1993.

128. Les Aspin, the United States Defence Secretary, was quoted as having stated after the Brussels meeting: "Working together is a new element, the Serbs cannot any longer rely on divisions between Russians, Europeans and Americans meaning no action."¹⁶ One wonders whether this was meant to be a serious statement. Needless to say, fresh Serbian forces were sent into the battle for Gorazde, one of the "safe areas", while Sarajevo was heavily shelled, causing suspension of the humanitarian airlift and the continuation of attacks on aid convoys.¹⁷

129. Following the uncertainty over the implementation of the joint action plan, the EC Commissioner for external political relations, Hans van den Broek, insisted that EC leaders should urgently meet to discuss concrete steps, including military action. He also criticised the joint action plan which he considered incompatible with the implementation of the Vance-Owen plan and lacking any chance to be effective in the short or even long term.¹⁸

130. The United Kingdom Prime Minister, John Major, however, left little doubt over allied intentions when he said the next day that the allied powers were willing to tighten sanctions and increase diplomatic pressure, but were not prepared to fight a full-scale war. He said "people are not prepared to put 200 000 troops in Bosnia to force them (the Serbs) back by armed force, but we will maintain diplomatic pressure and we will not accept the land gained by force".¹⁹ This is an acute reminder of the strong diplomatic pressure which allowed Hitler to invade parts of Czechoslovakia and Poland in 1938 and 1939.

131. At a Franco-German summit on 2nd June 1993, both President Mitterrand and the Chancellor Helmut Kohl again insisted that a settlement must "guarantee the territorial integrity and sovereignty of Bosnia-Herzegovina".²⁰

132. Meeting in Athens on 10th June 1993 in the North Atlantic Council, NATO's foreign ministers supported "the establishment of safe areas in Bosnia-Herzegovina for the protection of the civilian population as defined in United Nations Security Council Resolutions 824 and 836".

133. It then offered NATO's "protective airpower in case of attack against UNPROFOR in the performance of its overall mandate, if it so requests" and asked NATO's military authorities "to proceed rapidly with detailed planning for the air support".

16. International Herald Tribune, 27th May 1993.

17. International Herald Tribune, 3rd June 1993.

18. Financial Times, 28th May 1993 and Le Monde, 29th May 1993.

19. International Herald Tribune, 29th May 1993.

20. Financial Times, 3rd June 1993.

134. Again, ministers confirmed that "The establishment of safe areas is a temporary measure leading towards a negotiated settlement based on the principles of the Vance-Owen plan which guarantee the full sovereignty, territorial integrity and political independence of the Republic of Bosnia-Herzegovina".

135. Not until 30th June 1993 did the NATO Permanent Council in Brussels receive a detailed report from the Chairman of the Military Committee on the planning for air support, including rules of engagement. It was decided to send the plans to the capitals of NATO's member states for approval. Some elements of the plans were to be examined by the United Nations.

136. After approval of the plans by the 16 member states, on 9th July 1993 the NATO Permanent Council authorised SACEUR to start the procedure for deployment of member states' fighter aircraft to implement the decision on air support for UNPROFOR in its protection mandate for the six safe areas.

137. It should be noted that at that time, the 7 500 troops required for implementing the safe areas plan on the ground, and for whom the air support was being planned, were not yet available.

138. Finally, on 9th August 1993, the North Atlantic Council approved the operational options for air strikes in Bosnia-Herzegovina, but it immediately made it clear that the air strikes foreseen were "limited to the support of humanitarian relief, and must not be interpreted as a decision to intervene militarily in the conflict". A first NATO air support exercise in a safe area was carried out on 18th August.

139. Still, NATO's decision was immediately followed by an exchange of statements between the UNPROFOR Commander in Bosnia-Herzegovina and the United States which did not contribute to the credibility of earlier threats.

140. Only a few days later, on 20th August 1993, a compromise peace plan for Bosnia-Herzegovina was presented by Lord Owen and Thorvald Stoltenberg, leaving the Muslim-led Bosnian government with about 30% of the territory, the Bosnian Serbs with 52% or more and the Croats with 17% or more, in fact dividing the republic into three different ethnic states.

141. One cannot deny that whatever European governments say, an immeasurable discrepancy can be noted between their theory and their practice.

142. Even if the maintenance of existing borders were to remain a fundamental goal, other options including the change of borders through peaceful negotiations and mutual agreement must be kept open and may have to

be pursued actively in order to prevent conflict. At the same time, it should be noted that most of the minority problems, with the possible exception of those in Macedonia and Kosovo, cannot be solved by changing borders. In all other cases, border changes with the aim of creating ethnically pure states would have to be accompanied by mass migrations.

143. On the other hand, a change of borders in Kosovo would have immediate consequences for relations between Albania and FYROM and raise tension in all neighbouring countries. If borders are to be changed within Europe, there must be accompanying security guarantees from their godfathers. The example of Bosnia-Herzegovina, where a new state was recognised, after which it was neither protected nor allowed to defend itself with appropriate means should never be repeated.

144. Often, any proposal for changing borders is dismissed with the argument that such changes would open a Pandora's box in the whole of Europe. Is not Pandora's box already wide open with the international community's de facto acceptance of changing borders by force and ethnic cleansing?

145. The current policy is inconsistent. Territorial changes may have to be accepted and perhaps actively pursued if that can help to prevent an armed conflict, but the new territorial relations should always be backed by an agreed security framework with satisfactory security guarantees. The recent history of the Saar shows clearly that territories can change country by peaceful means.

VII. Sanctions

146. Sanctions as envisaged in Chapter VII of the United Nations Charter will in future no doubt remain one of the main peaceful instruments for carrying into effect Security Council decisions. On the other hand, sanctions will have little effect if there are no measures to enforce them.

147. In the Yugoslav crisis, sanctions were imposed at a very early stage, beginning with an arms embargo in September 1991, followed by trade sanctions and an oil embargo later that year. However, it was only in July 1992 that the first measures were taken to police the sanctions by means of a combined WEU-NATO air and sea operation in the Adriatic and even at that stage it had no authority to stop vessels suspected of breaking sanctions. A fully-effective system for controlling and enforcing the embargo on the Danube came into effect only in June 1993, almost two years after the imposition of sanctions. Only then was a memorandum of understanding signed between WEU and Bulgaria, Romania and Hungary allowing WEU to

establish a co-ordination and support centre in Calafat (Romania) and control centres in Mohacs (Hungary) and Ruse (Bulgaria), while a total of about 300 policemen and customs officers and 12 patrol boats were sent in to provide assistance in the embargo enforcement.

148. Notwithstanding the extraordinary delays in the embargo enforcement, there can be little doubt that the economy of Serbia-Montenegro has been seriously affected by the embargo. In 1992, there was a 56% decline in real wages. Gross national product is forecast to drop by about 30% in 1993 to around \$8 billion. According to official figures, the monthly inflation rate reached 205.4% in May.

149. Still, not even all EC members are determined to implement the sanctions. Greece has never been able to dispel charges that it violated the embargo and there are many incidents giving proof of its mischievous behaviour.

150. On 8th December 1992, EC foreign ministers criticised Greece for allowing Greek companies to violate United Nations sanctions by shipping oil to Serbia, while at the same time withholding oil from Macedonia, officially called FYROM. Greece later resumed oil supplies to FYROM, but in September 1993, it was said that Greece had threatened to cut off all oil supplies to FYROM unless half the supply, or more than 80 000 tons monthly, was sent to Serbia.²¹

151. Also, FYROM cannot claim to have a clean record concerning the embargo either. According to UNPROFOR, which monitors the border between FYROM and Serbia, about 4 000 trucks, including those carrying oil products, construction materials and spare parts for heavy machinery, made the crossing in both directions every week.²² Only very recently, in October 1993, it was reported that the government of FYROM, encouraged by the United States, had finally decided to apply in practice the United Nations Security Council Resolution 820 on the embargo against Serbia and Montenegro.²³ It is said that freight transport between the two states has come to a standstill except for lorries with authorisation from the United Nations sanctions committee. Even tanker lorries are now systematically being stopped and sent back. The government claims that the sanctions cost the Macedonian economy more than \$1.2 billion in 1992 and \$1.8 billion in 1993. Some financial compensation may be provided. The EC had promised 100 million ecus in December 1992, but actual payment of this sum was delayed. The economic loss for

21. Financial Times, 31st August 1993.

22. Le Monde, 13th October 1993.

23. Le Monde, 13th October 1993.

FYROM caused by the embargo enforcement during the last three months of 1993 is estimated at \$1.8 billion, a sum which might be compensated by the United States or by the postponement of the country's external debt.

152. It is suggested in Skopje that the United States could send more troops to FYROM to reinforce the 325 United States troops already deployed in that country, while the air force base of Krivovalek has been put at the disposal of the United States.

153. Other neighbouring countries are trying to implement the embargo by all the means at their disposal, but they are all complaining of heavy economic losses for which no compensation has been provided. Greece claims a loss of over \$2.5 billion, Hungary a loss of over \$500 million and Romania and Bulgaria have given figures of between \$1 and 3 billion. Recently, the Bulgarian Prime Minister, Ljuben Berov, addressing the Parliamentary Assembly of the Council of Europe, estimated the economic loss to his country caused by the United Nations embargoes against Iraq and against Serbia and Montenegro at more than \$6 billion. He said that, until then, Bulgaria had received no compensation whatever "except pats on the back by way of consolation". The former Yugoslav Republic of Macedonia claims a decline of 50% in its GNP, which has not been compensated.²⁴

154. Even if some of these figures may be rough estimates and exaggerated, it cannot be denied that economies which are involved in a painful process of change towards a market-oriented economy do not have enough reserves to face additional problems. A reasonable system may have to be worked out for the international community to compensate countries which are hit most severely by an embargo against an important neighbouring trade partner, as happened during the Gulf war.

155. Another important problem connected with sanctions is that it is the population of the country envisaged that suffers the most. Of course, the reasoning behind the imposition of sanctions is that a population, disgruntled by food shortages, rampant inflation, unemployment and other devastating effects, will revolt against its leaders and choose a new government which should change the country's policy. The trouble here is that sanctions are always imposed upon nations with an autocratic government which has a firm grip on the population and where a real opposition does not exist. The second world war has shown that even more severe measures, such as the bombing of cities, does not make such régimes change course.

24. Le Monde, 2nd October 1993.

156. In conclusion, it should be said that sanctions remain an essential instrument as backing for diplomatic arguments. But it is also vital for them to be enforced from the very beginning and for possible negative consequences for neighbouring countries to be taken into account. Compensatory measures may have to be considered.

VIII. Peace-keeping or peace-making

157. After the events of 1989, when security relations in Europe started to change, the member states of both NATO and WEU understood that they had to adapt their strategic concept and armed forces. Action was taken, and after thorough preparation, a NATO summit meeting was held in Rome in December 1991 where a transformed NATO was presented to the world.

158. Indeed, it is only two years ago, on 7th-8th November 1991, that the heads of state and government of NATO's member states agreed in Rome on the alliance's new strategic concept, yet it now seems ages ago. At that time, the Soviet Union still existed, but rightly the Rome declaration stated that "the threat of a simultaneous full-scale attack on all NATO's European fronts has effectively been removed and no longer provides the focus for allied strategy".

159. On the other hand, it was stated that Soviet conventional and nuclear capabilities had to be taken into account if stability and security in Europe were to be preserved.

160. In conclusion, it was therefore said that:

"Even in a non-adversarial and co-operative relationship, Soviet military capability and build-up potential still constitute the most significant factor of which the alliance has to take account in maintaining the strategic balance in Europe."

161. This was a good reason to maintain NATO's nuclear and conventional forces, be it in slightly reduced size, in order to guarantee and protect the territorial integrity of the member states.

162. But new threats and risks were emerging, even if their importance and magnitude were not yet clearly visible, and the Rome declaration referred to them as follows:

"On the other hand, there is a greater risk of different crises arising, which could develop quickly and would require a rapid response, but they are likely to be of a lesser magnitude."

163. The risk of a "different crisis" had already materialised in former Yugoslavia.

Indeed, it was still of a "lesser magnitude", but it was developing quickly and required a rapid response.

164. On 27th October 1991, the Croatian Foreign Minister, Ivonimir Separovic, wrote a letter to EC foreign ministers informing them that since the beginning of July 5 000 people had been killed in Croatia. At that time, the International Committee of the Red Cross estimated that more than 280 000 people had left their homes during the period of fighting. Both figures have been dwarfed by what has happened since.

165. In the Rome declaration, apart from the alliance's task "to deter and defend against any threat of aggression against the territory of any NATO member state", one of the other three fundamental security tasks was formulated as follows:

"To provide one of the indispensable foundations for a stable security environment in Europe, based on the growth of democratic institutions and commitment to the peaceful resolution of disputes, in which no country would be able to intimidate or coerce any European nation or to impose hegemony through the threat or use of force."

166. Apparently, it was thought that NATO could play an eminent rôle as a coherent and effective political organisation, when, regarding the management of crises and conflict prevention, it was stated that:

"In the new political and strategic environment in Europe, the success of the alliance's policy of preserving peace and preventing war depends even more than in the past on the effectiveness of preventive diplomacy and successful management of crises affecting the security of its members."

and further that:

"The success of alliance policy will require a coherent approach determined by the alliance's political authorities choosing and co-ordinating appropriate crisis-management measures as required from a range of political and other measures, including those in the military field."

167. With a touch of realism, ministers recognised that NATO might not be able to do this alone. They therefore added:

"The potential of dialogue and co-operation within all of Europe must be fully developed in order to help defuse crises and to prevent conflicts since the allies' security is inseparably linked to that of all other states in Europe. To this

end, the allies will support the rôle of the CSCE process and its institutions. Other bodies including the European Community, Western European Union and United Nations may also have an important rôle to play."

168. In the chapter "Missions of alliance military forces", the classic rôle of armed forces was confirmed:

"The primary rôle of alliance military forces, to guarantee the security and territorial integrity of member states, remains unchanged."

"In peace" it followed on "the rôle of allied military forces is to guard against risks to the security of alliance members; to contribute towards the maintenance of stability and balance in Europe; and to ensure that peace is preserved."

169. Finally, it was established that:

"Allies could, further, be called upon to contribute to global stability and peace by providing forces for United Nations missions."

170. Few people would have then dared to predict that within one year this phrase was going to play an all-important rôle in debates among allies over the possible rôle of military forces in former Yugoslavia.

171. One could argue that, in Rome, NATO had not yet completely transformed itself into the perfect security organisation for the coming decades, but that would be unfair. Developments are following in too-rapid succession to expect more than what was achieved in Rome after thorough and serious preparations.

172. Even so, the Rome declaration provides a fairly complete catalogue of tasks and missions of the alliance and its military forces, which should have allowed it to act effectively when it became clear that the crisis in Yugoslavia was turning into a savage war.

173. Certainly, no satisfactory solution has yet been found to the question whether NATO as such could operate out-of-area, but it should be noted that this did not prevent militarily successful operations in the Gulf war, where a number of NATO member states co-operated with others to liberate Kuwait from the Iraqi invaders. Even if it was not a NATO operation, NATO assets, NATO procedures and NATO experience contributed to its success.

174. Meeting in Oslo on 4th June 1992, the North Atlantic Council made it known that it was prepared "to support, on a case-by-case basis in accordance with (its) own procedures, peace-keeping activities under the responsibility of the CSCE, including by making available alliance resources and expertise".

175. Later, on 19th June 1992 (the crisis in Yugoslavia had meanwhile resulted in over 100 000 people killed and 2 500 000 refugees) the WEU Council issued the Petersberg declaration which included new decisions on the strengthening of WEU's operational rôle. Here, WEU member states declared that they were "prepared to make available military units from the whole spectrum of their conventional armed forces for military tasks conducted under the authority of WEU."

176. Furthermore, it was stated that:

"Apart from contributing to the common defence in accordance with Article 5 of the Washington Treaty and Article V of the modified Brussels Treaty respectively, military units of WEU member states, acting under the authority of WEU, could be employed for:

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

177. On the occasion of the Helsinki CSCE summit meeting on 8th-10th July 1992, foreign ministers of both NATO and WEU decided that their troops would, on a case-by-case basis, be available for peace-keeping activities under the responsibility of the CSCE.

178. Later, at their ministerial North Atlantic Council meeting in Brussels on 17th December 1992, ministers decided to further strengthen alliance co-ordination in peace-keeping and to develop practical measures to enhance the alliance's contribution in this area. Ministers declared that they were ready "to share experiences in peace-keeping with (their) co-operation partners and other CSCE participating states, and to join them as required in supporting CSCE peace-keeping operations".

179. They also confirmed the preparedness of the alliance to "support, on a case-by-case basis and in accordance with our own procedures, peace-keeping operations under the authority of the United Nations Security Council 6D".

180. In the statement issued at the meeting of the North Atlantic Co-operation Council (NACC) on 18th December 1992, it was said that the countries participating in NACC would "exchange experience and expertise on peace-keeping and related matters" and that they would "continue (their) consultations leading to co-operation on this subject in conformity with the work plan".

(a) State of affairs in preparing for the peace-keeping rôles of NATO and WEU

181. Even if a framework of good intentions and availability has been created in the North

Atlantic Council's political decisions and statements, officials at NATO headquarters note that the alliance does not yet have a detailed set of principles and policies for peace-keeping. One issue at stake is the implications for defence planning and security, if the same assets may be used for different purposes. These are certainly subjects which should be addressed at the forthcoming NATO summit meeting in January 1994.

182. It is clear, however, that NATO's primary rôle will remain the security of its members. If NATO is to assume peace-keeping rôles, it does not intend to be at the beck and call of the whole world, nor will it act on its own responsibility. On the other hand, NATO rightly argues that it has unique capabilities to offer for peace-keeping, such as an airborne early warning system, command, control and communications, multinational forces, interoperability, well-trained troops with more than half of its member states having extensive peace-keeping experience, a unique scale and degree of readiness and planning capability.

183. On 18th December 1992, the NACC decided to establish an ad-hoc group on co-operation in peace-keeping with the aim of developing a common understanding of the political principles of and the tools for peace-keeping, and to share experience and thereby develop common practical approaches and co-operation in support of peace-keeping under the responsibility of the United Nations or the CSCE.

184. The ad-hoc group drafted principles which were agreed by the permanent North Atlantic Council and its co-operation partners on 15th March 1993. This document, notwithstanding NATO's own assertion that it is still lacking detailed principles and policies for peace-keeping, contains what is ostensibly an almost exhaustive compilation of definitions, general principles, criteria and operational principles, guidelines, measures and elements.

185. As regards co-operation to prepare for possible CSCE peace-keeping operations, a total of 41 nations have now subscribed to this initiative, including all the NACC member states as well as Sweden, Finland and Austria. Representatives from both the CSCE and the United Nations have been invited. At this stage, an operational planning group does not yet exist, but there is an ambitious co-operation programme, including such issues as training, logistics, national planning and also technical and doctrinal questions.

186. According to WEU's Secretary-General, the operational organisation of WEU is still in a preliminary phase. An inventory of forces answerable to WEU is now being prepared. These forces are mainly to be deployed for

humanitarian and peace-keeping tasks. The Defence Representatives Group is preparing general rules and procedural guidelines for relations between these forces and WEU. Meanwhile, WEU takes the view that the involvement of the United States in Europe's security is vitally important.

187. Therefore, in any situation where Europe's security is under threat, the preliminary question should be whether the United States is prepared to be involved in operations to counter the threat. If the United States agrees to be involved, a NATO operation can take place. If on the other hand the United States does not want to be involved, then WEU and the EC can act on their own. Depending on the requirements for the operation, WEU could then be self-reliant or play the leading rôle. There is a growing consensus that in such circumstances, NATO should make resources and assets available to WEU, such as the NATO AWACS and other infrastructure, a matter that was again discussed recently by NATO's defence ministers at Travemünde on 20th-21st October 1993. As the Secretary-General, Mr. van Eekelen, said, there is a growing feeling that Europeans will have to learn to take the main responsibility for handling problems which they can no longer expect Americans to solve for them. In that case, it would be only logical that NATO should be ready to help Europe, also if it is deploying a WEU force to handle a regional crisis, by lending its assets which are lacking in WEU's operational organisation, such as real-time intelligence, integrated command and control and airlift. Meanwhile, WEU should give serious consideration to how it can become self-reliant in some respects, such as airlift and satellite reconnaissance.

(b) NATO and WEU operations in former Yugoslavia

188. With the abovementioned statements in mind, it is interesting if not revealing to note what NATO and WEU are actually doing to promote or keep peace in former Yugoslavia.

189. Actual activities are the following:

- (i) Implementing decisions taken by foreign ministers in Helsinki on 10th July 1992: both a NATO and a WEU naval force are enforcing compliance with the United Nations Security Council resolutions concerning the United Nations economic embargo on Serbia and Montenegro and the arms embargo against all the republics of former Yugoslavia. For this operation, detailed co-ordination arrangements have been worked out between NATO and WEU military officials, including co-ordination of areas of responsibility, methods of

operation, communications, air surveillance, support and oil supply.

- (ii) In a joint action with Romania, Bulgaria and Hungary, WEU is enforcing the embargo against Serbia and Montenegro on the Danube.
- (iii) UNPROFOR is using elements from NATO's NORTHAG command for its operational headquarters in Kiseljalc.
- (iv) Following a North Atlantic Council decision of 8th April 1992, NATO is enforcing the no-fly zone over Bosnia-Herzegovina as imposed by the United Nations Security Council Resolution 816.
- (v) On 9th August 1993, the North Atlantic Council approved the "operational options for air strikes in Bosnia-Herzegovina", enabling air support for humanitarian relief.

190. Why did NATO not do more? At NATO headquarters, a number of arguments are being put forward which have prevented the deployment of peace-keeping forces.

191. The first argument is that a massive operation with NATO deploying ground troops for peace-keeping is considered by many as a major test of NATO's capability as a security organisation. Any failure to pass this test, so it is said, would mean the end of NATO. As a consequence, great caution is being taken in making the most thorough preparations, including painstaking negotiations over the mandate for such an operation and the duration of the commitment, all needed to establish a proper planning programme. Further, it is said that a clear political objective, which is a main condition for any military operation to be successful, is still lacking. No clarity has yet been obtained over who will be responsible for the cost of a massive peace-keeping operation, which NATO is estimating at \$8.25 billion a year. The United Nations, it is said at NATO, should allow its member states to consider their contribution to such operations as payment in kind.

192. There are also indications that some of NATO's member states have problems in providing troops for the simple reason that, with so many different United Nations operations going on, they do not have enough resources in troops. Some member states even feel that they may have to revise their armed forces restructuring programme if United Nations peace-keeping is to require continuous large scale commitments.

193. Following a request from NATO's Permanent Council on 15th September 1993, the organisation's military authorities have started

preliminary contingency planning for possible implementation by NATO of the military aspects of a United Nations peace-keeping plan which would come into force if the different parties to the conflict in Bosnia-Herzegovina sign a peace agreement and the United Nations turns to NATO for support for the plan's implementation. The planning envisages a force of 50 000 men, half of whom should be provided by the United States. It should be noted that many important issues still have to be settled. The military believe that the political objectives and rules of engagement must be established clearly before the start of any intervention. Some NATO members such as France, the United Kingdom and Canada, would prefer to see major United Nations involvement in the command and control of any peace-keeping mission, while the United States is in favour of a NATO command, dominated by the United States military, in any peace-keeping operation in Bosnia-Herzegovina. Most, if not all, member states want to send troops for only a limited period.

194. Finally, it is observed that it has been extremely difficult to reach a consensus among NATO's member states on all the different issues relating to a peace-keeping operation as now envisaged, although this is essential for any NATO operation on the territory of former Yugoslavia.

195. WEU, it should be recognised, has not done much more than NATO, but the embargo-enforcing operations in the Adriatic and on the Danube are successful.

196. Asked why WEU did not do more, the Secretary-General, Mr. van Eekelen, pointed out that WEU's operational organisation is only in its infancy and that there were no resources to do much more. He noted that WEU has now become one of the players in security matters, but the United Nations has taken the lead, providing legitimacy for all operations. The United Nations has now asked NATO to provide peace-keeping forces in the event of a peace agreement between the parties to the conflict in Bosnia-Herzegovina implementing the Owen-Stoltenberg plan. In that framework, WEU may be asked to participate in the rotation of forces in the long term. WEU is now drawing up a plan to solve the practical problems for the EC's administration of Mostar. The WEU Planning Cell is examining the possibility of establishing a WEU police force in Mostar and the re-establishment of public, in particular medical, services in the city.

(c) The future of peace-keeping in former Yugoslavia

197. Lord Owen and Mr. Stoltenberg, when visiting NATO on 22nd September 1993, said

that the peace-keeping operation in Bosnia-Herzegovina should be accomplished by a credible force, more powerful than the lightly armed United Nations peace-keeping force deployed in Bosnia for a humanitarian mission.

198. NATO's Secretary-General, Manfred Wörner, has made it clear that NATO will not and cannot enforce a peace plan if the United States does not participate in the peace-keeping forces. He believes that the United States administration is still willing to provide troops for an operation under NATO command, but on the other hand, he thinks that after the casualties among United States forces in Somalia and the failed effort to land United States peace-keepers in Haïti, the administration might have trouble in securing the agreement of the United States Congress and Senate.

199. Indeed, after the rejection by the Bosnian Parliament, at the end September 1993, of the last Owen Stoltenberg peace plan, the chances for a peace-keeping force seem rather remote. In fact, one political commentator was most probably right when he bluntly said that the Bosnian Parliament's rejection of the peace plan was greeted with thinly-disguised relief in Europe as well as in the United States.

200. The most recent pirouette in Europe's ballet of hesitations over military operations in former Yugoslavia was again illustrative of a general attitude of long standing.

201. On 25th October 1993, President François Mitterrand stated on French television: "A major demonstration must be made... In November a humanitarian path will have to be forced towards Sarajevo".

202. At the EC's summit meeting in Brussels on 29th October 1993, however, President Mitterrand told the heads of government that he had not been understood correctly and that the question was not one of using force in this operation. Later that day, the summit meeting decided to use all appropriate means for ensuring the delivery of humanitarian assistance and not, as proposed by France, "all the means available for ensuring" which would have included the United Nations authorisation to use force and NATO's offer for aerial protection of the UNPROFOR.²⁵

203. As matters now stand, many have started to consider former Yugoslavia as a specific case where none of the CSCE principles, nor of its conflict prevention procedures, nor the United Nations Charter's procedures set out in Chapters VI and VII can be successful and where all allied American and European ideas and proposals for

25. *Le Monde*, 31st October-1st November 1993.

peace-keeping and peace-making are doomed to fail. They think it is a hornet's nest where a military operation to keep peace or enforce a peace agreement could easily deteriorate into combat operations with inevitable casualties. Not one organisation or country has been able to provide a solution or bring the conflicting parties to reason. Those who have not tried yet are afraid of losing their credibility once they become involved. These could be reasons why western governments have tacitly abandoned Yugoslavia to itself, decided to let the conflict follow its natural course while hoping that a stage of pure fatigue will be reached when the only real option left for all parties will be to stumble or drag themselves to the negotiation table where Lord Owen and Thorvald Stoltenberg will hold their hands to sign the ultimate peace plan.

204. What remains in former Yugoslavia?

205. If Western Europe and the United States have almost given up hope of keeping or securing peace in Bosnia-Herzegovina, there still remains Croatia, Kosovo, Sandjak and the former Yugoslav Republic of Macedonia (FYROM).

206. In Croatia, the situation is volatile. The United Nations peace-keeping force is not implementing its official mandate which is to keep both sides behind their previous confrontation line, secure the cease-fire agreement and put Serbian heavy arms in storage. Recently, the Commander-in-Chief of UNPROFOR warned that Serbs and Croats are again on the brink of war.

207. In Kosovo, the civil, human and national rights of two million Albanians who form 92% of the Kosovo population, have been abrogated by Serbia in 1989. Under the 1974 Yugoslav Constitution, Kosovo had wide powers of self-rule as an autonomous province of the republic of Serbia. Local Albanians were given control over most aspects of public life. This all came to an end when President Milosevic of Serbia revoked Kosovo's autonomy, dissolved the regional parliament and made the region an integral part of Serbia. Martial law has now been imposed. Education in the Albanian language has been suspended. More than half of the Albanians have been summarily dismissed from their jobs and nearly 300 000 Albanians have been forced to flee Kosovo. Serbian military units surround most of Kosovo's major cities and towns with their artillery guns ready to target. Serbian paramilitary forces are harassing and intimidating the Albanian population under the inspiring leadership of Zeljko Raznjatovic, also called Arkan, wanted for murder and other crimes by several Western European countries. In a report, released by Amnesty International on 12th October, it is said that tension is still growing in Kosovo where a dangerous mixture

of ethnic tension, rage and years of abuse in silence is fermenting.²⁶

208. It has been suggested that the Serbs should start to discuss limited restoration of autonomy for Kosovo, but the Albanians are no longer interested in such a solution. They are demanding an independent Kosovo. It is generally believed that the dispute over Kosovo can easily turn into a war, maybe even with the active participation of Albanians living in neighbouring countries such as Albania and the former Yugoslav Republic of Macedonia (FYROM). Some suggest that even Albania, FYROM, Bulgaria, Greece and perhaps Turkey may become involved in the fighting. One has to hope that this will not happen, but it cannot be excluded completely.

209. Nevertheless, the situation is sufficiently threatening to require immediate and decisive action by the international community with Europe in the lead.

210. It has been argued that nothing can be done in Kosovo, because it is an internal dispute on Serbian territory, which would preclude foreign intervention. It should be noted, however, that the actual situation in Kosovo fully justifies international action in accordance with Chapters VI and VII of the United Nations Charter since it is unequivocally a dispute "the continuance of which is likely to endanger the maintenance of international peace and security", as mentioned in Article 33 of the Charter.

211. Application of all different actions enumerated in the abovementioned chapters of the United Nations Charter, including the deployment of peace-keeping forces, would therefore be fully legitimate.

212. In the former Yugoslav Republic of Macedonia (FYROM), the situation is not much better. It has declared its independence and has been admitted as a member of the United Nations, but its official name, challenged by Greece, is still being negotiated with Greece in talks sponsored by the United Nations. The new Greek Prime Minister, Andreas Papandreou, has however announced that Greece will pull out of these talks.

213. On 12th October 1993, Belgium officially recognised FYROM as a sovereign and independent state. The Greek Ministry for Foreign Affairs immediately issued a protest, stating that the "Greek partners in the EC should seriously consider Athens' views" on the "Macedonian question" and should respect "the principle of solidarity" in the EC.

214. With a total population of just over 2 million, FYROM has a number of minorities,

26. *Le Monde*, 13th October 1993.

the most important of which are the approximately 400 000 Albanians living in the area adjacent to Kosovo and Albania, 90 000 Turks and 50 000 Serbs. In particular, the Albanians, who are participating in the present government, may cause problems in the future. They have been proposing the creation of an autonomous Albanian region and also the federalisation of FYROM.

215. At the moment, within the framework of UNPROFOR, a Nordic battalion and a United States contingent of 315 troops are deployed along the Macedonian-Serbian border in order to prevent the armed conflict in former Yugoslavia spilling over into FYROM.

(d) Peace-keeping in Europe and other possible areas of conflict

216. While there is little prospect of extending peace-keeping operations in former Yugoslavia, rightly or wrongly, might there be other disputes or armed conflicts in Europe where the western alliance, whether in the NATO or WEU framework, would be prepared to intervene militarily at an early stage under the authority of the United Nations or the CSCE in order to keep or enforce peace while such action was still possible with an appropriate display of force and without the risk of heavy casualties?

217. An increasing number of ministerial and other meetings in all existing security organisations are being devoted to the many different aspects of peace-keeping. This creates the impression that huge forces are being prepared for operations in all the regions in Europe and in other continents where conflicts are raging or where fragile cease-fires or peace agreements have to be monitored. Is that really true?

218. Let us first look more closely at the catalogue of other areas of conflict and hotbeds of tension in Europe or at Europe's border which are, or recently were, on special offer for peace-keeping and peace-making. A valuable catalogue can be found in the statements issued at the meetings of the North Atlantic Co-operation Council (NACC) which keeps an annotated record of conflicts in its member states.

219. The last NACC statement issued in Athens on 11th June 1993 mentions the following conflicts where arms had been or were being used and where, theoretically, the deployment of peace-keeping forces may be required.

(i) Nagorno-Karabakh

220. NACC stated that the CSCE conference in Minsk offers the best chance for a lasting solution, it supports United Nations Security Council Resolution 822 and calls for the immediate cessation of hostilities and for the with-

drawal of all occupying forces from recently-occupied districts of Azerbaijan. At the moment, there is little hope that the conflict will be solved soon and fighting continues. In a declaration in Paris on 15th October 1993, the Prime Minister of Nagorno-Karabakh, Robert Kotcharian, declared that his country would continue to fight for its rights until it obtained satisfaction on all the issues involved.

221. Russian hardliners are backing the Armenians in their fight for control of Nagorno-Karabakh and independent witnesses have reported Russian logistical support, but there is little evidence of any direct Russian involvement. On the other hand, Russia is worried about possible fundamentalist influence in mainly Muslim Azerbaijan. The armed forces of Azerbaijan have been soundly defeated and the current talks are the best chance for peace. The new Azeri government appears to be ready to relinquish Nagorno-Karabakh in all but name, but much depends on Armenian acceptance of the need to withdraw from other parts of Azerbaijan.

(ii) Georgia

222. NACC appealed to the parties concerned to respect an effective cease-fire in the Abkhazian Autonomous Republic of Georgia and refrain from all actions which could complicate a constructive dialogue and the achievement of a durable settlement. It also believed that it was important to pursue a full settlement of Georgian-Ossetian relations in the zone of conflict of Georgia.

223. What has happened since that statement was issued? In September 1993, Abkhaz forces backed by Russian troops and volunteers from the North Caucasus, all in possession of large quantities of modern and sophisticated military equipment, launched a surprise attack on Sukhumi, the last remaining Georgian stronghold in Abkhazia, violating a Russian-brokered cease-fire agreement signed on 28th July last.

224. On 4th October, the Abkhaz Defence Minister announced that all remaining pockets of Georgian resistance had been liquidated, and that Abkhaz troops were in complete control of the region. There were reports of ethnic cleansing and of more than one hundred thousand refugees.

225. Meanwhile, troops loyal to Zviad Gamsakhurdia, President Shevardnadze's rival and predecessor, occupied a number of strategic towns in the west of Georgia, and were continuing with their offensive. Mr. Gamsakhurdia has declared that Georgia will be cleansed of Eduard Shevardnadze's supporters, adding that he would resume his "lawful presidency" by "all possible means".²⁷

²⁷ Financial Times, 19th October 1993.

226. Until recently, Russian assistance to the Abkhazians was matched by an absence of support for Georgia. With an economy which has almost ground to a complete standstill and moving towards dismemberment, Georgia is indeed close to collapse as a functioning state. The Georgian army has virtually disintegrated and can no longer fight on its own.

227. Under these circumstances, on 18th October 1993 Eduard Shevardnadze made an urgent appeal to the governments of Russia, Armenia and Azerbaijan to send the necessary military contingents to guarantee the normal function of vital arteries from the Black Sea to Tbilisi.

228. Since then, covert Russian military assistance has turned the tide and it is reported that rebel forces are now retreating.²⁸ The Russian assistance, although publicly denied in Moscow, came only after Mr. Shevardnadze had decided that Georgia should join the Commonwealth of Independent States.

229. In two other troubled areas on Georgian territory, there is still no guarantee of lasting peace.

230. South Ossetia, an autonomous region, after repeated outbursts of violence during 1991, declared its independence on 21st December of that same year, and confirmed an earlier resolution on unification with Russia. Fighting continued and President Shevardnadze accused Russia of exacerbating the situation by helping the South Ossetians with troops and equipment. Meanwhile, the speaker of the Russian parliament accused Georgia of the "genocide of the South Ossetian people". According to a cease-fire agreement concluded in June 1992, Russia would withdraw its military units from the region while a monitoring committee would oversee the peace.

231. In the autonomous region of Adjara, a comparative peace has been observed although it is distrustful of the central Georgian Government. The lack of a common border with Russia, however, offers few prospects for a successful independence movement.

232. It is argued that Georgia is of minimal strategic importance to the West and Russia can be left to deal with security problems in that region.

233. The only way to stop the continuing violence would be to introduce buffer forces from outside. Both politically and militarily, these can only be Russian forces. The United States, supported by Germany, indeed excludes any such action other than that taken by the Russians. The official view of the Russian Government on

how the conflict should be solved is unclear and contradictory statements are being issued.²⁹

234. All this is happening in a country where the President is a former Soviet foreign minister, well respected in the West as the co-architect of glasnost and of a number of important arms control agreements. Moreover, Georgia is a member state of the United Nations, CSCE and NACC. There is no clarity over its CIS membership. Where else are western alliance troops going to intervene for the sake of peace and democracy if not in Georgia?

(iii) *Tajikistan*

235. NACC urged the parties involved in the continuing political and armed confrontation to settle their differences through dialogue and work together for the peaceful and democratic development in their country. It supported the efforts of the international community in this regard.

236. Last year, a power struggle developed into an all-out civil war which left at least 20 000 people killed and more than half a million forced to flee their homes. The real figures are not known and some suggested that between 30 000 and 50 000 were killed. The present government, headed by Imoli Rakhmonov, considered to be a hard-line communist, has annihilated the opposition.

237. With the West's tacit agreement, Russia is maintaining an armed force of more than 20 000 in support of the present government and with the primary mission of keeping fighters, weapons and drugs from entering Afghanistan. Fighting at Tajikistan's southern border is reported almost daily. Both Russia and the West claim that the present situation is preferable to what they see as the alternative; a government under the influence of radical Islamic elements from abroad.

238. Still, the conflict in Tajikistan is not between different ethnic groups, nor between communism and Islamic fundamentalism, but rather a struggle for political power between different clans.

(iv) *Moldova*

239. NACC welcomed the stabilisation of the situation in the left bank Dniestr region of Moldova following the agreement reached on 21st July 1992. A permanent settlement was considered essential. It supported the early and complete withdrawal of foreign troops from Moldova in the context of appropriate bilateral agreements without additional linkage to other issues.

28. International Herald Tribune, 28th October 1993.

29. Le Monde, 13th October 1993.

240. Ethnic Russians and Ukrainians have been the main supporters of the proclamation of the Trans Dniestr republic, followed by a military campaign to take control of their republic. On 21st July 1992, a peace agreement was signed, giving the Trans Dniestr region special status and the right to self-determination should Moldova unite with Romania. Russian, Moldovan and Trans Dniestr peace-keeping troops began enforcing a cease-fire and talks began on the withdrawal of Russian forces already in the region. In both Moldova and Romania, there is concern over the continuing presence in Moldova of the Russian 14th Army under Lieutenant-General Aleksandr Lebedev, who considers it his main job to support the Trans Dniestr republic against Moldova. This is the more worrying since the General has openly declared "Theoretically we are under the orders of the commander-in-chief of ground forces in Moscow. In practice, we take decisions here."³⁰ It should be noted that in future, the existence of an officially independent republic of Trans Dniestr would immediately be challenged by Ukraine.

241. Despite the volatile situation in Moldova, it is extremely unlikely, if not completely excluded, that NATO or WEU peace-keeping forces will be sent to that region, when Russian forces are doing the job which they deem necessary in their own or their country's interest.

(v) Other regional disputes

242. The NACC catalogue further mentions the withdrawal of foreign troops from the Baltic states, which has since almost been accomplished and the need to conclude, without delay, the appropriate bilateral agreements in each case.

243. Finally, it welcomes all practical steps leading to the solution of existing differences between Russia and Ukraine including those related to the Black Sea fleet and nuclear issues. It is widely recognised that both states have a common interest in solving their differences through negotiations, even if recently-concluded agreements were in the air again after a few days, as has been the case before.

244. Still, relations between Russia and Ukraine have not been stabilised. Apart from the many economic disputes, there are disputes over the Black Sea fleet and strategic nuclear weapons.

245. Repeatedly, summit talks between Ukraine's President Leonid Kravchuk and Russia's President Boris Yeltsin resulted in a settlement over the status of the Black Sea fleet which appeared to be void within days. Agree-

ments in Dagomys in June 1992 to split the fleet, in Yalta in August 1992 to place the fleet under the joint command of both presidents and in Moscow in June 1993 to split the fleet on a 50-50 basis, with joint use of Sebastopol were never implemented.

246. At a recent summit meeting in Massandra on 3rd September, it was decided that Ukraine would give up its entitlement to half the 300 vessel fleet in exchange for which Russia would write off Ukraine's debts to it for oil, gas and electricity, estimated at \$2.5 billion. A joint Ukrainian-Russian Commission has been set up for more detailed discussion, but there is little chance of the Massandra agreement being implemented after the Ukrainian Government was heavily criticised over the compromise.

247. Behind the dispute over the Black Sea fleet is the most explosive problem of control of Sebastopol, its Crimean headquarters and the Crimea itself which, with its majority Russian population, was given to Ukraine in 1954.

248. With its 176 strategic missiles and 1 656 nuclear weapons, Ukraine is the third largest nuclear power in the world. President Kravchuk has obliged his country to accede to the 1991 Strategic Arms Reduction Treaty (START) and to become a non-nuclear power according to the 1992 Lisbon protocol, but Ukraine has not yet ratified or implemented these agreements. Ukraine is now trying to use its nuclear weapons as bargaining chips to obtain economic aid and security guarantees from the West. It is claiming \$2.5 billion for dismantling its nuclear weapons. In October 1993, President Kravchuk declared that Ukraine should keep its 46 modern SS-24 missiles as a means of pressure.³¹

249. This concludes the list of hotspots mentioned by NACC. What is left?

(vi) Central Europe

250. In Central Europe, important Polish and Hungarian minorities live in neighbouring countries. Poland has succeeded in concluding agreements on good neighbourliness and co-operation with Belarus and Ukraine, where there are 600 000 and 500 000 Poles living respectively. It is negotiating an agreement with Lithuania, where there are 350 000 Poles. Apparently, negotiations are not easy but there are good reasons to be optimistic. All in all, there is little reason to consider Poland as a country where peace-keeping forces will have to be deployed.

251. Hungary is facing a more complicated situation. The 3 million ethnic Hungarians living outside Hungary in neighbouring countries form the largest single minority in Central Europe. The Hungarian Government has advocated sub-

30. The Economist, 28th August 1993.

31. Financial Times, 25th October 1993.

stantial local autonomy for these Hungarians. In 1992, the Hungarian Defence Minister, Lajos Fur, declared in an interview that his country's security policies took into account Hungarians living outside its borders. Since then, Prime Minister, Jozsef Antall, has taken pains not to further deteriorate relations with neighbouring countries and, in general, the situation is now more positive. Most worrying is the position of the 350 000 Hungarians still living in Vojvodina, a formerly autonomous region in Serbia, which was deprived of this statute in 1989. The Hungarian Government considers the presence in Vojvodina of paramilitary Serbian forces without proper political control to be a risk for the Hungarian minority.

252. The adoption of the common action plan in Washington is a matter of concern for Hungary, which could only conclude that the international community has accepted Milosevic's policy of ethnic cleansing and changing borders by force. The Serbian Government has said that, since the beginning of the conflict, 300 000 Serbian refugees from Bosnia and Croatia have settled in Vojvodina, thus increasing the Serbian part of the population from 60% to 80%.

253. There are many signs of growing discrimination against Hungarians in Vojvodina. Many are dismissed from their jobs, the use of the Hungarian language in courts has been restricted and on 1st July last a law on higher education was passed by the Serbian Parliament according to which secondary teacher training for Hungarian teachers was eliminated. This, together with a climate of growing intimidation may lead to a silent and non-violent but determined process of ethnic cleansing, causing Hungarians to leave Vojvodina for lack of reliable future prospects.

254. The Hungarian Government has drawn these developments to the attention of the international community without obtaining any positive response. In Hungary, it is thought that the lack of response from the international community might lead other countries with Hungarian minorities to follow the Serbian example.

255. More than 500 000 ethnic Hungarians live in the Republic of Slovakia, where they represent about 11% of the population, concentrated mostly in a region along Slovakia's southern border.

256. During the most difficult phase of the dispute between Hungary and Slovakia over the Gabcikovo dam on the Danube, it was feared that there might be negative repercussions on the Hungarian minority in Slovakia, but since then both countries agreed on 5th April 1993 to take this dispute to the international court of justice in The Hague, following mediation by the European Commission. They also agreed to

hold regular meetings at the level of Prime Ministers on other bilateral issues, including the treatment of the Hungarian minority in Slovakia.

257. The Hungarian minority of 1.7 million living in Romania has been a continuing source of tension between the two neighbouring countries since the downfall of communism. Last September, however, the Hungarian Foreign Minister, Geza Jeszenszky, paid an official visit to Romania, meeting his Romanian counterpart Teodor Melescanu in order to prepare a bilateral treaty including the issues of minority treatment and stability of borders. Romania's imminent membership of the Council of Europe, achieved on 28th September 1993, and Mr. Melescanu's pragmatic vision have played an important rôle in the improvement of relations between the two countries and a satisfactory solution of the main outstanding questions is expected.

258. After fierce debates in parliament, the bilateral treaty between Hungary and Ukraine has been ratified. In this treaty, both countries have agreed to respect each other's territorial integrity, confirming that they have no territorial claims. They have also committed themselves to ensure that minority rights will be respected and that their ethnic, cultural, linguistic and religious identities are preserved.

(e) What are the chances?

259. What must be the conclusion of this succinct review of possible conflicts and candidate regions or countries, where peace-keeping forces may have to be deployed?

(i) Peace-keeping in the independent republics of the former Soviet Union

260. Almost without exception, these republics are facing instability, ethnic strife or other forms of internal conflict. Even if protests were made when some time ago Russia claimed exclusive rights for peace-making in the states which formerly belonged to the Soviet Union, neither the United States, nor any Western European or even Central European country would even think of intervening in one of these countries in order to keep, restore or enforce peace.

261. In his recent address to the United Nations General Assembly, the Russian Foreign Minister, Andrei Kozyrev, asked for endorsement and funding for Russian intervention in former Soviet republics. Among other things, he said: "Conscious of its particular responsibility for maintaining peace, Russia has made peace-keeping and the protection of human rights, particularly those of national minorities, key priorities of its foreign policy, first of all in the territory of the former Soviet Union."³²

32. International Herald Tribune, 30th September 1993.

(f) Conclusion

262. Russia, for many reasons, is extremely sensitive over any possibility of outside involvement in the security affairs of former Soviet republics.

263. In their reaction to this proposal, American officials declared that the Clinton administration in no way conceded special Russian rights on that country's borders. This may be true, but on the other hand, recent documents and statements by United States administration officials demonstrate that, in practice, the United States will be extremely reluctant to intervene actively on the territory of the former Soviet Union. As regards peace-keeping on the territory of the former Soviet Union, the following points have been stressed:

- The United States does not seek to intercede in or formally mediate conflicts in the former Soviet Union. It is ready to help diplomatically if all parties to a conflict so wish.
- The United States will not act on its own, but concentrate on co-operation in international organisations like the United Nations and CSCE.
- The United States has no intention of becoming involved in conflicts within the Russian Federation, nor of intervening in domestic Russian politics.
- The United States will not make aid conditional upon its judgment of Russia's policy and behaviour towards other newly independent states.³³

(ii) Peace-keeping in the nine Central European states

264. It is highly unlikely that any peace-keeping operation will have to be concluded on their territory. Each of them is a member of CSCE and NACC. This in itself is not a guarantee that they will not embark on the use of force to solve disputes. On the other hand, most of them are now members of the Council of Europe which feels very strongly about democracy, the right of minorities and, in general, about the rule of law. None of these states would like to be expelled from the Council of Europe because of misbehaviour and it is, therefore, clearly understood that they will do everything to be considered as civilised and well-respected nations. States which are not members have applied for membership and they will no doubt do everything possible to meet the Council of Europe's conditions. Moreover, all these states hope to be admitted sooner or later to the EC with which some have and others will conclude association agreements. In this framework, they have already become partners in WEU's Forum of Consultation.

265. As demonstrated in this chapter, since the end of the cold war and increasingly so after the beginning of the conflict in former Yugoslavia, extensive debates over peace-keeping and peace-enforcing have started in all international organisations dealing with peace and security. Many summit meetings of heads of state and government, ministerial meetings and countless meetings of officials are devoted to this subject. Documents full of definitions, principles, criteria and guidelines have been drafted and agreed to. Whenever a specific action is considered, many more meetings are devoted to drafting political objectives, mandates and rules of engagement. Of course, it would be irresponsible to deploy armed forces in peace-keeping operations without thorough preparation and common agreement on all these essential elements.

266. But increasingly, one cannot avoid the impression that these endless preparations and negotiations, leading to postponement and cancellation of operations, are part of an ingenious web of tergiversations allowing in particular Western European governments to avoid tackling the basic question: are Western European democracies prepared to commit their armed forces to peace-keeping operations if there is a genuine risk of them being drawn into combat with the likelihood of casualties?

267. If governments think that Europe's democracies cannot sustain casualties in their armed forces when not operating in defence of national or allied territory or in defence of their vital economic interests, they should consider the consequences and draw their conclusions.

268. One consequence may be that no peace-keeping operation with the participation of Western European forces will be possible without the deployment of a massive superiority in troops and equipment.

269. Another consequence may be that any successful terrorist or combat action against such peace-keeping forces causing a significant number of casualties, or even the credible threat of such action, can cause the withdrawal of peace-keepers and cancellation of the whole operation. In practice, this could lead to a situation where large parts of the world will be abandoned to their fate.

270. The classic argument for armed forces mainly consisting of conscripts has always been that this largely contributes to the creation of a national consensus on all matters concerning national defence or the defence of a nation's vital interests. If, as many are claiming, defence of national or allied territory is replaced by peace-keeping in regions outside the national or allied territory as the main activity of armed forces, the basic reason for conscription is not

33. International Herald Tribune, 6th and 30th August 1993.

just losing its value, it is also becoming an obstacle to allowing armed forces to perform their new tasks. Western European governments may have to abandon their conscript armed forces and concentrate on the creation of entirely professional armies, which are better prepared to be deployed and do the jobs for which they have been hired and well trained. Some governments have already reached this decision, others will have to follow. Opponents of professionalisation often argue that such armed forces are not cheaper, they are perhaps even more expensive. But what is the use of large budgets for maintaining conscript armed forces if they are no use for priority tasks set out in all recent strategic concepts?

271. If Western European states are not ready to take the necessary decisions in order to have armed forces at their disposal, constituting a credible threat or deterrence to anyone considering the use of armed force to obtain political objectives, they will have to lower their voices and take a more moderate stand in European and world security affairs than their ambitions, as set out in the Maastricht Treaty, might suggest.

272. They may still be able to defend their own territory, but they will have to abandon the idea of wielding influence in those parts of Europe where violence and the aggressive use of force are still considered to be part of a nation's legitimate instruments of action.

273. At the same time, and irrespective of their views on the use of armed forces, Western European nations must pay far more attention to the stabilisation of newly-democratic European states. Democratic elections and the establishment of a free-market economy are not enough. The stability of a state also depends on the existence of democratically-organised political parties, trade unions, employers' federations and the rich pattern of various organisations and associations constituting the system of checks and balances which is essential for the survival of modern western democracies. This complicated system can be developed only gradually, but in the long run it is the best guarantee of protection against extremism, nationalist adventures and chaos.

IX. What about peace-making?

274. If proper peace-keeping operations are causing so much discussion and hesitation, what then are the prospects for peace-making? Almost from the start of the armed conflict in former Yugoslavia, there has been an on-going debate over the question whether there was a need for peace-making, which has been defined as "armed intervention in a state, even against the wishes of the government of that state, to

prevent widespread death or suffering amongst the population".

275. In theory, the United Nations Charter provides for armed intervention if "all appropriate diplomatic and other peaceful means have failed". Quite clearly, such armed intervention can be authorised only by the international authority with the right to do so, the United Nations Security Council. Any armed intervention aimed at peace-making, however, must meet a number of conditions.

276. First, there must be a political objective. This can range from the objective to stop the killing or ethnic cleansing to the restoration of pre-existing borders or even democratic institutions. It should be noticed that armed intervention cannot be terminated before the political objective has been achieved.

277. Political objectives, therefore, must be well-defined and specific so that there can be no misunderstanding over the question of when and whether the objective has been achieved.

278. As a consequence, vaguely-defined reasons for armed intervention, which have been put forward during the conflict in former Yugoslavia, such as "to put pressure" on one or more parties in the conflict, or "to show the resolve of the governments" are fundamentally wrong.

279. It should be added that in this conflict the EC has shown an embarrassing lack of strategic political objectives. Humanitarian intervention to stop the killing is relatively useless if no satisfactory solutions can be offered for the fundamental problems of self-determination, minority rights and the changing of borders. On these, sometimes conflicting, issues the EC apparently has not yet made up its mind.

280. Second, there must be a reasonable prospect of success. Here, political leaders will have to rely upon the advice of the military, who must be able to tell them what troops and equipment are required for the military operation to be successful. Their advice must include estimates of collateral civilian casualties, collateral damage of civilian installations and of casualties among their own troops. The inevitable question must be addressed: whether the political constituency is prepared to sustain the possible considerable loss of human lives and the financial consequences.

281. Third, the intervention must do more good or avert more evil than the damage wrought in the process of intervening.

282. Finally, the interest at stake must be sufficiently important to justify armed intervention with all its possible consequences. This is a crucial question. Notwithstanding public outcry, moral indignation in itself does not seem to be a sufficiently sound reason for peace-making.

283. Altogether, it will not be easy to imagine any peace-making operation which meets this concise list of conditions. Recent experience in Somalia and Haiti can but confirm this view.

284. The United Nations Secretary General, presenting his own conclusions at a meeting of

the United Nations Security Council, said that he does not believe the United Nations to be capable at present of peace-enforcement operations. The United Nations rôle, he said, was to maintain, not to impose, peace.³⁴

34. The Times, 29th October 1993.

APPENDIX

*Letters from H.E. Mr. Dimitris Macris, Greek Ambassador
to France, to Sir Dudley Smith, President of the WEU Assembly,
and information on Greece's position regarding
United Nations Security Council sanctions
on Serbia and Montenegro*

*Letters from Mr. Macris, Greek Ambassador to France,
to Sir Dudley Smith, President of the Assembly*

Paris, 14th July 1993

Dear President,

Further to our conversation today, I enclose information on Greece's position regarding the United Nations Security Council sanctions on Serbia and Montenegro.

I also enclose an annex to this memorandum relating to penal procedures engaged against ships under Greek flag or belonging to Greeks accused of having broken the embargo as well as foreign vessels which have been monitored by the appropriate Greek authorities.

I take this opportunity to draw your attention to the efforts of the Greek Government in its unswerving policy towards respect of the embargo and special cases of violation of the embargo and the sanctions taken.

Yours sincerely,

Dimitris MACRIS,
Ambassador

Sir Dudley SMITH,
President of the WEU Assembly

*
* *

Paris, 20th July 1993

.....

Further to my letter of 14th July 1993 and apart from the matters already mentioned, I wish to call your attention to the fact that, in the meantime, two further cases have been referred to the Piraeus Court: those of the ships M/S Khrustanly, flying the Ukrainian flag and chartered by a Dutch company, and M/S Blue Cloud, belonging to Maltese interests and flying the Maltese flag. They were stopped and searched in Italy and Croatia respectively. In both cases, the aim of the inquiry is to determine whether or not those involved were individual or legal entities subject to Greek jurisdiction.

Furthermore, seven lorry drivers were recently taken to court for having attempted to break the embargo: one of these cases was reported by United Nations observers in the former Yugoslav Republic of Macedonia, another by the German authorities and five by the Greek customs. Finally, the most important fact is that Greece has accepted the proposal by the sanctions co-ordinator to introduce a system of pre-shipment verification of the end destination of cargoes of oil and oil derivatives. This system has been in force since yesterday. For cargoes in transit whose destination is the former Yugoslav Republic of Macedonia, the only action will be to notify the SAM post in Skopje so that it

may carry out verifications on the spot. Appropriate arrangements have already been made to ensure the maximum effectiveness of this measure. Inter alia, the number of entry points between Greece and the former Yugoslav Republic of Macedonia has been reduced from four to two.

.....

Dimitris MACRIS,
Ambassador

Sir Dudley SMITH,
President of the WEU Assembly

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* *

Greece and United Nations sanctions against Serbia and Montenegro

In a series of recently-published articles in the international press, Greece has again been accused of violating the embargo imposed on Serbia and Montenegro. It is therefore essential to examine the facts more closely.

A. The facts

Since 1st June 1992, Greece has complied with United Nations Security Council Resolution 752 of 30th May 1992. In the framework of measures aimed at restoring peace in the region, this resolution imposed a series of sanctions on Serbia and Montenegro.

Almost immediately, articles appeared in the international press describing Greece as the weak link in the operation and affirming that it was violating the embargo in order, on the one hand, to minimise its financial losses due to a decline in trade and, on the other hand, to reduce political damage to traditional Greek-Serb friendship.

This is untrue. On many occasions, Prime Minister Constantin Mitsotakis asked in his speeches what proof there was for these affirmations levelled at the Greek Government. Nevertheless, in order to meet such defamatory allegations, the Greek Government decided, on 21st August 1992, to stop all exports of oil products across its northern frontier with former Yugoslavia. At the time, but not for long, this decision was very well received by the international press and Greece's European partners.

Indirectly, proof of the effectiveness of this decision was given by the then Minister for Foreign Affairs of the former Yugoslav Republic of Macedonia, Mr. Denko Maleski, who, in a letter addressed to the United Nations, the EEC and other international organisations, asked that measures be taken to lift the oil embargo on his country immediately. As from 22nd September 1992, Greece therefore decided to accept the application of EEC ad hoc regulation 2656/92 temporarily lifting the oil embargo.

This led to a further wave of accusations that the embargo was being violated. This time, however, Greece was seen to be guilty... of conforming with EEC decisions! In a recent declaration (24th June 1993), the Greek Government spokesman, Mr. Vassilis Magginas, stressed that: "Those who criticise us cannot claim to be right in both ways. The Greek Government has scrupulously applied the sanctions imposed on Serbia. In all the cases reported by observers, the goods transported came from the former Yugoslav Republic of Macedonia. It may therefore be wondered what our country should do. If we do not let the oil through, we are accused of being cruel to that republic. If we do let it through, we are accused of complicity with the Serbs. In other words, when we apply the embargo on the former Yugoslav Republic of Macedonia – the only country of former Yugoslavia with which we have a common frontier – we are accused of smothering it because we do not like the name it has chosen, and if we give in we become guilty of pro-Serb activities."

B. Recent affirmations

The important legislative and administrative measures taken by Greece in conformity with United Nations Security Council Resolutions 757/92, 787/92 and 820/93 were all and in detail made available to the sanctions liaison group at its meeting in Vienna on 4th June 1993. These measures were presented in the form of answers to a questionnaire sent to all member states of the CSCE by Ambassador Napolitano, the sanctions co-ordinator. It is interesting to underline the fact that only five countries – including Greece – answered his request for information before 4th June 1993. The Greek answer quotes, inter alia, Law 92/1967 setting out the penalties for violating presidential decrees on the application of Security Council resolutions.

In order to be able to apply the resolutions imposing the confiscation of means of transport and goods, the Greek Parliament has just passed an amendment to the abovementioned Law 92/1967 making it possible to seize and confiscate such means of transport and goods (Law 2145/93, Official Journal A/88/28.5.93).

Penal procedure has already been started against persons violating the sanctions. Ships flying the Greek flag or belonging to Greeks have been searched and, where appropriate, legal proceedings have been initiated (cf. appendix).

In accordance with United Nations Security Council Resolution 820/93, penalties have been increased and texts adopted (Law 2145/93) allowing the confiscation of goods and their means of transport. Lorry drivers have been accused of violating the embargo:

- a driver whose action was reported by United Nations observers stationed in the former Yugoslav Republic of Macedonia;
- a driver who was denounced by the German authorities;
- five lorry drivers from the former Yugoslav Republic of Macedonia who were transporting Serb goods and were denounced by the customs authorities in Thessalonica.

Serb bank accounts were frozen after a series of circulars had been sent to the relevant financial authorities and in agreement with United Nations resolutions banning all financial transactions with the Yugoslav Federation.

C. An example of libel

On 9th June 1993 and the following days, the Danish press accused the Greek firm Econ Optics Mechanics of selling gun sights to the belligerents in former Yugoslavia. The sole basis for these accusations was affirmations by Danish businessmen who had visited the firm's premises in Greece. The firm rejected these accusations and sued the Danish paper *Judske Vestkysten*.

The relevant authorities at the Greek Ministry for Foreign Affairs called for an inquiry to held immediately. For the time being, no proof has been found of any export whatsoever of products by this firm to Balkan countries. According to the same Danish paper, the European Commissioner, Mr. Milan, has refused to give this firm any financial assistance. These statements have not been corroborated.

*
* *

Ships flying the Greek flag or belonging to Greeks that have been accused of violating the embargo and foreign ships inspected by the relevant Greek authorities

<i>Ship</i>	<i>Flag</i>	<i>Owner</i>	<i>Measures taken</i>
Artemis (Thita Volcano)	Greece	Greek	Penal action
Thita Triton	Malta	Greek	Ditto
Thita Apollo	Panama	Greek	Ditto
Maria (Vana) Maio	Greece	Greek	Ditto
Dimitrakis	Malta	Greek	Ditto
Penelope (East River)	Liberia	Former Greek owner	Ditto
Rosario	St. Vincent	Greek	Ditto
Salem VIII	Egypt	Egyptian	Inquiry held; released for lack of proof; penal action started on the basis of new proof
Dniepr II	Ukraine	Ukrainian	Inquiry held; released for lack of proof
Bayamo	Malta	Yugoslav	Hold sealed in accordance with Article 8 of EEC regulation 990/93

Lessons drawn from the Yugoslav conflict

AMENDMENT 1¹

tabled by Mrs. Baarveld-Schlaman

1. In paragraph (viii) of the preamble to the draft recommendation, leave out “seemingly hurried”.

Signed: Baarveld-Schlaman

1. See 10th sitting, 1st December 1993 (amendment negatived).

Lessons drawn from the Yugoslav conflict

AMENDMENT 2¹

tabled by Mr. Ferrarini and Mr. De Decker

2. In paragraph 5 of the draft recommendation proper, leave out “in the period prior to its accession to WEU” and insert “in the framework of a wider agreement intended to reduce the tension in that region”.

Signed: Ferrarini, De Decker

1. See 10th sitting, 1st December 1993 (amendment agreed to).

Lessons drawn from the Yugoslav conflict

AMENDMENT 3 ¹

tabled by Mr. Pécriaux and others

3. In the draft recommendation proper, leave out paragraph 5.

Signed: Pécriaux, De Decker, Baarveld-Schlaman, de Puig, Brito

1. See 10th sitting, 1st December 1993 (amendment negated).

Lessons drawn from the Yugoslav conflict

AMENDMENT 4¹

tabled by Mr. Lopez Henares and others

4. At the end of paragraph 5 of the draft recommendation proper, add:
“ with the express declaration by all concerned to renounce any expansionist policies and respect existing borders; ”

Signed: Lopez Henares, Atkinson, De Decker, Fabra, Grau, Robles Fraga, Rathbone

1. See 10th sitting, 1st December 1993 (amendment agreed to).

*An operational organisation for WEU: naval co-operation –
Part One: Adriatic operations*

REPORT ¹

*submitted on behalf of the Defence Committee ²
by Mr. Marten and Sir Keith Speed,
Joint Rapporteurs*

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1. Adopted in committee by 12 votes to 0 with 1 abstention.

2. *Members of the committee:* Mr. Baumel (Chairman); MM. De Decker, de Puig (Vice-Chairmen); Mr. Alloncle, Mrs. Baarveld-Schlaman, MM. Borderas, Briane, Brito, Chevalier, Cox, De Carolis, Dees, Dumont, Fernandes Marques, Ferrarini, Hardy, Irmer, Jacquat, Kelchtermans, Leccisi, Mrs. Lentz-Cornette, MM. van der Linden, Mannino, Marten, Lord Newall, MM. Pecchioli, Reis Leite, Scheer, Sir Dudley Smith, Sir Keith Speed, MM. Steiner, Lopez Valdivielso, Vazquez (Alternate: Cuco), Zierer.

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

Draft Recommendation

***on an operational organisation for WEU: naval co-operation –
Part One: Adriatic operations***

The Assembly,

- (i) Considering that the meeting of the WEU Council on 22nd November 1993 and the NATO summit meeting on 10th January 1994 provide excellent opportunities to establish WEU's position as the European pillar of the Atlantic Alliance;
- (ii) Conscious of the efforts made by WEU and NATO to ensure a coherent arrangement for naval and maritime air operations in the Adriatic;
- (iii) Welcoming the Atlantic Alliance's willingness to accommodate a WEU presence in the previously NATO-dedicated headquarters in Naples;
- (iv) Much appreciating NATO's readiness to make its infrastructure available to WEU, at least on an ad hoc basis;
- (v) Regretting the WEU Council's failure to agree an appropriate budget for WEU's participation in operation Sharp Guard,

RECOMMENDS THAT THE COUNCIL

1. Actively prepare and promote WEU's position as the European pillar of the Atlantic Alliance, and make this explicit at the forthcoming NATO summit meeting;
2. Negotiate a formal agreement with the North Atlantic Council for WEU's use of NATO infrastructure as appropriate for specific operations;
3. Urgently make available an adequate working budget for the WEU element on the staff of COMNAVSOUTH in Naples and for the WEU CONMARFOR at sea in the Adriatic;
4. Review its lines of communication with those involved under the aegis of WEU in the command and control of specific operations, notably in the Adriatic area and restructure links between itself and such subsidiary bodies, giving clear mandates and specific terms of reference to all concerned;
5. Ensure that the rôles of the Planning Cell, of the WEU Military Delegates and the WEU Chiefs of Defence Staff in relation to those involved in operations on behalf of WEU are clarified, redefining tasks and responsibilities as a matter of priority;
6. Encourage member states to support Adriatic operations in all ways possible and publicise the achievements of operation Sharp Guard;
7. Pay tribute to the thousands of men and women from WEU and other alliance nations taking part in operations in the Adriatic area who, both at sea and ashore, are carrying out an almost thankless task, often in trying and frustrating conditions and ensure that such breaches of the embargo as are continuing elsewhere receive additional attention so that the efforts of the sailors of the allied nations are rendered worthwhile;
8. Explore, with the other member states of the WEU Forum of Consultation with maritime assets, the possibility of such assets being made available in support of operations in the Adriatic.

Explanatory Memorandum

(submitted by Mr. Marten and Sir Keith Speed, Joint Rapporteurs)

I. Introduction

1. In the course of their fact-finding in preparation for the presentation of the report on "An operational organisation for WEU – naval co-operation", your Rapporteurs have discovered such ramifications to the subject, with many more fundamental principles at stake than were initially apparent, that they have decided to present the report in two parts rather than seek to postpone discussion to a future session.

2. Certain aspects of the specific naval operations in the Adriatic require immediate attention and therefore this first part deals with the maritime task in hand. Part Two will deal with the wider issues involved and elaborate further on the structures and links required for the future conduct by WEU of naval operations in general.

II. Previous recommendations

3. During the Assembly's plenary session, in June 1993, the following recommendations were unanimously adopted:

"Recommendation 543

The Assembly,

(i) Recalling Recommendations 506, 512, 519, 525, 530 and 531 and in particular the recommendations to:

(a) Prepare a resolution to be tabled by WEU members of the United Nations Security Council to reinforce the present embargo at least to the level of that enforced against Iraq in 1990/91 and in particular to take account of the problem of cargo in transit and also of the complications of the Danube Convention and to publish evidence at an early stage of any significant breach of the embargo;

(b) Fulfil its pledge for WEU member states to "offer expertise, technical assistance and equipment to the governments of Danube riparian states to prevent the use of the river Danube for the purpose of circumventing or breaking the sanctions imposed by United Nations Security Council Resolutions 713 and 757" and in particular respond to Romania's request for assistance;

(c) In conjunction with the NATO authorities, rationalise naval and maritime air operations in the Adriatic area to form composite and cost-effective forces;

(ii) Pleased that WEU has signed memoranda of understanding with Bulgaria, Hungary and Romania on helping police the Danube and that such operations are already producing a deterrent effect on possible sanction breakers;

(iii) Pleased that WEU and NATO have agreed a composite force for Adriatic operations (operation Sharp Guard) with a joint command in Naples;

(iv) Pleased that all member countries are in one way or another fully supporting UN-mandated operations in the Adriatic, on the Danube, or in Bosnia-Herzegovina, Croatia or Slovenia and considering such action already a symbol of European willingness to co-operate in the field of security;

(v) Pleased that the Greek Government has more actively encouraged the application of UN-mandated sanctions;

(vi) Considering that the memoranda of understanding signed with Bulgaria, Hungary and Romania are a tangible sign of the good and practical relations prevailing in the WEU Forum of Consultation;

(vii) Welcoming the recent contacts between WEU and both Russia and the Ukraine over the application of the UN embargo;

(viii) Convinced that the Council should initiate a specific exercise programme so that forces now answerable to WEU may train together on a regular basis at all levels and further suggesting that the ideal starting point for such a programme would be the forthcoming Ardente 93 exercise in Italy;

(ix) Congratulating the Council and the Presidency on their initiatives,

RECOMMENDS THAT THE COUNCIL

1. Inform the Assembly of the terms of the memoranda of understanding signed with Bulgaria, Hungary and Romania and

in particular make explicit any security guarantees given to any or all of these countries;

2. Ensure that the longer-term political implications of WEU's involvement in operations on the Danube and in the Adriatic are fully studied and appreciated;

3. Explore with the Greek authorities ways of helping them ensure complete and visible compliance with all UN sanctions even to the extent of asking member states to second customs and/or police officers to help with the task;

4. Encourage the Russian authorities to give practical expression to their offer to help ensure that all embargos are fully respected on the border between Serbia and Bosnia-Herzegovina;

5. Develop the liaison established with the Ukrainian authorities with a view to signing a possible memorandum of understanding for WEU to provide technical assistance to the Ukraine so that UN sanctions may be seen to be fully respected;

6. Urge the UN to implement a compensation scheme to reimburse at least in part those countries such as Greece, Bulgaria, Hungary and Romania, which have suffered considerable financial loss as a result of embargo enforcement;

7. Publish full details of the nationality, identity and characteristics of all vessels found breaking the embargo in the Adriatic and on the Danube in defiance of United Nations resolutions."

4. The Council's reply to these recommendations reads as follows:

" 1. The Council will consider the possibilities of informing the Assembly of the terms of the memoranda of understanding.

The memoranda of understanding contain no security guarantees. The Council would however reiterate the terms of the last subparagraph of paragraph 4 of the communiqué of the meeting of the WEU Forum of Consultation at Ministerial level, held in Rome on 20th May 1993: "Moreover, Ministers underlined the importance of containing the current conflict and agreed that, were any country to suffer from aggressive action as a consequence of their support for UN-mandated operations, this would be a matter of direct concern to the international community".

2. The Council is fully aware of the need to study and appreciate the "longer-term political implications of WEU's involvement in operations on the Danube and in the Adriatic".

3. The Council reiterates that the embargo is the responsibility of the United Nations Security Council. WEU's assistance to the Danube riparian states was sought by those countries. In this context, the Council is not planning "to explore with the Greek authorities ways of helping them ensure complete and visible compliance with all UN sanctions even to the extent of asking member states to second customs and/or police officers to help with the task".

4. The Council takes due note of the Assembly's proposal. Member states' governments have been unstinting in their encouragement, both within the UN Security Council and in their bilateral relations with the Government of the Russian Federation.

5. The Council attaches the utmost importance to compliance with United Nations sanctions. The main aim of the contacts established with Ukraine was to consider supplying equipment to help the Ukrainian authorities implement the embargo. There were no plans, however, to ask WEU to co-ordinate a technical assistance operation to this end.

6. This problem comes under the sole responsibility of the member states as members of the UN.

7. The Council notes the Assembly's wish that "full details of the nationality, identity and characteristics of all vessels found breaking the embargo in the Adriatic and on the Danube in defiance of United Nations' resolutions" be published. The embargo was imposed by the United Nations and it is they who are co-ordinating the economic sanctions imposed on 30th May and 16th November 1992. The Sanctions Committee holds all the information on violations. The Council possesses no more than fragmentary information regarding the embargo in the Adriatic.

The Council is studying the possibilities of declassifying the data in its possession regarding the embargo in the Adriatic and on the Danube. In this event, such declassified data will be communicated to the Assembly."

5. While the previous recommendations as such of course encompassed WEU initiatives both on the Danube and in the Adriatic and the present report deals in particular only with the

Adriatic (the Danube operations being currently the subject of other fact-finding missions) your Rapporteurs wish to bring various particular aspects of the Council's reply to the notice of members.

6. In general terms the Assembly may congratulate itself on continuing a tradition of providing political impulse to the WEU Council and there are signs in the Council's reply to Recommendation 543 (and, also encouragingly, in its reply to Recommendation 542 on United Nations operations – interaction with WEU) of the beginnings of a true dialogue. In particular your Rapporteurs hope that the Council will make up its mind before too long on “the possibilities of informing the Assembly of the terms of the memoranda of understanding” and on “the possibilities of declassifying the data in its possession regarding the embargo in the Adriatic”.

7. In passing it is worth mentioning that excellent progress is being made in terms of co-operation between WEU nations for a new generation of exercises, pioneered by the French-sponsored exercise Farfadet in June 1992. Ardenne '94 sponsored by Italy (with major participation from France and Spain and, to a lesser degree, from Greece, the Netherlands, Turkey and the United Kingdom) was held during the week of 25th October in Tuscany. Like Farfadet, Ardenne took as its theme the evacuation of nationals from a war-torn area, including the creation of a corridor for humanitarian relief – highly topical in another context also.

8. Such exercises, held increasingly in the WEU context, are the shape of the future and your Rapporteurs are pleased that similar exercises are planned for 1994 (Transmontana under Spanish auspices and a command post exercise Purple Nova in the United Kingdom with full participation by the WEU Planning Cell) and in 1995 (in France). The naval aspects of these exercises will be emphasised in Part Two of the present report.

III. Sharp Guard

9. Meanwhile naval operations continue in the Adriatic under the name of Sharp Guard and stemming from a WEU initiative taken in the wings of the 1992 Helsinki CSCE meeting.

(a) History

10. In July 1992, forces operating under WEU and NATO, working in strict co-ordination, began monitoring in the Adriatic sea the compliance of resolutions of the United Nations Security Council against former Yugoslavia

(operations Maritime Monitor and Sharp Vigilance). On 22nd November 1992 both operations were amplified in scope to include the enforcement of relevant UN resolutions (operations Maritime Guard and Sharp Fence).

11. On 8th June 1993 the Councils of WEU and NATO, at a joint session, reviewed the embargo operations and approved a combined concept of operations for the implementation of UN Resolution 820, which strengthened the existing embargoes against the Federal Republic of Yugoslavia (Serbia and Montenegro). This concept included a single command and control arrangement for the combined operation Sharp Guard under the authority of the Councils of both organisations.

12. The operation began on 15th June 1993.

(b) Mission

13. To conduct operations to monitor and enforce compliance with UN sanctions in accordance with UN Security Council Resolutions (UNSCR) 713, 757, 787 and 820. Combined Task Force 440, in particular, prevents all unauthorised shipping from entering the territorial waters of the Federal Republic of Yugoslavia (Serbia and Montenegro).

(c) Nations contributing forces

14. Nations contributing forces at present are: Canada, France, Germany, Greece, Italy, the Netherlands, Norway, Portugal, Spain, Turkey, United Kingdom, United States. Nineteen vessels are participating and some 12 000 sailors are at sea or on shore in the area.

(d) Organisation

15. The overall operational control is delegated to Admiral Carlo Alberto Vandini, Italian Navy, as Commander, Combined Task Force 440 (CCTF 440). He is assisted by Rear Admiral Gianfranco Coviello, Italian Navy, as Deputy CCTF 440. Admiral Vandini is the Commander of Allied Naval Forces Southern Europe. As CCTF 440, his staff has been complemented by a WEU staff element.

16. Surface ships operate under two operational combined task groups (CTG) at sea to conduct operations in the Adriatic sea. A third task group has responsibility for ships conducting training or port visits. Operational responsibilities rotate among the task group commanders on approximately a monthly basis. At the time of writing, the two operational CTG commanders are a British Commodore and an Italian Captain. The third task group is commanded by a Canadian Commodore.

17. Maritime patrol aircraft operate under operational command of CCTF 440 through the Commander of Combined Task Force 431, a US Rear Admiral.

(e) Fighter aircraft

18. Eight Italian Air Force Tornado aircraft are available to support operation Sharp Guard from their home base at Gioia del Colle. These aircraft can contribute to the defence of ships from attacks from surface ships. Other aircraft from allied forces operating in the area also contribute to this support.

(f) Maritime patrol aircraft

19. Continuous maritime air patrol support to the naval forces of CTF 440 is provided with assets from nine NATO nations: Canada (CP-140 "Aurora"), France (Atlantique), Germany (Atlantic), Italy (Atlantic), the Netherlands (P-3C), Portugal (P-3P), Spain (P-3B), United Kingdom (Nimrod), United States (P-3C).

20. The above aircraft operate from the airbases at Sigonella (Sicily) and Elmas (Sardinia), in Italy.

(g) NATO airborne early warning

21. Four E-3A and three E-3D from NATO's airborne early warning force (NAEWF) are supporting operation Sharp Guard, as well as NATO operation Deny Flight, from their home base at Geilenkirchen, Germany, and forward operating bases at Aviano and Trapani, Italy, and Preveza, Greece. The E-3A aircraft are flown by multinational crews provided by eleven NATO nations (Belgium, Canada, Denmark, Germany, Greece, Italy, the Netherlands, Norway, Portugal, Turkey and the United States). The NAEWF E-3D Component, comprised of aircraft from the United Kingdom's Number 8 Squadron are also participating in the mission. These aircraft operate from their home base at Royal Air Force Station Waddington, United Kingdom, as well as Aviano and Trapani, Italy. French E-3F aircraft operating from the French air base in Avord and Italian air base at Trapani under the auspices of the WEU are also participating.

22. Worthy of note in this context is the readiness of both Austria and Hungary to give effective support to such operations.

(h) Rules of engagement

23. In their previous report, your Rapporteurs drew attention to the dangers of inadequate or

varying rules of engagement. However, in spite of the fact that two participating nations have not adopted exactly the common WEU/NATO rules of engagement, the situation now appears satisfactory to the extent that ships of the nations concerned are unlikely to be deployed into sensitive areas.

(i) Achievements

24. During operation Sharp Guard, 6 157 merchant vessels have been challenged. Of them, 728 have been halted and inspected, or diverted to a port for inspection.

25. As a result of the co-ordinated efforts of the forces which have operated under WEU and NATO, 1 032 merchant vessels were halted and boarded – or diverted to a port for inspection – from 22nd November 1992 to 15th June 1993, when operation Sharp Guard began. During the same period 12 367 merchant vessels were challenged. Therefore, an overall total of 18 524 ships have been challenged so far, with 1 760 inspected or diverted.

26. Since the UN Security Council strengthened the embargo against Serbia and Montenegro with Resolution 820, in April 1993, no ship has been able to break the embargo.

IV. Political purpose and practical reality

27. It might be surmised from the above that the composite arrangements described represent the achievement of a political aim, namely the bringing together of the Atlantic Alliance (NATO) and its European pillar (WEU), thus giving substance to intergovernmental declarations at Maastricht and on the Petersberg¹.

28. While such co-operation is certainly apparent between NATO and WEU, there are nevertheless various grey areas which must be elucidated and problems which must be resolved as a matter of urgency. In political terms the greatest imperative for such action is of course the forthcoming NATO summit meeting scheduled for 10th January in Brussels. Even if this summit meeting achieves little by way of the much-heralded "enlargement" of NATO it should at least lead to the consecration of WEU as the European pillar of NATO and lay the formal foundation for a new (and lasting) relationship between the two organisations. Such a development is necessary for two main reasons:

- (a) to outline the ground rules for co-operation so that those working within the organisations know what is expected of them and;

1. 10th December 1991 and 19th June 1992.

(b) to present a united front in spite of the inevitable carping and often derogatory comments of those who find it difficult to accept NATO/WEU accommodation. For accommodation there has been, especially as the result of a very understanding approach by the senior commanders involved on the spot.

29. Your Rapporteurs have been struck by the rearguard action of some of those in authority but obviously remote from the area: "we cannot possibly allow WEU ships to operate close to the Montenegrin coast because of the missile danger" (when, in fact, all ships are fully integrated into one or other of the key areas depending on an individual ship's capability rather than on whether it is "WEU CONMARFOR", "STANAVFORMED" or "STANAVFORLANT" and also on when the task group commanders rotate from area to area on a five week cycle – when the President of the Assembly visited the Adriatic in October he embarked in the STANAVFORMED ship which was the flagship for the WEU Commander) or "Admiral X is very competent to conduct the operation – not so certain about Admiral Y" (when the only difference between the two Admirals was that one had a NATO hat and the other did not – they even share the same nationality!). Fortunately, as time goes on, such comments are dying out in the face of the obvious complementarity and sheer professionalism of all concerned, in practical terms.

30. Your Rapporteurs wish to pay special tribute to the individual efforts of the particular officers concerned with command of operations in zone, Commander-in-Chief Allied Forces Southern Europe (CINCSOUTH) and Commander-in-Chief Allied Naval Forces Southern Europe (COMNAVSOUTH). Their patient pragmatism in working out command and control arrangements is admirable.

31. In practical terms COMNAVSOUTH's staff has been reinforced by an Italian 2-star flag officer, a Spanish 1-star flag officer, two Captains, one French and one German, and an Italian Commander – the WEU "naval element". The senior Italian Captain at sea as one of the three Task Group Commanders (wearing a "WEU hat") has French and Spanish officers as planners on board his flag ship.

32. The Italian navy has made available significant logistic support (both people and material) which has been greatly appreciated.

33. In practical terms the WEU naval element has been absorbed into the COMNAVSOUTH process for decision making, planning, etc., etc., and there can be no quarrel with the result: an efficient, well-conducted embargo operation which to date has dealt with nearly 19 000 merchant marine vessels.

V. The question

34. Your Rapporteurs have tried to put these operations into perspective. Do the ends justify the means? Not so much in terms of whether or not the embargo operation continues or is the best possible way to try and bring pressure on Serbia as rather, in parochial terms, whether or not WEU really needs to be present to help apply the said sanctions.

35. Quite apart from the Assembly's own stance on the matter (calling for the application of stringent sanctions from the very beginning²) we must examine the performance of the WEU Council which in its collective and consensual wisdom decided to take action in this way. And here lies the nub of this present report and its set of recommendations, for in your Rapporteurs' opinion, not enough has been done to give practical substance to the Council's political decisions.

VI. Problem areas

36. While WEU is now in a totally different operational mode today compared with five or six years ago, we need to ensure that arrangements are both efficient and cost-effective. We must be certain that terms of reference are clear, for example, and a whole range of problem areas tackled as a matter of urgency.

37. For instance:

- (a) all WEU member countries should be seen to be contributing both in practical and material terms to helping run operations which have been decided unanimously – although such is not presently the case in the Adriatic it may be that "Country X" is present on the Danube – greater publicity is necessary to bring such facts to the attention of the public at large;
- (b) costs must be shared on a more equitable footing. The present principle that those contributing the largest contingents should be expected also to make the largest financial contribution is simplistic in the extreme;
- (c) a formal agreement with NATO must be drawn up to deal with such matters as the use of infrastructures. NATO has made a large number of friendly gestures to WEU in current circumstances, but on a purely ad hoc basis. It must be made clear exactly who pays for what, for example, and the

2. Recommendation 512 adopted by the Assembly on 4th December 1991.

WEU element should be given its own budget to deal with daily necessities. But a fundamental matter of principle is at stake here, for if WEU so much as buys one item of kit to help ensure that current operations are effective is that not one step on the slippery slope towards *duplication*? The matter must be resolved sooner rather than later;

- (d) formal links have to be established between the WEU element in Naples, the WEU Council in Brussels, the Planning Cell, the Satellite Centre, but especially with the Chiefs of Defence Staff Committee and the WEU Military Delegates Committee. There is a pressing need to define relationships within the organisation as well as without;
- (e) practical as well as formal links are also vital: a travel budget obviously has to be decided to allow WEU personnel in Naples to visit the various relevant authorities concerned by

Adriatic operations: communication equipment is also urgently required, as is a computer-assisted planning system. None of these items in themselves are expensive and indeed the whole cost has been estimated at less than that incurred by firing one "shot across the bows" at sea!

VII. Provisional conclusion

38. This report will be considered by colleagues in committee at the beginning of November and, if accepted, debated in the Assembly's plenary session scheduled for the end of the month. Between these two rendezvous the WEU Ministerial Council will meet on 22nd November in Luxembourg. Your Rapporteurs trust that appropriate decisions on these practical matters will then be forthcoming and thus allow revised recommendations to be presented, as necessary, at the plenary session. WEU would then be in some strength in presenting a common European position for the NATO summit meeting on 10th January 1994.

***First part of the thirty-ninth annual report¹
of the Council to the Assembly***

(1st January to 30th June 1993)

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I. Introduction

During the first half of 1993, the work of the WEU Council – based on the mandates contained in the Ministerial Declarations of Petersberg and Rome – has continued unabated. The preparation of the ordinary Ministerial meeting held on 19th May last in Rome demonstrated that the Permanent Council, now backed up by the Council Working Group and served by the Secretariat and Planning Cell, is playing its full part as the organisation's central body for deliberation and decision-making. The new mandates referred to in the communiqués issued after the Rome Ministerial Council are evidence of the undeniable progress made so far in implementing a substantive and coherent work pro-

gramme which aims – step by step – to give the European construction process its vital defence dimension by strengthening the political dialogue on all aspects of European security.

The transfer of the Council and Secretariat-General from London to Brussels in January 1993 can be seen as having brought to a close the WEU reactivation process launched in Rome in October 1984 in a way which was not just symbolic. With its enlargement to a new full member, to three associate members and two observers, WEU is now truly able in all respects to promote the European defence identity and to strengthen the European pillar of the Atlantic Alliance. Pending completion of the enlargement ratification process, all the states con-

1. This document was received at the Office of the Clerk on 12th November 1993 and is distributed in the form in which it was received from the Secretariat-General.

cerned are taking part as active observers in the work and discussions of the Council. Those meetings of the Permanent Council devoted to the structural adaptation of the Ministerial bodies to the new rôle given to the Council since the beginning of the year have benefitted greatly from their contributions.

The visit by the President of the Romanian Republic on 17th February, followed on 5th March by that of the President of the Italian Republic provided political confirmation that the decision to transfer WEU was the right one and were also concrete evidence that its dual rôle as the defence component of the future European Union and as a means to strengthen the European pillar of the Atlantic Alliance had been recognised. Both at the level of the Council Working Groups and at that of the Secretariat, working links may be forged as required with the European institutions and the organs of the Atlantic Alliance in Brussels, having due regard to the principles of transparency, complementarity and reciprocity. These links will assume even greater importance in the months to come as preparations are made for the forthcoming alliance summit and as the Maastricht Treaty ratification process is brought to a conclusion.

The ongoing efforts by WEU member states to help find a solution to the conflict tearing apart former Yugoslavia and to help ease the suffering of the population undoubtedly raised WEU's political profile, principally through the operations to implement the United Nations Security Council embargo in the Adriatic and on the Danube. At a joint session of the WEU Council and the North Atlantic Council on 8th June in Brussels, a combined concept of operations for the two organisations in the Adriatic in implementation of United Nations Security Council Resolution 820 was approved. The assistance given by WEU to the three Danube riparian states to implement the sanctions régime decided by the United Nations is also a tangible and credible contribution to the implementation of the decisions of the international community.

The Italian Presidency of the WEU Council successfully put the finishing touches to the organisation's institutional development, thereby laying the foundations for the gradual strengthening of its operational rôle, a rôle that may be exercised independently, within the context of the Atlantic Alliance, and in implementation of mandates from the European Union, the CSCE or the United Nations.

Finally, the Permanent Council's new rôle in Brussels makes it both more desirable and much easier to develop a dialogue with the WEU parliamentary Assembly. The first very positive step in this direction was taken on 1st March 1993, when a meeting took place with the Assembly's Presidential Committee at the Palais

d'Egmont. Others will follow. There is no shortage of topics which will generate fruitful interaction between the Council and the Assembly in implementation of the Petersberg agenda, an agenda underpinned by the Rome declarations and communiqués.

II. Activities of the Council

The ceremony to inaugurate the WEU Council in Brussels took place on 19th January 1993 at the Palais d'Egmont. It brought together the former Permanent Representatives in London and their successors in Brussels. The Presidency of the European Communities was represented by the Danish Ambassador, accompanied by H.E. Mr. Pierre Champenois, Head of the Secretariat of European Political Cooperation. H.E. Mr. Manfred Wörner, Secretary-General of NATO, represented the Atlantic Alliance.

Apart from those meetings where circumstances dictated that a specific subject be addressed, the Council's agendas have continued to contain an item devoted to the report on working group meetings and an item on "topical questions".

The Permanent Council has paid particular attention to the work of preparing draft decisions for submission to the Ministerial Council and to their implementation once adopted. The Council has been kept directly informed of the activities of the WEU Institute for Security Studies, of the establishment of the Satellite Centre in Torrejón, and of the activities of the Planning Cell. It continued to acknowledge the vital importance of the institutional dialogue with the Assembly, and followed with great interest the debates of the first part of the thirty-ninth ordinary session. Lastly, the Council took a number of administrative and budgetary decisions, as appropriate, on the basis of opinions submitted by the Budget and Organisation Committee.

(i) Topical questions

(a) Situation in former Yugoslavia

The Danish Representative, on behalf of the Presidency of the Twelve, regularly briefed the Permanent Council on the activities and démarches pursued by the European Community with the aim of reaching a peaceful solution to the conflict in former Yugoslavia.

The Permanent Council has closely monitored developments in former Yugoslavia, its discussions focusing on the arrangements for implementing the Danube embargo, participation of the WEU fleet in the Adriatic embargo,

and the possible involvement of WEU in implementing the Vance/Owen peace plan. The activities of the Ad Hoc Group on Yugoslavia, the Contingency Planning Group, Experts Groups and the Planning Cell all centred on these three questions.

Their activities led to the convening of an extraordinary meeting of the Council of Ministers on 5th April in Luxembourg, at which it was decided to offer support to Bulgaria, Hungary and Romania by organising a police and customs operation on the Danube to help enforce the United Nations-mandated embargo.

The signing of the memoranda of understanding negotiated with the riparian countries took place at the meeting of the WEU Forum of Consultation held at Ministerial level in Rome on 20th May 1993.

This operation to assist with the implementation of the Danube embargo formally got under way on 18th June. WEU member states have sent a total of some 300 specialised officials and a substantial amount of equipment, including 11 fast patrol boats.

The Permanent Council has also closely followed the conduct of the operations in the Adriatic to strengthen the embargo measures (operation Sharp Fence followed by operation Sharp Guard). The early months of 1993 were marked by the finalisation of a document on the availability of ships and aircraft with a view to ensuring the rotation of WEU and NATO fleets between the southern and northern zones in the Adriatic. Following the Security Council's adoption of Resolution 820, WEU and NATO studied means of enhancing the effectiveness of these embargo enforcement operations. At the initiative of the Italian Presidency, a meeting of WEU naval experts was convened to this end in Rome on 10th May 1993.

After several weeks of intensive work, WEU and NATO military staff jointly formulated a "combined concept of operation" for the implementation of United Nations Security Council Resolution 820. At a joint session of the North Atlantic Council and the Council of Western European Union on 8th June 1993, this "combined concept of operation" was approved. It provides for a single command and control arrangement for joint NATO and WEU operations under the authority of the Councils of the two organisations, the key mechanisms of which are described in the press release issued after the joint meeting. This text of this press release is annexed to this report.

Lastly, the Council addressed the practical arrangements for the possible implementation of the Vance/Owen peace plan so as to be in a position to respond to requests from the member states pursuant to specific United Nations mandates. The report by the Contin-

gency Planning Group on a safe haven around Sarajevo was forwarded to the United Nations and NATO Secretariats and to the Danish Presidency of the European Community. The Planning Cell pursued and intensified its work on this question in concert with the NATO and SHAPE authorities.

As part of the mandate under which Ministers, at their 19th May meeting in Rome, tasked the Permanent Council to study the possibility for WEU to co-ordinate the rotation of the contingents deployed by member states in the framework of UNPROFOR and the possible participation of WEU member states in the protection of the safe areas in Bosnia-Herzegovina, the Council asked the Ad Hoc Group to define the practical arrangements and mechanisms which would enable their forces deployed in former Yugoslavia to be maintained at a constant level.

As to the mandate to examine the rôle WEU might play in the context of the implementation of the Vance/Owen peace plan in co-ordination with NATO, the Permanent Council called on the Ad Hoc Group and the Planning Cell to evaluate the validity of existing plans.

(b) Relations with the countries of Central Europe

On 20th April at WEU headquarters in Brussels, the second meeting of the Forum of Consultation at Ambassadorial level took place. The main aim of this meeting was to present WEU's current activities, describe its growing rôle and to identify more concrete forms of co-operation. The ensuing discussions centred on the development of relations between WEU and its consultation partners, the situation in former Yugoslavia and the topics which Ministers might discuss in Rome.

The meeting of the Forum of Consultation at Ministerial level took place in the Italian capital on 20th May, the day after the ordinary Ministerial meeting. In the course of their discussions, Ministers put forward a number of proposals for developing relations between WEU and its consultation partners. They mentioned in particular, the establishment of closer contacts with WEU working groups and the initiation of contacts between members of the armed forces.

Ministers took the following decisions:

- The term "WEU Forum of Consultation" would now be used for Ministerial meetings.
- The nine countries of Central Europe participating in the Forum of Consultation would be referred to as "consultation partners".

- The setting up in Brussels of a *Counsellors' Group* composed of senior representatives from the delegations of the WEU countries and the Embassy Counsellors of the consultation partners. This group, which would meet at least three or four times a year, would hold more detailed exchanges of view and prepare the Forum of Consultation meetings.

In particular, Ministers stressed the value of an exchange of views on peace-keeping, which might be the subject of a seminar at which the relevant experiences of the WEU countries and their Central European partners could be compared. They welcomed the signing of memoranda of understanding between WEU and, respectively, Bulgaria, Hungary and Romania which enabled an operation to assist in the implementation of the Danube embargo to go ahead. This operation was the first positive example of practical co-operation within the Forum of Consultation framework.

Apart from the President of the Romanian Republic whom the Council received in restricted session on 17th February 1993, a number of government representatives from the states of Central Europe paid courtesy calls to the WEU headquarters: on 12th February, Mr. Jundzis, the Latvian Defence Minister; on 9th March, Mr. Ljuben Berov, Bulgarian Prime Minister and Minister of Foreign Affairs, Mr. Krzysztof Skubiszewski, Polish Minister of Foreign Affairs, and Mr. Josef Zieleniec, Czech Minister of Foreign Affairs.

The Institute for Security Studies continued to play an important rôle in WEU's contacts with the countries of Central Europe both by organising seminars and by welcoming study-award holders.

Still under the heading of topical questions, the Council also monitored the work being done within the Atlantic Alliance and the CSCE.

During the early months of the period under review, the Permanent Council also exchanged views on the progress of operations in Somalia in which several member states had participated under United Nations auspices.

(ii) Activities of the intergovernmental bodies

(a) Council Working Groups

At each of its meetings, the Council took note of the results of its working groups' activities since the previous meeting. The summary records were discussed as necessary.

(b) WEU Institute for Security Studies (ISS)

The Institute's Director attended all those Council meetings where the agenda warranted

his presence. The Institute's quarterly reports to the Council provided an opportunity for exchanges of view on the current work of the ISS.

(c) WEU Satellite Centre

The Centre's Director attended all those Council meetings where the agenda warranted his presence. He briefed the Council on the start-up and development of the Centre's activities.

III. Activities of the Special Working Group

Given its new rôle in Brussels, the Council has thought fit to redirect the activities of the Special Working Group (SWG) by asking it to analyse specific problems of European security in a longer-term perspective. At its meetings in February and April, the group's work was structured along these lines and focused on two topics. Firstly, the rôle of WEU in peace-keeping, the starting point for which was an initial contribution from the Italian Presidency. After reworking, this document was submitted to the Ministerial Council as a contribution to its discussions in Rome. Secondly, the evolving American initiatives for a system of global protection and defence against missiles in Europe. Discussions centred on the assessment of the risks which Europe might face and the implications for Europeans of the American thinking on this matter. The group noted with great interest the content of the contributions made at the Assembly's seminar in Rome on 20th and 21st April and the conclusions of that seminar.

The group also addressed the problem of present and future relations between WEU and those countries wishing to join the European Community and the development of institutional relations between WEU and the future European Union once the Maastricht Treaty had been ratified.

IV. Activities of the Defence Representatives Group

In accordance with the mandate given to it by the Permanent Council, the Defence Representatives Group (DRG) finalised a document on the organisation and functioning of WEU in times of crisis. On the basis of approved texts, this document sets out the fundamental political principles to be applied and describes the rôle in times of crisis of the various bodies coming under the Council. It was approved by WEU Chiefs of Defence Staff at their meeting on 22nd April and noted by the Council of Ministers on 19th May.

The group also prepared a working document on the functions of Military Delegates which has been approved by the Chiefs of Defence Staff and the Permanent Council. This document gives a general description of the rôle of Military Delegates vis-à-vis the Permanent Council and the Planning Cell both in normal times and in times of crisis.

The group helped formulate the initial directives for the Planning Cell. It also provided input to a debate on the Cell's planning tasks with a view to their approval by the CHODs. It also carried out an initial examination of the basic principles of a WEU exercise policy.

The group continued to consider the implications for European security of the military changes taking place in the former Soviet Union. A preliminary analysis revealed a growing fragmentation of the armed forces which affected their operational capability, notably as regards large-scale offensive action. This work was enshrined in a report of which the Ministers took note.

The other specific tasks carried out by the group were as follows:

- preparation of the agenda for the meeting of Chiefs of Defence Staff on 22nd April 1993;
- definition of the practical arrangements for transferring IEPG and Eurogroup functions to WEU;
- definition of the communications requirements of the Secretariat and Planning Cell;
- initial examination of European requirements as regards strategic mobility;
- consideration of the follow-up to be given to the Ministerial Council of 19th May 1993 concerning forces answerable to WEU. In their communiqué, Ministers "mandated the Permanent Council to reach timely conclusions and to present a progress report to the next Ministerial meeting on the forces answerable to WEU, in particular for the conduct of humanitarian and peace-keeping operations". Accordingly, the Permanent Council instructed the Planning Cell and the group to co-operate over the implementation of this mandate and to report back.

In the same communiqué, Ministers "requested the Permanent Council to arrange discussions at the earliest with representatives of the nations participating in these offers in order to define the relations between WEU and these multinational formations as 'forces answerable to WEU'". The Permanent Council asked the DRG to carry out this work. The multinational

formations in question are the European Corps, the Multinational Division (Central) and the United Kingdom/Netherlands amphibious force.

Transfer to WEU of certain Eurogroup activities

At its meeting, on 19th May 1993, the WEU Council of Ministers approved the transfer of information activities and EUROCOM to WEU. It also took note of the discussions in progress on the transfer of EUROLOG and EUROLONGTERM. This transfer was approved by Eurogroup Ministers at their meeting on 24th May 1993.

Discussions are continuing in order to clarify the new operational arrangements for the information activities and EUROCOM and also to reach an agreement on the transfer of EUROLOG and EUROLONGTERM.

V. Verification Experts and Open Skies Experts Groups

1. The *Verification Experts* continued their work on active and passive inspections in implementation of the CFE Treaty and also their work on the opening of national inspection teams. They drew up a programme of activities for the first year of the reduction period as regards multinational inspection teams, the composition of which was the subject of detailed discussion. A number of technical problems relating to the implementation of the CFE Treaty and of the 1992 Vienna Document were also discussed.

2. The *Open Skies Experts Group* drew up a preliminary set of operating rules for a pool of observation systems. Third countries, including Russia, have been invited to take part in the arrangements agreed within WEU.

The group began to study the practical consequences arising from the formation of a WEU group of states parties under article III, 2, of the Open Skies Treaty.

VI. Activities of the Mediterranean Group

The Mediterranean Group held two meetings, in February and April 1993, at each of which it informally exchanged views on various topical questions including developments in Albania, Algeria and Cyprus.

The initial informal contacts made in London by the Council Presidency and Secretariat with the Embassies of Algeria, Morocco and Tunisia with the view to the gradual establishment of a dialogue with the Maghreb coun-

tries were renewed in Brussels during the month of March with the Embassies of the same countries and with the Embassy of Mauritania. In each case, the Presidency and Secretariat were warmly received. These contacts provided an opportunity to give a comprehensive briefing on WEU's activities and to present the seven principles defined by the group for a dialogue with the Mediterranean countries.

The Council of Ministers decided in Rome to increase the dialogue between the Maghreb countries and the WEU and asked the representative of the WEU Presidency and the Secretary-General to propose to the Brussels Ambassadors of the Maghreb countries the principle of periodic meetings on a twice yearly basis, in order to pursue the dialogue in greater depth by means of two-way information and an exchange of views, especially on the principles likely to contribute to a resolution of security questions in the Mediterranean.

On the subject of former Yugoslavia, the group envisaged a thematic approach to the security problems in the Balkans.

VII. Activities of the Space Group¹

(i) The group's meetings were mainly devoted to following progress with the setting-up of the Satellite Centre on the site and in the building provided by the Spanish Government at the Torrejón airbase near Madrid. The formalities concerning the taking of possession by WEU had been completed. The group heard reports by the Director of the Satellite Centre on its recent activities. A draft Concept of Use of the Satellite Centre was also formulated at these meetings.

The official inauguration of the Satellite Centre took place on 28th April. Following the ceremony, the Ministers present and representatives of the Permanent Council and of the WEU parliamentary Assembly visited the building and were shown simulations of the Centre's future operation.

The contract for the supply of technical equipment was signed on 5th January 1993 with the MARCOL-led consortium (now known as "Cray Systems"). The reception of the initial operating equipment took place as planned at the beginning of April. A second delivery was scheduled for July 1993, the remainder to be supplied between now and January 1994.

The training of photo-interpreters began in May, would continue throughout 1993 and should be complete shortly after the supply of the last batch of equipment in 1994. During this

1. This is now the new title of the group following the decision of the Permanent Council on 22nd March 1993.

period, the Centre would also be able to carry out those tasks given to it on an experimental basis, which would help in the formulation and implementation of internal operating procedures.

Since the signing of the Helios memorandum of understanding between WEU and the Defence Ministries of France, Italy and Spain on 27th April 1993, the Centre is making preparations to interpret Helios imagery.

(ii) The group took stock of the progress of the Main System Feasibility Study, Phase I of which was carried out by an industrial consortium led by Dasa/Dornier.

Work on the second part of the study began on 4th March 1993 and would proceed in accordance with the agreed timetable. The consortium would present the results to the Study Management Team between now and December 1993. The SMT would make a final assessment of the work and forward its conclusions to delegations early in 1994, after which Ministers would be asked to reach a decision on the various options.

The group also discussed the performance of the special studies and the operational assessment studies. Finally, the group exchanged views on other possibilities for space co-operation.

VIII. Activities of the Western European Armaments Group (WEAG) ("at 13")

Late in 1992 (at the Ministerial meeting in Bonn on 4th December), it was decided, on the basis of six key principles approved by both IEPG Ministers and the WEU Council, to transfer the functions of the Independent European Programme Group (IEPG) to WEU. Up to that time, the Assembly had been kept informed of IEPG activities through an annual information letter forwarded by the Secretary-General.

The last such information letter was issued on 18th December 1992. Following the Bonn decision, it is now felt that the proper place for the report on activities of the former IEPG within the framework of WEU is in the annual report by the Council to the Assembly.

The first half of 1993 has been marked by the practical implementation of the Bonn decision. A meeting of the Defence Ministers of the 13 member countries was held in Rome on 19th May before the WEU Ministerial Council. During that meeting, a number of practical arrangements for the transfer were approved. In particular, it was decided that the body responsible for armaments co-operation under WEU auspices should from now on be called the

“Western European Armaments Group” (WEAG).

As a result, the following is a report on WEAG activities during the first half of 1993.

It should also be pointed out that, on 1st January 1993, Denmark took over the Chairmanship of WEAG from Belgium for a period of two years.

Transfer of IEPG functions to WEU

The thirteen Defence Ministers who met in Rome on 19th May approved the report drawn up by the National Armaments Directors (NADs) on the practical aspects of the transfer. Besides the change of name, they agreed on various points, including the following:

- that future meetings of Defence Ministers, scheduled to take place at least once a year, would be held at the location of, and co-ordinated with, meetings of the WEU Ministerial Council;
- that the Chairmanship would continue to be held by each of the thirteen countries in turn;
- that NADs meetings would continue to be held at approximately six-monthly intervals, normally in the WEU building in Brussels. These meetings would be the operational level for armaments co-operation within WEAG;
- that the functions of the former IEPG's Permanent Secretariat would be transferred from Lisbon to Brussels in the first half of 1994;
- that the relations with NATO on armaments co-operation would be developed in accordance with the principles adopted in Petersberg for dealings between WEU and NATO.

In addition, it should be noted that the WEU Permanent Council, meeting on 27th April 1993, also decided to reinforce the Secretariat by agreeing to the temporary secondment of a French engineer to act as a provisional focal point on armaments matters pending the actual transfer of the Lisbon Secretariat's functions to Brussels.

Current activities

At their meeting in Elsinore on 25th March 1993, the National Armaments Directors tasked an ad hoc study group to examine the possible rôle of a European Armaments Agency as envisaged in the Maastricht Declaration. A first report is to be presented in the autumn.

The normal activities of the three Panels of the former IEPG are continuing; a full report

on these 1993 activities will be included in the second part of the Council's Thirty-Ninth Annual Report to the Assembly.

IX. Activities of the Agency for the Control of Armaments (ACA)

The Agency for the Control of Armaments continued its residual tasks regarding the limitation of atomic, biological and chemical weapons, at a level of activity corresponding to that obtaining at the time of the 1984 Rome Declaration and in accordance with the procedures approved up to that time.

For this first half of the 38th year of controls carried out within the WEU framework, the legal sources used to justify the levels and control procedures were unchanged. The number of agreed inspections on the non-production of chemical weapons would be the same in 1993 as in previous years (four in 1990, 1991 and 1992) and would take place in the second half of the year.

The activities of the Geneva disarmament conference culminated in January this year in the signing by 130 states of a convention banning chemical weapons; it is to enter into force in early 1995.

X. Activities of the WEU Institute for Security Studies

A study group on the security problems in the Baltics was held at the Institute on 15th January 1993. A seminar on coping with crises in Europe took place on 21st-22nd January. A seminar on the Southern dimension of European security: the Mediterranean area and the European security identity was organised jointly with the Istituto Affari Internazionali and the Centro Militare di Studi Strategici in Rome on 5th-6th March. A seminar on the future options for the European defence market took place in Paris on 29th-30th April. A small working group on Russia was convened on 7th May 1993. A seminar on European security after Maastricht: what rôle for our countries? was organised in Baden with the Austrian Foreign Affairs Institute on 10th-12th June.

Several visiting research fellows (from France, Germany and Italy) spent some time at the Institute. A number of study awards were made to Central Europeans for periods of study in Western European institutes.

Nicole Gnesotto, René van Beveren and Juan de Luis, the remaining three research fellows present since the Institute's inception,

left the Institute on 30th June 1993 at the end of their three-year contracts.

Chaillot Paper No. 6, *Military co-operation: what structures for the future?* by René van Beveren, was published in January. Chaillot Paper No. 7, *on Hungary and its neighbours*, by George Schöpflin, was published in May and Chaillot Paper No. 8, *The special Franco-German security relationship in the 1990s* by Peter Schmidt, was published in June. The Institute's second major publication, the fruit of a joint project with the RAND Corporation and entitled "Towards a New Partnership: US-European relations in the post-cold war era", was edited by Nanette Gantz and John Roper and published in March. The Quarterly Newsletter was also published in March.

XI. Administrative questions

During the first half of the year, the Council Working Group concerned itself with

the selection of a contractor to carry out building alterations to the meeting rooms of the Council and its working groups and the Secretariat offices at the Rue de la Régence premises. The Council approved the choice of the firm Jones Lang Wootton to carry out this work, which began in June and is scheduled to be completed by September.

XII. Activities of the Public Administration Committee (PAC)

The Public Administration Committee (PAC) met at the WEU Council's headquarters building on 25th March 1993. The meeting provided an opportunity to carry forward the discussions on the future of the committee and of its informal activities which are aimed at facilitating the regular exchange of information on public administration questions in the WEU member countries.

ANNEX 1

*Minutes of the 831st meeting of the Council of
Western European Union held at 4 p.m. on Tuesday, 19th January 1993
at the Palais d'Egmont, Brussels*

(with the former London Permanent Representatives)

Following are the full texts of the interventions made by each speaker:

*1. Declaration by H.E. Dr. W.F. van Eekelen,
WEU Secretary-General*

May I welcome you to this ceremonial inaugural session of the Council of Western European Union. I should like to start by expressing our gratitude to the Belgian Government for its keen interest in WEU's establishment in the capital of Belgium. I was particularly honoured by His Majesty the King of the Belgians granting me, as WEU Secretary-General, a long audience in his palace in Brussels, at which His Majesty displayed a keen awareness of the importance of WEU's arrival in Brussels.

I also see it as an excellent portent that the Belgian authorities have been so good as to allow WEU to hold its first few meetings in the impressive setting of the Palais d'Egmont, which has witnessed so many advances along the road to European integration.

This morning, we had our first meeting of the 'Brussels' Council attended by new permanent representatives, their deputies and military delegates. This afternoon we have the honour and pleasure to have with us many of the former permanent representatives to the 'London' Council. This occasion symbolises the transfer of responsibilities and demonstrates that the WEU Council is indeed organised "so as to be able to exercise its functions continuously" as laid down by Article VIII of our modified Brussels Treaty.

I would also like to extend a warm welcome to this ceremonial Council session to the Secretary-General of NATO, Manfred Wörner, as well as the representatives of the EC presidency.

In a certain sense, WEU has now returned to Brussels, since it was nearly 45 years ago that the Brussels Treaty was signed between Britain, France and the Benelux countries. Our return to Brussels marks the end of WEU's period of reactivation that began with the 1984 Rome declaration. Between 1984 and 1992, WEU has adapted its structures in line with the dramatic changes which have taken place in European security over recent years. WEU now comprises,

in addition to the Council, Secretariat-General and parliamentary Assembly, an Institute for Security Studies, a Satellite Centre and more recently a Planning Cell. With the transfer of the Council and Secretariat to Brussels, WEU's period of institutional innovation is now drawing to a close.

1993 will, I believe, see WEU consolidating its structures. Today we have four 'active observer' and two 'observer' countries around our Council table, but during the course of the coming year, with the reactivation of the protocol of accession, Greece will become a full member and Iceland, Norway and Turkey will become associate members; Denmark and Ireland will remain observers. WEU will also begin to take up the arms co-operation functions of the Independent European Programme Group as well as certain Eurogroup functions. We will also wish to consolidate our relations with our - now nine - Central European partners in the Forum of Consultation.

Most importantly, however, 1993 should be the time when WEU concentrates on dealing with the real substance of European security and defence. The post-cold war world expects Europe to play its full part in helping to prevent or resolve crises or conflicts both within and beyond its borders. The tragic conflict in former Yugoslavia has led the international security institutions - including WEU - to examine the specific contributions each can bring to alleviate the suffering of the peoples and bring peace to the region.

For WEU, two substantive tasks in particular will require our attention in 1993. Firstly, WEU should enhance its means to formulate common European defence policy as the natural complement to the common foreign and security policy being developed by the Twelve. This should ensure a clear European voice is heard across the spectrum of foreign, economic, security and defence policy thus demonstrating that WEU is the defence component of the European Union. WEU should also start to enhance the European contribution to the process of consultation in the Atlantic Alliance. With all the European allies around WEU's table, I hope that we will begin to see an effective European pillar in a genuine twin-pillar alliance.

Secondly, WEU's operational capabilities must now take shape. With a fully operational Planning Cell in April of this year, WEU will be in a position to prepare contingency plans for the exercise and employment of military units under WEU auspices for the three types of missions defined in the Petersberg declaration: humanitarian, rescue and peace-keeping tasks; tasks of combat forces in crisis-management, including peace-keeping. In this way, we, as Europeans, will be able to back up our policy positions with appropriate actions whenever this is necessary.

May I finish by expressing the organisation's gratitude to the representatives of the 'London' Council, who have done so much to put WEU where it is today. I am convinced that together we – the new Council here in Brussels – can build on the solid foundations laid over the past years.

May I now give the floor to the representative of the WEU presidency?

2. Declaration by H.E. Mr. F. Migliorini, on behalf of the Presidency of the WEU Council in London

It is with greatest satisfaction that the Italian presidency looks at the event of today, opening a new phase in the revitalisation of WEU. Italy has always believed that the transfer of the Council to Brussels was essential if this organisation really had to play the rôle and fulfil the functions envisaged in Maastricht, Petersberg and Rome. Therefore we find it particularly gratifying that, as a result of the efforts deployed by many sides for a number of years to promote a consensus among partners, this objective could be reached under Italian presidency. Indeed this was, together with enlargement, one of the main objectives that the Italian presidency had included in its programme at the moment of its inception.

I would like to join the Secretary-General in thanking, on behalf of the presidency, the Belgian Government. I would also like to welcome the Secretary-General of NATO and the representative of the presidency of the European Community to this meeting of the new WEU Council. Their presence among us today on this symbolic occasion testifies the common willingness to proceed together and in full harmony and co-operation in the building of a new, and more solid, European security architecture also in the wake of enlargement.

I also wish to express the feeling of the deepest gratitude to the permanent representatives of the old Council who have not spared any effort and have worked so successfully in the past, including the most recent past, for the development of this organisation and for the strengthening of its rôle.

This transfer of course has to be seen in conjunction with the underlying political finalities that made it worth pursuing.

It is the Maastricht design, envisaging the construction of a European Union including a security and defence dimension and the development of WEU as the defence component of the European Union and as the means to strengthen the European pillar of the Atlantic Alliance, which made the transfer an urgent necessity. The realisation of that design and the evolutionary process leading to the review envisaged for 1996 will give the greatest sense of purpose to our work in Brussels.

The activities of the new Council in Brussels will certainly contribute to a clearer perception of the issues related to the European integration in the field of security and defence.

In this framework the development of a common foreign and security policy by the Twelve opens the possibility and creates the need for a more intense co-ordination and for a wider convergence of reflections and initiatives within WEU. At the same time our organisation will contribute to giving concrete implementation to the principles of complementarity, co-ordination and transparency with respect to NATO.

The political objectives are to harmonise developments in NATO and in WEU in line with the new situation emerging in Europe, to enhance the stabilising functions of both institutions and avoid damaging competition. It is first of all in the field of peace-keeping and conflict-prevention that this must be achieved.

On the more specific politico-military plane, we need to promote the construction of the European security-defence dimension without jeopardising the effectiveness of the existing NATO mechanisms and structures.

What we now face is a work of in-depth reflection and at the same time of concrete construction, related to the security and defence dimension of Europe and to the increasing rôle that WEU – in co-ordination with NATO – is expected to play for the enhancement of European security interests and for the strengthening of stability in our continent.

The creation of forces available to WEU is, in this context, an essential question, which has very complex political and military aspects. In this field we can already count on a set of agreed guidelines. We need to proceed further and arrive at conclusions in line with the central finalities which have been identified: the availability of forces capable of effectively fulfilling the missions envisaged for them; a full consideration of the security interests of all partners in various geographical sectors; appropriate contri-

butions by all partners to the WEU forces; and the maintenance of the effectiveness of NATO integrated forces.

Naturally all this also related to the possible rôle that WEU will be capable of playing in crisis-management and peace-keeping.

The Council guidance, in the view of the Italian presidency, will have to be based on a political philosophy including a concept for dealing with crises in Europe and in areas of European interest, and criteria for co-ordination and complementarity with NATO.

In the immediate future, we have to deal with the special case of the Yugoslav crisis which will be extremely important as a precedent for determining the WEU rôle for maintaining stability in Europe. The Italian presidency feels that a significant WEU visibility in dealing with that crisis has been established. It has to be maintained if we really wish to safeguard the prestige of this organisation and its potential in the new security architecture.

The situation in Bosnia-Herzegovina remains so dramatically dangerous as to require a credible and tangible expression of European will to influence the developments of the crisis and to promote the conditions for a solution.

Thus the Council will really have to be involved in intense and substantive work in the very near future.

The Italian presidency is committed to making any possible effort in its second semester to facilitate an effective work of the new Council, and its success in the fulfilment of its high responsibilities.

I would like to conclude by reiterating Italy's conviction that the finalities set at Maastricht and Petersberg are of fundamental importance for the future of Europe and must be pursued and timely achieved. The Italian Delegation wishes a very fruitful work in the months to come in such endeavours to the delegations of all partners, associate members and observers.

*3. Declaration by H.E. Mr. J. De Ruyt,
on behalf of the Belgian Government*

The Belgian representative welcomed the participants on behalf of his government. He said that H.E. Mr. W. Claes, Foreign Minister, and Mr. L. Delcroix, Defence Minister, would make a statement at the reception that they would be offering after this Council, in the presence of their guests and the press (see texts of declarations in annex).

He added that Belgium, as the host country, saw it as its duty to promote contact between WEU and its partners in the alliance and the European Community.

*4. Declaration by H.E. Mr. G. Attolico,
on behalf of the former WEU Council in London*

I have the honour to take the floor in the name of the 'old' Council based in London, having held so far the capacity of representative of the Italian presidency to Western European Union. My country has always attached a great importance to our organisation, and is currently deploying every effort to meet the targets which have been set for it. Personally, I have always considered my position as permanent representative to WEU as an important and qualifying part of my activity in London. I know that my colleagues share my opinion.

We, members of the 'old' permanent Council of Western European Union, have been working hard in the last period to enable our organisation to start a new phase in its life.

That is why we are very pleased to have come from London today for a "handover of powers" to our successors. This ceremony crowns a period of profound changes in the structure and rôle of Western European Union.

So far, membership of the Permanent Council has always been held by ambassadors of member states to the Court of St. James and a senior official from the Foreign and Commonwealth Office as representative of the United Kingdom. This body, (and I quote Article VIII of the Brussels Treaty) has been created to "consider matters concerning the execution of the Brussels Treaty" and has been organised "as to be able to exercise its functions continuously".

Its meetings have in fact taken place regularly in London for the last 37 years. Meetings of many subsidiaries bodies, in which our deputies, as well as experts from our capitals have participated, have also taken place in London more and more frequently.

But the day of the inception of a new phase has come. Today the new Permanent Council, whose members reside now in Brussels, meets for the first time, and takes up the new responsibilities deriving from the enhanced rôle of Western European Union.

The very fact that we have now successors to whom we hand over our tasks counts as a significant achievement to us. It crowns a long span of time during which the Council based in London has aimed at progressively more ambitious aims.

Many of the achievements of Western European Union, either reached by the Permanent Council itself, or to which the Permanent Council has contributed significantly, spring to mind easily.

Let me just mention:

- the implementation of the Brussels Treaty and its protocols, which has led, amongst others, to the establishment of a small but very skilful permanent structure, without which WEU would not be what it is today;
- the substantive work over many years carried out by the Armaments Control Agency and the Standing Armaments Committee, under the aegis of the Council;
- the consultation on a range of East-West, European security and other issues, as a precursor to European political co-operation and also to the enlargement of the ordinary six-member European Community;
- the preparation of the Rome declaration of October 1984, revitalising WEU and bringing together foreign and defence ministers and their staff, this being a unique example of fully integrated politico-military structure;
- the work on the Hague platform of October 1987, outlining the strategic philosophy of the organisation;
- the enlargement to Portugal and Spain;
- the creation of the Institute for Security Studies;
- the creation of the Satellite Centre;
- the establishment of a Planning Cell.

Further steps forward have been made even more recently. Let me just recall that the transfer to Brussels has been carried out perfectly according to the schedule agreed by member states.

Let me mention also the enlargement to Greece as a new full member, to Norway, Turkey and Iceland as associate members, and Denmark and Ireland as observers. Let me mention also the establishment of the Forum of Consultation with our partners of Central Europe, which is intended to take into account the needs of a fast-changing Europe.

I cannot forget the relations with the Assembly of Western European Union, to which the Council has always attached the greatest importance, the Assembly being the expression of the public opinions of our countries.

On this occasion, we are proud to hand over to our successors a developing, well-run organisation. Our deep thanks for this are also due to the Secretariat, to the past Secretary-Generals and to the current one, whose work in assisting and guiding the organisation has

always been invaluable. Our deep thanks also to the United Kingdom Government as the former host nation and to the Belgian Government for the rôle it has accepted as the new host.

Ladies and gentlemen, this is the last act we perform in our capacities of permanent representatives to Western European Union, which has been for all of us an important and rewarding experience.

We take leave from Western European Union. As in all leaves, there is a touch of melancholy in it. We turn a page in our lives. But we also know that the new permanent representatives, the Secretary-General, Dr. van Eekelen, and all the staff that have followed the organisation to Brussels will enable Western European Union to face adequately its new responsibilities.

As far as I am concerned, I can assure that the Italian Government will continue to play fully the rôle deriving from his holding the Presidency of the organisation until the end of June 1993.

I wish you all every success, in this final span of the Italian Presidency and in the years to come.

*5. Declaration of H. E. Mr. M. Wörner,
Secretary-General of NATO*

First of all, Mr. Chairman, let me thank you for the invitation to join this distinguished assembly where I recognise with pleasure some familiar ambassadorial faces. This is an important day, not only for WEU but also for NATO. It is needless to say how much we welcome you at Brussels in the spirit of what I said at your meeting in Rome. We are entering a fundamentally new phase in the almost 44-year old relationship between the alliance and WEU.

In a few days time, NATO and WEU officials, under Wim van Eekelen and my chairmanship, will be meeting in Brussels to start closer and more concrete co-operation.

This is only a beginning. Much remains to be done. Every day brings its challenges. In a few hours' time the EC ultimatum to the Bosnian Serbs will expire. This is just one example of the kind of dangers we face.

In a world of instability, uncertainty and numerous crises, it is imperative that we share our expertise and avoid duplication. There is sufficient work for both our organisations. Our priorities are clear: crisis-prevention, peace-keeping and projecting stability in Central and Eastern Europe. Let us be absolutely clear about one thing: the importance of both our organisations as well as the value of our

co-operation will be assessed not according to our rhetoric but according to our deeds.

To achieve them, we should now concentrate on the hard realities of today. Let me emphasise them as follows.

First of all, the NATO-WEU relationship. As we all know, the resources of allied countries are limited and armed forces are being cut and restructured. To operate meaningfully in a crisis, NATO and WEU should consult in our Council how to handle a crisis. Our future relationship should aim for a pragmatic division of labour that makes the best use of our political military potential. Co-ordination and co-operation between NATO and WEU is essential to our future credibility, both political and military.

Second, the credibility of the European pillar will determine the nature of the North American commitment to European security in the future. A substantial and durable commitment of the United States to uphold peace and stability in Europe will depend ever more on the will of the European allies to maximise and intensify their contribution.

There is a direct relationship between the credibility of the European contribution and the robustness of the transatlantic security partnership. It remains the consensus of all our member nations that strengthening WEU must be conducted in close association with the alliance.

Last but not least, this new phase of the NATO-WEU relationship stands little chance of success unless we ensure that the very complicated issues involved are understood by our parliaments and, above all, our public opinions. An energetic information campaign is urgently needed.

Let me now close by expressing my confidence in the future. We have already made considerable progress in developing the architecture of interlocking institutions. The coming of WEU to Brussels bodes well for the future.

*6. Declaration by H.E. Mr. O. Bierring,
on behalf of the European Community Presidency*

It gives me, indeed, great pleasure to speak as representative of the EC Presidency at this ceremonial meeting of the WEU Council after the seat of the organisation has been moved to Brussels. This meeting as well as the recent Ministerial Council in Rome are indeed important events in the history of our organisation. WEU has come of age. It has acquired a new member, associate members and observers. WEU will have new tasks.

The implementation of the Maastricht Treaty and related agreements will add yet another assignment to Western European

Union. As an integral part of the development of the European Union it will be asked to elaborate and implement decisions and actions of the Union which have defence implications. That is a challenging task which will demand hard labour, insight and flexibility from the organisation and not least from its secretariat, as well as a thorough understanding of the complex set of agreements that constitute the basis of the European Union. I wish you, Mr. Secretary-General, and your collaborators the best of luck in fulfilling this task.

WEU will have many rôles to play. In relation to the European Union, to NATO and as an independent security organisation in a changing and turbulent Europe. These many rôles make it reasonable to expect that the organisation will occupy a pivotal position between different fora of European integration and co-operation, as well as groups of countries engaged in the construction of a new European security order. The catchwords should be transparency and complementarity. I am convinced that the fact that the organisation is now installed in a most impressive building – which was formerly, as I understand, a bank – will not make it a closed “fortress Europe”.

Representing the Presidency of the European Community I should like especially to underline the task ahead of laying the foundation for a close and efficient co-operation between the EC and WEU as foreseen in the Maastricht Treaty. We must in a joint effort try to find the most efficient channels of communication between WEU and the EC Presidency as well as the Common Foreign and Security Policy set-up as a whole. In this process we should be sensitive to the cultures and decision-making procedures of the respective organisations.

Mr. Chairman, one concluding word.

In fulfilling its assignments vis-à-vis the European Union and the North Atlantic Alliance and at the same time providing a forum for co-operation in the field of security with our Eastern neighbours, the goal of Western European Union must invariably be how it can best contribute to peace and stability in the new Europe in a spirit of openness, consultation and co-ordination.

*7. Declaration of H.E. Mr. L.H. Mevik,
Permanent Representative of the Kingdom of Norway*

It is indeed a pleasure to join you in your work. WEU is playing an increasingly important rôle in matters of security and defence policies. This meeting marks the beginning of a new phase in that respect; the fact that WEU is now established in Brussels will facilitate the interaction with NATO and the European Community. The work of WEU will now also involve

all European allies – albeit in different capacities. This will improve our ability to secure transparency and complementarity between WEU and the alliance – and to avoid competition with regard to resources in the vital field of defence and security.

In sum, today's meeting marks a significant step in the adaptation of European institutions to the new realities we are facing.

My government welcomes this development. As an associate member we pledge our full participation in the activities of WEU on the basis of the document signed in Rome on 20th November last year.

WEU is called upon to play the important rôle as the European pillar of the alliance and the defence component of the Community. It is in the interest of my country to reinforce the European pillar, while remaining firmly attached to the vitality of the transatlantic ties.

Today the European Community plays a major rôle in the promotion of co-operation and prosperity in Europe. NATO is the main contributor to military stability, a rôle which remains essential, and WEU is called upon to play an important defence policy rôle, compatible with that of the Atlantic Alliance. I believe that co-operation within the framework of WEU will strengthen Europe and the Atlantic Alliance.

It is a process to which we will continue to give our full support as we now take up our new rôle within this organisation.

*8. Declaration by H.E. Mr. Yildirim Keskin,
Permanent Representative of Turkey*

I would like to take this opportunity to express my government's satisfaction that Turkey is attending this meeting as an active observer. It will be doing so very shortly as an associate member, pending its full membership status.

You are all aware of the importance that Turkey attaches to its relations with Western Europe. From the very start, my country has taken its place among all European institutions either as founder member or as full or associate member, demonstrating the close historic, political, economic and military links between my country and the countries of Western Europe. In this context, Turkey's active participation in the work of WEU is a further step forward, in line with its commitment to Europe and its foreign policy.

My country hopes to be part of the new process of European construction, in which WEU will be helping to create appropriate new instruments for its defence and security.

It is our wish to work for a future of peace and prosperity for Europe, a wish that is sincerely shared by all the member states of this organisation.

*9. Declaration by H.E. Mr. S.H. Gunnlaugsson,
Permanent Representative of Iceland*

We from the Icelandic side join others in congratulating you and Western European Union on the establishment of the Council and Secretariat in Brussels and its new premises here in the centre of Europe. My authorities warmly welcome this move. This important step, based on the decisions taken by WEU in Maastricht 1991, will facilitate the strengthening of WEU's rôle.

We wish to recall that Western European Union also took other decisions in Maastricht, i.e. to develop WEU as the means to strengthen the European pillar of the North Atlantic Alliance and to establish close working links between the two organisations. Considerable progress has already been made in achieving these objectives. The negotiations on the associate membership of other European-NATO member states have been successfully concluded and the institutional links between the organisations are being developed.

However, much more needs to be done to achieve the aims set out in the Maastricht Declaration of WEU. The establishment of the WEU Council and Secretariat in Brussels is an important contribution in this respect and will facilitate closer co-operation with NATO.

Mr. Chairman, at this important juncture in European security, the Icelandic authorities look forward to a fruitful association with WEU in ensuring enhanced European co-operation in security and defence affairs.

*10. Declaration by H.E. Mr. C. Eliopoulos,
Permanent Representative of Greece*

It is with great satisfaction that I speak at this solemn session of the joint Council of Western European Union.

In expressing its pleasure at participating in WEU, Greece affirms its resolve to make a decisive contribution to the determination of a European identity in the fields of security and defence and in the broader process of European integration.

On this occasion, I should like to thank the Belgian Government for its warm welcome and for all the arrangements it has made to host the seat of our organisation.

**11. Declaration by H.E. Mr. Delcroix,
Minister of Defence of Belgium**

A mon tour, je voudrais saluer la présence parmi nous ce soir du Lieutenant-Général CALTABIANO et de toute l'équipe de la Cellule de planification qui travaille à Bruxelles depuis quelque temps déjà. Je leur souhaite ainsi qu'à tous les militaires qui rejoindront bientôt la rue de la Régence une bonne installation dans notre capitale et un travail agréable et fructueux au sein de l'UEO dans le cadre que vient de décrire mon collègue des affaires étrangères.

Since December 1991 the Europe's "defence identity" continues to develop. In Maastricht the nine member states of our organisation declared their intention of developing WEU. In Helsinki we decided to organise the naval operations in the Adriatic, in Rome we decided about enlargement. The member states of the Eurogroup and the IEPG agreed to transfer their functions to WEU.

I am convinced that all these arrangements for a new security architecture in Western Europe will reinforce WEU's rôle and place and in the European Community and in the North Atlantic Alliance.

The move of the Council and the Secretariat to Brussels is a first step in this direction and will facilitate the following practical steps you envisage vis-à-vis both organisations.

Dans les mois à venir, il faudra encore progresser dans de nombreux domaines, notamment ceux qui concernent les liens avec l'OTAN. La coopération dans le domaine des armements et la planification de circonstances.

Il faudra aussi renforcer nos relations avec les futurs membres de la Communauté européenne. Les pays d'Europe centrale et du Maghreb sans négliger nos partenaires transatlantiques.

Il faudra enfin tenir compte des initiatives et proposition de nos chefs d'état-major en rapport avec la Cellule de planification et le renforcement du rôle de l'UEO.

Je terminerai en vous souhaitant, à vous M. van Eekelen ainsi qu'à tous vos collaborateurs, au nom de mon collègue des affaires étrangères et en mon nom personnel, une excellente intégration à Bruxelles et énormément de satisfaction dans la tâche importante qui est la vôtre.

**12. Declaration by H.E. Mr. W. Claes,
Minister for Foreign Affairs of Belgium**

C'est tout près d'ici, au Palais des Académies, que fut signé, le 17 mars 1948, après une courte négociation, le Traité de Bruxelles qui devait donner naissance à l'UEO.

Pourquoi à Bruxelles ? Comme le souligne dans ses mémoires mon illustre prédécesseur de l'époque, Paul-Henri Spaak, la proposition de tenir la conférence des cinq États dans une des capitales du Bénélux a été faite par la France et la Grande-Bretagne et elle avait une valeur symbolique: elle marquait leur accord sur l'option exprimée dans leur mémorandum commun par ces trois petits pays : celle d'aller plus loin qu'une simple Alliance militaire de type traditionnel fondée sur un faisceau d'accords bilatéraux pour créer une véritable Communauté entre les signataires du Traité projeté.

Ce fut le premier Traité européen de l'après-guerre.

Depuis lors, les circonstances ont voulu que ce soit à Bruxelles que s'installe l'Alliance atlantique et que se développe la Communauté européenne, deux Organisations qui étaient en germe dans l'accord du Palais des Académies.

Aussi, l'installation de l'UEO à Bruxelles signifie-t-elle plus pour moi qu'une simple occasion de faciliter des contacts interinstitutionnels. J'y vois aussi la volonté de retrouver, enfin, après tant d'années de tâtonnements, la symbiose qu'avaient voulue les pères de l'Europe entre sa dimension économique et politique et sa dimension de défense.

A lot of work is still to be done to have WEU become the defence component of the European Union and at the same time the European pillar of the Atlantic Alliance.

The WEU Council and your Secretariat, Mr. van Eekelen, will be faced with many challenges. You will have to start your new activity in a difficult context: the European Union is not there yet to give the necessary impulse to your organisation. In the Atlantic Alliance there is now much good will to accept the European security identity but a lot of imagination will be needed because there was never an effective concretisation in NATO of the European pillar advocated since decades by Americans as well as by Europeans.

But the present security environment in Europe is probably your most difficult challenge: it is so uncertain and dangerous that there will not be much time left for institutional debates or bureaucratic disputes.

Nous avons voulu, mon collègue Delcroix et moi-même, réunir autour du Conseil UEO, à l'occasion de sa première réunion bruxelloise, des représentants des diverses institutions avec lesquelles l'UEO sera en contact dans notre capitale.

Je remercie vivement de leur présence le président de la Commission Jacques Delors et le Secrétaire général de l'OTAN Manfred Wörner,

le Secrétaire général du Conseil des Communautés M. Erbsjöll et toutes les personnalités qui ont bien voulu nous rejoindre pour cet événement.

Je voudrais aussi remercier vivement les membres du Conseil de l'UEO à Londres qui sont venus saluer ici leurs successeurs. Votre action pendant ces dernières années, messieurs les Ambassadeurs, a contribué substantiellement à la revitalisation progressive de l'UEO. Vous devez sans doute éprouver une certaine tristesse à ne pas pouvoir parachever votre œuvre. Vos successeurs ont maintenant pris le relais. Je suis convaincu qu'ils poursuivront avec autant

d'assiduité que vous-mêmes ce travail et qu'ils pourront bénéficier pour cela de vos expériences et vos conseils.

Je voudrais enfin saisir cette occasion pour féliciter la Présidence italienne de l'UEO qui s'est acquittée remarquablement des deux tâches principales qui lui ont été dévolues : celle de conclure la négociation d'élargissement et d'association ; celle de mener l'action opérationnelle de l'UEO dans la crise yougoslave.

Je cède maintenant la parole à mon collègue de la défense Leo Delcroix qui voudrait également vous adresser quelques mots.

ANNEX 2

***Declaration on implementation of United Nations sanctions
on former Yugoslavia***

Council of Ministers, Luxembourg, 5th April 1993

1. The WEU Council of Ministers held an extraordinary meeting, following on their discussions in Rome in November 1992, to discuss this crucial phase of the situation in former Yugoslavia and in particular the conflict in Bosnia-Herzegovina. Representatives of Bulgaria, Hungary and Romania, the CSCE Presidency, the CSCE sanctions co-ordinator and the EC Commission attended, as observers, this meeting which was devoted to sanctions implementation on the Danube. Representatives of the EC Presidency and Secretary-General of NATO also attended as observers.

2. With a view to supporting the efforts of the European Community, the United Nations and the International Conference on former Yugoslavia at this decisive stage of the negotiations aiming at the acceptance of the Vance-Owen peace plan by all parties in Bosnia-Herzegovina, ministers reaffirmed their determination to contribute significantly to the implementation of the provisions of the United Nations Security Council Resolutions 787, 757 and 713 and of the measures contained in those resolutions.

3. Ministers welcomed the efforts of the riparian states to meet their obligations under the abovementioned United Nations Security Council resolutions but noted with concern that, despite these efforts, sanctions enforcement on the Danube still required strengthening.

4. WEU ministers therefore offered their concrete support to the riparian states by means of the organisation of a police and customs operation on the Danube to which WEU countries would contribute appropriate resources. This offer is based on three guiding principles – that the operation will be:

- based on relevant United Nations Security Council resolutions, in particular Resolution 787 of 16th November 1992, in connection with Resolutions 713 and 757;
- an extension of efforts already being deployed by the CSCE and the European Community and its member states;
- in support of the riparian states responsible for adopting the requisite measures to ensure compliance with the embargo on the Danube.

5. WEU ministers welcomed the support given by the CSCE to the WEU plan and looked forward to the effective co-ordination of the EC, CSCE and WEU efforts to enforce United Nations Security Council resolutions.

6. The organisation of the police and customs operation offered by WEU would be based on a system of co-ordinated control areas upstream and downstream of the Serbian border with the aim of ensuring the effective implementation of the embargo on the Danube. This would involve joint teams of police and customs officers from WEU countries and the riparian states operating from fast patrol boats to carry out additional controls in support of those of the riparian states.

7. The WEU Council of Ministers welcomed the support given by the riparian states and looked forward to further consultations on this issue. They hoped that the police and customs operation could start as soon as possible in order to ensure the full implementation of the relevant United Nations Security Council resolutions and thus to make a positive contribution to reaching a solution to the crisis in former Yugoslavia, in full complementarity with the peace process which is being pursued in other fora.

ANNEX 3

*Communiqué of the Council of Ministers**Rome, 19th May 1993*

1. The WEU Council of Ministers today held its first regular meeting since the decisions taken in Rome on 20th November 1992 to enlarge WEU, and since the transfer of the WEU Council and Secretariat to Brussels. In addition to the Foreign and Defence Ministers of the nine existing member states, Ministers of the future member state Greece, of the future associate member states Iceland, Norway and Turkey and of the observers Denmark and Ireland, participated in this meeting. Ministers welcomed the progress made over the last six months in strengthening the rôle of WEU and discussed what further steps could be taken. Ministers also held detailed exchanges on the situation in former Yugoslavia and on the contribution WEU was making to the search for a peaceful settlement.

WEU and the European security environment

2. Ministers reaffirmed their commitment to develop the rôle of WEU as the defence component of the European Union and as the means to strengthen the European pillar of the Atlantic Alliance based on the declarations agreed at Maastricht and Petersberg. Ministers took note with satisfaction of the progress achieved in this regard.

Ministers warmly welcomed the result of the Danish referendum the day before relating to the Treaty on European Union.

3. The severe crisis in former Yugoslavia powerfully demonstrates the need for international organisations in the security field to act closely together in order to channel the political will of their member states to seek effective means for conflict-prevention, crisis-management and peace-keeping. Given the enhanced rôle of the United Nations and the importance of developing co-operation within the CSCE, WEU Ministers reaffirmed their preparedness to support, on a case by case basis and in accordance with WEU procedures, the effective implementation of conflict-prevention and crisis management measures including peace-keeping activities of these organisations and co-operative efforts with other states. They stressed the need to maintain armed forces at a level of effectiveness to cope with the requirements of common defence and the tasks defined by the Petersberg declaration of WEU.

Former Yugoslavia

4. Ministers held a detailed discussion on the extremely serious situation in former Yugoslavia and in particular in Bosnia-Herzegovina.

Condemning the continuing failure of the Bosnian Serbs to accept the Vance-Owen peace plan, and stressing that the referendum which took place last weekend in Bosnia-Herzegovina had no legal value and therefore its result was irrelevant, Ministers reiterated their full support for an early implementation of the Vance-Owen peace plan and for all the measures envisaged by the European Community and its member states and the international community to bring about a political solution to the ongoing conflict and to ensure the physical and political survival of the Muslim people in Bosnia-Herzegovina.

Ministers, noting that no option, military or other, was excluded, agreed to keep up the pressure, in co-operation with the United States, Russia and the other interested parties, on Serbia and Montenegro and the Bosnian Serbs in order to make the latter accept the Vance-Owen peace plan and stop immediately their attacks and their policy of ethnic cleansing.

Ministers condemned the recent military attacks against Muslim civilians by Bosnian Croat Forces and supported the European Community and its member states' stern warning to Croatia on possible reactions if their attitude was maintained. They expressed the hope that the Mostar meetings would bring hostilities to an end.

Ministers also recalled the Yugoslav authorities' earlier declarations on international monitors along the Serbian Montenegrin/Bosnian-Herzegovinian border, and expressed the view that President Milosevic's willingness to interrupt all assistance to the Bosnian Serbs with the exclusion of humanitarian aid should be put to the test, by providing evidence of his commitment.

5. Ministers mandated the Permanent Council:

- following the WEU planning undertaken on Sarajevo Safe Haven which was submitted to the United Nations, to arrange for a study to be carried out on the establishment of different safe

areas referred to in United Nations Security Council Resolution 824, as well as Mostar and other possible areas,

- to examine the rôle that WEU might play in the context of the implementation of the Vance-Owen peace plan, in co-ordination with NATO,
- to study the possibility for WEU to co-ordinate the rotation of the contingents deployed by its member states in the framework of UNPROFOR and the possible participation of WEU member states in the protection of the above-mentioned safe areas under a mandate of the United Nations.

6. Ministers agreed that the strengthening of the United Nations sanctions through strict implementation of the relevant Security Council resolutions and in particular United Nations Security Council Resolution 820 should continue to be one of the responses of the international community to Bosnian Serb intransigence. Ministers highlighted the two contributions which WEU was making in this respect:

- Since July 1992, WEU ships and aircraft have been conducting, first embargo monitoring, and subsequently embargo enforcement operations in the Adriatic in close co-ordination with NATO. With the adoption of United Nations Security Council Resolution 820, WEU and NATO discussed ways of increasing the effectiveness of these embargo enforcement operations.
- The offer made at their meeting in Luxembourg on 5th April to assist the efforts of Bulgaria, Hungary and Romania in implementing the embargo on the Danube in accordance with the provisions of the relevant United Nations Security Council resolutions was now being put into effect. Ministers expressed their appreciation for the co-operation shown by the Governments of Bulgaria, Hungary and Romania in establishing this joint initiative, of a civilian character, which would be conducted in close co-ordination with the efforts of other organisations notably the EC and CSCE and in liaison with the sanctions assistance missions in the area. They welcomed the agreement of the riparian states to the deployment of advance teams, now in place, in order to prepare the rapid implementation of the initiative. Ministers expressed their appreciation for the efforts undertaken by the Presidency and agreed that Italy would assure co-ordination on the ground.

Relations with other countries

7. Ministers looked forward to their meeting the following day with their colleagues from the partner countries of Central Europe in the Forum of Consultation in order to intensify dialogue, consultation and co-operation and to discuss security issues of common concern.

8. Ministers agreed on the importance for WEU, as its rôle is strengthened, to develop its relations with other countries.

They welcomed the accession negotiations between the European Community and certain EFTA countries and were prepared, should the countries concerned so wish, to establish in the interim period prior to accession appropriate contacts with Austria, Finland and Sweden for information on the rôle of WEU in this context.

Ministers, stressing the importance of stability and security in the Mediterranean basin to WEU member states, agreed to develop further the dialogue initiated with Maghreb countries.

Given the increased importance of WEU's rôle, Ministers also requested the Presidency and Secretariat to continue to ensure information was given on WEU's activities to other interested countries.

Strengthening WEU's rôle

9. Ministers welcomed the fruitful working links which had been established in Brussels between the Defence Representatives Group, the Military Delegates and the Planning Cell. This had enabled the Planning Cell to start work on a firm foundation, and had also led to the establishment of principles for the organisation and functioning of WEU in times of crisis. They also welcomed the valuable contribution made by the WEU CHODs at their meeting in Rome on 22nd April 1993, the first such meeting to be attended by future members and associate members of WEU. On the basis of earlier studies and following the recommendations of the CHODs, Ministers agreed that the planning cell should advance studies with a view to enhancing European air-maritime co-operation – as a follow-up to the Franco/Italian/Spanish proposal – and develop those relating to capabilities for strategic mobility.

10. The WEU Council of Ministers took note of the report of the Defence Representatives Group and mandated the Permanent Council to reach timely conclusions and to present a progress report to the next ministerial meeting on the forces answerable to WEU, in particular for the conduct of humanitarian and peace-keeping operations. Ministers noted with satisfaction that all member states were now proceeding to designate which of their military units and headquarters they were prepared to

make available to WEU for various possible tasks. These should include rapidly deployable air, naval and ground forces and headquarters from which WEU operations could be commanded.

11. Ministers welcomed the following declaration by the French, German and Belgian Ministers on the European corps:

“ The states participating in the European corps recall the terms of the Franco-German memorandum of 30th November 1992, of which the Council has taken note, to the effect that they consider that the European Corps forms part of units designated as ‘forces answerable to WEU’ ”.

12. Ministers also welcomed a statement by Belgium, the Netherlands, the United Kingdom and the Federal Republic of Germany that the units they are prepared to make available for military tasks under WEU auspices will include the following multinational formations as part of the ‘forces answerable to WEU’:

- the Multinational Division (Central), consisting of Belgian, British, Dutch and German units;
- the United Kingdom/Netherlands amphibious force.

13. Ministers requested the Permanent Council to arrange discussions at the earliest with representatives of the nations participating in these offers in order to define the relations between WEU and these multinational formations as ‘forces answerable to WEU’.

Ministers agreed that the competent fora of WEU should develop a number of general rules and procedural guidelines applicable to all forces answerable to WEU.

14. Ministers welcomed the progress which had been made in setting up the WEU satellite centre. In particular they noted with satisfaction the signature on 1st December 1992 of the agreement between Spain and the WEU regarding the concession of the site and the building in Torrejón, the delivery of the initial equipment, the signature of the Helios memorandum of understanding and the official inauguration on 28th April 1993. Ministers also noted that phase 2 of the main system feasibility study into an autonomous European space-based observation capability had now been launched, and looked forward to receiving an evaluation of the costed options following the conclusion of the study at the end of 1993.

15. Ministers reaffirmed the importance of WEU's activities with regard to the implementation of arms control and disarmament agreements, in particular the CFE and Open Skies Treaties. On WEU co-operation on open skies, Ministers noted the preliminary set of rules for the operation of a pool of observation systems, prepared by the working group, which aimed at making the most cost-effective use of national resources. They agreed that an approach should be made to third parties with a view to assessing their interest in participating in the pool. Ministers underlined the need for continued co-operation between member states on the verification of the CFE Treaty.

16. Ministers agreed to the transfer from EUROGROUP to WEU of its publicity activities and the functions of EUROCOM. They noted that discussions were continuing on the transfer of the functions of EUROLOG and EUROLONGTERM.

Armaments co-operation

17. The Defence Ministers of the 13 nations of the former IEPG met this morning for the first time since the IEPG functions were transferred to the WEU. They reaffirmed the six key principles on which co-operation on armaments matters should be based and in particular that all decisions on these matters within the WEU framework should be taken by the 13 nations. They agreed on a number of organisational aspects of the transfer, which were subsequently adopted formally by the Council at 13.

18. Defence Ministers will meet at least once a year, before a WEU Council meeting, to oversee the activities of the armaments co-operations forum, which will henceforth be known as the Western European Armaments Group (WEAG). The chairmanship will continue to rotate among the 13 nations. The meetings of the National Armaments Directors, who will continue to report to Defence Ministers, will remain the operational core of the WEAG. Ministers agreed to relocate to Brussels the functions of the Permanent Secretariat of the former IEPG. Ministers agreed to build on the links between the former IEPG and NATO by applying to armaments co-operation within the WEU framework the practical measures agreed in Petersberg for developing relations between WEU and NATO. Ministers noted the decision by NADs to task a study group to examine the possible rôle of a European armaments agency.

ANNEX 4

*Communiqué of the meeting of the WEU Forum
of Consultation at Ministerial level**Rome, 20th May 1993*

1. Foreign and Defence Ministers of Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and Slovakia met in Rome on 20th May 1993 with the WEU Council of Ministers. Following the decisions taken at their meeting in Rome on 20th November 1992, in addition to the Foreign and Defence Ministers of the nine existing WEU member states, Ministers of the future member state Greece, of the future associate member states Iceland, Norway and Turkey and of the observers Denmark and Ireland participated in this meeting. This was the first Ministerial meeting since the adoption in Bonn on 19th June 1992 of measures to strengthen the relations and structure the dialogue, consultation and co-operation between WEU and the states of Central Europe.

2. Recognising the importance of their exchanges of views, the Ministers of WEU countries and those of WEU's consultation partners of Central Europe agreed henceforth to extend the term "WEU Forum of Consultation" to their annual meetings, a term already applied to the meetings at ambassadorial level which take place at least twice a year.

3. Particular emphasis in the discussions was placed on the situation in former Yugoslavia. Ministers condemned the continuing failure of the Bosnian Serb authorities to accept the Vance-Owen peace plan and welcomed that part of the communiqué of the WEU Ministerial Council agreed the day before concerning former Yugoslavia. In their discussions Ministers reviewed WEU's contributions to the efforts of the whole international community to bring peace to this region.

4. WEU Ministers informed their consultation partners of the WEU operation to enforce the embargo in the Adriatic undertaken in close co-ordination with NATO.

Ministers welcomed the WEU initiative on the Danube to assist and co-operate with Bulgaria, Hungary and Romania, in the strict implementation of the sanctions provided for in United Nations Security Council Resolutions 820, 787, 757 and 713. They welcomed the signature of three memoranda of understanding in Rome to this effect.

Ministers stressed that the Danube mission, which was of a civilian character, represented a concrete example of co-operation

between WEU and certain of its consultation partners. They reaffirmed the importance of that co-operation and their resolve to continue their joint efforts thus contributing to the search for a peaceful solution to the crisis. Moreover, Ministers underlined the importance of containing the current conflict and agreed that, were any country to suffer from aggressive action as a consequence of their support for United Nations-mandated operations, this would be a matter of direct concern to the international community.

5. Ministers held a detailed discussion on the development of relations between WEU and its consultation partners and on the current European security environment and its challenges. They reaffirmed the importance of intensifying these relations as a valuable contribution to the emergence of a more stable and peaceful order in Europe based on partnership and co-operation.

6. Concerning the early, orderly and complete withdrawal of foreign troops from the territories of the Baltic states in full accordance with international law, Ministers reaffirmed their support for the full and unconditional implementation of the relevant provisions of the Helsinki summit document of 1992 and the conclusions of the CSCE Stockholm Council.

7. Ministers recognised the important rôle accorded to WEU by the decisions taken in Maastricht and at Petersberg and welcomed the decisions taken at Rome in November 1992 to enlarge WEU. Ministers agreed that the political dialogue within the Forum of Consultation should contribute towards gaining a clearer perception of the rôle of WEU in the development of the security and defence policy of the future European Union and should provide a framework in which security and defence issues of common concern could be discussed so as to be able to take account of each others' views in wider fora without duplicating the co-operation in the Atlantic framework. The development of WEU's relations with its consultation partners would continue to reflect increasingly close relations between the countries of Central Europe and the future European Union and its member states with the aim of extending the area of stability and security in Europe.

8. Ministers welcomed the gradual development of WEU's operational capabilities

including the establishment of the Planning Cell and agreed to explore and promote the possibilities for co-operation between WEU and its consultation partners in particular in the fields of conflict-prevention, crisis-management, peace-keeping and the implementation of the CFE and Open Skies Treaties.

In particular Ministers stressed the value of an exchange of views on peace-keeping. Whilst taking care to avoid any duplication, this might be the subject of a seminar at which experiences of peace-keeping in practical terms could be compared.

9. Ministers expressed their satisfaction with the growing dialogue in the Forum of Consultation thanks to the meetings which had taken place at ambassadorial level in London on 14th October 1992 and in Brussels on 20th April 1993. They encouraged their representatives in Brussels to enhance the regular exchanges of documents and information on matters of

common concern in the security and defence field. To facilitate this, Ministers agreed on the setting up of a Counsellors Group in Brussels composed of senior representatives in the delegations of the WEU countries and the Embassy Counsellors of the consultation partners. This group, which would meet at least three or four times a year, would hold more detailed exchanges of view and prepare the meetings of the Forum of Consultation.

10. Ministers welcomed the close co-operation developing between the WEU Institute and the corresponding bodies in WEU's Central European partner countries. In particular they expressed their appreciation for the Institute's programme of scholarships for young researchers from Central Europe and agreed that the programme should be gradually enlarged over the next three years.

11. They further welcomed the increased contacts between the WEU Assembly and the parliaments of the consultation partners.

ANNEX 5

***Press release issued after the joint session of the North Atlantic Council
and the Council of WEU held in Brussels on 8th June 1993***

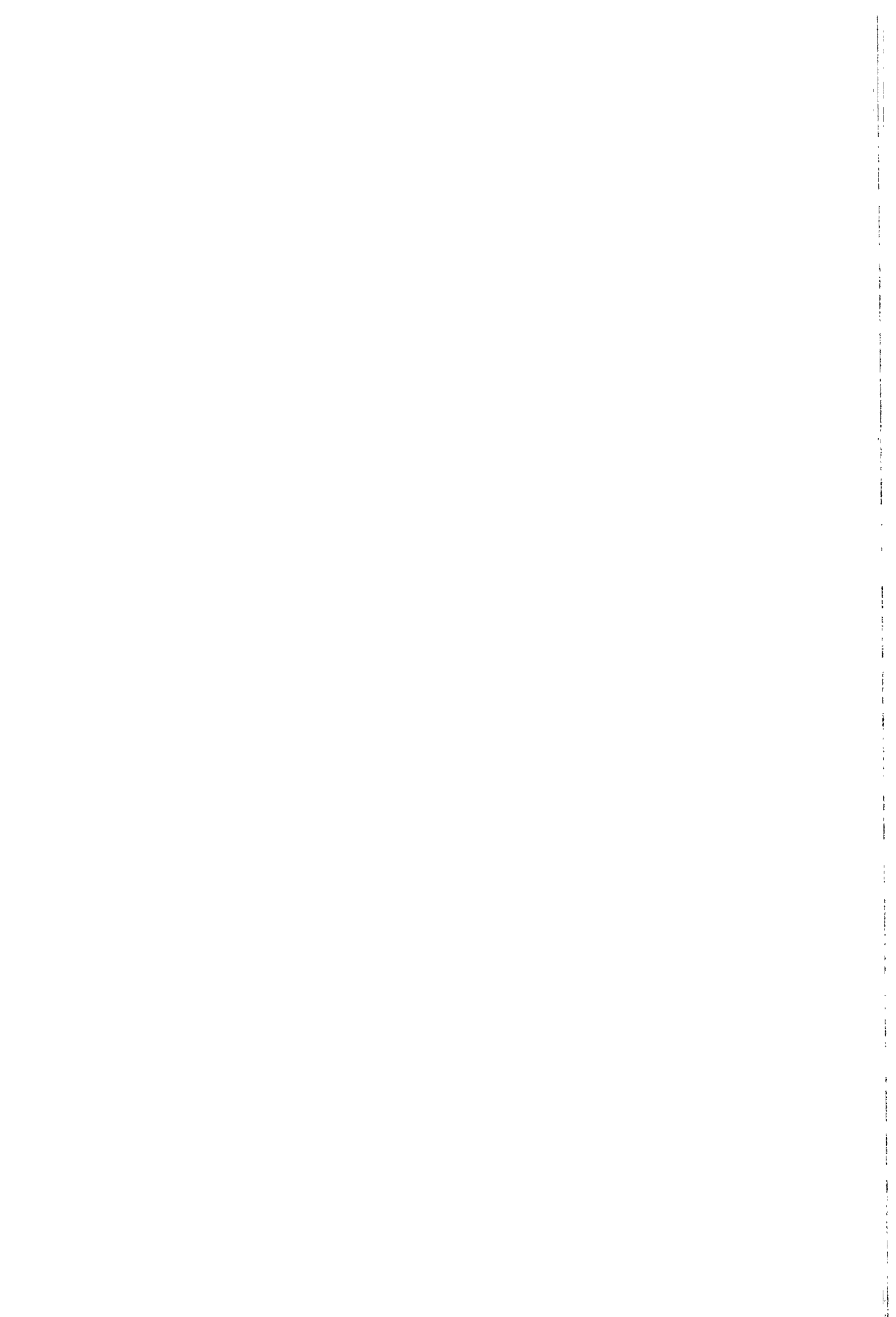
1. A joint session of the North Atlantic Council and the Council of Western European Union was held today, 8th June 1993. This session completed the thorough review, undertaken in the light of recent developments, of the embargo operations in the Adriatic which NATO and WEU have been conducting in strict co-ordination since July 1992. The Councils approved the combined NATO/WEU concept of operations for the implementation of United Nations Security Council Resolution 820 in the Adriatic. This includes a single command and control arrangement for combined NATO/WEU operations (Sharp Guard) under the authority of the Councils of both organisations.

2. Operational control of the combined NATO/WEU Task Force (CTF) for embargo operations in the Adriatic has been delegated through SACEUR to Commander Allied Naval Forces Southern Europe (COMNAVSOUTH). Acting on behalf of the North Atlantic Alliance and Western European Union, he will exercise operational control over a combined task force and conduct operations to monitor and enforce compliance with United Nations sanctions in accordance with United Nations Security Council Resolutions 713, 757, 787 and 820. The

combined task force will, in particular, aim at preventing all unauthorised shipping from entering the territorial waters of the Federal Republic of Yugoslavia (Serbia and Montenegro).

3. Arrangements to ensure the efficient conduct of unified operations have been put in place. Implementation of the joint NATO/WEU operations will start immediately. Practical measures to ensure close co-operation among the relevant NATO and WEU bodies have been put into effect and further joint sessions of the North Atlantic Council and the Council of Western European Union will be convened if necessary to issue additional political guidance for the operations in the Adriatic.

4. The combined operation will give concrete expression to the determination of NATO and WEU to continue to act together in co-operation for the effective implementation of the sanctions decided upon by the United Nations Security Council and to contribute to a settlement of the crisis in former Yugoslavia. This reflects our commitment to the principles of transparency and complementarity in pursuit of our mutual goal of enhanced security through NATO and WEU.



*Accounts of the administrative expenditure of the Assembly
for the financial year 1992*

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***Letter from the President of the Assembly
to the Auditor submitting the accounts
for the financial year 1992***

7th May 1993

Dear Dr. Zavelberg,

In accordance with Article 14 of the Financial Regulations of the Assembly of WEU, I have the honour to submit to you the accounts for the financial year 1992 in accordance with the statements attached hereto, which refer to:

1. (a) Summary of income and expenditure – financial position as at 31st December 1992 (Appendix I);
- (b) Statement of budget authorisations, expenditure and unexpended credits (Appendix II);
- (c) Contributions (Appendix III);
- (d) Provident fund (Appendix IV).

As is customary, after being audited these tables will be signed by the President of the Assembly, the Clerk of the Assembly and the

Chairman of the Committee on Budgetary Affairs and Administration before being submitted to the Assembly.

2. The statement of budget authorisations, expenditure and unexpended credits shows a saving of F 314, whereas the final statement of income and expenditure shows a credit balance of F 118 248. The difference between these two figures, i.e. F 117 934, shows an excess of receipts over estimates:

	F	F
– Bank interest	160 655	
– Sundry receipts	32 020	
– Sale of publications	30 389	
– Contributions 7%	<u>699 870</u>	
		922 934
– Receipts for 1992 estimated in the budget		<u>805 000</u>
		<u>+ 117 934</u>

3. Excess expenditure under Heads I and V of the operating budget and Head I of the pensions budget amounting to F 217 790 has been

met by transfers from other heads of the budget.

4. The statement of contributions for the financial year 1992 received from the Secretary-General of WEU, London, is given at Appendix III.

5. Amounts in the provident fund of the Assembly staff are incorporated with those of the other organs of WEU and the joint fund is administered by the Secretary-General of WEU.

On 31st December 1992, these amounts stood at F 7 008 216 as shown in Appendix IV. On that date there remained one loan to a staff member, amounting to F 383 000.

On 31st December 1992 these funds were held by Montagu Investment Management Limited in London.

6. Also appended to the accounts of the Assembly are the reports on the funds attributed to the political groups in accordance with the directives issued by the Presidential Committee (document A/WEU/CP (86) 39) as follows:

- Federated Group of Christian Democrats and European Democrats;
- Unified European Left Group;
- Liberal Group;
- Socialist Group.

These reports will be considered as an integral part of the accounts of the Assembly; they give details of the use of credits included in Sub-Head 30 of the operating budget of the Assembly.

Yours sincerely,

Hartmut SOELL

President of the Assembly

Dr. Heinz Günter ZAVELBERG
Bundesrechnungshof
Postfach 10 0433
Berliner Str. 51
D-6000 FRANKFURT A.M.1.

***Letter from the Auditor
to the President of the Assembly***

15th November 1993

Dear President,

I have the honour to enclose the accounts of the Assembly of Western European Union for the financial year 1992 together with my opinion and report on these accounts.

Yours sincerely,

Ernst HEUER

*(Vice-President of the Federal Court of
Accounts, for the President of the
Federal Court of Accounts) Auditor*

Sir Dudley SMITH,
President of the Assembly of
Western European Union
43, avenue du Président-Wilson
75116 PARIS

***Report of the External Auditor of the Assembly of
Western European Union
on the accounts for the financial year 1992***

15th November 1993

I have audited the accounts of the Assembly for the financial year 1992 in accordance with Article 15 of the Financial Regulations of the Assembly in order to appraise the correct management of the budget and the book-keeping.

The final statement of income and expenditure shows a credit balance of F 118 248 while the statement of budget authorisations, expenditure and unexpended credits shows a saving of F 314.

The difference, i.e. F 117 934, shows an excess of receipts over estimates; receipts amounted to F 922 934 while the corresponding estimates amounted to F 805 000.

The saving in the budget may be summarised as follows:

	Total credits after transfers	Total expenditure	Balance
	F	F	F
<i>Part I:</i>			
<i>Operating budget</i>			
Head I			
Permanent staff	16 024 318	16 024 272	46
Head II			
Temporary staff	3 609 640	3 609 583	57
Head III			
Expenditure on premises and equipment	1 760 710	1 760 691	19
Head IV			
General administrative costs	2 178 110	2 178 087	23
Head V			
Other expenditure	2 314 417	2 314 399	18
Head VI			
Premises	172 224	172 224	0
<i>Part II:</i>			
<i>Pensions budget</i>			
Head I			
Pensions, allowances and social charges	<u>3 591 975</u>	<u>3 591 824</u>	<u>151</u>
Total	29 651 394	29 651 080	314

The financial situation compared to that for previous financial years has declined considerably in terms of saving on expenditure, as shown in the following table. This is due to the fact that transfers during the financial year 1992 have brought budget heads almost exactly into line with actual expenditure. It should be noted that excessive use of this technique could alter the nature of the budget authorisation; furthermore, it may be difficult to identify the movement of funds away from their original allocation.

Final statement of income and expenditure on 31st December of the financial year	Saving on expenditure	Difference between estimates and income
1988 + 6 591	+ 82 179	- 75 588
1989 + 106 113	+ 42 793	+ 63 140
1990 + 720 333	+ 710 837	+ 9 496
1991 + 514 471	+ 418 488	+ 95 983
1992 + 118 248	+ 314	+ 117 934

Receipts exceeded estimates in the budgets for two of the four heads concerned:

	Estimates	Actual receipts
Bank interest	60 000	160 655
Sundry receipts (social security reimbursements)	10 000	32 020
Sale of publications	35 000	30 389
Contributions 7%	<u>700 000</u> <u>805 000</u>	<u>699 870</u> <u>922 934</u>

There is a credit balance under these various heads of F 117 934 (F 95 983 in 1991).

*
* *

Contributions by member states to the Assembly's budget increased by 7.6% in 1992, while the total budget (excluding receipts) increased by 6.6%. The main causes of the increase in the budget were expenditure on permanent staff (Head I) which – taking account of credits after transfers – rose by 9.8% and in real expenditure terms by nearly 13%.

The rhythm of the payment of contributions remained unchanged compared with that for the previous financial year, as, at the end of the first half of 1992, 51% of the total annual contributions had been paid. This matter has already been raised in the auditor's report for the financial year 1991 and represents a trend which might make management of the Assembly's budget difficult, particularly during the first months of the financial year.

*
* *

Situation of transfers between heads in 1992

	+	-
<i>Part I:</i>		
<i>Operating budget</i>		
Head I Permanent staff	289 166	246 718
Head II Temporary staff	60 750	215 360
Head III Expenditure on premises and equipment	114 965	121 255
Head IV General administrative costs	120 250	177 140
Head V Other expenditure	205 120	115 703
Head VI Premises	-	-
<i>Part II:</i>		
<i>Pensions budget</i>		
Head I Pensions, allowances and social charges	<u>116 385</u>	<u>30 460</u>
Total	<u>906 636</u>	<u>906 636</u>

In accordance with Article 6 of the Financial Regulations (agreement of the WEU Council by a letter dated 25th October 1991), no transfers were made from Head I of the operating budget (Permanent staff) to Heads II to V.

Positive transfers in 1992 amounted to F 217 790 as compared with F 207 950 in 1991.

Positive transfers showed an increase under two heads:

Part I Head V – Other expenditure
Part II Head I – Pensions budget

Under Part I Head V, the initial estimate under Sub-Head 27 had to be supplemented by a credit of F 160 000 (Official journeys by members of the Office of the Clerk); Part II (Pensions) received transfers of F 116 385, solely to cover expenditure on old age and invalidity pensions.

Expenses for representation (Head V, Sub-head 25) were less than the previous financial year.

	Initial Estimate	Final sum after transfer
1990	230 000	266 020
1991	260 000	399 830
1992	360 000	326 245

Expenditure under this sub-head stood at F 326 242 instead of F 399 828 in 1991 – a decrease of 18.4%.

Having completed this audit, I thank the Clerk and staff of the Assembly for their valuable co-operation in the exercise of my duties as Auditor.

Ernst HEUER
*(Vice-President of the Federal Court
of Accounts, for the President
of the Federal Court of Accounts)*
Auditor

***Certificate of the Auditor
for the financial year
1st January to 31st December 1992***
15th November 1993

In application of Article 15 of the Financial Regulations of the Assembly of Western European Union, I have examined the appended financial statements of the Assembly comprising the summary of income and expenditure for the financial year 1992.

My examination included verification of the books and other relevant documents that I deemed necessary.

As a result of this examination, my opinion is that these statements faithfully record the book-keeping operations for the financial year and that these operations were in conformity with the budget estimates, the Financial Regulations, the financial instructions and other decisions of the legislative authority, and that they are a correct record of the financial situation for the year ended 31st December 1992.

Ernst HEUER
*(Vice-President of the Federal Court
of Accounts, for the President
of the Federal Court of Accounts)*
Auditor

APPENDIX I

Summary of income and expenditure for the financial year 1992

(in French francs)

Assessments of member states (see Appendix III)		28 846 394
<i>Miscellaneous</i>		
(A) Sundry receipts		
Bank interest	160 655	
Sundry receipts	32 020	
Sale of publications	30 389	
(B) Pensions		
Contributions (7%)	699 870	
		<u>922 934</u>
Budget credits		29 769 328
Total expenditure (see Appendix II)		<u>29 651 080</u>
Excess of income over expenditure	F	<u><u>118 248</u></u>

Financial position as at 31st December 1992

<i>Assets</i>		
Balance at the bank	866 020	
Contributions received	1 509 057	
Contributions 7%	14 280	
Recoverable taxes	112 273	
Sums received	52 421	
		<u>F 2 554 051</u>
<i>Liabilities</i>		
Miscellaneous creditors	823 873	
Sums paid	1 611 930	
Excess of income over expenditure	118 248	
		<u>F 2 554 051</u>

Sir Dudley SMITH
President of the Assembly

Henri BURGELIN
Clerk of the Assembly

Tim RATHBONE
*Chairman of the Committee
on Budgetary Affairs
and Administration*

Certified correct:

Ernst HEUER
*(Vice-President of the Federal Court of
Accounts, for the President of the Federal Court of Accounts)
Auditor*

STATEMENT OF BUDGET AUTHORISATIONS, EXPENDITURE

(in F)

PART I: OPERATING BUDGET		Total budget for 1992	
HEAD I – PERMANENT STAFF			
<i>Sub-Head 1</i>	Basic salaries	11 110 050	
<i>Sub-Head 2</i>	Allowances		
2.1.	Expatriation allowance	1 113 720	
2.2.	Household allowance	530 940	
2.3.	Allowance for children and other dependent persons	570 000	
2.4.	Rent allowance	60 000	
2.5.	Education allowance	63 000	
2.6.	Allowance for language courses	2 000	
2.7.	Overtime	55 000	
2.8.	Home leave	60 000	
<i>Sub-Head 3</i>	Social charges		
3.1.	Social security	1 562 293	
3.2.	Supplementary insurance	543 000	
3.3.	Provident fund	183 867	
<i>Sub-Head 4</i>	Expenses relating to the recruitment and departure of permanent officials		
4.1.	Travelling expenses of candidates for vacant posts	–	
4.2.	Travelling expenses on arrival and departure of permanent officials and their families	11 000	
4.3.	Removal expenses	65 000	
4.4.	Installation allowance	38 000	
<i>Sub-Head 5</i>	Medical examination	14 000	
Total of Head I		15 981 870	

K II

UNEXPENDED CREDITS FOR THE FINANCIAL YEAR 1992

(in thousands)

	Transfers		Total after transfers	Total expenditure	Unexpended credits
	+	-			
	230 900		11 340 950	11 340 938	12
		10 425	1 103 295	1 103 291	4
		68 395	462 545	462 541	4
		32 590	537 410	537 408	2
		3 350	56 650	56 646	4
	7 640		70 640	70 636	4
		2 000	-	-	-
	41 835		96 835	96 834	1
		12 985	47 015	47 015	-
		10 469	1 551 824	1 551 822	2
		61 020	481 980	481 976	4
	5 360		189 227	189 226	1
	3 431		3 431	3 431	-
		6 490	4 510	4 510	-
		22 943	42 057	42 056	1
		6 691	31 309	31 309	-
		9 360	4 640	4 633	7
	289 166	246 718	16 024 318	16 024 272	46

PART I: OPERATING BUDGET		Total budget for 1992
HEAD II – TEMPORARY STAFF		
<i>Sub-Head 6</i>	Staff recruited for sessions of the Assembly	
6.1.	Sittings service	1 340 000
6.2.	Interpretation service	634 450
6.3.	Translation service	921 000
6.4.	Other services	65 000
<i>Sub-Head 7</i>	Interpretation staff required for Assembly work between sessions	604 000
<i>Sub-Head 8</i>	Temporary staff for the Office of the Clerk	50 000
<i>Sub-Head 9</i>	Social charges	
9.1.	Insurance for temporary staff other than interpreters	10 000
9.2.	Provident fund for interpreters	134 040
9.3.	Insurance for interpreters	5 760
Total of Head II		3 764 250
HEAD III – EXPENDITURE ON PREMISES AND EQUIPMENT		
<i>Sub-Head 10</i>	Share of joint expenditure on the Paris premises	540 000
<i>Sub-Head 11</i>	Hire of committee rooms	10 000
<i>Sub-Head 12</i>	Technical and other installations for Assembly sessions	587 000
<i>Sub-Head 13</i>	Various services for the organisation of sessions	105 000
<i>Sub-Head 14</i>	Maintenance of the premises of the Office of the Clerk	15 000
<i>Sub-Head 15</i>	Purchase or repair of office furniture	35 000
<i>Sub-Head 16</i>	Purchase of reproduction and other office equipment	–
<i>Sub-Head 17</i>	Hire and maintenance of reproduction and other office equipment	475 000
Total of Head III		1 767 000

	Transfers		Total after transfers	Total expenditure	Unexpended credits
	+	-			
	41 620		1 381 620	1 381 619	1
		42 100	592 350	592 335	15
		141 350	779 650	779 644	6
	19 130		84 130	84 127	3
		1 610	602 390	602 383	7
		26 390	23 610	23 601	9
		1 380	8 620	8 613	7
		1 300	132 740	132 731	9
		1 230	4 530	4 530	-
	60 750	215 360	3 609 640	3 609 583	57
		93 910	446 090	446 088	2
		3 690	6 310	6 304	6
	82 345		669 345	669 345	-
	5 355		110 355	110 353	2
		9 130	5 870	5 869	1
		14 525	20 475	20 472	3
	4 000		4 000	4 000	-
	23 265		498 265	498 260	5
	114 965	121 255	1 760 710	1 760 691	19

PART I: OPERATING BUDGET		Total budget for 1992	
HEAD IV – GENERAL ADMINISTRATIVE COSTS			
<i>Sub-Head 18</i>	Postage, telephone, telex and transport of documents	600 000	
<i>Sub-Head 19</i>	Duplication paper, headed writing paper and other office supplies	287 000	
<i>Sub-Head 20</i>	Printing and publication of documents	1 150 500	
<i>Sub-Head 21</i>	Purchase of documents	72 000	
<i>Sub-Head 22</i>	Official cars	125 000	
<i>Sub-Head 23</i>	Bank charges	500	
Total of Head IV		2 235 000	
HEAD V – OTHER EXPENDITURE			
<i>Sub-Head 24</i>	Travelling and subsistence allowances and insurance for the President of the Assembly, chairmen of committees and rapporteurs	210 000	
<i>Sub-Head 25</i>	Expenses for representation	360 000	
<i>Sub-Head 26</i>	Committee study missions	5 000	
<i>Sub-Head 27</i>	Official journeys of members of the Office the Clerk	590 000	
<i>Sub-Head 28</i>	Expenses of experts and the auditor	50 000	
<i>Sub-Head 29</i>	Expenditure on information	445 000	
<i>Sub-Head 30</i>	Expenses for political groups	534 000	
<i>Sub-Head 31</i>	Contingencies and other expenditure not elsewhere provided for	3 000	
<i>Sub-Head 32</i>	Non-recoverable taxes	28 000	
Total of Head V		2 225 000	
Total		25 973 120	

	Transfers		Total after transfers	Total expenditure	Unexpended credits
	+	-			
	107 570		707 570	707 566	4
		87 430	199 570	199 567	3
	12 620		1 163 120	1 163 112	8
		23 660	48 340	48 336	4
		66 050	58 950	58 950	-
	60		560	556	4
	120 250	177 140	2 178 110	2 178 087	23
		69 880	140 120	140 119	1
		33 755	326 245	326 242	3
		5 000	-	-	-
	160 600		750 600	750 595	5
	29 210		79 210	79 210	-
		248	444 752	444 751	1
	-	-	534 000	534 000	-
	15 310		18 310	18 304	6
		6 820	21 180	21 178	2
	205 120	115 703	2 314 417	2 314 399	18
	790 251	876 176	25 887 195	25 887 032	163

PART I: OPERATING BUDGET		Total budget for 1992
A.2. - EXTRAORDINARY EXPENDITURE		
HEAD VI - PREMISES		
<i>Sub-Head 33</i>	Reorganisation of the building	
<i>Sub-Head 33.1</i>	Feasibility study	
<i>Sub-Head 33.2</i>	Work on utilities	125 890
<i>Sub-Head 33.3</i>	Prime contractorship	46 334
<i>Sub-Head 34</i>	Installation of committee rooms	
<i>Sub-Head 34.1</i>	Interpretation equipment	
<i>Sub-Head 34.2</i>	Furnishing committee rooms	
<i>Sub-Head 34.3</i>	Furnishing corridor	
<i>Sub-Head 35</i>	National delegation offices	
<i>Sub-Head 35.1</i>	Furniture and other office equipment	
<i>Sub-Head 35.2</i>	Typewriters	
<i>Sub-Head 36</i>	Lounge in the first basement	
Total of A.2		172 224
Total of Part I		26 145 344

	Transfers		Total after transfers	Total expenditure	Unexpended credits
	+	-			
	-	-	125 890	125 890	-
	-	-	46 334	46 334	-
	-	-	172 224	172 224	-
	790 251	876 176	26 059 419	26 059 256	163

PART II: PENSIONS BUDGET		Total budget for 1992
HEAD I – PENSIONS, ALLOWANCES AND SOCIAL CHARGES		
<i>Sub-Head 1</i>	Pensions and leaving allowances	
1.1.	Retirement pensions	2 762 250
1.2.	Invalidity pensions	399 250
1.3.	Survivors' pensions	58 850
1.4.	Orphans' or dependants' pensions	–
1.5.	Leaving allowances	–
<i>Sub-Head 2</i>	Family allowances	
2.1.	Household allowances	133 250
2.2.	Children's and dependants' allowances	29 450
2.3.	Education allowances	16 000
<i>Sub-Head 3</i>	Supplementary insurance	107 000
Total of Head I		3 506 050
Total		29 651 394

Sir Dudley SMITH
President of the Assembly

Henri
Clerk of

	Transfers		Total after transfers	Total expenditure	Unexpended credits
	+	-			
	70 295		2 832 545	2 832 511	34
	41 710		440 960	440 911	49
	50		58 900	58 872	28
	-	-	-	-	-
	-	-	-	-	-
	4 330		137 580	137 551	29
		140	29 130	29 304	6
		16 000	-	-	-
		14 320	92 680	92 675	5
	116 385	30 460	3 591 975	3 591 824	151
	906 636	906 636	29 651 394	29 651 080	314

BURGELIN
of the Assembly

Tim RATHBONE
*Chairman of the Committee on
 Budgetary Affairs and Administration*

APPENDIX III

Contributions to the WEU Assembly budget for 1992

	F	F
1992 budget C-B (91) 17	29 176 000	
Brought over from 1991 C-B (92) 7	<u>172 224</u>	
Sub-total	29 348 224	
Cancellation of credits A/WEU/BA (93) 2	<u>- 501 830</u>	
NET TOTAL	28 846 394	
Contributions received for 1992:		
31st January 1992		667 170.66
26th February 1992		1 974 210.00
31st March 1992		639 964.50
31st March 1992		172 224.00
30th April 1992		3 547 043.50
12th May 1992		2 479 960.00
19th June 1992		5 444 411.50
18th August 1992		5 819 153.00
16th September 1992		3 250 594.00
7th October 1992		2 661 223.00
22th December 1992		668 742.00
27th January 1993		1 509 056.38
Brought over from 1991		<u>514 471.46</u>
Sub-total		29 348 224.00
Carried over to 1993		<u>- 501 830.00</u>
TOTAL PAYMENTS		28 846 394.00

APPENDIX IV
PROVIDENT FUND
ACCOUNT FOR THE FINANCIAL YEAR ENDED 31st DECEMBER 1992

in French francs

	F		F
<i>Balance brought forward:</i>			
Accounts of staff members as at 1st January 1992	6 535 440	Withdrawals	
Contributions of staff members and of the Assembly of Western European Union	282 692	Management fees	20 178
Repayments of loans by staff members	108 000	Accounts of existing staff members as at 31st December 1992	7 008 216
Interest received during the year	598 692	Loss on valuation at 31st December 1992	496 430
	7 524 824		7 524 824
	7 524 824		7 524 824

Sir Dudley SMITH
President of the Assembly

Henri BURGELIN
Clerk of the Assembly

Tim RATHBONE
*Chairman of the Committee on
Budgetary Affairs and Administration*

APPENDIX V

*1992 Balance sheet for the Unified European Left Group**Assets*

	F
1. Surplus at 31st December 1991 (bank accounts, cash)	-
2. Interest	-
3. Appropriations granted by the Assembly of WEU for 1992	58 121.00

Liabilities

I. Expenditure

1. Secretarial staff (salaries, insurance)	20 221.00
2. Administrative expenses (postage, telephone, office supplies)	10 950.00
3. Seminars and meetings	10 771.00
4. Travel and subsistence (members and secretarial staff)	6 810.00
5. Interpretation costs	5 185.00
6. Representational expenses (receptions, dinners)	4 184.00
7. Sundry expenses	-

II. Surplus at 31st December 1991 (bank accounts, cash)	-
Total	58 121.00

Signatures of the Treasurer

and two auditors of the group

APPENDIX VI

*1992 Balance sheet for the Federated Group
of Christian Democrats and European Democrats**Christian Democrats**Assets*

	F
1. Surplus at 31st December 1991 (bank accounts, cash)	47 976.64
2. Interest	17 419.70
3. Appropriations granted by the Assembly of WEU for 1992	<u>141 013.20</u>
Total	206 409.54

Liabilities

I. Expenditure

1. Allowance for the Secretariat	39 000.00
2. Estimates for the symposium	80.000.00
3. Representational expenses and travel	<u>51 651.20</u>
Total	170 651.20

II. Surplus at 31st December 1991 (bank accounts, cash)	<u>35 758.34</u>
Total	206 409.54

Signatures of the Treasurer

and two auditors of the group

*European Democrats (29 members out of 91 Fed. Group)**Assets*

	F
1. Surplus at 31st December 1991 (bank accounts, cash)	75 147.21
2. Interest	3 600.18
3. Appropriations granted by the Assembly of WEU for 1992 (29 members)	<u>65 957.80</u>
Total	144 705.19

Liabilities

I. Expenditure

1. Secretarial staff (salaries, insurance)	36 000.00
2. Administrative expenses (postage, telephone, office supplies)	250.00
3. Seminars and meetings	-
4. Travel and subsistence (members and secretarial staff)	30 486.00
Total	66 736.00

II. Surplus at 31st December 1992 (bank accounts, cash)	<u>77 969.19</u>
Total	144 705.19

Signatures of the Treasurer

and two auditors of the group

APPENDIX VII

*1992 Balance sheet for the Liberal Group**Assets*

	F
1. Surplus at 31st December 1991 (bank accounts, cash)	65 020.93
2. Interest	2 419.55
3. Appropriations granted by the Assembly of WEU for 1992	<u>88 654.00</u>
Total	156 094.48

Liabilities

I. Expenditure

1. Secretarial staff (salaries, insurance)	32 840.00
2. Administrative expenses (postage, telephone, office supplies)	8 400.00
3. Seminars and meetings	15 000.00
4. Travel and subsistence (members and secretarial staff)	3 000.00
5. Interpretation costs	-
6. Representational expenses (receptions, dinners)	12 200.00
7. Sundry expenses	-
Total	<u>71 440.00</u>

II. Surplus at 31st December 1992 (bank accounts, cash)	<u>84 654.48</u>
Total	156 094.48

Signatures of the Treasurer

and two auditors of the group

APPENDIX VIII

*1992 Balance sheet for the Socialist Group**Assets*

	F
1. Surplus at 31st December 1991 (bank accounts, cash)	141 875.11
2. Interest	10 727.90
3. Appropriations granted by the Assembly of WEU for 1992	<u>180 254.00</u>
Total	332 857.01

Liabilities

I. Expenditure

1. Secretarial staff (salaries, insurance)	94 422.00
2. Administrative expenses (postage, telephone, office supplies)	1 495.00
3. Seminars and meetings	32 681.20
4. Travel and subsistence (members and secretarial staff)	8 926.00
5. Interpretation costs	14 800 00
6. Representational expenses (receptions, dinners)	-
7. Sundry expenses	<u>1 207.00</u>

II. Surplus at 31st December 1992 (bank accounts, cash)	<u>179 325.81</u>
Total	332 857.01

Signatures of the Treasurer

and two auditors of the group

*Accounts of the administrative expenditure of the Assembly
for the financial year 1992*

**MOTION TO APPROVE THE FINAL ACCOUNTS OF THE ASSEMBLY
FOR THE FINANCIAL YEAR 1992 ¹**

*submitted on behalf
of the Committee on Budgetary Affairs and Administration ²
by Mr. Rathbone, Chairman and Rapporteur*

The Assembly,

Having examined the final accounts of the Assembly for the financial year 1992, together with the auditor's report, in accordance with Article 17 of the financial regulations,

Approves the accounts as submitted and discharges the President of the Assembly of his financial responsibility.

1. Adopted unanimously by the committee.

2. *Members of the committee:* Mr. Rathbone (Chairman); MM. Covi, Redmond (Vice-Chairmen) ; MM. Alvarez, Antretter, Biefnot, Branger, Büchler, Curto, Daniel, Dimmer, Mrs. Durrieu, Mr. Eversdijk, Dame Peggy Fenner, MM. Homs I Ferret, Howell (Alternate: Cummings), Jurgens, Maas, Manisco, Masson, Meyer zu Bentrup, Mrs. Moreno Gonzalez, MM. Pinto, Pizzo, Tatarella, Thissen.

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

**OPINION ON THE BUDGETS OF THE MINISTERIAL ORGANS
OF WESTERN EUROPEAN UNION FOR THE FINANCIAL YEAR 1993¹**

*submitted on behalf
of the Committee on Budgetary Affairs and Administration²
by Mr. Büchler, Rapporteur*

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on the budgets of the ministerial organs of Western European Union for the financial year 1993

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2. Establishment of the Secretariat-General
- IV. WEU budget estimates for 1993 – Proposed expenditure and income
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- VI. Recapitulatory table of estimated expenditure and receipts of the Institute for Security Studies for 1993
- VII. Summary of estimated expenditure and income of the WEU Satellite Centre for 1993
- VIII. Table of establishment of the WEU Satellite Centre
- IX. Extract from document AS/Bud (44) 20 “Activities of the Administration and staff policy at the Council of Europe in 1992”
- X. Assembly Recommendation 521 and reply of the Council

1. Adopted unanimously by the committee.

2. *Members of the committee:* Mr. Rathbone (Chairman) ; MM. Covi, Redmond (Vice-Chairmen) ; MM. Alvarez, Antretter, Biefnot, Branger, Büchler, Curto, Daniel, Dimmer, Mrs. Durrieu, Mr. Eversdijk, Dame Peggy Fenner, MM. Homs I Ferret, Howell (Alternate: Cummings), Jurgens, Maas, Manisco, Masson, Meyer zu Bentrup, Mrs. Moreno Gonzalez, MM. Pinto, Pizzo, Tatarella, Thissen.

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

Draft Recommendation

***on the budgets of the ministerial organs of Western European Union
for the financial year 1993***

The Assembly,

(i) Considering that:

- (a) the Council has communicated to the Assembly the budget relating to the transfer of the Secretariat-General from London to Brussels and the budgets of the ministerial organs for the financial year 1993;
- (b) the installation of the Secretariat-General and the Planning Cell in Brussels was accompanied by an increase of eleven in the number of staff of the Secretariat-General and the creation of three grade B posts in the Planning Cell;
- (c) the operating budget of the Planning Cell is included in the budget of the Secretariat-General as Section E;
- (d) the Director of the WEU Planning Cell, unlike the other subsidiary organs, does not have full responsibility for managing the budget of the Cell;
- (e) the Torrejón Satellite Centre is still in the organisational stage and is not fully operational;
- (f) the Director of the Centre has asked for authorisation to enter into multi-annual expenditure commitments to complete this organisational stage;
- (g) the study of financing the pension scheme for permanent staff has not yet been completed;
- (h) the affiliation of permanent staff of the Paris organs with the French social security system is proving very expensive, whereas the OECD has already adopted a private sickness insurance scheme that costs far less and the study conducted by the Council of Europe on the subject at first sight confirms the interest of this private insurance scheme;
- (i) furthermore, such a private insurance scheme has been adopted by the Secretariat-General for staff in Brussels as it had done for staff in London,

RECOMMENDS THAT THE COUNCIL

1. Inform the Assembly of any subsequent changes in the organograms of the WEU ministerial organs;
2. Ask the WEU Budget and Organisation Committee to examine, in the framework of its responsibilities and as it did for the ministerial organs, the changes to the organogram of the Office of the Clerk of the Assembly proposed in the 1994 budget;
3. Consider the expediency of separating the budget of the Planning Cell from that of the Secretariat-General and make its Director responsible for managing it;
4. Take every possible step to make the Torrejón Satellite Centre fully operational and, in this context, authorise the Director of the Centre to enter into multi-annual expenditure commitments where necessary;
5. Inform the Assembly of the conclusions of the study of the financing of the pension scheme;
6. Study the possibility of adopting a private sickness insurance scheme for WEU staff in Paris as it did for staff in Brussels.

Explanatory Memorandum

(submitted by Mr. Büchler, Rapporteur)

I. General

1. According to Article VIII (c) of the Charter of the Assembly, "the Assembly shall express its views in the form of an opinion or recommendation on the annual budget of Western European Union as soon as it has been communicated".

2. The present report has been prepared in application of this provision and relates to the budgets of the ministerial organs of WEU for 1993 and the special budget by which the transfer of the seat of the Secretariat-General from London to Brussels was financed. The latter budget spans the financial years 1992 and 1993 and, insofar as it refers to requirements stemming from this transfer, is a link between the budgets for those two years.

3. The report on the budgets of the ministerial organs is usually presented to the Assembly at the first part-session. This is not the case for the present report, which is being presented at the autumn session because of the Council's delay in sending the relevant documents to the Assembly.

4. The transfer from London to Brussels increased the complexity of the activities of the Council and its Secretariat-General at a time when post-Maastricht events were not measuring up to the optimistic forecasts about the implementation of the European Union. However, the process that should lead to the creation of that Union not having been called in question, WEU must adapt its actions to the new European security context which has been deeply marked by the Bosnian drama.

5. In this uncertain political context, the WEU budgets for the current financial year cannot be considered from the standpoint of whether the organisation and its means are adequate for the aims to be attained. Your Rapporteur will therefore confine himself to an analysis of these budgets that might provide a basis for reflection for the political bodies.

II. The budget for the transfer of the Secretariat-General from London to Brussels

6. Document C-B (92) 15 (Annex I) contains estimated expenditure relating to the transfer of the Secretariat-General to Brussels, i.e.:

– in 1992: BF 101.36 million and £858 870;

– in 1993: BF 84.10 million and £37 800.

7. These estimates are broken down by category. In Chapter A. I, personnel costs are calculated on the basis of indemnities for loss of job to be paid to officials who did not wish to move to Brussels (seven officials with contracts of indefinite duration and fifteen with fixed-term contracts). They also take into account removal expenses, installation allowances and expatriation allowances for staff qualifying for this because of their transfer to Brussels and also the cost of keeping four officials in London (one grade A and three grade B) to ensure continuity of work and to avoid any interruption in the administration of the Secretariat-General.

8. Chapter A. II, Travel, contains estimates for travelling costs to Brussels for staff responsible for finding premises for the new seat, while expenditure corresponding to the initial management of the building in the rue de la Régence and to the move from London are set out in Chapter A. III and the cost of purchasing certain equipment in Chapter A. IV.

9. Finally, the costs of carrying out work to adapt the building to meet the necessary security requirements were included in the transfer budget. They amount to BF 35.44 million.

10. In the pensions budget, a sum of £ 283 400 was authorised for the payment of leaving allowances or pensions, whichever was appropriate, to officials who did not move to Brussels with the Secretariat-General.

11. It should be pointed out that the installation of the Secretariat-General raises a twofold problem connected, on the one hand, with the termination of the lease on the former seat in London and, on the other hand, with the long-term use of the building where the new seat is located since it would appear that the owner of the latter has made a proposal to sell it. Solving these problems will inevitably have financial implications which do not appear in the transfer budget. The question might therefore have to be tackled when the budgets for future financial years are examined.

III. The budget of the Secretariat-General for 1993 – Section A

12. The budget of the Secretariat-General for 1993 has five sections, the fourth (space studies) and the fifth (Planning Cell) having been added to the three in previous budgets. They should be examined separately.

13. Section A is specifically devoted to the expenditure of the Secretariat-General. Your Rapporteur has noted that the latter's budget was examined very closely by the WEU Budget and Organisation Committee which was able to recommend that the Council approve it only in March 1993 after several meetings held between November 1992 and February 1993. However, that committee considered it necessary to introduce a procedure for revising budget estimates at the end of the first half of 1993 (mid-way review) to allow a subsequent study of these estimates on the basis of experience, particularly those relating to the creation of new posts.

14. As shown in the recapitulatory table at Appendix II, the net total of the operating budget of the Secretariat-General amounts to BF 259 745 090, i.e. a growth rate of 76.83% compared with 1992. The net grand total (operating budget plus pensions budget) amounts to BF 286 610 090, i.e. an increase of 68.06%.

15. In view of this increase, the Secretariat-General gave the following details in document B (93) 3 Revised, Part II, paragraphs 4, 10, 11 and 12:

" 4. The seat of the Council and of the Secretariat-General was transferred to Brussels early in January 1993. The budget for 1993 has been prepared on the basis of existing policies, but the move to Brussels has had a considerable impact upon its compilation. While all aspects of the budget have been affected by this to some degree or other, the principal impact is upon 'Operating costs'. These are substantially affected by the very large increase in costs relating to the new office accommodation when compared with London."

" 10. Chapter A.I, Personnel costs (Secretariat-General), reflects an increase (see CR (92) 27 and list at Annex C) in the number of posts on the establishment for 1993. It also includes the one A2 post which was approved earlier (C-B (92) 12) to be responsible for the administrative, budgetary and accounting functions of the Planning Cell."

" 11. The provision in Chapter II, Travel, formerly (B (92) 35 and B (93) 3) reflected higher air fares in Brussels as well as the Secretary-General's proposal to increase the 1992 provision for 'other journeys' by 10% in real terms to cover increased WEU activity. It now reflects the 'across the board' reduction (BF 1 319 000) made by the Budget Committee at its 150th meeting (BR (92) 7) and a further reduction made by the Secretariat for travel to Luxembourg from Brussels by train only."

" 12. Chapter A.III, Operating costs, has increased substantially compared with 1992. This is entirely due to the cost of renting and running the new building in Brussels. The increase in Chapter IV, Capital purchases, is due to the provision for a new official car for the Secretary-General although the Budget Committee may wish to consider the option of a leasing contract instead. Chapter A-V contains token sums to cover minor contingencies for adjustments to fire precautions and to possible security improvements which might prove necessary from experience in the new building in the course of 1993. These three chapters also now include the amendments made in BR (92) 7."

16. The revision of the organogram has been done progressively. The latest proposals were submitted to the Budget and Organisation Committee for the mid-way review on 30th August 1993.

17. The organogram at Appendix III.1 includes these proposals, which have not all been accepted. Compared with 1992, the 1993 table of establishment, as approved by the Budget and Organisation Committee, shows the creation of eleven new posts (four grade A, 2 grade B and 5 grade C) and the regrading of a number of posts in the previous organogram. The most important changes are due to the strengthening of the Political Division by the creation of a Security Policy Section and a Defence Policy Section and to the separation of financial tasks from administrative tasks, entrusted respectively to a Financial Section under the direct authority of the Deputy Secretary-General and to a series of administrative services under the authority of the Head of Administration.

18. The reasons for separating financial tasks from more specifically administrative tasks – this separation having led to the creation of three new posts (one grade A and two grade B) can be understood only in terms of the need to ensure more effective internal control and as a response to the principle of incompatibility between these tasks.

19. Your Rapporteur cannot comment on this matter but he must point out that the organogram does not reveal all the administrative tasks. For instance, there is no reference to staff administration. One has to refer to the description of the post of Head of the Administrative Division, annexed to document B (92) 37 Addendum, to see that he is also responsible for this task. Clearly it will be for the relevant bodies of the Secretariat-General to verify the precision of the new organogram and to make any changes that may be necessary.

20. It should also be pointed out that, while the new organogram includes some significant changes, it was studied in depth by the Budget and Organisation Committee without the latter asking, as has been the case in the past, for a study to be made by outside experts. It has therefore assumed its responsibilities by acting within the framework of its institutional competence. The Assembly can but be gratified and hope that the same procedure will be followed when its proposal for the reorganisation of its own services are considered.

21. Finally, it will be seen that the major changes to the organogram of the Secretariat-General have only limited implications for the 1993 budget since recruitment for the new posts has been effected gradually throughout the year. This will not be so next year as the 1994 budget will be affected by the implications of the new posts for the whole year.

IV. The budget of the Secretariat-General for 1993 Sections B, C and D

22. Sections B, C and D of the budget of the Secretariat-General call for no special comment. The first section sets out the implications of the Secretariat-General assuming responsibility for the payment of pensions to retired staff of the former ministerial organs in Paris. These pensions represent a sum of FF 11 341 346 in the budget (see Appendix IV), i.e. an increase of 8% compared with the previous year.

23. Section C contains the operating budget of the Agency for the Control of Armaments whose seat is still in Paris. The sum of FF 828 428 (see Appendix IV) covers the salary of a permanent grade A official with control duties, the cost of his official journeys and expenditure on information.

24. Section D includes 2.5 m. ecus (£1 754 597) allocated by the Council for the second stage of the study on medium- and long-term space co-operation. It should be pointed out that the first stage of this study was financed partly by the WEU budget (4.5 m. ecus or £3 151 800), expenditure relating to members of the study group being borne by the respective countries, and that the Council of Ministers, at its meeting in Rome on 20th November 1992, decided to carry over to the financial year 1993 outstanding credits (£1 344 974) remaining after deduction of the cost of the first stage, i.e. £1 806 826.

VI. The budget of the Secretariat-General for 1993 Section E

25. In 1993, for the first time, the budget of the Secretariat-General includes a Section E showing estimates for operating the Planning

Cell that the Council of Ministers decided to set up in Petersberg on 19th June 1992 (see Appendix IV).

26. The Cell, which became operational in 1993, was given an establishment of forty persons – thirty-five military and five civilians. Only three of the latter are covered by WEU's own budget, the others being financed directly by their own countries.

27. This being so, the Cell's budget for 1993 provides the sums necessary to pay the salaries of three officials (one grade B4, one grade B3 and one grade B2) and to allow the Cell to operate during the year. The breakdown is as follows: BF 6 845 000 under Chapter E. I, Personnel costs, BF 4 000 000 (of which BF 2 000 000 are blocked) under Chapter E. II, Travel, BF 19 796 250 under Chapter E. III, Other operating costs, and BF 285 000 under Chapter E. IV, Purchases. With particular regard to Chapter E. III, it is interesting to note that there is a sum of BF 13 237 250 corresponding to the Cell's share in the cost of renting and managing the building in which it has its seat.

28. For the mid-way review of 30th August 1993, which also took into account the budget of the Planning Cell, the Director drew the Budget and Organisation Committee's attention to the provisional and approximate nature of estimates in this budget which have, moreover, proved insufficient. They were worked out at a time when neither the tasks nor the working conditions of the Cell were really known and it was thus impossible to base them on experience.

29. The value of these arguments must not be disregarded. While recognising that the work of any organ must be programmed within the limits of the budget earmarked for this purpose, it is once these limits have been fixed that needs must be assessed so as not to be detrimental to the essential work of the organ concerned. The Assembly wishes this criterion to be borne in mind when the next budget of the Planning Cell is prepared.

30. The Director of the Planning Cell also raised the problem of his responsibility for managing the budget of the Cell which seems to be in the category of a subsidiary organ of WEU within the meaning of Article VIII of the modified Brussels Treaty. In this connection, the Budget and Organisation Committee, dealing with this question, gave the following details on 28th June 1993:

“With the exception of Chapter III, which remains the responsibility of the Head of Administration, the responsibility and the decision-making of the Planning Cell budget lay with the Director of the Planning Cell, who has to comply with the existing financial regulations,

remaining within the approved budget. The rôle of the Secretariat-General consists in the financial control of the execution of the budget in respecting the existing regulations, maintaining the bank accounts and ordering the payments as well as keeping of the financial records. Article 6 of the Financial Regulations would have to be amended accordingly. (Rôle of the Director, Planning Cell.) Finance Section will circulate a proposal."

31. It is to be hoped that the opinion thus expressed by the Budget and Organisation Committee is not considered final and that the conditions for managing the Cell's budget can be reconsidered in the interest of the service.

VI. The budget of the Institute for Security Studies

32. After two years' work, it was possible to assess the needs of the Institute for Security Studies with some degree of accuracy. In presenting the budget for 1993, the Director of the Institute said the Institute had reached a stage in its operational development that meant the resources available to him for 1992 had been found to be too limited. He had therefore had to ask for an increase in the staff of the Institute with the addition of three new posts (one grade A research fellow as from 1st July 1993, one grade B bookkeeper and another grade B bilingual shorthand typist at the beginning of the year), the regrading of a grade B 4 post to B 5 and an increase in estimates for other operating costs.

33. The WEU Budget and Organisation Committee did not endorse the proposals concerning the organogram of the Institute (see Appendix V) in which only minor changes were made compared with the previous year.

34. Conversely, an increase of 10.61% was granted under Chapter II, Travel. The increase of 10.52% under Chapter III, Other operating costs, does not take into account the additional sums granted to the Institute in 1992 for activities assigned to it in relation to Central and Eastern European countries.

35. Sums approved under the other chapters of the budget correspond to the normalisation of the management of the Institute's affairs.

36. The operating budget of the Institute for 1993 as a whole (see table at Appendix VI) shows a growth rate of 8.72% compared with the ordinary budget for 1992. Your Rapporteur has no comment to make on this subject.

VII. The budget of the WEU Satellite Centre

37. When presenting the budgets of the ministerial organs of WEU for 1992 to the Assembly on behalf of the Committee on Budgetary Affairs and Administration, the Rapporteur said that the budget of the WEU Satellite Centre was in the process of being examined by the Council and that it could be taken into account only when the next report was presented.

38. The figures for 1992 set out in the table comparing the 1992 and 1993 budgets (see Appendix VII) show that work is only just beginning as can be seen in particular from the fact that only some of the staff shown on the organogram had been recruited. The initial remarks that accompanied the budget proposals for 1993 mention this situation:

"The main reason for the reduction in the pace of establishing the Centre has been the delay, currently of four months, in taking the decision of which consortia should be selected to supply the initial operational equipment for the Centre. As a consequence the Director has delayed the appointment of most of the staff. In addition it has not been essential to move the staff who have been appointed from the temporary accommodation being provided at Torrejón by INTA into the refurbished building on the Spanish air base until all building work is complete."

39. Hence one should refer directly to the 1993 budget, although a comparison with estimates for the previous financial year allow an idea to be obtained of the evolution of the process of making the Satellite Centre operational.

40. In 1993, the Centre should have recruited most of the staff (see Appendix VIII) shown on its organogram. The recruitment of these staff, which is being done gradually, will certainly, at the end of the year, lead to savings under Chapter I, Personnel costs, to which the Director of the Centre referred in the mid-term review on 30th August 1993. The other chapters of the budget, whose structure is in conformity with those of the budgets of the other ministerial organs, call for no comment.

41. However, it should be stressed that there is a peculiarity in the management of the Satellite Centre that its Director pointed out in his mid-term report:

"The Satellite Centre will frequently need to enter into multi-year commitments or place a contract in one year with the majority of the expenditure falling in a later year. A particular case has arisen regarding the need to place a contract for the maintenance and support for the operational equipment currently being

installed in the Centre. It is now apparent that to achieve a smooth transition between the procurement phase which ends in December 1993 and the support phase, the contract will need to be in place before the end of 1993 and before the 1994 budget is approved. As this situation was not foreseen when the 1993 budget was prepared, a request for approval in accordance with Article 4d of the Financial Regulations of WEU was not included¹. However, expenditure on maintenance in the later years of the experimental phase has been foreseen in all estimates of completing the phase within the ceiling budget.”

42. The Centre's request to the Budget and Organisation Committee to be authorised to commit expenditure in 1993 of up to 150 million pesetas for each of the financial years 1994 and 1995 for maintenance and support for its equipment and software therefore seem justified.

VIII. Action taken on Assembly Recommendation 521

43. In adopting Recommendation 521 (see Appendix X), the Assembly recommended that the Council:

“ 1. Give the Secretariat-General the wherewithal to exercise its activities during a period which, although transitional, is no less important and complex;

2. Notify the Assembly of any structural changes that are envisaged on the occasion of the transfer of the Secretariat-General to Brussels and of the measures taken in respect of staff not wishing to be transferred;

3. Inform the Assembly of decisions taken in regard to staff policy in the framework of the co-ordinated organisations, particularly in respect of the financing of the pension scheme.”

44. In its reply to this recommendation, the Council gave an assurance that the first two points would be examined in a constructive spirit. On the financing of the pension scheme, it said this was still being studied by the Co-ordinating Committee on Remunerations (CCR).

1. According to this article, “ Items of expenditure involving the commitment of funds for more than one financial year shall be annotated and the expected incidence of the expenditure for each financial year shown separately ”.

45. Analysis of the Secretariat-General's budget has allowed your Rapporteur to note that the Council has indeed tried to give that body the wherewithal to exercise its activities during the transfer of its seat from London to Brussels and in the subsequent stage of reorganising its services.

46. The question of the financing of the pension scheme, however, is still just as important. The Assembly wishes to be informed of the conclusions of the study being conducted on this question.

47. In the context of staff policy, the problem of the social security illness coverage for permanent staff serving in France is worthy of mention. They are currently insured by a joint system in which the French social security system intervenes first (in accordance with the agreement between the Government of the French Republic and WEU on the application of French social security legislation to staff employed by that organisation in France with subsequent complementary intervention by a private insurance company, the AGF.

48. At present, this system costs:

(a) French social security cover: 20.75% of basic salaries (6.80% by the staff member and 13.95% by the employer);

(b) complementary insurance cover: 4.80% of total salaries (1.60% by the staff member and 3.20% by the employer).

49. Your Rapporteur has been informed that the OECD has already tackled the same question and, as from 1st January 1993, introduced a private insurance scheme after terminating its convention with the French Government. The Council of Europe has also carried out a study of the same subject (see document AS/Bud (44) 20). On the basis of the OECD's experience and in accordance with the conclusion of the Council of Europe study, it may be estimated that WEU could change to a private insurance scheme which would cost a global premium of about 8 to 10% of total remunerations. The significant savings that this would involve for staff and the organisation are quite clear.

50. It is interesting to note that such a private insurance scheme had already been adopted for staff in London and is now in force for staff in Brussels. Contributions to this scheme now amount to 8.531% of total remunerations. There is thus definite interest in carrying out an in-depth study of this problem in consultation and in agreement with the staff. The Assembly wishes to be kept informed of the action taken on this matter.

APPENDIX I

Funding table for transfer expenditure

1992: Funds to be called in 1992 for 1st January 1993

1993: Funds to be called in 1993

	1992		1993		Total	
	BF	£	BF	£	BF	£
	million		million		million	
Chapter I Personnel Costs ...	(a) 16.62	571 270	(b) 12.45	—	29.07	571 270
Chapter II Travel	—	17 000	—	—	—	17 000
Chapter III Other Operating Costs	(c) 27.20	25 000	71.65	—	98.85	25 000
Chapter IV Capital Purchases .	22.10	—	—	—	22.10	—
Chapter V Buildings	35.44	—	—	—	35.44	—
Chapter A.I.A. Pensions	—	(d) 245 600	—	37 800	—	283 400
TOTAL	101.36	858.870	84.10	37 800	185.46	896 670

Notes (a) Includes BF 1.8 m for expatriation allowances, BF 8.8 m installation allowances, BF 5.52 m consultants and BF 0.5 overlap of staff = BF 16.62 m.

(b) Balance of expatriation allowances (i.e. BF 14.25 m less BF 1.8 m)

(c) Rent first quarter 1993 : BF 18.2 m }
 Service charges first quarter 1993 : BF 6.0 m } BF 27.2 m
 Insurance annual pre-payment : BF 3.0 m }

(d) Leaving allowances : £233 000 }
 Pensions first quarter 1993 : £ 12 600 } £245 600

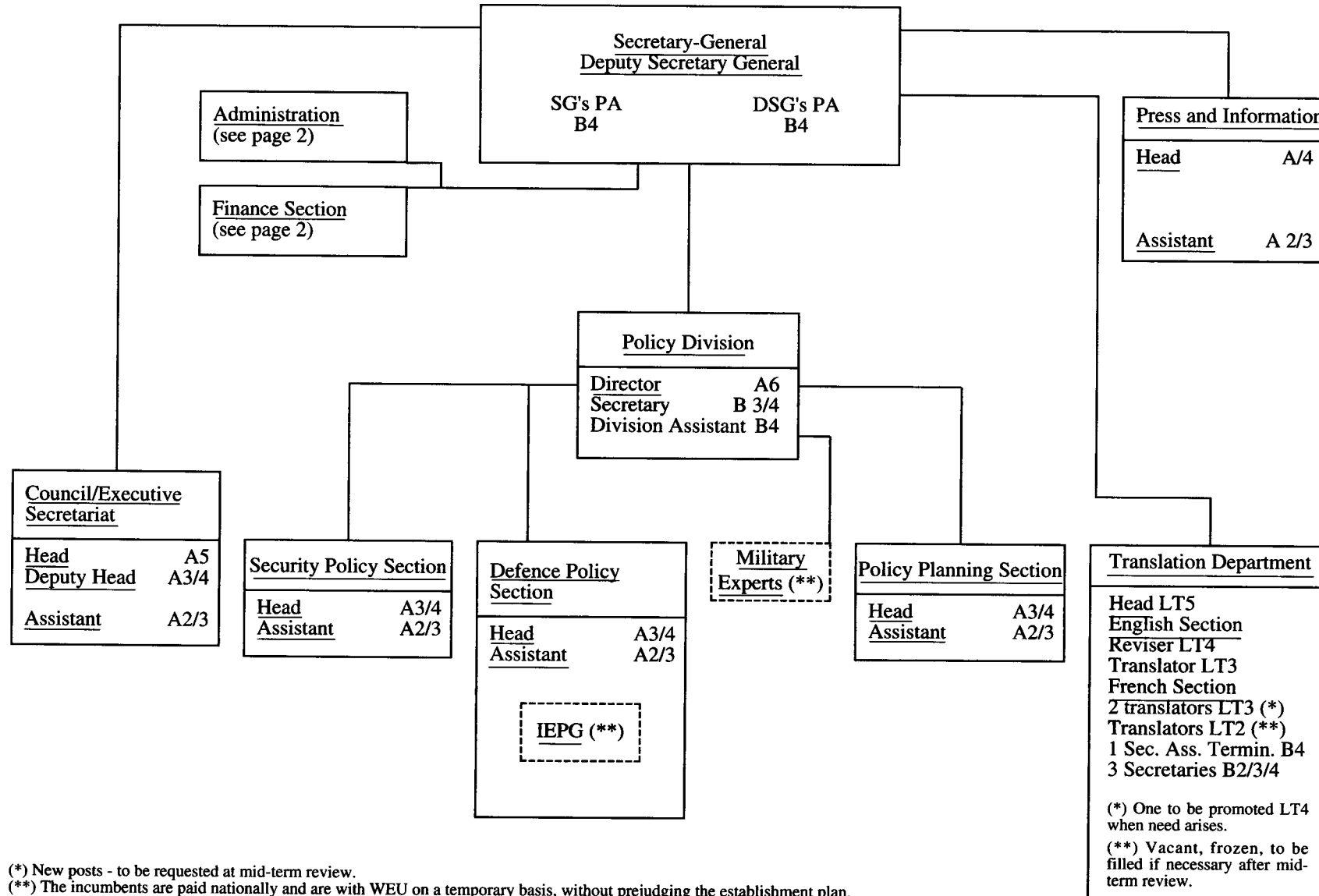
APPENDIX II

*Summary of estimated expenditure and income
of the Secretariat-General for 1993*

	Expenditure /income 1991	Credits approved for 1992 (a)	Credits proposed for 1993	Difference between 1993 and 1992	
				(BF)	(%)
<i>Expenditure</i>					
Personnel costs	2 925 963	186 016 327	236 107 940	50 091 613	26.93
Travel	91 705	6 686 640	4 574 000	- 2 112 640	- 31.59
Other operating costs	339 225	22 703 492	96 815 250	74 111 758	326.43
Purchases	28 329	1 421 237	2 438 000	1 016 763	71.54
Buildings	7 067	88 800	60 000	- 28 800	- 32.43
TOTAL	3 392 289	216 916 496	339 995 190	123 078 694	56.74
<i>Income</i>					
WEU tax	1 073 826	68 458 880	78 729 000	10 270 120	15.00
Other receipts	59 410	1 568 800	1 521 100	- 47 700	- 3.04
TOTAL	1 133 236	70 027 680	80 250 100	10 222 420	14.60
NET TOTAL	2 259 053	146 888 816	259 745 090	112 856 274	76.83
Pensions	408 435	23 656 320	26 865 000	3 208 680	13.56
TOTAL	2 667 488	170 545 136	286 610 090	116 064 954	68.06
	B (92) 14 Page 13	C-B (91) 15 B (92) 12	C-B (93) 1		

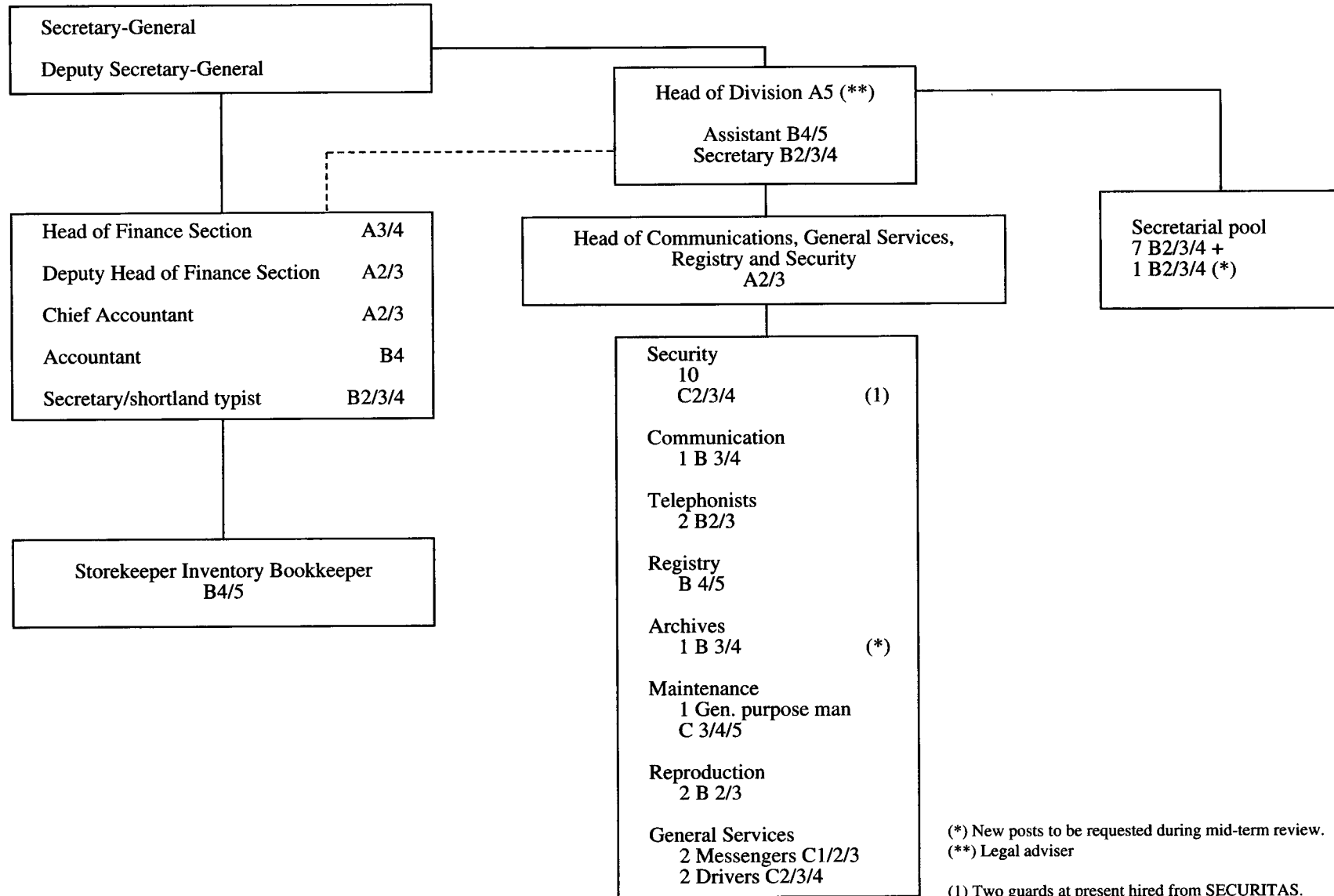
Note (a) Includes amounts brought forward from 1992 (B (92) 12).

1. Organogram of the Secretariat-General



(*) New posts - to be requested at mid-term review.
(**) The incumbents are paid nationally and are with WEU on a temporary basis, without prejudging the establishment plan.

Administration



(*) New posts to be requested during mid-term review.
 (**) Legal adviser
 (1) Two guards at present hired from SECURITAS.

2. Establishment of the Secretariat-General

Function	1992	Variations in 1993	1993
Secretary General	HG		HG
Deputy Secretary General	HG		HG
SG'S Personal Asst.	B4		B4
DSG's Personal Asst.	B4		B4
<i>I. Policy Division</i>			
Director	A6		A6
Secretary	B3/4		B3/4
Asst. of Division	B4		B4
<i>Security Policy Section</i>			
Head of section		+ A3/4	A3/4
Assistant	A2/3		A2/3
<i>Defence Policy Section</i>			
Head of section		+ A3/4	A3/4
Assistant	A2/3		A2/3
<i>Policy planning Section</i>			
Head of section	A3/4		A3/4
Assistant	A2/3		A2/3
<i>II. Council/Executive Secretariat</i>			
Head	A4/5		A4/5
Deputy Head		+ A3/4	A3/4
Assistant	A2/3		A2/3
<i>III. Press & Information</i>			
Head	A3/4		A4 *
<i>IV. Translation Department</i>			
Head	LT.5		LT.5
Reviser/Translator	LT.4		LT.4
Translator	LT.3		LT.3
Translator	LT.3		LT.3
Translator	LT.2		LT.3 *
Secretary		+ B2/3/4	B2/3/4
Secretary		+ B2/3/4	B2/3/4
Secretary		+ B2/3/4	B2/3/4
Sec/Asst. (Terminology)		+ B2/3/4	B2/3/4
<i>V. Administration</i>			
Head of division	A4		A/5 *
Assistant	B5		B5
Secretary	B3		B2/3/4

* Regrading.

Function	1992	Variations in 1993	1993
<i>General Services</i>			
Head of General Services	A2		A2/3 *
Documentation (Registry)	B4		B4/5 *
Communication	B3/4		B3/4
Reproduction	B2		B2/3 *
Reproduction	B2		B2/3 *
Telephonists	B1		B2/3 *
Telephonists	B1		B2/3 *
Messenger/Stock-Keeper	C3		C2/3
Messenger	C2		C2/3 *
Driver	C3		C3/4 *
Driver	C3		C3/4 *
General Purpose		+ C3/4/5	C3/4/5
<i>Security Service</i>			
Security Guards	C3		C2/3/4 *
Security Guards	C3		C2/3/4 *
Security Guards	C3		C2/3/4 *
Security Guards	C3		C2/3/4 *
Security Guards	C3		C2/3/4 *
Security Guards	C3		C2/3/4 *
Security Guards		+ C2/3/4	C2/3/4
Security Guards		+ C2/3/4	C2/3/4
Security Guards		+ C2/3/4	C2/3/4
Security Guards		+ C2/3/4	C2/3/4
<i>Secretariat Service</i>			
Secretaries (POOL)	B2/3/4		B2/3/4
Secretaries (POOL)	B2/3/4		B2/3/4
Secretaries (POOL)	B2/3/4		B3/3/4
Secretaries (POOL)	B2/3/4		B2/3/4
Secretaries (POOL)	B2/3/4		B2/3/4
Secretaries (POOL)	B2/3/4		B2/3/4
Secretaries (POOL)	B2/3/4		B2/3/4
Secretaries (POOL)	B2/3/4	- B2/3/4	
Secretaries (POOL)	B2/3/4	- B2/3/4	
Secretaries (POOL)	B2/3/4	- B2/3/4	
Secretaries (POOL)	B2/3	- B2/3	
<i>Finance Section</i>			
Head of Section	A3/4		A3/4
Chief Accountant PC		+ A2/3	A2/3
Chief Accountant SG	A2		A2/3 *
Accountant	B4		B4
Storekeeper		+ B4/5	B4/5
Secretary		+ B2/3	B2/3
TOTAL STAFF	53	+ 11	64

* Regrading.

APPENDIX IV

*WEU budget estimates for 1993
Proposed expenditure and income*

	Section A Brussels	Section B EX-PMO Paris	Section C ACA Paris	Section D Space Studies	Section E Planning Cell
	(BF)	(F)	(F)	£	(BF)
<i>Expenditure</i>					
Personnel costs	236 107 940	0	1 240 200	0	6 845 000
Travel	4 574 000	0	14 500	0	* 4 000 000
Other operating costs ...	96 815 250	0	2 500	0	19 796 250
Purchases	** 2 438 000	0	0	0	285 000
Buildings	60 000	0	0	0	0
TOTAL	339 995 190	0	1 257 200	0	30 926 250
<i>Income</i>					
WEU tax	78 729 000	0	413 600	0	2 236 000
Other receipts	1 521 100	0	0	0	174 000
TOTAL	80 250 100	0	413 600		2 410 000
NET TOTAL	259 745 090	0	843 600		28 516 250
Net pensions	26 865 000	11 474 000	0		- 224 000
TOTAL	** 286 610 090	11 474 000	843 600	1 754 597	* 28 292 250
Budget surplus 1991 (-) (B (92) 14 P.5)	***	42 654	15 172		
Net contributions 1993	286 610 090	11 431 346	828 428	1 754 597	28 292 250
Difference:					
(a) 1993 total compared with approved 1992 budget C-B (91) 15 and including credits brought forward to 1992 (B (92) 12)	+ 68%	+ 8%	+ 13.6%		
(b) 1993 total compared with approved 1992 budget C-B (91) 15; excluding credits brought forward to 1992 (B (92) 12)	+ 69%	+ 8%	+ 13.6%		

* BF 2 000 000 blocked.

** BF 1 200 000 blocked and BF 1 015 000 frozen.

*** The surplus on the 1991 Secretariat-General budget is in Sterling. It amounts to 213 372. It is returnable to member states in 1993. Special arrangements will be made for its return separately.

APPENDIX V

*Table of establishment
of the Institute for Security Studies*

Post No.	Grade(s) of Post	Function
ISS 1	H.G.	Director
ISS 2	B.4 (proposed for regrading to B5)	Assistant to the Director
ISS 3	A.2/A.3/A.4	Research Fellow
ISS 4	A.2/A.3/A.4	Research Fellow
ISS 5	A.2/A.3/A.4	Research Fellow
ISS 6	A.2/A.3/A.4	Research Fellow
ISS 24	A.2/A.3/A.4	Research Fellow
ISS 7	B.3/B.4	Assistant/Shorthand typist
ISS 8	B.3/B.4	Assistant/Shorthand typist
ISS 9	B.3/B.4	Assistant/Shorthand typist
ISS 10	A.4/A.5	Head of Administrative Services
ISS 11	L.3/L.4	Translator/Interpreter
ISS 12	L.3/L.4	Translator/Interpreter
ISS 13	B.4	Administrative Assistant/Shorthand typist
ISS 14	B.4/B.5	Book-keeper
ISS 15	B.4	Information assistant
ISS 16	C.4	Chief Security Guard
ISS 17	C.3	Security Guard
ISS 18	C.3	Security Guard
ISS 19	C.3	Security Guard
ISS 20	C.3	Security Guard
ISS 21	C.3	Security Guard
ISS 22	B.3	Switchboard operator
ISS 23	B.4 *	Technical and administrative assistant (building and general services)
New post requested		
ISS 25 **	A.2/A.3/A.4	Research Fellow
ISS 26	B.2/B.3	Shorthand typist
ISS 27	B.2/B.3	Book-keeper II

* Graded B.5 in a personal capacity.

** As from 1st July 1993.

APPENDIX VI

**Recapitulatory table of estimated expenditure and receipts
of the WEU Institute for Security Studies for 1993**
(amounts and percentages in brackets take into account the supplementary budget for 1992)

	Expenditure/ in 1991	Credits approved for 1992	Credits approved for 1993	Difference between 1993 and 1992	
	(F)	(F)	(F)	(F)	(%)
<i>Expenditure</i>					
Personnel costs	12 924 088	14 624 000	16 157 700	1 533 700	+ 10.48
Travel	235 622	330 000	365 000	35 000	+ 10.61
	1 225 915	1 900 000	2 100 000	200 000	+ 10.52
		2 400 000		- 300 000	+ 12.5
Operating costs specific to the Institute	642 904	780 000	814 000	34 000	+ 4.35
Purchases	199 575	140 000	100 000	- 40 000	- 28.06
Share of the Institute in joint expenditure on the premises ..	1 364 067	1 502 100	1 553 000	50 900	+ 3.39
<i>Total</i>	16 592 171	19 276 100	21 089 700	1 813 600	+ 9.41
		19 776 100		1 313 600	+ 6.64
<i>Income</i>					
WEU tax	4 605 583	5 171 000	5 774 700	603 700	+ 11.67
Other receipts	202 695	120 000	110 000	- 10 000	- 8.33
<i>Total</i>	4 808 278	5 291 000	5 884 700	593 700	+ 11.22
Operating net	11 783 893	13 985 100	15 205 000	1 219 900	+ 8.72
		14 485 100		719 900	+ 4.97
<i>Pensions</i>					
Expenditure	77 729		882 300	882 300	
Receipts	419 801	441 000	509 300	68 300	
<i>Total</i>	342 072	441 000	* - 373 000	- 814 000	

* To be borne by the special account opened for this purpose.

APPENDIX VII

Summary of estimated expenditure and income of the WEU Satellite Centre for 1993

	Credits approved for 1992	Credits proposed for 1993
Estimated expenditure	Millions of pesetas	Millions of pesetas
I. Personnel costs	288.50	541.44 ¹
II. Travel	11.60	27.90
III. General operating costs	143.20	145.82
IV. Mission operating costs	32.20	143.00
V. Capital expenditure	791.90	866.07
Contingencies	86.60	14.44 ²
Total current costs	1 354.00	1 738.67
<i>Income</i>		
VI. WEU tax	81.10	158.30
VII. Other receipts	0.00	15.80
Operating income	81.10	174.10
Net operating costs	1 272.90	1 564.57
<i>Pensions</i>		
P.I. Expenditure	0.00	0.00
P.II. Income	7.20	14.10
Net pension income	7.20	14.10
Net expenditure	1 265.70	1 550.47

1. Pesetas 3.71 million frozen.

2. Pesetas 14.44 million frozen.

APPENDIX VIII

Table of establishment of the WEU Satellite Centre

Post No.	Grade(s) of Post	Function
WEUSC 1	A6	Director
WEUSC 2	A5	Head of Implementation
WEUSC 3	B4	Personal Assistant to Director and Head of Implementation
WEUSC 4	A4	Head of Operations & Training Division
WEUSC 5	B3/4	Secretary to Head of Operations and Training Division
WEUSC 6-9 *	A2/3	Instructor/Senior Interpreter
WEUSC 10-24 *	A1/2	Imagery Interpreter
WEUSC 25	A1/2	Head of Photolab
WEUSC 26-27	B3	Photographic Assistant
WEUSC 28	A4	Head of Scientific Support Division
WEUSC 29-30	A3/4	Researcher
WEUSC 31	A4	Head of Informatics Division
WEUSC 32-33	B3/4	ADP Support Officer
WEUSC 34	A2	Database Network Manager
WEUSC 35-36	B3	Database Operator
WEUSC 37	A4	Head of Administration and Personnel Division
WEUSC 38	B3/4	Secretary to Head of Administration and Personnel Division
WEUSC 39-40	B1/2	Typist
WEUSC 41	A1/2	Head of General Services Section
WEUSC 42-43	C3	Security Guard
WEUSC 44-45	C3	Technical Assistant
WEUSC 46	A3	Head of Section Finance and Budget
WEUSC 47-48	B4/5	Financial/Administrative Assistant
WEUSC 49-50	B3	Documentation Clerk/Librarian

* Includes proposed change of upgrading one Interpreter post to Senior Interpreter post.

APPENDIX IX

*Extract from Document AS/Bud (44) 20 "Activities of the Administration and staff policy at the Council of Europe in 1992"**Social insurance for permanent staff*

Permanent staff are currently insured against accidents and illness by a combined system involving, primarily, the French social security scheme and, subsidiarily, a scheme run by a private company, AGF.

In 1991 the Administration was asked to reopen the debate on the desirability of switching to a wholly private scheme. The same debate led a few years previously to a decision to remain within the social security scheme.

It is indeed widely held by staff members that the price of our affiliation to social security is too high and that it would be advisable to follow the course embarked upon by other co-ordinated organisations, most recently OECD, by electing to entrust all welfare coverage to a private insurance company.

In response to a request by the General Meeting of Staff, the Administration has commissioned a study from an outside expert whose report, presented to the staff in June, considers six different possibilities, among them the retention of the current arrangement and a switch to a private insurance scheme.

Meanwhile, the Administration also asked the Council's insurance broker to estimate the cost of wholly private coverage offering equivalent guarantees to those which the staff currently enjoy.

According to the broker's reply, the aggregate premium rate would be in the region of 8% of total emoluments. By way of comparison, the present aggregate rate calculated on the same basis (total emoluments) stands at 21.63%, of which 8.21% is borne by the staff.

In the light of the broker's reply, the Administration considered that it would be advisable to keep the matter under consideration and define in detail the contingencies to be covered, the extent thereof and the desired guarantees with a view to preparing a list of requirements and a call for tenders.

A joint working party has accordingly been set up and the list of requirements is in preparation.

Irrespective of the results achieved, a change in the system will obviously be contemplated only after consultation – and with the consent – of the staff. Furthermore, should such a change be made, staff members would retain the possibility of remaining under the existing scheme.

APPENDIX X

RECOMMENDATION 521 ¹*on the budgets of the ministerial organs of Western European Union
for the financial year 1992* ²

The Assembly,

(i) Considering that:

- (a) in Maastricht the ministers of the WEU member countries decided to transfer the Secretariat-General of WEU to Brussels;
- (b) the budget of the Secretariat-General of WEU for 1992 does not consider the financial implications of this transfer and is therefore of a provisional nature;
- (c) credits in this budget, in particular those relating to the mission expenses of members of the Secretariat-General of WEU, are estimated on the basis of restrictive criteria;
- (d) the budget of the Institute for Security Studies sets out the financial requirements of that Institute without modifying the organogram authorised last year;
- (e) the budgets of the ministerial organs of WEU are extremely cost-effective;
- (f) problems relating to staff policy are still being studied by the co-ordination bodies concerned and that, among these, the problem of financing the pension scheme is becoming increasingly important;

(ii) Welcoming the fact that the budgets of the ministerial organs of WEU are presented clearly and efficiently and allow a detailed examination of those organs' needs,

RECOMMENDS THAT THE COUNCIL

1. Give the Secretariat-General the wherewithal to exercise its activities during a period which, although transitional, is no less important and complex;
2. Notify the Assembly of any structural changes that are envisaged on the occasion of the transfer of the Secretariat-General to Brussels and of the measures taken in respect of staff not wishing to be transferred;
3. Inform the Assembly of decisions taken in regard to staff policy in the framework of the co-ordinated organisations, particularly in respect of the financing of the pension scheme.

1. Adopted by the Assembly on 3rd June 1992 during the first part of the thirty-eighth ordinary session (5th sitting).

2. Explanatory memorandum: see the report tabled by Lord Mackie of Benshie on behalf of the Committee on Budgetary Affairs and Administration (Document 1303).

REPLY OF THE COUNCIL***to Recommendation 521***¹

1. The Council assures the Assembly that it will examine in a constructive spirit the proposals which the Secretary-General will submit to it in this regard.
2. Any changes of structure arising from the transfer will also be communicated to the Assembly together with the measures to be taken for the benefit of those staff unable to follow the organisation.
3. The question of the financing of the pension scheme is still being studied by the Co-ordinating Committee on Remunerations (CCR).

1. Communicated to the Assembly on 29th September 1992.

The European Corps

REPORT ¹

submitted on behalf of the Defence Committee ²
by Mr. Zierer, Rapporteur

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1. Adopted unanimously by the committee.

2. *Members of the committee:* Mr. Baumel (Chairman) ; MM. De Decker, de Puig (Vice-Chairmen) ; Mr. Alloncle, Mrs. Baarveld-Schlaman, MM. Borderas, Briane, Brito, Chevalier, Cox, De Carolis (Alternate: *Ferrari*), Dees, Dumont, *Fernandes Marques*, Ferrarini, Hardy, Irmer, Jacquat, Kelchtermans, Leccisi (Alternate: *Foschi*), Mrs. Lentz-Cornette, MM. van der Linden, Mannino (Alternate: *Paire*), Marten, Lord Newall (Alternate: *Sir Russell Johnston*), MM. Pecchioli, Reis Leite, Scheer, *Sir Dudley Smith*, *Sir Keith Speed*, MM. Steiner, Lopez Valdivielso (Alternate: *Lopez Henares*), Vazquez, Zierer (Alternate: *Müller*)

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

Draft Recommendation

on the European corps

The Assembly,

- (i) Welcoming the recent inauguration of the Strasbourg headquarters of the European corps;
- (ii) Aware that the European corps will not be able to carry out its three missions in full until the constitutional restrictions on the deployment of German troops outside national territory have been lifted;
- (iii) Noting that, in January 1993, the French and German Chiefs-of-Staff concluded an agreement with SACEUR on the use and tasks of the European corps, while no such formal agreement has yet been concluded with WEU;
- (iv) Welcoming Spain's decision and Luxembourg's intention to join the European corps and noting that both Italy and the Netherlands have shown their interest in developments;
- (v) Noting that Poland has made it known that it would like to be associated with the European corps;
- (vi) Considering that, for practical reasons, only a small number of different national forces could actively participate in an army corps, and that, as a consequence, more than one European corps may have to be established if more nations wish to contribute troops;
- (vii) Recognising the importance of the French-Italian-Spanish initiative to contribute to a pre-planned, ad-hoc, joint European air and naval force which would have an air and ground force deployment capability, ready to respond to WEU requirements and complementary to their deployment within the framework of NATO;
- (viii) Noting the urgent need for a full list of forces answerable to WEU;
- (ix) Noting the success of the joint military exercise Ardente 93 in October 1993, a good example of an exercise designed to prepare for the missions which will be assigned to WEU;
- (x) Aware that, as confirmed at the EC's extraordinary summit meeting on 29th October 1993, Western European Union will have to implement the various provisions embodied in the Maastricht Treaty and the annexed statements of WEU member states;
- (xi) Stressing the need for WEU, as the European Union's defence organisation and as the European pillar of NATO, to have full operational status in order to be effective;
- (xii) Convinced that the concept of "separable but not separate forces", which would enable WEU to act with the backing of NATO assets and infrastructure in the event of the United States not wishing to participate in a given mission, is the only reasonable and feasible solution to accommodate Europe's new security requirements;
- (xiii) Noting that a new balance must be established in the Atlantic Alliance so that Europe will be able to assume a greater share of responsibilities for security in Europe and beyond;
- (xiv) Stressing the need to maintain the defence budgets of WEU member states at an adequate level in order to ensure the maintenance of meaningful European military capabilities,

RECOMMENDS THAT THE COUNCIL

1. Provide itself with the means of action and draw up guidelines for any operation under WEU responsibility by concluding agreements with member states and NATO regarding the European corps and other forces which could be placed at WEU's disposal;
2. Urgently establish a full list of forces from member states which could be placed at WEU's disposal;
3. Promote the early establishment of a European air and naval force in the southern area, enabling Europe to deploy military forces rapidly in that region in case of emergency;
4. Seek any solution allowing links between WEU and SACEUR to be strengthened;

5. In co-operation with NATO, agree on a joint staff concept in order to ensure a proper command structure in the event of specific WEU operations;
6. Provide the material means and necessary guidelines for the effective functioning of all WEU bodies which have been established to implement the Maastricht Treaty for WEU to become, in co-operation with NATO, the instrument of European security policy;
7. Enhance military co-operation with its partners in the Forum of Consultation in order to extend security towards Central Europe.

Explanatory Memorandum

(submitted by Mr. Zierer, Rapporteur)

I. The start of a European security and defence policy

1. Since the end of the cold war, East-West confrontation and related political changes, the requirements for a European security policy have changed dramatically. Today, the deterrence and defence capability built up against the former Soviet Union is of less importance than a general crisis and conflict prevention and management capability, even if the mere existence of powerful military forces in the successor states of the Soviet Union still remains a possible source of danger for many years to come. Military peace-keeping and peace-enforcing means must remain a last resort, yet they still have to be taken into account.

2. The war in the Balkans has dramatically brought Europeans up against their shortcomings in these areas of action and has accelerated efforts to establish an effective strategy of war prevention and crisis control. We know today that we have failed – and not least because we in Europe were unable to agree on the steps to be taken. This prepared the way for horrible massacres and also allowed a brutal aggressor to occupy foreign territory without being punished. We allowed annexation. War in Europe became possible again. Since then, the old security policy adage that armed conflicts must be nipped in the bud is once more gaining importance.

II. Responsibility of Europeans

3. The United States, which restrained the dictator Saddam Hussein in such an impressive way and recently in Somalia stood firm on the side of international law and human rights, could not gain acceptance for intervention because of a lack of unity and resolve on the part of the Europeans. As a consequence, half-hearted measures were taken such as the imposition of a military no-fly zone and the control of Bosnian airspace by allied air forces. In the end, we all fell short of giving a clear signal to the aggressor to halt his attacks. The killing is continuing relentlessly.

4. We must take note of the fact that the United States cannot and does not wish to play the full rôle of world policeman any longer. The United States cannot in its own right, shoulder the responsibility of intervening in every area of violence in this troubled world. Its military and

financial resources could not bear the strain, nor can it any longer obtain a politically-sound public consensus on this subject. In the United States, certain neo-isolationist tendencies are becoming obvious, even in governmental circles. Because of all this, the question of where European responsibilities lie arises with unmatched acuteness. Europe is no longer a divided continent under direct threat from a powerful enemy. Consequently, Europeans are now free to defend themselves with their own forces against new risks and dangers.

III. Task-sharing in the alliance

5. On the other hand, NATO needs to shoulder new tasks, in particular as regards its relations with states of the former Warsaw Pact. In this framework, the rôle of European countries within NATO should also be redefined. Task-sharing in the alliance according to geographical areas of responsibility and according to the degree of challenge would enhance the effectiveness of the organisation. This means reinforcing the European pillar and developing an autonomous European security and foreign policy, not competing with but complementary to NATO, providing the community of Europe with urgently-needed coherence in foreign and security policy. WEU, which almost forty years ago was already on the verge of being given the rôle of Europe's security and defence organisation, presents itself as the authority to establish and lead this security policy aspect.

6. For the time being, we Europeans are not capable of managing on our own a protracted and distant military conflict without the help of the United States and all its options. Certain military resources, such as satellite intelligence, air and sea-lift capability, sea-borne airforces (aircraft carrier groups), are lacking or are only insufficiently available. The weapons systems used by European NATO member states are very different and incompatible in terms of munitions and spare parts. Soldiers of one country can do nothing or very little with the weapons and equipment of another allied country. This leads to limited efficiency and diminished combat value, and also higher costs because of the obligation to keep multiple stocks and separate logistics. On top of this, there are considerable difficulties through the use of various languages and different methods of training.

IV. Reinforcement of the European pillar

7. In the future, therefore, we need the highest possible degree of standardisation of European national armed forces and extensive co-operation. The vision of a European army is still unrealistic and existing forms of military integration fail to reach beyond corps level because of the objective obstacles mentioned above. Clearly, recognition of the shortcomings of nationally-organised security and defence is growing while, at the same time, as a result of the carnage in the Balkans, there is a growing readiness to give up certain national prejudices in the interest of greater stability.

8. When, on 14th October 1991, President François Mitterrand and Chancellor Helmut Kohl told the then President of the European Council, Ruud Lubbers, that, as a contribution to increased European responsibility for security and defence, they would form a Franco-German corps in which armed forces of other WEU member states could participate, it was not met with unanimous agreement. The United States was immediately afraid that this would drive a wedge between the allies. A more limited action by Europeans in security and alliance questions aroused worries in the United States lest American interests and the influence of the United States in Europe be jeopardised. There was also concern that Germany, together with France, which since as early as 1966 was no longer taking part in the military organisation of NATO, would loosen its ties with the alliance. At the same time, the Bush administration, in various statements, had already supported the establishment of a "European security identity" because it wished to be less involved in Europe. The then Chairman of the Joint-Chiefs-of-Staff, General Colin Powell, mentioned in the summer of 1992 that a European defence identity was "politically and militarily appropriate for the management of inter-regional crises, humanitarian operations and peace-keeping".

V. Common security policy

9. American objections have since been dispelled by a number of statements emanating from everyone concerned, and in particular the so-called SACEUR agreement. On the basis of a mandate given by the North Atlantic Council, SACEUR (Supreme Allied Commander Europe) and the Chiefs-of-Staff of the nations participating in the European corps signed an agreement on 21st January 1993 on the following issues:

- the tasks of the European corps in the framework of NATO, in particular regarding the implementation of Article 5 of the Washington Treaty (main defence/ crisis reaction) and apart from

this its tasks in peace-keeping and peace-enforcing and in humanitarian action;

- the conditions for subordinating the European corps to SACEUR (operational command) ;
- planning competence and liaisons between SACEUR and the commanding general of the European corps.

10. Through this "double-hatted principle", the European corps, within the framework of European institutions, can be assigned to both NATO and national authorities and has obtained a tangible and alliance-friendly form in which primacy has been given to NATO assignment. At the same time, France has come considerably closer to the military organisation of NATO. By subordinating its troops participating in the European corps to operational command, France is, according to experts, providing a contribution to the establishment of a European security component and to a reform of NATO which goes far beyond day-to-day policy. At the same time, it should be noted that this larger European armed unit could build on the experience of the Franco-German brigade which was established in the late eighties. Already in this earlier unit it had become clear that its importance would extend far beyond the stage of a bilateral experiment and that it would be the start of a broader European defence co-operation. Now, since Maastricht, it is clear in which direction it is moving. Article J4 of the Treaty on European Union states: "The common foreign and security policy shall include all questions related to the security of the union, including the eventual framing of a common defence policy, which might in time lead to a common defence."

VI. WEU as an institution for security policy

11. The foundations for closer security, defence and political co-operation were already established at the NATO summit meeting in Rome in 1991. In paragraph 52, the alliance's new strategic concept stated: "Integrated and multinational European structures, as they are further developed in the context of an emerging European defence identity, will also increasingly have a similarly important rôle to play in enhancing the allies' ability to work together in the common defence". Apart from this, it is made clear in the Maastricht Treaty that in the framework of crisis prevention, apart from political and military aspects, social-economic and ecological issues are playing an increasingly important rôle and will have to be co-ordinated. The scope for armed forces is accordingly becoming larger and capability for crisis management will become more important.

12. The agreement of La Rochelle, concluded on 22nd May 1992, establishes the schedule for setting up a 35 000 strong European corps by 1995. At the same time, it explicitly invites other countries to participate: the defence ministers are charged "to gain the participation of other WEU member states in the European corps". So far, Belgium has decided to participate and Spain and the Netherlands have sent liaison officers. The task of the European corps is stated as follows: "The corps can be deployed for the common defence of the allies according to Article 5 of the Washington Treaty or according to the Brussels Treaty. It can also be charged with measures for keeping or restoring peace and it can be deployed in the framework of humanitarian actions. National contributions to this unit do not affect the existing obligations towards other organisations." Consequently, on 1st October 1993, the command staff was established with a German general as first commander. Readiness for the deployment of certain staff with the Franco-German brigade in humanitarian actions is planned for 1st January 1994. On 1st July 1994, staff headquarters and the supporting staff battalion should be ready, while on 1st October 1994 all the participating troops should be ready for deployment.

13. The capabilities of the European corps – interoperability, divisibility, force projection, operational availability and endurance – ensure its usefulness for crisis solution and conflict management. Depending on the tasks assigned to it, more forces may be incorporated. The wide spectrum of possible tasks fits into the framework of the United Nations; according to the La Rochelle declaration and the SACEUR agreement, the deployment of the corps can take place under very different conditions, not only in the framework of WEU as "forces answerable to WEU" but also as a special contribution from Europe to NATO, "Euro-component". With the establishment of a multinational European corps, the objective of a common foreign and security policy of the European

Union as expressed in the Maastricht Treaty has been further achieved.

VII. Not without the United States

14. A new European security architecture, which has to be established in close co-operation with the Atlantic Alliance, will have to be closely involved in political and economic developments in the countries of the former Soviet sphere of influence.

15. The CSCE could also contribute to this when it is given a new mandate and it could prepare the ground for a future enlargement of NATO. It would be quite disastrous to consider the United Nations, NATO, CSCE, EC, WEU and the Council of Europe and all the options concerned with these institutions as being in competition with each other. All these institutions are connecting parts in the building of a common European home and in the establishment and preservation of peace and stability in Europe and the world. It would also be fatal to consider the European corps and the European component as being in competition with the regular alliance. The goals which we have set ourselves can be reached not through competition but through complementarity and task-sharing within the alliance and within Europe. With this complementarity, we can achieve a new burden-sharing with the United States, a burden-sharing which is adapted to the new and changed conditions. Nobody would think of diminishing the American influence and even less of forcing them out of Europe. Any form of American military presence in Europe is always welcome, but at the same time Europeans clearly understand that in the future they will have to rely more upon themselves. A start has been made with a better and more effective European security and defence policy. We must make a success of this modest beginning. It is in our interest to ensure that what happened in Yugoslavia can under no circumstances be repeated again.

The European corps

AMENDMENTS 1, 2, 3 and 4¹

tabled by Mr. Zierer, Rapporteur

1. In paragraph (iii) of the preamble to the draft recommendation, after “European corps”, leave out “while no such formal agreement has yet been concluded with WEU”.
2. After paragraph (iii) of the preamble to the draft recommendation, add a new paragraph as follows:
“Noting the existence of the joint declaration setting out the conditions for the use of the European corps in the framework of WEU and the understandings in this regard, although no details have been released;”
3. After paragraph (vii) of the preamble to the draft recommendation, add a new paragraph as follows:
“Aware of the recent Italian initiative envisaging a multinational ground force intended to enhance the operational significance of the abovementioned tripartite air and naval force;”
4. After paragraph 2 of the draft recommendation proper, add a new paragraph as follows:
“Communicate to the Assembly the text of the joint declaration setting out the conditions for the use of the European corps in the framework of WEU and the understandings in this regard and the text of the report on relations between WEU and forces answerable to WEU (FAWEU);”

Signed: Zierer

1. See 11th sitting, 1st December 1993 (amendments agreed to).

Declaration by the WEU Council of Ministers

Luxembourg, 22nd November 1993

The WEU Council of Ministers met in Luxembourg on 22nd November following on from the European Council of 29th October and the entry into force on 1st November 1993 of the Treaty on European Union.

Given the importance for WEU of the ratification of the Maastricht Treaty, Ministers focused their discussions on WEU's relations with the European Union and, with a view to the next alliance summit, on WEU's relations with the Atlantic Alliance. Ministers agreed that relevant statements in Part I of this document were intended as a European contribution to the alliance summit.

I

1. WEU Foreign and Defence Ministers warmly welcomed the entry into force of the Treaty on European Union, a decisive new stage in the process of European construction and in the establishment of a European security and defence identity. They reaffirmed their commitment to strengthen WEU's contribution in this connection. Implementing the Maastricht and Petersberg declarations contributes to this objective.

In this context and in accordance with Title V of the Maastricht Treaty, Ministers took note with satisfaction of the qualitative step forward which had been taken by the European Union in developing a common foreign and security policy and endowing the European Union with the means it needs to face the challenges and opportunities of the post-cold war period.

Ministers welcomed the fact that the links now established between the European Union and WEU were such that concrete form could now be given to the definition of a global concept of security in accordance with the aims and conditions of the Maastricht Treaty and recalled that European security included political, economic and military aspects. In parallel, WEU would continue to develop its activities on the basis of the guidelines established in the Maastricht and Petersberg declarations. In so doing, WEU would also contribute to the framing of common European defence policy. This might, in time, lead to a common defence. Thus WEU would reinforce the dynamic process of European Union.

Ministers acknowledged the importance for WEU of the conclusions reached by the Heads of State and Government at the European Council in Brussels on 29th October on the implementation of the common foreign and security policy of the European Union.

In this context, Ministers:

- reaffirmed that WEU was fully prepared to play its rôle in accordance with the Treaty on European Union and the Maastricht declaration of WEU member states and to respond to requests from the Union concerning its decisions and actions having defence implications;
- recalled the effort already initiated to develop WEU's operational capabilities and stressed the importance of actively pursuing this objective. This would enable European partners and allies more effectively to shoulder their defence responsibilities;
- endorsed the measures to ensure close co-operation between the European Union and WEU set out in Annex IV of Chapter IV of the conclusions of the General Affairs Council of 26th October on the implementation of the Treaty on European Union, which had been approved by the European Council on 29th October;
- reaffirmed their commitment to pursuing and completing the implementation of these measures.

Ministers agreed to reduce the period of the WEU Presidency to six months from 1st July 1994 as suggested by the European Council. They requested the Permanent Council to consider further the question of harmonising the Presidencies of the European Union and WEU and to report back.

2. Ministers reaffirmed the fundamental importance to European security and stability of a strong transatlantic partnership. Welcoming the continued engagement of North American allies in Europe, through their full and active participation in the Atlantic Alliance, including the presence of substantial military forces, Ministers stressed their resolve to develop WEU as the means to strengthen the European pillar of the alliance. They reaffirmed their belief that:

- the implementation of the Maastricht Treaty would bring greater cohesion to the European pillar and a more effective European contribution to the alliance;
- the development of the European security and defence identity would be an essential component of a renewed and strengthened transatlantic partnership;
- this would thereby contribute to the adaptation of the alliance to the new challenges.

They welcomed the further development of close working links in Brussels between WEU and the alliance. They recalled that the relations between the two organisations continued to be based on transparency and complementarity. They reaffirmed their decision to intensify their co-ordination on alliance issues representing an important common interest with the aim of introducing joint positions agreed in WEU into the process of consultation in the alliance. They underlined that the alliance remained the essential forum for consultation among its members and the venue for agreement on policies bearing on the security and defence commitments of allies under the North Atlantic Treaty.

In future crises, WEU and NATO should hold consultations, including as necessary through joint Council meetings, on whether and how they might co-operate.

Ministers welcomed the progress being made in adapting the structures of the alliance to the new challenges in the field of European security. They looked forward to the NATO summit which would provide an important opportunity for the alliance to continue the adaptation of its military structures and procedures in a way that reflected the increasing European rôle.

3. Ministers stressed the urgent need for WEU to develop further its operational capabilities and reaffirmed their countries' resolve to organise themselves in such a way that the contribution by Europeans to the alliance was strengthened and made more identifiable.

As the defence component of the European Union and as the means to strengthen the European pillar of the alliance, WEU would require the military capabilities necessary to enable WEU member states to shoulder their responsibilities, in particular for the tasks specified in the Petersberg declaration. Ministers recalled that the multinational European structures answerable to WEU would also contribute towards reinforcing the allies' capability to work together for their common defence.

Aware of the need to allow for specific European military options outside the cases of collective defence specified under Article 5 of the Washington Treaty, Ministers looked to the NATO summit to endorse the principle that WEU should be able to use not only European allies' forces and resources but also collective assets of the Atlantic Alliance such as communication systems, command facilities and headquarters. The circumstances and modalities of the application of this principle should be further explored, including, as WEU's own operational capabilities are developed, the possibilities of a corresponding use of these.

Ministers asked the Permanent Council, in consultation with the North Atlantic Council leading up to the NATO summit, to give full consideration to the ways in which the aforementioned objectives can be achieved and report back to their next meeting.

4. Ministers approved the report on the relations between WEU and forces answerable to WEU (FAWEU). They welcomed the designation by member states of multinational and national forces which could be put under the authority of WEU after sovereign decisions of the member states in accordance with their national constitutions. The European corps, the Multinational Division (Central) and the United Kingdom/Netherlands Amphibious Force had already been declared as multinational forces answerable to WEU.

Ministers warmly welcomed and endorsed the adoption of the joint declaration setting the conditions for the use of the European corps in the framework of WEU and the understandings in this regard.

They noted also the intentions of the nations contributing to the other multinational forces to propose arrangements for those forces.

Ministers welcomed and agreed to study the Italian initiative envisaging a multinational ground force aimed at enhancing the operational significance of the air-maritime initiative.

5. Ministers reaffirmed the importance they attached to WEU's relations with its Central European consultation partners. They recognised the need, in the interest of increased stability in Europe, for closer consultation on security issues. Particularly in the light of the entry into force of the Treaty on European Union, these relations should be broadened and deepened in parallel to the closer co-operation of these states with the European Union.

Ministers welcomed the Europe agreements recently concluded which provided the basis for increased co-operation geared to the objective of membership of the European Union opening, in turn,

the perspective of membership of WEU. In this context, Ministers requested the Permanent Council to reflect on an enhanced status and its content, including the Franco-German proposal of 12th November, for those consultation partners who had already concluded or would conclude a Europe agreement with the European Union. The Permanent Council should thus identify ways and modalities to allow those countries to participate to a larger extent in the activities of WEU and to be involved in initiatives and missions as envisaged in the Petersberg declaration.

II

1. Ministers welcomed the increasing rôle of the United Nations and of the CSCE and recalled the readiness of WEU to support, on a case-by-case basis and in accordance with WEU procedures, the effective implementation of conflict-prevention and crisis-management measures – including peace-keeping activities – under United Nations authority or CSCE responsibility. Ministers invited the Permanent Council to consider how to enhance WEU's relations with the United Nations and the CSCE.

2. Ministers agreed that the CSCE, as the European and transatlantic organisation covering all of Europe would have a particular rôle in the future security structure. To this end, they would continue to work for co-operative and common approaches to security in the relevant CSCE fora. They welcomed the progress which the CSCE had made to strengthen its operational capacities and they reiterated their support for its further development as an instrument of preventive diplomacy.

Ministers reaffirmed their commitment to early substantial progress in the work of the CSCE Forum for Security Co-operation. They welcomed the initiative by the EC and its member states introducing a common proposal on the CSCE code of conduct in the field of security and on principles on the transfer of conventional arms in the CSCE Forum for Security Co-operation.

3. Ministers welcomed the increasing interest by other countries in the rôle and activities of WEU. The WEU Presidency and Secretariat would continue to inform representatives of those countries. Following the entry into force of the Maastricht Treaty, the information contacts offered by Ministers in May to the countries negotiating to become members of the European Union were now of particular relevance.

Ministers welcomed progress towards the consolidation of democracy in the countries of the former Soviet Union, which they believed was essential for European security. In this context, they noted the importance of parliamentary elections to be held in Russia in December 1993, which represented an important step forward in Russia's democratisation process, a freely-elected parliament being a necessary condition for the solution of Russia's economic and political problems. Ministers also noted the importance of the elections to be held in Ukraine in March 1994.

Ministers took note with satisfaction of the recent contacts made by the Presidency and Secretariat with Maghreb countries in accordance with the mandate given at their meeting last May to enhance the dialogue with those countries. They agreed that these contacts should be pursued.

4. Ministers welcomed the conclusions of the extraordinary meeting of the Council of the European Union this morning on the situation in the former republic of Yugoslavia.

Ministers noted with satisfaction a report on the ongoing WEU police and customs operation on the Danube, which has contributed successfully to the full implementation of the sanctions régime of the United Nations against Serbia/Montenegro. They emphasised the excellent co-operation with Bulgaria, Hungary and Romania which are also consultation partners of WEU. Through this operation as well as through the combined operation Sharp Guard of WEU and NATO in the Adriatic, WEU actively participates in the efforts of the international community to put an end to the conflict in former Yugoslavia.

Ministers reaffirmed that WEU is prepared to contribute where it can to the humanitarian efforts, to the implementation of a peace agreement for Bosnia-Herzegovina and in support of a possible rôle of the European Union in Mostar.

III

1. Ministers welcomed the progress made in developing WEU's operational rôle in accordance with the Maastricht and Petersberg declarations. In particular they took note of a Presidency report on WEU's general rôle in peace-keeping and of a study on humanitarian missions. They invited the Permanent Council to examine how the conceptual work already done might be taken forward.

Ministers requested that work on planning for the tasks defined in the Petersberg declaration be continued, especially on peace-keeping and crisis-management including peace-making.

The Planning Cell was tasked, in completing the list of FAWEU incorporating national inputs, to identify forces especially suited for humanitarian tasks.

They welcomed the seminar on practical experiences in the field of peace-keeping operations to be held by the Luxembourg Presidency in February 1994.

2. Ministers welcomed the progress made in developing a WEU exercise policy by the WEU Chiefs of Defence Staff and stressed the importance of implementing an effective WEU exercise programme in order to develop WEU's capability to conduct operations in the fields defined in the Petersberg declaration. WEU's exercise programme should be implemented in harmony with that elaborated within NATO.

3. Ministers took note of a progress report of the work under way in the field of strategic mobility. Furthermore, they tasked the Planning Cell to finalise work on a force generation plan for European maritime forces taking into account the advice of CHODs.

4. Ministers reaffirmed the importance of WEU's space activities. They welcomed the progress made by the satellite centre since its official inauguration on 28th April 1993. They will discuss a progress report on the possibility of establishing a WEU earth observation programme at their next regular meeting in spring 1994.

5. Ministers noted that most WEU nations will have ratified the Open Skies Treaty before the end of the year and looked forward to its early entry into force. They underlined the important confidence- and security-building activities of WEU in this regard and encouraged work to be continued in this area. They welcomed the generally favourable responses to the approach to third parties with a view to their participation in a WEU pool of observation systems, in accordance with the preliminary set of rules.

6. Ministers took note of the transfer, with effect from 1st August 1993, of EUROCOM activities, which were now being carried out in the WEU framework. The same would apply to public relations activities and to EUROLOG and EUROLONGTERM, with effect from 1st January 1994.

IV

The Defence Ministers of the thirteen nations of the Western European Armaments Group (WEAG) met before the WEU Council to review the armaments co-operation activities carried out by the Group. Further to their meeting in Rome on 19th May, Ministers reviewed practical arrangements to guide the work of the Group and agreed to close the present Secretariat in Lisbon in spring 1994 and to establish in parallel an Armaments Secretariat within WEU. Ministers also noted with satisfaction the signature in October 1993 of a memorandum of understanding on the feasibility study for the Future Large Aircraft and welcomed the potential for co-operation on this project. Ministers took note of the increasing number of EUCLID research and technology projects and endorsed steps to improve arrangements for implementing that programme. Ministers welcomed continuing work to develop the open European defence equipment market and endorsed guidelines and measures to support developing defence industry countries which are intended to enable such countries to participate more fully in that market. Ministers welcomed a first report on the possible role of a European Armament Agency and agreed that work would continue on this subject under the direction of the National Armaments Directors. The agreements by Defence Ministers were subsequently adopted by the Council at Thirteen.

Communication from the Chairman-in-Office of the Council

Luxembourg, 23rd November 1993

A. Operation Sharp Guard

1. Over the period 12th to 20th November 1993, the number of vessels under investigation by the Italian authorities remained unchanged (20). There are no specific incidents to report.
2.
 - (a) Five ships, supported by a United States vessel, are operating in the Montenegro area under the command of the Commander of WEU naval forces, four are in the Otranto area and eleven are in transit to operational areas or in Adriatic or Mediterranean ports – four of them in the port of Haifa (United Kingdom, Greek, Turkish and Italian vessels).
 - (b) Since the last period, 503 vessels have been challenged (total 8 635), 36 inspected (total 751) and 12 vessels diverted for closer inspection (total 180).
37 speed boats were detected and handed over to the Italian customs authorities (total 435).
 - (c) Air cover continues unchanged (24-hour in Montenegro and 18-hour in Otranto).
 - (d) No vessel has violated the embargo.
 - (e) United States, United Kingdom, Netherlands, French and Italian vessels are providing support to the operational groups.
3. The risk to units remains unchanged: *minimal* outside the two areas of operation, *average* inside the areas but outside former Yugoslav territorial waters and *high* within these territorial waters.

The Chairmanship-in-Office welcomes the smooth-running of the operation which can be counted a marked success thanks to the commitment of the units and perfect integration of headquarters staff on land and at sea. Proof lies in the fact that there has been no violation of the embargo by any vessel.

The Chairmanship-in-Office wishes to thank all the countries which were willing to contribute to the establishment of these two WEU headquarters staff.

22nd November 1993

B. WEU mission on the Danube

The mission currently comprises some 240 officials from seven member states and 7 motor launches from three member states. Rotation of personnel is achieved by a system of regular reliefs. Over 1 200 inspections have been carried out since the start of the mission.

The Chairmanship-in-Office is aware from meetings with the authorities of the states along the Danube and visits to the Co-ordination and Support Centre and to inspection areas, of the importance of WEU's contribution to the overall effort to apply the sanctions and the effective way in which this mission is being carried out.

This success is due to the deterrent effect of a large-scale operation and the synergy between the efforts deployed by WEU, the states along the Danube and the Sanctions Assistance Missions and also to the professionalism of our officials.

Not a single convoy has attempted to force a passage and the infringements detected by WEU are usually negligible. Incidents outside WEU's area of operations, in particular upstream from Calafat, have been reported to us.

Non-governmental organisations known as "White Rose" and "New Byzantium" have set up a barrage at the level of Belgrade. Most convoys are stopped there and required to pay tolls, normally of the order of \$20 000.

Despite all efforts towards a resolution of the conflict, it seems likely that present system of sanctions will be maintained in the short term. In any event, a partial system would require considerable effort on the part of the states along the Danube because of the increased complexity of a selective system.

22nd November 1993

C. The activities of the Council Working Group on Mostar

At the European Communities General Affairs Council on 4th October, at which the administration of Mostar was discussed, Ministers agreed to ask WEU to consider the support it could give with organising a police force and improving certain vital supply functions, in particular in the field of medical assistance.

Since that date, the Permanent Council has kept the question on the agenda of its weekly meetings. It has set up a special working group to report back, on the basis of the meetings that have been held of medical and police experts. Two preliminary reports by the experts have already been produced.

Each report defines a number of options. They cannot be regarded as final responses to the questions raised, due to the uncertainties as to developments in the situation on the ground and because the precise terms of the European Union's acceptance of the mandate under the Geneva plan are not yet known. Similarly, WEU itself is not in a position to determine the extent of the responsibilities that the European Union administrator may be called upon to exercise.

The Presidency feels that a number of basic principles should underlie the thinking on a rôle in support of the European Union administrator in Mostar. A WEU contribution, whether in the police or in the medical field, should in principle be under the authority of the EU Administrator. It will be pointed out that the way in which co-ordination and co-operation on the ground with UNPROFOR or NATO functions will depend on how the EU Administrator's mandate fits into the overall implementation of the plan. In principle, such a contribution should be made only if a local type of solution is not possible. Furthermore, the contribution should be only in those fields not covered by the military side of the agreement or that might be better covered by the team around the EU Administrator. Close attention should also be paid to the arrangements set up by the United Nations in Sarajevo, in order to maintain a proper balance in the international community aspects of the two bodies. Lastly, it would be better for a structure not to be set up in Mostar so long as no agreement has been implemented anywhere else. The security of such an operation is at stake.

Because any WEU contribution is linked with the administration of the European Union, WEU should adhere to the conditions laid down on a preliminary basis within European Union bodies.

As regards its own contribution, WEU should add the following two conditions: the military implementation of the plan should have begun, in order to provide an adequate security environment; and there should be a specific agreement with UNPROFOR/NATO to establish the circumstances in which the military element could be called upon.

Throughout the exercise now initiated, WEU has been in close contact with the Presidency of the European Union.

The United Nations authorities have reacted favourably to the possibility of a WEU contribution, especially in the police field, although the various interlocutors stress the need for such a contribution to be inserted in the framework of global implementation and for vital co-ordination with UNCIVPOL to exist. WEU is participating in the ad hoc Group on Planning Co-ordination set up by the Atlantic Alliance. At its meetings, WEU has voiced its concern about the creation of an adequate security environment and the possibility of calling on the military element in the event of need. The NATO authorities have taken due note of this concern.

The WEU Presidency suggests forwarding this report to the European Union, indicating that it is provisional and incomplete due to uncertainties linked with the process of negotiation and developments in the situation on the ground. At the same time, we should ask the competent bodies in our own organisation to continue with their work on the subject so that there can be a prompt reaction if an agreement is reached.

22nd November 1993

*Written questions 318 to 324 and replies of the Council***QUESTION 318**

*put to the Council by Lord Finsberg
on 31st March 1993*

Has the Council's attention been drawn to the statement which appeared in London newspapers that, according to European Community officials, the blockade of Serbia and Montenegro is being regularly broken by means of railway trains transiting from Greece across Bulgaria? Is the Council further aware that the Bulgarian authorities are prepared to take the appropriate action if proof of sanction-breaking is supplied and will they urgently arrange for the proof, apparently available to the European Community, to be given to Bulgaria?

REPLY OF THE COUNCIL

*communicated to the Assembly
on 5th October 1993*

The Council is aware of the statement to which the Honourable Member refers. It attaches the utmost importance to the strict enforcement of the United Nations Security Council resolutions on the embargo against former Yugoslavia. WEU member states have clearly demonstrated their resolve to take every measure within their power to enforce compliance with the economic sanctions imposed by the United Nations Security Council. At their meeting in Rome on 20th November 1992, WEU ministers adopted a declaration on former Yugoslavia which states that "they also affirmed their willingness to make similar contributions (i.e. similar to the initiatives on the Danube) to the implementation of the control of the land embargo at the frontiers.

QUESTION 319

*put to the Council by Lord Finsberg
on 21st April 1993*

Does the Council of Ministers ever intend to take any action upon the unanimous proposal of the Assembly contained in Recommendation 490 which requested that Article IX be so amended as to permit each parliament to decide if its delegation to WEU should be the same as that to the Council of Europe, as it is now, or if parliaments appoint some, all or no members holding such a dual mandate?

Why was the opportunity not taken to make such a change, which was decided by the democratic parliamentary assembly, when the issue of Greek membership was under discussion?

REPLY OF THE COUNCIL

*communicated to the Assembly
on 5th October 1993*

In its reply to Recommendation 490, the Council stated that "the principle of a revision, as and when necessary, of the modified Brussels Treaty was agreed [when Portugal and Spain joined WEU]". This principle still stands. Nevertheless, the Council did not consider it politically advisable to envisage either a general or a partial revision of the modified Brussels Treaty when the issue of Greek membership of WEU was under discussion.

QUESTION 320

*put to the Council by Lord Finsberg
on 21st April 1993*

Will the Council inform the Assembly whether the legal experts referred to in its answer to Question 306 were employees of their respective governments or independent persons?

REPLY OF THE COUNCIL

*communicated to the Assembly
on 5th October 1993*

The Council considers that to submit the question of the commencement of the period of validity of the modified Brussels Treaty to arbitration by independent international experts might create a precedent that could be invoked whenever a difference of opinion arises between the Assembly and the Council. The Council preferred to consult legal experts who are civil servants in their own governments, and their considered opinion, based on the principles and sources of international public law, was embodied in its reply to Assembly Questions 306, 309, 314 and 315.

QUESTION 321

*put to the Council by Mr. Pécriaux
on 6th May 1993*

During the exchange of views between the Political Committee and the Secretary-General of WEU in Rome on Monday, 19th April 1993, the latter said that WEU might act independently on the territory of former Yugoslavia if it considered it should do so in accordance with the modified Brussels Treaty. He rejected the idea that it was necessary to obtain the prior agreement of the United Nations, although it is clearly preferable for WEU to act with the agreement of the Security Council. In particular, Mr. van Eekelen rejected the argument that WEU must be considered as a regional organisation within the meaning of Article 52 of the United Nations Charter.

On 22nd April 1993, the External Relations and Defence Committees of the Belgian Chamber of Representatives and Senate jointly met the Secretary-General of the United Nations. At this meeting, I asked Mr. Boutros-Ghali what was his point of view on this aspect of the relationship between WEU and the United Nations. Mr. Boutros-Ghali answered as follows: "In accordance with Article 52 of the Charter, a regional group can act only with the agreement of the Security Council. If WEU decides to act, it must obtain authorisation or a mandate from the Security Council."

What is the Council's position on this essential juridical question?

REPLY OF THE COUNCIL

*communicated to the Assembly
on 5th October 1993*

As a collective defence organisation, WEU could not perform a direct rôle in a peace-keeping or peace-making operation conducted under the auspices of the United Nations unless it received an express mandate to do so by a United Nations Security Council resolution.

QUESTION 322

*put to the Council by Mr. De Decker
on 14th June 1993*

Answering a question put by Sir John Hunt, Mr. Archie Hamilton, United Kingdom Minister of State for the Armed Forces, said in the House of Commons on 19th March 1993:

"There is already discussion on and co-ordination of policy towards reserve servicemen between the United Kingdom

and its allies, including the member states of Western European Union, the National Reserve Forces Committee, and the Interallied Confederation of Reserve Officers."

Can the Council say:

1. how its reply to Recommendation 535 can be reconciled with this statement;
2. to what this discussion and co-ordination relate;
3. whether the reply to Recommendation 535 means that the Council no longer feels bound by the undertakings it has given on several occasions, in particular in its replies to Recommendations 298, 319, 330, 420, 472 and 509, to report to the Assembly on the application of the modified Brussels Treaty even when this is done in frameworks other than WEU?

REPLY OF THE COUNCIL

No reply has yet been received from the Council.

QUESTION 323

*put to the Council by Mr. De Decker
on 15th October 1993*

On 6th October 1993, the French weekly information letter, TTU, gave the following information:

"Six Romanian barges transporting oil violated the international embargo on Serbia under the nose of WEU observers in Calafat (Romanian-Serb frontier).

Officially destined for the Romanian port of Turnu-Severin, 80 km upstream on the Danube, the barges transporting 4 415 tonnes of petrol and 1 334 tonnes of fuel oil were unloaded at the port of Prahovo, on the Serbian bank, near the Iron Gates lock. Similar violations had already occurred last January when barges from Ukraine repelled by Serb vessels had unloaded at Prahovo".

1. Can the Council confirm the truth of this violation of the embargo? Can it confirm the Romanian nationality of the barges?
2. If so, why was the WEU unit on the Danube not able to prevent this violation?
3. Why does the Council continue to refuse to publish the list of violations noted on the Danube and in the Adriatic whereas, in the absence of coercive means, such publication would be the only democratic means of pressure to deter these violations?

REPLY OF THE COUNCIL

No reply has yet been received from the Council.

QUESTION 324

*put to the Council by Mr. Stoffelen
on 8th November 1993*

Is the Council prepared to communicate to the Assembly "Appendix IV, relating to the

links between the Union and WEU, of Chapter IV of the document concerning the implementation of the Maastricht Treaty" which was approved on 26th October 1993, as announced in a press communiqué dated 27th October?

REPLY OF THE COUNCIL

No reply has yet been received from the Council.

*Views expressed by the Greek Delegation of Observers on documents
on the agenda of the second part of the thirty-ninth ordinary session*

*Information document published at the request of the Greek Delegation of Observers
by decision of the President of the Assembly*

Hellenic Delegation to WEU

Dear Mr. President,

Attached herewith please find the memorandum with the comments of the Hellenic Delegation concerning the documents 1387 and 1395. We wish this memorandum to be distributed to the members of the Assembly.

The Head of the Hellenic Delegation
V. PAPANDEOU

Parliament of the Hellenic Republic
Greek Delegation to WEU

Dear Colleague,

We feel that we have to draw your attention to the following points which, we believe, are of the utmost importance to our country as well as WEU. As you know, the Greek Delegation, pending the forthcoming full accession, participate in this Assembly as active observers only.

We have therefore not been able to contribute to the formulation of the reports (Wintgens, Johnston), more specifically to the parts referring to Greece. To our view the need to clarify certain points and to underline inaccuracies and/or unfounded arguments is absolutely necessary.

Greece is not only a member of EU, NATO and WEU, but also a Balkan country directly concerned in safeguarding peace and stability in the area. This has always been our firm and consistent policy.

By this paper an effort is undertaken to assist our colleagues in order to reach a more objective and a global understanding of Greece's position.

We also trust that a more constructive approach of WEU to the problems of the Balkan area can, in this way, be achieved more easily.

More specifically we wish to draw your attention to the following points:

(a) Johnston report

Paragraph 33

It is incorrect to say that Greece has used its veto to block EC recognition of FYROM.

Greece has explained in detail the reasons why FYROM's use of the name "Republic of Macedonia" as the name of an independent state would destabilise the region, create friction and perpetuate conflicts in a volatile part of the Balkans. Accordingly, the EC adopted *unanimously* four resolutions upholding Greece's arguments.

The Badinter Commission examined the issue of the recognition of FYROM from a strictly legal point of view, not being qualified to address the issue from its political angle. We stress that its recommendations not only on FYROM but also on Croatia were not heeded by the EC Council of Foreign Ministers.

Paragraphs 34-35

It is certainly a totally incorrect presentation of Greece's position. Contrary to the allegations contained in the paragraphs stated, it is not an issue of historical accuracy nor an emotional one, but of strictly political consideration as it is a fact that all actions of FYROM (Constitution - see preamble Art. 3, 49, etc.), change of borders, hostile propaganda, maps, adaptation of flag and symbols etc.) clearly indicate an expansionist policy against neighbouring countries and, mainly, Greece.

FYROM's behaviour, if allowed to continue, will definitely lead to destabilisation of the area.

Paragraphs 37-38

Apart from sporadic and unfounded press allegations, Greece has never been accused by any country, international organisation or mission, of violating or even conniving at violations of the United Nations sanctions against Serbia and Montenegro. On the contrary, the EC/CSCE Sanctions Co-ordinator, Ambassador Napolitano, has repeatedly acknowledged Greece's commitment to strict implementation of the embargo and prompt co-operation with all parties concerned on this issue.

The unfounded and libel-like articles in the press totally disappeared after the implementation by the Greek authorities in close co-operation with the FYROM Sanctions Assistance Mission (SAM-FYROM) of a pre-verification system for all Greek oil and oil-products exports to the FYROM as from 16th July 1993. The abovementioned measure, in

addition to the detailed data conveyed to the President of WEU by Ambassador Macris, is one more indisputable proof of Greece's strict implementation of the United Nations sanctions and her close and full co-operation with the competent international organs, i.e. the Sanctions Co-ordinator and the Sanctions Assistance Missions.

Paragraphs 39, 40 and 41

Regarding the comments of the report on the last Greek elections: the decision of the Greek people, freely expressed by democratic elections, has to be respected.

Paragraph 42

Greece never "pulled out of the United Nations-sponsored negotiations" as, completely inaccurately, Johnston's report pretends, obviously misinterpreting the letter of the Greek Foreign Minister to the Secretary-General to the United Nations. It is a misunderstanding not shared by Mr. Boutros-Ghali.

Paragraph 43, 44 and 45

"European interests" are those of the "12" and Greece is part of them. Greece is the only EC country of the Balkans, it has a long tradition of association with the other Balkan peoples and has an insider's view of developments, people's idiosyncrasies, etc. Moreover, it is the only EC country directly – and even vitally affected by developments in the area.

Paragraph 48

It goes without saying that neither morally nor from a legal point of view anyone could question the adhesion of Greece in WEU for which there is an accordance of the governments concerned.

In view of the above we strongly suggest that paragraph 5 of the recommendation should be deleted.

(b) Wintgens report

Most of the points referred to in the Johnston report above can be applied mutatis-mutandis to the present report.

Paragraphs 4-5

We wish to note that there has been no decision on 12th May by the Twelve, there have been only some deliberations at an informal meeting. On the contrary, we wish to recall the decision taken at the summit conference in Lisbon in June 1992: "The European Council reiterates the position taken by the Community and its member states in Guimarães on the request of the FYROM to be recognised as an independent state. It expresses its readiness to recognise that republic within its existing borders according to the declaration on 16th December 1991, under a name which does not include the term Macedonia. It furthermore considers the borders of this republic as inviolable and guaranteed in accordance with the principles of the United Nations Charter and the Charter of Paris".

Paragraphs 78-79

It is not acceptable to label a policy as "alarming" which, as the text itself shows, is totally defensive and, strictly speaking, a policy of détente aiming solely at the territorial integrity of the country.

As far as the protection of Cyprus is concerned, it is an obligation emanating from international treaties. Regarding the hints for the defence of our border areas, that is to say of our territorial integrity, we simply state that to contest the right of defence of any country is contradictory to WEU's *raison d'être*.

Revision of Rule 14 of the Rules of Procedure

MOTION FOR A DECISION ¹

tabled by Mr. Cuco and others

The Assembly,

- (i) Considering that Rule 11, paragraph 2, of the Rules of Procedure of the Assembly does not allow the President of the Assembly to take part in votes in the Assembly;
- (ii) Considering that Rule 14 requires the Presidential Committee to act on behalf of the Assembly in periods between sessions, which implies that Rule 11, paragraph 2, applies to its deliberations;
- (iii) Considering that it is equitable for any delegation of member countries to take part in the decisions of the Presidential Committee,


DECIDES

To add at the end of the first sentence of paragraph 1 of Rule 14 the following words:

“ and the Chairman of the delegation of which a member is exercising the duties of President of the Assembly. ”

Signed: Alexander, Borderas, Brito, Cuco, Dicks, Fabra, Fenner, Grau I Buldu, Guirado, Hunt, Rathbone, Roman, Thompson, Tummers, Ward

1. See 12th sitting, 2nd December 1993 (motion referred to the Presidential Committee).

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