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**The associate partners and the new European security architecture
with special reference to regional security problems**

REPORT

submitted on behalf of the Political Committee
by Mr Martínez Casañ, Mr Hancock and Mr Blaauw, Rapporteurs

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TABLE OF CONTENTS

DRAFT RECOMMENDATION

on the associate partners and the new European security architecture with special reference to regional security problems

DRAFT ORDER

on the associate partners and the new European security architecture with special reference to regional security problems

EXPLANATORY MEMORANDUM

submitted by Mr Martínez Casañ, Mr Hancock and Mr Blaauw, Rapporteurs

- I. Introduction
- II. The associate partners' relations with NATO
 - (a) Historical background
 - (b) Development of the associate partners' participation in NATO activities
 - (c) Present situation and future prospects for NATO membership following the Washington Summit
- III. The associate partners' relations with the European Union
 - (a) From association agreements to Agenda 2000
 - (b) Agenda 2000
 - (c) Status of negotiations: the German and Finnish Presidencies and membership prospects

¹ Adopted unanimously by the Committee.

² *Members of the Committee: Mr Baumel (Chairman); MM Blaauw, N ... (Vice-Chairmen); MM Behrendt, Bianchi, Brancati, Sir Sydney Chapman, MM Clerfayt, Cusimano, Dias, Mrs Dumont, Mrs Durrieu, MM Ehrmann, Evangelisti, Eyskens, Fayot, Guardans I Cambó, Haack, Hornhues, Lord Kirkhill (Alternate: O'Hara), MM Lemoine, Liapis, van der Linden, Marshall (Alternate: Mrs Fyfe), Martínez Casañ, Micheloyiannis, Mrs Nagy, Lord Ponsonby, MM Puche Rodríguez, Roseta, Schmitz, Skoularikis, Sterzing, Timmermans (Alternate: Valk), Volcic (Alternate: Mrs Squarcialupi), Wray, Yañez-Barnuevo, N...*

Associate members: MM Adamczyk, Gundersen, Kosmo, Pastusiak

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

IV. Relations with WEU

A. The participation of the associate partners in WEU: a major *acquis*

(a) Historical background

(b) Present participation – political significance

B. The participation of the associate partners: an asset to be safeguarded and developed

V. Regional problems

A. Cooperation in the Baltic region

(a) The legacy of the past

(b) Present situation

(i) Environmental problems

(ii) The economic situation

(iii) The security climate

(c) Regional cooperation

(i) Cooperation between the three Baltic states

(ii) Security cooperation between the Baltic states and the other states of the region

(d) Cooperation with players outside the region

(i) The European Union

(ii) The United States

(iii) NATO

(iv) WEU

(v) Future prospects

B. The situation and role of Ukraine

C. South-eastern Europe

D. Slovakia – central Europe

VI. Conclusions – future prospects of the associate partner countries

Draft Recommendation***on the associate partners and the new European security architecture
with special reference to regional security problems***

The Assembly,

- (i) Convinced of the indivisible nature of European security and defence;
- (ii) Recalling that WEU and its Assembly provide the only possibility for the associate partner countries to participate collectively, in a European multilateral framework, in the discussions on the definition of a security and defence Europe and in carrying out the Petersberg tasks;
- (iii) Stressing that the work done by WEU in its configuration at 28 makes an essential contribution to strengthening the security and stability of Europe as a whole and that this is an important component of its *acquis* which must be safeguarded and developed;
- (iv) Regretting that neither the Bremen or Luxembourg WEU Ministerial Councils nor the Cologne European Council entered into any precise commitments with regard to preserving the role of the associate partners and their participation in the future European Security and Defence Identity;
- (v) Welcoming the negotiations that the EU plans to start with certain associate partner countries with a view to their future accession, giving all associate partners clear prospects of EU membership;
- (vi) Welcoming the fact that negotiations for accession to the EU will be opened for the rest of the candidates in Helsinki, putting them on an equal footing with the first group and associating them more closely in the process of European construction;
- (vii) Considering nonetheless the complexity of the EU enlargement process and the uncertainty with regard to the prospects of NATO opening its doors to new members;
- (viii) Welcoming the attitude adopted by the associate partner countries during the Kosovo crisis;
- (ix) Welcoming especially the participation of certain associate partner countries in ongoing WEU missions, in particular, that of MAPE in Albania;
- (x) Welcoming the remarkable progress made by all the associate partner countries towards the peaceful settlement of differences among themselves or with third countries, and the establishment of good political and economic relations with all neighbouring countries;
- (xi) Stressing that it is of the utmost importance for security and stability in Europe to support the efforts to enhance regional cooperation;
- (xii) Stressing also that a possible transfer of WEU functions to the EU must not lead to the creation of new dividing lines or to reducing security and stability in Europe, but on the contrary, to improving the situation in this respect;
- (xiii) Convinced of the key role of Ukraine as a European partner for maintaining a balance and security in the eastern part of Europe, and of its importance for the security of Europe as a whole;
- (xiv) Welcoming the adoption of an “action plan for political dialogue and practical cooperation between WEU and Ukraine”;
- (xv) Taking note of the information provided in the first part of the 45th annual report of the Council on the development of the associate partner countries’ contribution to WEU’s activities;
- (xvi) Emphasising the importance of the contributions that the representatives of the parliaments of the associate partner countries make to the Assembly’s work both in committees and during plenary sessions;
- (xvii) Drawing attention to Resolution 288 adopted by the NATO Parliamentary Assembly concerning the role of WEU in the European security and defence architecture,

RECOMMENDS THAT THE COUNCIL

1. Inform the Assembly about NATO's response to the WEU proposal that the possibility of contributions from the associate partners be included in the framework for WEU's involvement in the NATO defence planning process;
2. Encourage all associate partner countries which have not yet done so to provide the latest information regarding their contribution to the list of FAWEU for the purpose of its annual update;
3. Inform the Assembly about developments that have taken place in the cooperation between the Military Staff and the military representatives of the associate partners since June 1999;
4. Invite the associate partner countries to participate in WEU's further work on strengthening its collective capabilities in the light of the audit of assets and capabilities available for European-led operations;
5. Urge its member countries, as members also of the EU, to ensure that the EU draws up arrangements allowing the associate partner countries to:
 - (a) participate, as they currently do in the WEU bodies, in the activities of the structures to be set up within the EU, in order to enable the Union to establish a European security and defence policy;
 - (b) be associated, as they currently are in the framework of WEU, in EU decisions concerning Petersberg missions and their implementation;
 - (c) participate in exercises and in the planning process and make their forces available to the EU for specific operations;
 - (d) participate in the command structures and decision-making process for all operations for which they make forces available;
6. Insist vis-à-vis the EU that the parliamentary representatives of the associate partner countries be able to continue participating in the parliamentary scrutiny of the European security and defence policy, as proposed by the Council to the Assembly in its Kirchberg Declaration;
7. Study the development of relations with Ukraine, making full use of the possibilities offered by the action plan adopted by WEU and Ukraine at the end of June 1999.

Draft Order

*on the associate partners and the new European security architecture
with special reference to regional security problems*

The Assembly,

- (i) Considering the importance of the contributions made by the representatives of the parliaments of the associate partner countries to its work both in committees and during plenary sessions;
- (ii) Recalling the provisions of Rule 17.2 and 17.3 of the Assembly's Rules of Procedure,

INSTRUCTS ITS PRESIDENTIAL COMMITTEE

To define arrangements for the participation of the representatives of the parliaments of WEU's associate partners in accordance with Rule 17.3 of the Assembly's Rules of Procedure.

Explanatory Memorandum

(submitted by Mr Martínez Casañ, Mr Hancock and Mr Blauuw, Rapporteurs)

I. Introduction

1. In view of the decisions taken at the NATO Summit in Washington and the WEU Ministerial Council in Bremen, as well as the impending Cologne European Council which would certainly have implications for the future of WEU and hence for the role of its associate partners in European defence, the WEU Assembly during its June 1999 session adopted an order instructing its Political Committee to “examine closely the decisions taken by the EU Council in Cologne on 3-4 June 1999 and their consequences for WEU’s associate partners” and to “prepare a progress report on the subject for the next session of the Assembly, including proposals to ensure that the associate partners can participate appropriately in the further development of a European Security and Defence Identity in the framework of the EU, with at least the same rights as they currently enjoy within WEU”¹.

2. Almost six months after the Cologne Summit, we see the wisdom of that decision. Not only was the future role of the associate partners with regard to the European Security and Defence Identity to be developed within WEU scarcely touched upon in Cologne, but today we are none the wiser as to how the WEU – or EU – Council intends to organise its future relations with those countries and safeguard their participation rights. For, in your Rapporteurs’ opinion, their involvement is indeed a valuable asset, not only for WEU but for the European security balance in general. This is why they deemed it appropriate in the present report to describe the associate partners’ perspectives in the new European architecture, with special reference to European regional security problems, in order to illustrate the vital importance of their security policy – in both the WEU and regional framework – for the cause of European security and defence.

3. The conclusion to be drawn from an analysis of this issue seems to be straightforward: the group of associate partners is composed of countries that adhere to the same democratic principles, both at national and international level, as

EU member states. Moreover, these are countries which have been actively involved for many years in European defence bodies. It therefore seems inconceivable that they should now find themselves – even if only partially or temporarily – sidelined in the new European architecture. Such disregard for their importance would be neither politically nor morally justifiable and would be tantamount to suggesting that the spirit of Cologne was to reduce, rather than enhance, European security as a whole.

4. Thus, on 5 November 1999, at the initiative of the Lithuanian Parliament and Government, the Assembly’s Political Committee organised a colloquy in Vilnius to discuss the security of the associate partners of Western European Union. This colloquy, attended by representatives of the seven WEU associate partners, namely, Bulgaria, Estonia, Latvia, Lithuania, Romania, Slovakia and Slovenia, provided the opportunity for an in-depth debate on the impact on the security of those countries of the Washington and Cologne Summit decisions. It also illustrated that WEU and its Assembly today provide the only forum in which the associate partners can collectively participate in the discussions on defining a security and defence Europe.

II. The associate partners’ relations with NATO

(a) Historical background

5. At its London Summit in 1990, the Atlantic Alliance, in a remarkable effort to adapt to the new political and strategic realities on the European continent, proposed for the first time to establish relations of friendship and cooperation with the countries of central and eastern Europe (CEECs) and offered, in particular, to organise regular diplomatic consultations, to strengthen military contacts and finally, to build a partnership².

6. One year later, in 1991, at a time when NATO’s legitimacy as a military alliance could have been called into question following the dis-

¹ Assembly Document 1649, 19 May 1999.

² See the London Summit Final Communiqué, 5-6 July 1990.

solution of the Warsaw Pact, the Alliance adopted a new Strategic Concept at its Rome Summit. Most importantly, it was proposed to set up the North Atlantic Cooperation Council (NACC), a forum allowing certain former members of the Warsaw Pact to participate in some of the discussions among Alliance members on issues of security and defence, in order to establish peaceful relations of cooperation between countries which for many years had belonged to opposing blocs in Europe. The NACC, although essentially a consultative body to begin with, was nonetheless the first step on the path towards the gradual involvement of the central and eastern European countries in some of the Alliance's activities, thereby making a practical long-term contribution towards achieving the ideal of political and economic unity in Europe. The great majority of former Soviet bloc countries, including WEU's current associate partners, participated in the NACC, although they joined at different times according to the development of their political situation and especially to changes of mentality in each of those states.

(b) Development of the associate partners' participation in NATO activities

7. The Partnership for Peace (PfP), launched by NATO at its Brussels Summit in 1994, considerably enhanced participation by the central and eastern European countries in the bodies and activities of the Atlantic Alliance. This practical programme, set up within the NACC framework, went a step further than the dialogue which had been under way since 1991, creating real ties between Alliance partners and the central and eastern European countries.

8. The fundamental objectives of the Partnership for Peace were to:

- facilitate transparency in national defence planning and budgeting processes;
- ensure democratic scrutiny of defence forces;
- maintain the capability and readiness to contribute to operations under the auspices of the UN and/or the responsibility of the OSCE;
- strengthen cooperative military relations with NATO, with a view to developing joint planning, training and

exercises, so as to enhance the ability of PfP participants to undertake missions in the field of peacekeeping, search and rescue, humanitarian operations, etc.;

- develop, over the longer term, forces better able to operate with those of the members of the North Atlantic Alliance.

9. All WEU's current associate partners, as well as the three new NATO members who were WEU associate partners for many years, joined the PfP within months of its creation in 1994, thereby demonstrating their resolve to participate actively in the new Euro-Atlantic security architecture, although this programme was not designed as a pre-accession programme. In keeping with the spirit and declared aims of the Partnership for Peace, they participated in its discussions and activities, with a view to enhancing stability and developing good-neighbourly relations in Europe. A practical contribution to the programme was the role they played in the creation and operations of IFOR, the multinational force for the implementation of the military provisions of the Dayton Peace Agreement. Similarly, the associate partners made a direct contribution to setting up the stabilisation force, SFOR. The only state not to participate in the two abovementioned forces was Croatia.

10. Cooperation within the PfP being so clearly a success, the Alliance defence and foreign affairs ministers decided to bolster the Partnership. In 1997, in Madrid, they agreed to create the Euro-Atlantic Partnership Council (EAPC) to replace the NACC, thereby setting up a new cooperation structure which built extensively on the experience of politico-military cooperation gleaned from the NACC and the PfP. The EAPC now provides the general framework for consultations not only with the associate partners, but also other countries of the region, with a view to enhancing cooperation within the strengthened Partnership. It also has the stated aim of allowing the PfP to acquire an enhanced operational capability and enabling the partners to participate more actively in the decision-making and planning processes.

11. Since 1997, therefore, the associate partners have been more actively involved in preparing and taking decisions relating to the organisa-

tion of the PfP operations in which they wish to take part. Their participation takes place essentially through the Political-Military Steering Committee and ranges from a simple exchange of views to full involvement in the decision-making process.

12. From an operational point of view, the enhanced Partnership enables the countries concerned to be involved in planning and conducting activities such as joint exercises. They do so by sending officers to the various NATO headquarters. Moreover, ongoing contacts are maintained through their permanent national missions within the NATO bodies.

(c) Present situation and future prospects for NATO membership following the Washington Summit

13. The most recent Alliance summit in Washington in April 1999 was above all the occasion on which the accession of the Czech Republic, Hungary and Poland to NATO was endorsed. These countries, which were invited to join NATO during the meeting of the North Atlantic Council in Madrid in July 1997, have now become WEU associate members by virtue of their NATO membership. The Alliance has, however, refused to issue any further accession invitations to the remaining seven associate partners of WEU. Paragraph 7 of the Washington Communiqué makes this clear, while affirming that the doors of the Alliance remain open:

“We reaffirm today our commitment to the openness of the Alliance under Article 10 of the North Atlantic Treaty and in accordance with paragraph 8 of the Madrid Summit Declaration. We pledge that NATO will continue to welcome new members in a position to further the principles of the Treaty and contribute to peace and security in the Euro-Atlantic area. This is part of an evolutionary process that takes into account political and security developments in the whole of Europe. Our commitment to enlargement is part of a broader strategy of projecting stability and working together with our Partners to build a Europe whole and free. The ongoing enlargement process strengthens the Alliance and enhances the security and stability of the Euro-Atlantic region. The three new members will not be the last.”

14. As noted in the Baumel report adopted by the Assembly in June 1999³, some countries are explicitly mentioned in the Communiqué and the first seven of these are all associate partners of WEU. But there are slight differences in the way in which the candidate countries are referred to. The Alliance, for example, “recognises” the “efforts and progress” in Romania, Slovenia, Estonia, Latvia and Lithuania, while it “notes” the “recent positive developments” in Bulgaria and Slovakia. One wonders whether these subtle differences, rather than implying any ranking of the accession prospects of the various associate partners, are not simply a reflection of the close attention being paid to developments in these countries. The Alliance has in effect postponed any decision on the follow-up to be given to the enlargement process until its next summit meeting, to be held in 2002 at the latest. The accession prospects of our associate partners therefore remain unclear. However, a Membership Action Plan (MAP) has been drawn up with the official aim of giving the candidate countries “advice, assistance and practical support”. It includes the following elements:

- “the submission by aspiring members of individual annual national programmes on their preparations for possible future membership, covering political, economic, defence, resource, security and legal aspects;
- a focused and candid feedback mechanism on aspirant countries’ progress on their programmes that includes both political and technical advice, as well as annual 19+1 meetings at Council level to assess progress;
- a clearinghouse to help coordinate assistance by NATO and by member states to aspirant countries in the defence/military field;
- a defence planning approach for aspirants which includes the elaboration and review of agreed planning targets.”

³ “WEU after the Washington and Cologne Summits – reply to the annual report of the Council”, Assembly Document 1652, Rapporteur: Mr Baumel.

15. The Membership Action Plan (MAP) does not, then, put forward any dates or guarantees for the future membership of our associate partners. However, it does impose upon them a series of obligations, such as that to provide proof of their progress in such diverse areas as the economy, defence and democracy. While some may perceive the MAP as marking the start of a pre-accession phase, others consider that it may on the contrary draw out the whole process. The associate partners' poor prospects of accession to NATO are an argument in favour of enhancing their status within WEU, although unfortunately the Bremen Declaration makes no mention of that issue.

III. The associate partners' relations with the European Union

(a) From association agreements to Agenda 2000

16. The association agreements signed between the European Union and the central and eastern European countries in 1992 (1995 in the case of Slovenia), which created a framework for bilateral cooperation, were the first step on the road towards EU membership for those countries. The agreements covered many areas (trade, competition, harmonisation of legislation, compliance with standards, etc.). The joint structures created under the agreements (councils, association committees, parliamentary committees) provided a forum for consultations with the candidate countries.

17. The work done within the framework provided by the agreements should make it possible to evaluate those countries' progress towards adopting the Community *acquis*.

18. Given that the agreements cover most areas concerned by the *acquis*, they are used as a basis on which to help the countries concerned draw up their national programmes with a view to adopting those *acquis*.

19. WEU's associate partners have all concluded association agreements with the EU, although the dates of signature and entry into force of the agreements vary from one country to another, depending on developments at national level.

20. In 1993, the Copenhagen European Council decided that all associated countries from central and eastern Europe which so requested

would be entitled to accede to the European Union, provided that they complied with a number of criteria and met with the obligations of membership. Aspiring members must, *inter alia*, have achieved:

- stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;
- a functioning market economy;
- the capacity to cope with the competitive pressure and market forces within the Union;
- the ability to take on the obligations deriving from membership and the Community *acquis*, including adherence to the aims of political, economic and monetary union.

21. With its creation of the PHARE programme, the Copenhagen Council set up a more effective structure for assisting the countries of central and eastern Europe.

22. The European Council, meeting in Essen in December 1994, decided to improve upon the process of convergence between the EU and the central and eastern European countries by drawing up a pre-accession strategy based on three elements: the association agreements, a structured dialogue and the PHARE programme.

(b) Agenda 2000

23. At its meeting in Madrid in December 1995, the European Council instructed the Commission to draft a report on the impact of enlargement on Community policy. In 1997 the Commission submitted its views in the three-volume document known as Agenda 2000.

24. The first of these (for a stronger, broader Union) reviews EU policy. The second deals with the challenges of enlargement, focusing more specifically on strengthening the pre-accession strategy. It sets out the aims of that strategy, describes the methods, financial resources and legal instruments to be used, and presents a new financial framework (2000-2006). The third contains the summaries of and conclusions resulting from the ten opinions drawn up by the Commission in response to the membership applications submitted by the candidate countries.

25. The report establishes for the first time and in detail a coherent financial link between developments in internal EU policy and enlargement. It clearly affirms the EU's financial commitment to future enlargement and provides answers to a number of practical issues related to the enlargement process, in particular by proposing new negotiating structures. In the Commission's view and according to Agenda 2000, the success of the accession strategy should combine:

- negotiations based on the principle of applying the Community *acquis* from the moment of accession, and
- a reinforced pre-accession strategy for all the applicant countries, designed to guarantee that they adopt as much of the Community *acquis* as possible before accession. It entails regular progress reports with a view to evaluating the applicant countries' progress towards meeting the accession criteria.

26. In Agenda 2000 the Commission also published its opinion on the various candidates. This included a comparative analysis in the light of the criteria set out in Copenhagen. According to the Commission view, none of the central and eastern European countries met all the necessary criteria for membership. However, it felt that the Czech Republic, Estonia, Hungary, Poland, and Slovenia would be able to comply in the medium term with all the conditions if they maintained their efforts. It therefore recommended to the Council that it should begin negotiations with those five countries, which at the time were all associate partners of WEU, as well as with Cyprus. Three of them subsequently became WEU associate members following their accession to NATO.

(c) Status of negotiations: the German and Finnish Presidencies and membership prospects

27. As has already been mentioned, two WEU associate partners, Slovenia and Estonia, were in the first wave of candidates to be invited in 1998 to start negotiations. Also among the first wave, in addition to Poland, were Hungary, the Czech Republic and the Republic of Cyprus. The European Union is currently conducting separate negotiations with each of those countries. Since they started in autumn 1998, the negotiations have focused essentially on the easiest aspects of

harmonising the candidate countries' laws and practices with EU legislation.

28. However, the negotiations have now reached a difficult stage during which thorny subjects such as foreign trade relations must be tackled. Estonia, for example, has a free trade agreement with Ukraine which must cease to exist once it becomes a member of the EU. Indeed, as we know, while every member state has access to the EU's large single market, the terms of trading relations with third countries are decided in Brussels. However, Estonia is keen to maintain its free trade agreement with Ukraine, which gives it a sound trade surplus with that country despite an overall balance of trade deficit. Slovenia, for its part, would like to preserve for ten years the free trade agreements it has with Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia and Croatia. The economic consequences for those countries of the war in Kosovo may induce the EU to be more flexible on that issue. The Czech Republic can also be mentioned, since it wishes to maintain its customs union with Slovakia, given the obvious economic consequences its abolition would have for both countries.

29. The other five associate partners of WEU (Bulgaria, Latvia, Lithuania, Romania and Slovakia) are in the "second group". On 3 April 1998, the Commission started a review with those countries of the Community *acquis*. During the initial, multilateral phase of the review, 29 chapters of the *acquis* were covered. From March to July 1999, a more in-depth bilateral review was performed for each country and for all the chapters, with the exception of agriculture, to be examined separately in autumn 1999.

30. With reference to the final stages of the negotiations, we can describe the results of the German Presidency as globally positive for the enlargement process. The process is on a fairly fast track, and for each of the countries currently involved in negotiations, 15 out of a total of 31 chapters are being dealt with. But as mentioned above for Estonia and Slovenia, it is only now that the delicate phase of the negotiations is beginning and that the major difficulties are likely to arise.

31. Furthermore, when it assumed the EU Presidency, Finland set itself the objective of continuing to make progress in the areas already