



# **Assembly of Western European Union**

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**FORTY-FIRST ORDINARY SESSION**

**(First Part)**

## **WEU in the Atlantic Alliance**

**REPORT**

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



*WEU in the Atlantic Alliance*

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

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*by Lord Finsberg, Rapporteur*

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1. Adopted unanimously by the committee.

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

*Associate member:* Mr. *Godal*.

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

***Draft Recommendation***  
***on WEU in the Atlantic Alliance***

The Assembly,

- (i) Recalling its Recommendation 579<sup>1</sup> to which the Council has still not replied;
- (ii) Deeply concerned that none of the major aims set out in the 10th December 1991 declaration of WEU member states for developing WEU as a means of strengthening the European pillar of the Atlantic Alliance and improving the rôle, responsibilities and contributions of WEU member states in the alliance has yet been achieved;
- (iii) Alarmed that almost two years after the Atlantic Alliance's decision at the highest level to make its collective assets available for WEU operations on the basis of the CJTF concept no progress can be seen towards agreement on the ways and means of implementing this project;
- (iv) Noticing on the contrary the almost total political and military marginalisation of WEU in the efforts to bring the conflict in former Yugoslavia to an end despite all WEU's efforts;
- (v) Concerned by the continuing uncertainty with regard to internal political stability and democratic development in the Russian Federation;
- (vi) Preoccupied also by the instability in the Middle East and the risk that violent activities of extremist forces in certain North African countries, particularly in Algeria, may spill over into Europe;
- (vii) Considering that, while NATO has extended the range of its activities into the area of crisis-management and peace-keeping, the alliance has not yet clearly defined its new rôle in the changed international security environment;
- (viii) Aware that, in the absence of a major security threat and at a time of increasing economic Euro-American and Japanese-American competition, there is a risk of North American and European security interests drifting apart;
- (ix) Reiterating therefore WEU's responsibility for assessing the repercussion on future transatlantic relations of establishing an enhanced European security and defence identity which is to be negotiated at the 1996 intergovernmental conference;
- (x) Noting that the study on NATO enlargement postpones a decision on the " who " and the " when " of any NATO expansion and therefore offers no firm answer to the security concerns of those Central and Eastern European countries which still live in a security vacuum;
- (xi) Convinced therefore that WEU should do more in order to offer its associate partner countries every possible means of joining in WEU's activities and its relations with NATO;
- (xii) Stressing however that any further WEU enlargement should not call in question the scope of Article V of the modified Brussels Treaty and still believing that all European NATO countries could be entitled to full WEU membership;
- (xiii) Convinced that NATO's working and decision-making methods which have proved their worth in that organisation since 1949 should be considered insofar as they may be of value for adaptation by WEU in the new geostrategic framework of Europe,

RECOMMENDS THAT THE COUNCIL

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

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1. See Appendix.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## *Explanatory Memorandum*

*(submitted by Mr. Lord Finsberg, Rapporteur)*

### *I. Introduction*

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

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

- the evolution of future security conditions in Europe and in the world and their implications;
  - the political evolution of Russia and its relationship with NATO, the European Union and Western European Union; and
  - the evolution of the Atlantic Alliance and its consequences for NATO's function and structures;
  - the way in which Western European Union develops as the defence component of the European Union and implements its intention of becoming fully operational. The impact on transatlantic relations of the outcome of the 1996 intergovernmental conference should be seen in this context;
- the implementation of the alliance's decision to make its collective assets available to WEU and of the CJTF concept;
  - the future rôle of the North American allies in the alliance, particularly that of the United States of America;
  - the development of relations between NATO, the United Nations and the OSCE in relation to NATO's new tasks in peace-keeping and crisis-management, taking account of the lessons to be learned from the conflict in former Yugoslavia.

3. A major problem, resolution of which also depends on many of these factors, is the question of NATO's eventual expansion and the means by which it is achieved, which will have a major impact on the enlargement of the European Union and of Western European Union.

4. At a time when both European and Atlantic authorities are still in the process of weighing the consequences of radical changes in the security environment following the collapse of the Soviet empire and the rise of new kinds of risks, dangers and threats to international and especially to European security, it is important for the Assembly of WEU to make a useful contribution to helping the Council develop a rational security concept and one that is feasible and acceptable to the relevant European and Atlantic authorities. This should be the major objective of the report the Political Committee will submit to the Assembly in December.

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

5. The preliminary conclusions on the formulation of a common European defence policy published by the WEU Council of Ministers on 14th November 1994<sup>1</sup>, underlined that the formulation of such a policy requires a detailed analysis of risks to European security. To that end the analysis elaborated in the framework of the CFSP bodies on broader security matters "should be complemented by a military analysis, to be prepared by WEU taking account of risk analyses car-

<sup>1</sup> Document 1443, 18th November 1994.

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

6. Furthermore, WEU ministers stressed that their aim is "that the present policy document will evolve into a comprehensive common European defence policy statement in the perspective of the intergovernmental conference of 1996". This intention was reaffirmed – though in a far less determined manner – in the Lisbon declaration of 15th May 1995<sup>2</sup>; but since then no specific follow-up action has been taken. Perhaps in the meantime the common reflection on new European security conditions initiated by the WEU Council according to paragraph 6 of the Noordwijk declaration with a view to publishing eventually a white paper on European security has somehow eclipsed the work on the formulation of a common defence policy statement.

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

8. If it is recognised that Europe has worldwide economic interests, is it possible to affirm that all Europeans share the same or similar interests or is it necessary to identify a differentiation of interests between European countries? Who should consequently be responsible for defending these interests, and who should be responsible for protecting the security of European citizens in the world? What about the world-wide economic interests of the United States and Canada and the protection of their citizens in the world? Are Europeans responsible for defending North American interests, and North Americans for defending Europe's interests in the world? According to recent press-reports<sup>3</sup>, a kind of new transatlantic bargain in this sense is under study.

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

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

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

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

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

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

.....

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

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

2. Document 1455, 15th May 1995.

3. Frankfurter Allgemeine Zeitung, 5th October 1995.

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

.....

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

.....

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27. As your Rapporteur explained in his first report on WEU in the Atlantic Alliance which he submitted to the Assembly five years ago<sup>6</sup>, the signatories of the Washington Treaty included all the members of the then Western Union. As soon as a military system was established under NATO, in 1950, Western Union transferred to it the exercise of its responsibilities as a military organisation. From then on, the activities of WEU's precursor have been inextricably linked with those of NATO.

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

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

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

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

<sup>6</sup>. Document 1225, 12th May 1990.