



Assembly of Western European Union

DOCUMENT 1664

9 November 1999

FORTY-FIFTH SESSION

European Commission Delegation
Library
2200 M Street, NW
Washington, DC 20037

FEB 15 2001

Strengthening cooperation between the Assembly of WEU
and the national parliaments for the definition of
a European security and defence policy

REPORT

submitted on behalf of the Committee for Parliamentary and Public Relations
by Mr Robol, Rapporteur

ASSEMBLY OF WESTERN EUROPEAN UNION
43, avenue du Président-Wilson, 75775 Paris Cedex 16
Tel. 01.53.67.22.00 – Fax: 01.53.67.22.01
E-mail: assembly@weu.int
Internet: <http://www.weu.int/assembly/welcome.html>

Strengthening cooperation between the Assembly of WEU and the national parliaments for the definition of a European security and defence policy

REPORT¹

*submitted on behalf of the Committee for Parliamentary and Public Relations²
by Mr Robol, Rapporteur*

TABLE OF CONTENTS

DRAFT RESOLUTION

on strengthening cooperation between the Assembly of WEU and the national parliaments for the definition of a European security and defence policy

DRAFT ORDER

on strengthening cooperation between the Assembly of WEU and the national parliaments for the definition of a European security and defence policy

EXPLANATORY MEMORANDUM

submitted by Mr Robol, Rapporteur

- I. Introduction
- II. The institutional framework for parliamentary scrutiny of European security and defence policy
- III. The national level
 - (a) Analysis of the composition of national delegations
 - (b) Membership criteria
 - (c) Ideal qualifications
 - (d) Membership of relevant committees
 - (e) Schedule of work and reasons for absence

¹ Adopted by the Committee by 10 votes to 1, with 1 abstention.

² *Members of the Committee:* Mrs Squarcialupi (Chairman); Lord Russell-Johnston, Mr Eversdijk (Vice-Chairmen); MM Aleffi, Amoruso, de Assis, Debarge, Evin, Gehrcke, Graas, Mrs Guirado (Alternate: Arnau Navarro), Ms Hoffmann, Ms Jäger, Ms Jones, Mrs Katseli, Mrs Kestelijn-Sierens, MM Legendre, Mignon, Moreels, Niza, Onaindia, Pottakis, Mrs Pulgar, Mr Rodeghiero (Alternate: Robol), Ms Süßmuth, MM Taylor, Timmermans, *Vis.*

Associate members: Mrs Kaland, Mr Matuska.

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

- IV. Parliamentary instruments for linking the national policy process with the European framework
 - (a)* Involvement in defining national policy
 - (b)* Scrutiny procedures
 - (c)* Information resources
 - (d)* Interparliamentary groups
- V. Support services
- VI. Contribution by WEU non-member country delegations
- VII. Proposal for a more incisive role for the Assembly of WEU
- VIII. Conclusions

*Draft Resolution**on strengthening cooperation between the Assembly of WEU and the national parliaments
for the definition of a European security and defence policy*

The Assembly,

- (i) Persuaded that parliamentary scrutiny must be preserved in the new European security and defence architecture and that, pending more wide-ranging institutional reform, the Assembly of WEU must continue to exercise that scrutiny;
- (ii) Sustained by the well-founded conviction of its member parliamentarians that an important part of their role is to convey decisions taken in the European context to their national parliaments;
- (iii) Noting that members of the Assembly encounter obstacles in circulating the information they provide and in putting over their convictions, and also that their work in the Assembly often does not receive enough publicity, nor is its value sufficiently appreciated by their colleagues in national parliaments;
- (iv) Convinced that the WEU Assembly's present structures can be used more effectively and be better adapted to the growing need for dialogue between delegation members and their own parliaments;
- (v) Considering that the support services of national parliaments are frequently ill-equipped to handle the increasing number of problems and the expansion of the international dimension which the common security and defence policy carries with it;
- (vi) Desirous to breathe new life into relations between the national parliaments and the WEU Assembly,

INVITES WEU MEMBER COUNTRY PARLIAMENTS

1. To make their respective governments understand the role of the WEU Assembly as an essential instrument of parliamentary scrutiny in the new European common security and defence policy architecture;
2. To take the necessary steps to enhance cooperation between the support services parliaments offer their delegations and the services of the WEU Assembly, so as to ensure the rapid transmission of information between the Assembly and the national parliaments;
3. To take experience and expertise in security and defence matters into consideration among other criteria when making appointments to WEU Assembly delegations;
4. To endeavour, in agreement with international assemblies, to better coordinate the dates of sessions with the work schedules of national parliaments;
5. To envisage holding a general debate on the activities of parliamentary delegations to international assemblies, no less than twice a year.

Draft Order

*on strengthening cooperation between the Assembly of WEU and the national parliaments
for the definition of a European security and defence policy*

The Assembly

- (i) Convinced there is a need to give a new impetus to cooperation between the Assembly and its national delegations during the transitional phase leading to reform of the European institutions;
- (ii) Convinced likewise that it is time for consideration to be given to reform of the rules and procedures for admitting members to the Assembly in order to ensure continuity and active involvement in its work;
- (iii) Taking the view that the Assembly could play a more incisive role forthwith if present organisational structures are reorganised;
- (iv) Supporting its President in his role as the Assembly's representative in its external relations,

INSTRUCTS ITS PRESIDENTIAL COMMITTEE

1. To take all measures consonant with the modified Brussels Treaty and the Assembly's Charter and Rules of Procedure for the purpose of improving, in agreement with national parliaments, the appointments procedure for their delegations, while taking account of the need to achieve a balance between national and international parliamentary work schedules;
2. Mandate the President of the Assembly to submit those measures, once they have been drawn up, to future meetings of the Conference of Speakers and to national delegations;
3. Draw up, as a matter of urgency, arrangements for participation by the parliamentary delegations of the associate partner and observer countries in the work of the Assembly and its committees.

Explanatory Memorandum
(submitted by Mr Robol, Rapporteur)

I. Introduction

1. The context in which the reevaluation of Europe's political and military security and defence capability is taking place today is one of a total state of flux. As far as policy change in this area goes, the past two years have been strewn with milestones: WEU's Bremen Ministerial Council (May 1999), the Washington (April 1999) and Cologne (June 1999) Summits and the series of bilateral declarations beginning with Saint Malo (December 1998). It is now being widely and openly speculated that, in the not too distant future, a genuine common security and defence organisation could be achieved as part of the European integration process. The war in Kosovo served simultaneously to create broad public awareness of Europe's security and defence deficit and to bring home to people the worrying fact that there was no scrutiny or influence over the decision-making process.

2. A debate about defining an institutional architecture which embodies procedures for democratic scrutiny of governments must get under way – given that defence is a basic issue in any democratic society, perceived by the public at large as of paramount importance, both in terms of the need for accountability to its elected representatives and as indicative of the national interest within the wider balance of interests, and hence not one that can be left entirely to civil servants.

3. One common view in all the documents and declarations that have accompanied the various milestones in European integration is that responsibility for defence will remain exclusively with each individual state and that harmonisation will be at the level of legislation, strategic choices and investment. Therefore it is anticipated that one set of decisions will be taken at European level and another at national level, which immediately raises the difficulty of the institutional architecture to accommodate the process so as to provide a rational system of political choice and scrutiny.

*II. The institutional framework for
parliamentary scrutiny of European security
and defence policy*

4. The task of democratic scrutiny can only be entrusted to a parliamentary institution, which is the only instrument, in modern democracies, able to translate the wishes of the electorate into decisions of government. At present three treaty-based international assemblies exist at the European level: the European Parliament, the Parliamentary Assembly of the Council of Europe and the Assembly of WEU. Members of the European Parliament are elected by direct universal suffrage, thus reflecting the supranational character of the European organisation over which they are required to exercise scrutiny: the entire first pillar of the EU, that is, the Community pillar where the European Commission has a predominant role.

5. Several European governments are convinced that so long as decisions concerning security and defence are taken in an intergovernmental framework, the European Parliament – as the representative body of the Community process and the supranational dimension of the European Union – cannot exercise scrutiny.

6. The WEU Assembly, on the other hand, was given specific responsibilities which pertained essentially to areas where state sovereignty remained intact. Hence its election by direct universal suffrage was not contemplated. However, it was the will of the signatory nations of the modified Brussels Treaty that it should be made up of members of the parliaments of the WEU member countries.

7. Thus the WEU Assembly has exclusive responsibility for defence and, through its members, there is a direct link, based on continuity of experience, between it and the national parliaments. It is in fact unique in having a full parliamentary cycle, with an up-swing from a national level to a European level and a down-swing bringing European decisions back to the various

countries. The WEU Assembly is purpose-built for the job but the introduction of a few improvements could further enhance cooperation between it and the national parliaments in defining a common security and defence policy.

8. However, the fact should not be overlooked that the European Parliament admits a dual mandate, national and European, for its members and that the Maastricht and Amsterdam Treaties give it a limited right to be informed and consulted on the broad outlines of the CFSP conducted by the European Union.

9. In view of the European Union's new foreign policy responsibilities, it is going to be essential to define a framework for relations between the two assemblies in the future construction of security and defence Europe. Already, the Chairman of the European Parliament Committee on Foreign Affairs, Human Rights and the Common Security and Defence Policy has addressed the special session of the WEU Assembly held in Luxembourg this year and discussions are in progress on appropriate ways for the Assembly and the European Parliament to cooperate on a basis of reciprocity. It will fall primarily to the Political Committee to put forward appropriate proposals. The aim of the present report is to focus on practical ways of strengthening the Assembly's cooperation with the national parliaments, which would appear to be of particular importance at a time when security and defence Europe is to become a reality

10. In order to strengthen the political legitimacy of the WEU Assembly, thought should therefore be given to how the procedure for appointing its members can usefully be reformed.

III. The national level

(a) Analysis of the composition of national delegations

11. In order better to understand how the cycle of mutual influence linking the WEU Assembly with the national parliaments operates, there needs to be an analysis of the membership of the national delegations in terms of the origins, areas of expertise and interests of the members, who are drawn from both the upper and lower houses of their respective countries.

12. The criteria for appointment are those laid down by the individual parliaments, the only

condition being that a proportionate balance must be struck between the parliamentary groups set up and hence between majority and opposition. Officially, proposals are made by the speakers of those parliaments but in practice names are put forward by the leaders of the parliamentary groups at the start of each legislature, when duties and responsibilities are allocated. Thus a number of personal factors and considerations of overall balance may also come into play. Hence it would be desirable in this connection to draw up a few more objective criteria which the WEU Assembly might suggest to the parliaments of the member countries.

(b) Membership criteria

13. First of all, the modified Brussels Treaty imposes a specific obligation on the WEU Assembly in stating that it must be composed of representatives of the Brussels Treaty Powers to the Assembly of the Council of Europe, in spite of the very different areas of responsibility of both assemblies – a disadvantage that stems from the intentions of the founders of the Treaty and one that today, in the absence of eminently desirable reform, can only be rectified empirically. Given that delegations comprise equal numbers of members and substitutes, responsibility for their work in the Council of Europe and the WEU Assembly should be apportioned between both on a fifty/fifty basis. This might be one way of avoiding both confusion and fragmentation of such varied responsibilities and is a possible way forward compatible with the present position.

14. However one essential consideration is the personal interests of the individual delegation members – a key factor in determining how effective the resultant activities are. In the initial selection phase, immediately following an election, there must be an effort to “sell” members the idea of putting themselves forward to serve on behalf of their parliamentary group by making sure they are properly informed. This applies especially in the case of newly elected MPs who may not be completely *au fait* with the ways in which responsibilities are shared out and where an immediate approach is advisable. The WEU Assembly might draft some form of explanatory letter to raise its own profile and make people more aware of its form of organisation and the range of its activities.

15. Still on the subject of strengthening the WEU Assembly's links with parliaments, it would be advisable, whenever a member country parliament embarks on a new term of office, for the Committee for Parliamentary and Public Relations to request the Presidential Committee to invite the members of the newly constituted foreign affairs and defence committees to attend a special meeting during Assembly sessions. This meeting should become a regular event and there should be an item in the Assembly's budget to cover it. If the aim is to raise awareness and interest in working together, there is a need to look further than simply those members appointed to a delegation, who will otherwise find themselves working in a vacuum. The Committee for Parliamentary and Public Relations should seize every opportunity of contact with newly appointed national delegations in the wake of national elections.

(c) Ideal qualifications

16. A degree of continuity of delegation membership is often also present from one parliamentary term to the next and this can obviously contribute greatly to a build-up of relevant experience within the delegation.

17. Other desirable qualifications, albeit more difficult to command, are specialist skills deriving from work experience gained prior to entering parliament. Clearly there is an advantage in having people in the delegation who are already

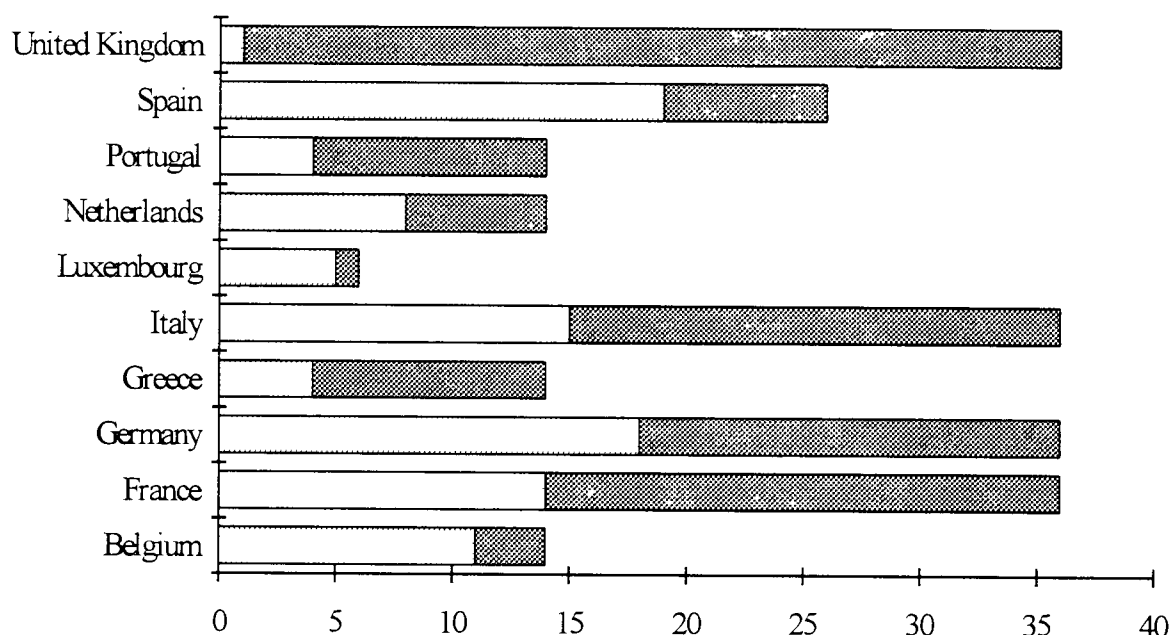
knowledgeable about military matters, international organisations, foreign policy or diplomacy.

18. Another very important qualification is knowledge of foreign languages – in WEU's case of French and English – since this is the only way of communicating directly with colleagues in other delegations and deriving benefit from personal contact during sessions. It makes for a more direct exchange of information, particularly between rapporteurs, helps keep down interpreting costs for missions to national parliaments and would also help shorten the time involved in two-way circulation of documents. It is worth recalling that even the proceedings of sessions have to be translated into every delegation's national language at the expense of its Secretariat, adding several months to the time taken for texts to be circulated. In this connection national parliaments might be requested to organise language classes and training courses for the parliamentarians involved.

(d) Membership of relevant committees

19. However, the crucial organisational factor in all this is undoubtedly the fact that delegation members should belong to one or other of the parliamentary committees with responsibility for foreign affairs, European affairs or defence, for the obvious reason that they provide the link between the two levels of policy – national and international. According to a statistical survey, the present position is as follows:

Number of WEU Assembly members sitting on the foreign affairs, European affairs or defence committees of their national parliaments (in light grey) compared with the total number in each national delegation (in dark grey)



Belgium – total number in Delegation: 14

Foreign Affairs Committee.....(1 Vice-Chairman).....	4
Defence Committee.....(1 Chairman).....	3
European Affairs Consultative Committee	3
Foreign Affairs and Defence Committee (Senate)	5
* Certain members belong to more than one committee.	

France – total number in delegation: 36

Foreign Affairs Committee	5
Defence Committee	5
Foreign Affairs and Defence Committee (Senate)	4

Germany – total number in delegation: 36

Foreign Affairs Committee	9
Defence Committee	9
Committee for European Union Affairs.....	4
* Certain members belong to more than one committee.	

Greece – total number in delegation: 14

Foreign Affairs and Defence Committee.....	3
European Affairs Committee	1

Italy – total number in delegation: 36

Foreign Affairs Committee	7
Defence Committee	5
European Affairs Committee (Senate).....	3
Committee for European Union Affairs.....	0

Luxembourg – total number in delegation: 6

Foreign and European Affairs Committee 5

Netherlands – total number in delegation: 14

Foreign Affairs Committee 8

Defence Committee (1 Chairman) 2

European Affairs Committee 2

* Certain members belong to more than one committee

Portugal – total number in delegation: 14

Foreign Affairs Committee 4

European Affairs Committee (1 Chairman) 1

Spain – total number in delegation: 24

Foreign Affairs Committee (1 Chairman) 15

Defence Committee (1 Chairman) 2

Bicameral Committee for European Union Affairs 2

United Kingdom – total number in delegation: 36

Defence Committee 2

As can be seen, five countries (Belgium, Germany, Luxembourg, the Netherlands and Spain) already meet the condition of having half the members of their WEU Assembly delegations sit on national parliamentary committees dealing with areas in which WEU specialises. Others are getting close to that goal and only in the case of the UK parliament is the position harder to evaluate, in view of the specific characteristics of that country's parliamentary structure. It should also be noted that several delegations include among their membership the chairmen or vice-chairmen of their national defence committees, a coincidence it would be highly desirable to see replicated in every delegation given the ability of such people to act as a driving force at both levels.

(e) Schedule of work and reasons for absence

20. Attendance by members at WEU Assembly committee meetings and sessions calls for some comment and is a problem that must be resolved rationally so as to narrow down the wide range of tasks weighing upon parliamentarians. There is, first, a need to dovetail national parliamentary commitments with those that involve foreign travel by supporting the call for all member country parliaments to set aside each half-year a week for an "international session"

when all delegations would be free to attend the various international assemblies. The proposal would need to be made with the common accord of NATO, the OSCE and the Council of Europe – all equally interested in alleviating the difficulty. Since – with the sole exception of the dual WEU/Council of Europe mandate – it is customary not to appoint one person to several delegations, such an arrangement would free up parliamentarians and help create a general awareness in national parliaments of the work that goes on in these parallel fora. As far as the dual remit is concerned, the solution is that already suggested of splitting the delegation into two with half the members devoting themselves solely to the work of either the WEU Assembly or the Council of Europe with which planning is moreover becoming increasingly complicated as a result of the expansion in its activities.

21. A difficulty imposed from without arises during the second half-year because of the budget round that takes place in the autumn in national parliaments. Given the need for members to be in their home parliaments and the importance of the occasion in terms of parliamentarians' influence over government decisions, it is clear that member countries have to strike a balance between the time devoted to work at national and interna-

tional levels and reduce the burden of the latter in the autumn by carrying it over to the following spring.

22. A further problem encountered in connection with members' attendance at international gatherings is that of always ensuring a quorum at national parliamentary sittings and, in the case of the majority party, that members are present in sufficient numbers to ensure that government bills are approved in a vote. Ways of establishing quoracy vary according to the parliament, with some placing a whip on plenary sessions only and not on standing committees. Cases where the whip does apply to standing committees create an obvious difficulty as far as the idea is concerned of concentrating members of committees whose remit covers European security and defence in the WEU Assembly Delegation; for if the membership of those committees were to consist wholly of parliamentary representatives to the international assemblies referred to, they would find it impossible to operate, which is one reason why national parliaments have not adopted the practice. The solution that could be suggested is that already mentioned of setting aside a specific week each half-year to deal with international matters; however, there is a need also to put the argument to some parliaments for a reform of the whip system as it applies to parliamentary committees.

23. Another reason for absence is that some parliamentarians are appointed to international delegations because of their reputation and political prominence, in the belief that this gives the delegation added status. While it is true that countries try to put forward for international service people who are known outside their own countries, the goal is not necessarily thereby achieved since those involved are often parliamentarians whose activities and commitments are many and varied and who are hence more likely to find it difficult to attend meetings of international bodies.

24. A fairly frequent occurrence is that delegation members may in the course of a parliament take on other responsibilities or, more specifically, become members of the national government. Notwithstanding the fact that parliamentary responsibilities are clearly incompatible with an executive role, there is no formal requirement that they should be replaced in delega-

tions to international assemblies, so that they may at times suspend their involvement there, possibly to return to it later. There should be stricter rules on this score, whose application would be the responsibility of the leader of the national delegation, possibly at the request of the President of the WEU Assembly, who then might take a formal decision at a meeting of the Bureau.

25. Finally, one last suggestion that could be made to delegation leaders to help them deal systematically with the persistent absenteeism exhibited by some delegation members is naturally that – on a purely informal basis – they consider recalling members or suggesting they are replaced so that the member concerned understands that repeated absence throughout an entire session detracts from the role the country he or she represents aspires to play on the European stage.

IV. Parliamentary instruments for linking the national policy process with the European framework

26. Once arrangements have been established for parliamentarians' involvement in the work of international assemblies, which will enable them to gain a fuller grasp of problems at the European level, it becomes a great deal easier for them to pass on the body of knowledge they acquire and disseminate it throughout the body politic of their own countries.

27. Every parliament has a number of instruments enabling individual members to influence government decisions and monitor their implementation and the allocation of resources.

(a) Involvement in the national policy process

28. In most Western democracies the principal means of expression of the will of parliament in respect of government is approval of the nation's budget. The budget round offers room for manoeuvre through reductions or increases in expenditure or by transferring appropriations from one head to another, leading to priority being given to implementation of certain proposals that are put forward, while others are shelved.

29. At this point international considerations are extremely important when it comes to justifying certain items of defence expenditure and WEU Assembly members clearly have a part to

play in explaining these to their colleagues and creating an informed climate in the relevant parliamentary groups and committees. In fact, defence spending everywhere is constantly at risk of being cut back under the sway of uninformed public opinion or other socio-economic considerations likely to carry greater weight with voters. International considerations could be used as a counter-argument to justify the need to maintain commitments.

30. Next, every parliament can call at will on a wide range of instruments directed towards governments – resolutions, motions, recommendations and so on – to engineer a majority vote that commits the executive closely to a given plan or course of action.

31. It may also be possible for parliaments to agree to hold a debate on security and defence policy, or some other specific aspect of defence, in all the WEU member country parliaments at the same time. Here, WEU Assembly members would have a part to play in liaising with their colleagues from other countries, as would delegations in seeking to stimulate interest among the various political groups.

(b) Scrutiny procedures

32. Parliamentary scrutiny invariably takes the form of questions addressed to ministers with the relevant responsibility, from whom a rapid and accurate reply on the specific facts of a matter can be expected. In many cases such questions can be raised in committee or during plenary sessions and these two routes are supplemented by the press service and the various forms of media coverage to draw public attention to the debate.

33. WEU Assembly members should make regular use of such means in order to keep up the pressure for a follow-up to decisions taken at European level. They should also make it their business to report back at international level on the replies from governments. It is not hard to conceive of arrangements whereby a series of questions are routinely prepared for all members of a given WEU Assembly committee to raise in their national parliaments and the replies then examined at the session that follows.

(c) Information resources

34. Another instrument available to every parliament is its committees' ability to organise hear-

ings, enquiries and fact-finding missions at the request of any member, provided the majority approve. This is a useful adjunct for updating information on a particular subject and any matter within WEU's remit that comes to notice at national level should in due course be brought to the attention of colleagues in Europe. This then is yet another opportunity for WEU Assembly members to take the initiative by urging their colleagues to organise briefings on subjects specifically concerned with European relations.

(d) Interparliamentary groups

35. Individual parliamentarians frequently take personal initiatives in organising "interparliamentary" groups with representation from national parliaments to look into a particular subject area. Such groups are formed spontaneously as a result of some MPs' desire to follow up issues in a particular sphere and find common solutions. In this way they gradually create a kind of institutionalised framework for their activities. One example of this is the Interparliamentary Space Group set up in 1994 at the initiative of British, French, German and Italian parliamentarians which operates according to a well-coordinated plan and has an input into national policy development while pursuing its goal of closer European cooperation; simultaneously it maintains the contacts necessary for exchanging information and encourages communication with a wider public. Another example is the parliamentary group on cooperation for technological innovation and many of the animal and environmental protection groups. All of this goes to show that an awareness of problems makes members of individual parliaments feel that they are not "going it alone" since they are aware of the need to refer to their colleagues in other countries in the search for shared solutions and to take advantage of others' experience.

V. Support services

36. All parliaments have an external relations department of which the secretariats of international delegations form part. Most are separate from the secretariats of the standing committees which tend to be concerned with legislative work and government scrutiny. This situation, which obtains particularly in the larger parliaments, may well create a split between information and expertise that militates against direct contact and