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WEU after Amsterdam: the European security and defence identity
and the application of Article V of the modified Brussels Treaty –
reply to the annual report of the Council

REPORT

submitted on behalf of the Political Committee
by Mr Vrettos, Rapporteur

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*WEU after Amsterdam: the European security and defence identity
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reply to the annual report of the Council*

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TABLE OF CONTENTS

DRAFT RECOMMENDATION

on WEU after Amsterdam: the European security and defence identity and the application of Article V of the modified Brussels Treaty – reply to the annual report of the Council

EXPLANATORY MEMORANDUM

submitted by Mr Vrettos, Rapporteur

I. Introduction

II. The consequences of the Treaty of Amsterdam for WEU's future role

- 1 Non-Article V matters (crisis management)
- 2 The future application of Article V
- 3 The European security and defence identity

III. A working programme for WEU

IV. Conclusions

APPENDICES

I. Article J 7 of the Treaty of Amsterdam

II. Protocol to Article J 7 of the Treaty of Amsterdam

¹ Adopted unanimously by the Committee

² *Members of the Committee.* Mr Baumel (Chairman), MM Urbain, Blaauw (Vice-Chairmen), MM Antretter, de Assis, Bianchi, Brancati, Buhler, Sir Sydney Chapman, MM Cusimano, Dias, Mrs Dumont, MM Ehrmann, Evangelisti, Eyskens, Mrs Fischer (Alternate. *Schloten*), Mr Forni, Lord Grenfell, Mr Irmer, Lord Kirkhill, MM Liapis, van der Linden, Van der Maelen, Marshall, Martínez, Martínez Casañ, Puche Rodríguez, Recoder, Rippinger, Roseta, *Skoularikis*, *Vrettos*, Woltjer, Wray, Yamgnane (Alternate. *Debarge*), Zierer, N (Alternate Mrs *Squarcialupi*)

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

Draft Recommendation

*on WEU after Amsterdam: the European security and defence identity
and the application of Article V of the modified Brussels Treaty –
reply to the annual report of the Council*

The Assembly.

- (i) Noting that progress has fallen behind on the development of a European security and defence identity and that this calls for a reaction from the Assembly.
- (ii) Noting with concern that the scant progress made in the Treaty of Amsterdam in a number of important areas has given rise to disappointment and disillusion among a number of political decision-makers and in political opinion in European Union member countries.
- (iii) Concerned also that the political impetus necessary to create "an ever closer union among the peoples of Europe" as specified in the Maastricht Treaty might thus be further weakened.
- (iv) Recalling therefore the particular responsibility of the ten signatories of the modified Brussels Treaty to give practical effect to their stated resolve therein "to promote the unity and to encourage the progressive integration of Europe" for which purpose the WEU Council was created in 1954.
- (v) Underlining in addition the need for WEU
 - (a) to start work immediately on implementing the provisions of Title V of the Treaty of Amsterdam regarding WEU's enhanced responsibilities in breathing life into the CFSP, and
 - (b) to provide fresh political momentum for the purpose of taking qualitative steps to achieve a common European defence.
- (vi) Recalling that the Amsterdam and Madrid decisions require WEU to take a number of political decisions in addition to those enumerated in Recommendation 618 adopted by the Standing Committee on 16 October 1997.
- (vii) Underlining in particular the need for WEU to elaborate and agree on a comprehensive European security concept defining without ambiguity the consequences for WEU of the role and function the European Union is prepared to fulfil in the 21st century.
- (viii) Stressing that such a concept must include a clear definition of Europe's future responsibilities in the areas of crisis management and proper defence in relation to its cooperation with the Atlantic Alliance, and in the context of the elaboration of a pan-European security architecture in which Russia, Ukraine and the successor states of the former Soviet Union play a part.
- (ix) Emphasising the need for the ten signatories of the modified Brussels Treaty to start work on adapting it to WEU's new role in relation to the European Union and NATO without calling into question the cornerstone of mutual defence assistance laid down in Article V of that Treaty.
- (x) Welcoming the timely transmission of the first part of the 43rd annual report of the Council to the Assembly.
- (xi) Welcoming the successful efforts of WEU and its member states to restore police authority and public order in a number of countries such as former Yugoslavia and Albania, in close consultation and cooperation with the political authorities of those countries.
- (xii) Recalling however that WEU is first and foremost a politico-military organisation and that its crisis-management missions can under no circumstances be confined to police activities.
- (xiii) Considering that the Assembly has often submitted useful proposals to the Council – as the Erfurt Declaration has once again acknowledged – but that the statutory procedures for conveying recommendations adopted by the Assembly and for the Council's replies thereto are too slow to meet the requirements of a genuine dialogue between these two WEU bodies.

RECOMMENDS THAT THE COUNCIL

- 1 Draw up and agree on a revised version of the Hague Platform taking into account the fundamental changes in the international security environment since 1987, in addition to implementing the measures proposed in Recommendation 618;
- 2 Include in the new concept a clear position on the responsibilities of the WEU member countries regarding the defence of Europe and the future implementation of Article V of the modified Brussels Treaty in relation to the defence obligations of the member countries of the Atlantic Alliance on the basis of Article 5 of the Washington Treaty and with regard to WEU's newly created Military Committee;
- 3 Adapt the wording of Article IV 2 of the modified Brussels Treaty to the situation created by the establishment of WEU military structures such as forces answerable to WEU (FAWEU) and of WEU's Military Committee;
- 4 Make full use of Article VIII.3 of the modified Brussels Treaty either
 - in order to take its own decisions in the area of crisis management, or
 - to give advice to the European Union in preparing any European Union decisions for the elaboration and implementation of which the European Union will avail itself of WEU, in particular as regards Petersberg missions;
- 5 Take a political decision on the scope WEU intends to develop for its own military capabilities (to be used either at the request of the European Union or on its own initiative) bearing in mind that Europe's military capabilities are so limited that WEU is not capable of undertaking a military operation of a certain magnitude without relying on NATO assets and capabilities;
- 6 Establish rules of engagement for all areas in which WEU has a preference for autonomous decisions in the area of crisis management on the basis of the Council's Declaration of 22 July 1997 (with special reference to its experience so far in crisis situations such as former Yugoslavia and Albania),
- 7 Start work immediately to draw up with the European Union arrangements for enhanced cooperation between WEU and the Union, as set out in the Protocol appended to Article J 7 of the Treaty of Amsterdam, in order to reach agreement on the following issues:
 - (a) at its own initiative, the WEU Council should provide the EU from the outset with regular security assessments in the area of WEU's responsibilities,
 - (b) on the basis of WEU's expertise, it should become a standing practice that decisions to be taken by the European Union within the meaning of Article J 7 of the Treaty of Amsterdam, should be prepared from the very beginning by WEU,
 - (c) in cases where the European Union is unable to agree on availing itself of WEU in elaborating and implementing a Petersberg mission, WEU should take its own decisions on the basis of the procedures set out in WEU's Declaration of 22 July 1997, including the option of having recourse to a framework nation.
- 8 Assign WEU personnel without delay to the policy planning and early warning unit to be set up by the European Union and establish legal and precise criteria according to which WEU can provide a useful input to the work of that unit,
- 9 Examine in cooperation with the relevant EU authorities, the possibility of a WEU contribution to the "European Conference" proposed by France, should this be decided at the next EU summit meeting,
- 10 Regularly invite the President of the Assembly to put the views of the Assembly to the Council at the opening of its ministerial meetings

Explanatory Memorandum

(submitted by Mr Vrettos, Rapporteur)

I. Introduction

1. The signature of the Amsterdam Treaty, modifying the Treaty on European Union concluded in Maastricht, was accompanied and followed by numerous public comments all over Europe but also in the United States, most of which expressed severe criticism of and disappointment with the poor results, as reflected in the Treaty, achieved in the area of reform of the European institutions in order to prepare them for future enlargement. One particular criticism was that Amsterdam failed to make substantial progress on the objective of establishing a common security and defence policy in the framework of the European Union.

2. However, it is not the purpose of this report to perpetuate this debate by denouncing the deficiencies of the Treaty nor to provide arguments for all those Eurosceptics who wish to make public opinion believe that Amsterdam was another example demonstrating that the member countries of the European Union are neither willing nor able to enter into political union. Of course, the Assembly had submitted realistic proposals at the start of the intergovernmental conference. But even though it is disappointing that these proposals were not followed, this is no reason for resignation. Such an approach would be very dangerous. As the whole process since the end of the second world war shows, the endeavour of realising the vision of European political union has been always a difficult and laborious enterprise in which progress has been slow and setbacks frequent.

3. But if the idea as a whole simply fades away, we risk a return to the previous mould of policies of hegemony, the creation of spheres of influence, the rebirth of national competition and policies of a balance of power. The results of such policies are well known in Europe. It is our responsibility to demonstrate our determination and conviction that Europe will succeed in defining and realising the objective of political union and thus become an effective political player in the world, in order to preserve peace and strengthen international security, as set out in Article J 1 of the Treaty of Amsterdam. An

effective and expanding European Union is the core around which the future unification of the continent will take place. The European Union has to have a central role in European security, befitting its political and economic weight. In this regard the revised Treaty on European Union – and in particular Article J 1 – could, if the necessary political will exists, prove to be an important step in the context of the shared values and principles enshrined in the European Union, economic development and social progress within a peaceful and secure environment not only for the EU member states but for the continent as a whole.

4. Amsterdam is not the end of a process. On the contrary work has to begin both to implement the provisions of the new treaty and to draw the practical and political consequences of the new situation. This is first and foremost a challenge for Western European Union. Secondly, work has to start in order to revive the political impetus needed to allow us to envisage in time taking further qualitative steps in the direction of European integration in those areas where Amsterdam failed.

5. In pursuing such an objective it is necessary to proceed in a spirit of political realism in order to avoid situations arising in the future similar to those in which certain ambitious projects were introduced into the negotiations without ensuring they had a chance of being accepted by all the member countries concerned. In the end, political impetus is always generated by achieving practical progress through successful joint action. It will therefore be crucial to work hard on enhancing Europe's ability to orchestrate action and to agree rapidly on a joint position in any given situation. This again is a major challenge both for WEU and the European Union.

6. But it should be clear from the outset that a major condition for meeting these challenges is early ratification of the Treaty of Amsterdam. A negative attitude in this respect would not help. On the contrary, it would produce a dangerous setback. Furthermore, WEU has to redefine its role and mission. The importance of the decisions facing the WEU Council has been described in

the Assembly's preliminary assessment of the situation which led to Recommendation 618 being adopted by the Standing Committee on 16 October 1997¹.

7. It is necessary to recall that the redefinition of WEU's role and mission also has to be considered in the light of the new nature of its relations with NATO and of the Madrid decisions taken by the Atlantic Alliance. However, WEU is not only a link or bridge between the European Union and NATO. It also has to draw the consequences of the fact that neither the European Union nor the Atlantic Alliance can be said to be the organisations in which the European security and defence identity can be given expression.

8. One of the results of Amsterdam is that on the basis of the modified Brussels Treaty, WEU remains the only framework for establishing this European identity because the European Union is not yet prepared to take on this function and the Atlantic Alliance is not a purely European organisation. The Amsterdam outcome makes it necessary to clarify exactly what Europe's responsibilities are in the field of security and defence. Will they in future be limited to non-Article V matters? Even though the threat to the territorial integrity of WEU member countries seems to have disappeared for the time being, the question remains: who is responsible for the defence of Europe today and who will be responsible for it in the future?

9. Even though the plans of some member countries to introduce the objective of the protection of territorial integrity into the preamble of the Treaty of Amsterdam were not realised, the Treaty confirms the objective of safeguarding the independence and integrity of the European Union. At the same time, it recognises that a number of the member states "see their common defence realised in NATO, under the North Atlantic Treaty"².

10. At the briefing it gave the Presidential Committee on 17 October 1997 in Bonn, the German Chairmanship-in-Office of the WEU

Council clearly stated that pure defence matters should be dealt with by NATO on the basis of Article 5 of the Washington Treaty. On the other hand, still according to the Presidency, WEU's responsibilities should concentrate on crisis management as specified in the Petersberg Declaration. However, the text and scope of Article 5 of the Washington Treaty is not the same as that of Article V of the modified Brussels Treaty. It is well known that the latter contains a much stricter assistance clause than the North Atlantic Treaty.

11. However, one can observe a definite trend among a number of European governments to diminish the importance of Article V of the modified Brussels Treaty. The question of its future application is therefore on the table and has to be studied carefully. It is evident that this problem is not only a theoretical one. It has far-reaching consequences for the new European security architecture as a whole and in particular for WEU's enlargement.

12. During the second half of 1997 the exchange of views and information between the Assembly and the Council and its Presidency was particularly close and intensive. Having been briefed in June by Mr Hoyer, German Minister of State for Foreign Affairs, on the results of the intergovernmental conference and the programme of the German Presidency of WEU, the Presidential, Political and Defence Committees had meetings with the Permanent Council in Brussels on 16 September 1997 and with NATO experts and NATO's Permanent Council on 17 September. A month later, on 17 October, Dr von Ploetz, State Secretary for Foreign Affairs and Dr Wilz, State Secretary for Defence of the German Government, had an exchange of views with the Presidential Committee in Bonn.

13. For the first time for a number of years, the first part of the 43rd annual report of the Council to the Assembly has arrived on time, thus allowing the Assembly to study it carefully and reply to it. The Assembly also appreciates that the Council has responded to some of its requests to transmit a number of documents to it in order to enhance the information it has about the activities of the Council. The reinforcement of working relations between the Council and the Assembly on the basis of these improvements would be greatly appreciated. An enhanced dia-

¹ Assembly Document 1581 on WEU's role in the organisation of European security after the decisions taken by the European Union in Amsterdam and by NATO in Madrid.

² Article J 7.1 of the Treaty of Amsterdam.

logue between the Assembly and the Council is particularly necessary at a time when WEU is faced with the challenge of taking a number of fundamental decisions.

14. This need was clearly demonstrated when the German Chairmanship-in-Office, represented by the Foreign Minister Klaus Kinkel and Defence Minister Volker R  he, informed the members of the Presidential, Political and Defence Committees on 18 November 1997 of the outcome of the WEU ministerial meeting held in Erfurt on 17 and 18 November 1997. It is obvious that the content of the Erfurt Declaration issued by the WEU Council of Ministers, which includes substantial and positive elements for the future work of WEU, needs to be carefully studied. This should be the subject of a future report.

15. However, the answers given by the Chairmanship-in-Office to the various questions put by Assembly members during their meeting were either disappointing or showed that several of the important problems outstanding are still far from being settled. The ministerial arguments rejecting the proposals to hold a WEU summit and regularly invite the President of the Assembly to put the latter's views to the Council at the opening of its ministerial meetings were far from convincing. Are some governments afraid of being confronted with the Assembly's arguments?

16. The Erfurt Declaration does not provide any real answers to the main questions addressed in the present report, i.e. WEU's future responsibilities for European defence in the framework of Article V, the creation of the ESDI and the appropriate area of competence of the newly created Military Committee. Furthermore, the very modest steps envisaged for reinforcing co-operation with the associate partner countries are very disappointing in view of the considerable headway made in the NATO and European Union enlargement processes.

II. The consequences of the Treaty of Amsterdam for WEU's future role

1. Non-Article V matters (crisis management)

17. These matters include all so-called Petersberg missions. In the relevant WEU Declaration of 19 June 1992, the Council decided as follows:

“ WEU member states declare that they are prepared to make available military

units from the whole spectrum of their conventional armed forces for military tasks conducted under the authority of WEU.

Decisions to use military units answerable to WEU will be taken by the WEU Council in accordance with the provisions of the United Nations Charter. Participation in specific operations will remain a sovereign decision of member states in accordance with national constitutions.

Apart from contributing to the common defence in accordance with Article 5 of the Washington Treaty and Article V of the modified Brussels Treaty respectively, military units of WEU member states, acting under the authority of WEU, could be employed for:

- humanitarian and rescue tasks,
- peacekeeping tasks,
- tasks of combat forces in crisis management, including peacemaking”.

18. Member countries of the European Union agreed in the Treaty of Amsterdam to give the European Union competence to decide itself on the second category of these missions i.e. non-Article V missions. Article J.7 (which will become Article 17 in the consolidated version of the European Union Treaty once it has entered into force) provides that questions relating to the security of the European Union “include humanitarian and rescue tasks, peacekeeping tasks and tasks of combat forces in crisis management, including peacemaking”.

19. The Treaty of Amsterdam does not however provide for the establishment of proper European Union means in order to carry out such decisions. According to the decisions taken in Amsterdam:

- the European Union will avail itself of WEU to elaborate and implement such decisions and actions of the Union which have defence implications.
- WEU will provide the European Union with access to an operational capability, notably in the context of Petersberg missions.

- the competence of the European Council to establish guidelines for the common foreign and security policy (CFSP), including for matters with defence implications, will also obtain in respect of WEU for those matters for which the Union avails itself of WEU;
- when the European Union avails itself of WEU to elaborate and implement decisions of the Union on Petersberg tasks, the Treaty provides.

(a) that all member states of the European Union will be entitled to participate fully in the tasks in question,

(b) for practical arrangements between the European Union and WEU to allow all member states of the European Union contributing to the tasks in question to participate fully and on an equal footing in planning and decision-taking in WEU.

20. These new provisions mean that WEU must meet the challenge of quickly altering its relations with the observer countries (Austria, Denmark, Finland, Ireland, and Sweden) At the extraordinary ministerial meeting held on 22 July 1997 in Brussels, WEU member countries therefore confirmed:

“that when the European Union avails itself of WEU to elaborate and implement decisions of the Union on the tasks referred to in Article J.7.2 of the Treaty of Amsterdam, all member states of the Union shall be entitled to participate fully in the tasks in question in accordance with Article J.7.3 of the Treaty of Amsterdam”

21 Furthermore, WEU ministers agreed that

“WEU will develop the role of the observers in WEU in line with provisions contained in Article J.7.3 and will adopt the necessary practical arrangements to allow all member states of the European Union contributing to the tasks undertaken by WEU at the request of the European Union to participate fully and on an equal footing in planning and decision-taking in the WEU”.

22 The Assembly has already pointed out that the problem of full participation of the WEU

observer countries on an equal footing in WEU's planning and decision-taking process in the aforementioned area cannot be resolved simply by “practical arrangements”³. Article J.7.3 of the Treaty of Amsterdam has a number of fundamental legal, political and military implications which will have to be based on sound international agreements to be concluded between the WEU member countries and the countries concerned. They will have to be ratified by the relevant authorities of all the countries involved. This is particularly in the interest of the WEU observer countries. The need for such a careful procedure can be demonstrated among other things by asking what will happen when a Petersberg mission turns into an Article V situation

23 By virtue of the decisions taken in Rome in November 1992 and at Kirchberg in 1994, the WEU associate member countries, by committing forces to WEU military operations, already have the right to participate on the same basis as full members in these operations and in the relevant exercises and planning activities

24 If the operation is to be carried out with the support of NATO's operational assets, the issue of the participation of associate member countries has also been settled: as emerges from the first part of the 43rd annual report of the Council to the Assembly, the Permanent Council reached an agreement on 15 April 1997 on the participation of European NATO Allies in WEU operations using NATO assets and capabilities, as well as in the planning and development of such operations. But there is still a problem when observer countries are involved. So far, agreement has only been reached on the involvement of observers “to the fullest extent possible and in accordance with their status” in the follow-up within WEU to the NATO Berlin and Brussels ministerial meetings

25 This means that if observer countries are to have the right to participate fully and on an equal footing in the planning and decision-taking process within WEU in cases in which WEU uses NATO's operational assets, further agreement between WEU and NATO will be necessary. In this connection the annual report of the Council informs the Assembly that Austria, Fin-

³ Assembly Document 1581

land, Ireland and Sweden have submitted to the Council a contribution on the participation of non-allied observers in the defence-planning process, and that this document has been forwarded to NATO.

26. In the context of Petersberg missions elaborated and implemented by WEU at the request of the European Union, it is impossible to find any indication in the annual report of the Council of WEU's concept as to how to involve the associate partner countries in these tasks. The WEU Declaration of 22 July 1997 merely announces at the very end that WEU will examine how to strengthen the associate partners' participation in an increasing number of activities. But this declaration of intent has not been placed in the context of Article J.7.2 and 3 of the Treaty of Amsterdam. In its programme of work the German Presidency said one of its aims was "to involve the associate partners in WEU work in order to facilitate their involvement in WEU's military cooperation and in WEU operations". According to paragraph 28 of the Erfurt Declaration:

"Ministers approved the document on the practical arrangements for participation of associate partners in Petersberg operations, defining their involvement in the different phases of the crisis-management process, in particular with regard to the planning and force-generation process"

Without knowing what the content of that document is, it is impossible for the Assembly to take a position on it

27. However, all these statements show that at the moment there are no plans to change the status of the associate partner countries in WEU. The problem of WEU's future relations with the associate partner countries is examined in detail in the report submitted by Mr Martínez Casañ on "the consequences of the Madrid summit for the development of WEU's relations with central and eastern European countries and Russia"¹ But the question is also strongly linked with the future relationship between WEU and the European Union and with the latter's enlargement policy. Your Rapporteur would therefore draw particular attention to paragraphs 2 (a) and (c) of Rec-

ommendation 618 adopted on 16 October 1997 by the Standing Committee

28. WEU should take advantage of the assessment made in a document issued by the European Commission on 15 July 1997 and entitled *Agenda 2000* – in which the Commission explicitly states that *all ten* central European candidates for membership of the European Union (all of which are also associate partners of WEU, as well as Cyprus, which is also an applicant, fulfil the conditions for meeting their obligations under the European Union's common foreign and security policy (CFSP). This evaluation should be reason enough for WEU to grant the associate partner countries full rights to participate in Petersberg missions requested by the European Union and a maximum degree of participation in WEU's planning and decision-taking procedure in this area

29. In this connection the Assembly is satisfied by the information provided by the Council in its first part of its annual report to the effect that security agreements have in the meantime been signed with Poland, Bulgaria, Slovakia and Lithuania. It would be useful to know when WEU will complete the conclusion of such agreements with all the associate partner countries

30. It follows from the Declaration of WEU ministers on 22 July 1997 and also from the briefing given by the German State Secretary for Defence, Dr Wilz, on 17 October 1997, that WEU is preparing to retain its capability to take its own decisions on Petersberg missions on the basis of the modified Brussels Treaty and its Petersberg Declaration. This intention is very much to be welcomed but the question is whether autonomous political decisions are still realistic alternatives following the incorporation of Petersberg tasks in the Treaty of Amsterdam and the establishment of political guidelines set by the European Council in respect of WEU for those matters for which the European Union can avail itself of WEU

31. In an article on *European security after Amsterdam* published on 14 August 1997, Mr Guido Lenzi, Director of the WEU Institute for Security Studies, states his conviction that under its own Treaty WEU is endowed with an independent decision-making capability, but after Maastricht and even more so after Amsterdam, the political mandate could only come from the

¹ Assembly Document 1585

European Union, with WEU making preparations for and assessing the feasibility of multinational forces, the composition of which will necessarily vary according to the circumstances.

32. It seems that such an attitude is now widespread within governments of member countries, whereas the Secretary-General of WEU underlined on several occasions and most recently in his address on 2 June 1997 to the Assembly that his concern was "to ensure that WEU is ready to undertake and carry out military operations that may be decided by the Council, *either of its own volition* or at the request of the European Union"

33. This statement was of course made before the Treaty of Amsterdam was concluded. It is therefore important to know soon how the WEU Council will implement its Declaration of 22 July 1997. This Declaration is divided into three parts. Part A deals with the consequences of the Treaty of Amsterdam for WEU's relations with the European Union, part B deals with relations between WEU and NATO, and part C addresses WEU's operational role in the development of a European security and defence identity (ESDI). As far as the question of maintaining WEU's own decision-making capability is concerned, everything depends on the interpretation to be given to this last part of the Declaration.

34. Earlier on, in part B, paragraph 10 of the Declaration, WEU ministers confirmed in any event that

"In addition to its support for the common defence enshrined in Article 5 of the Washington Treaty and Article V of the modified Brussels Treaty, WEU takes an active role in conflict prevention and crisis management as provided for in the Petersberg Declaration. In this context, WEU undertakes to perform its role to the full, ..."

Although this determination about WEU's role is expressed in the context of its future relations with NATO, it shows clearly that WEU ministers consider the modified Brussels Treaty as well as the Petersberg Declaration to be the proper basis for WEU's activities.

35. In part C, paragraph 13, ministers announced that

"WEU will develop its role as the European politico-military body for crisis management by using the assets and capabilities made available by WEU nations on a national or multinational basis, and having recourse, when appropriate, to NATO's assets and capabilities under arrangements being worked out. In this context, WEU will also support the United Nations and OSCE in their crisis-management tasks."

This part of the Declaration is not related to the question of WEU's future relations with the European Union.

36. This is demonstrated in particular by its provisions regarding future participation of WEU's associate member and observer countries in the Organisation's activities. At the end of paragraph 14, WEU ministers firmly declared that.

"With the aim of opening participation in all its operations to associate members and observer states, WEU will also examine the necessary modalities to allow associate members and observer states to participate fully in accordance with their status in all operations undertaken by WEU.

WEU recalls that associate members take part on the same basis as full members in operations to which they contribute, as well as in relevant exercises and planning. WEU will also examine the question of participation of the observers as fully as possible in accordance with their status in planning and decision-taking within WEU in all operations to which they contribute.

WEU will, in consultation where appropriate with the relevant bodies, examine the possibilities for maximum participation in its activities by associate members and observer states in accordance with their status. It will address in particular activities in the fields of armaments, space and military studies."

37. In these paragraphs the Council repeats three times that the participation of the relevant countries will be settled *in accordance with the status* they have in WEU. However, if WEU acts at the request of the European Union, the observer countries are not subject to such a restriction but are entitled, on the basis of the Treaty of